



City of Nedlands

Planning and Development Reports

Committee Consideration – 9 April 2019

Council Resolution – 23 April 2019

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Council: 23 April 2019

PD10.19	No. 7 Marlin Court, Dalkeith - Two Storey Single Dwelling with Under-croft
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Committee	9 April 2019
Council	23 April 2019
Applicant	Giorgi Architects & Builders
Landowner	T. Tai & T. Dechaboonako
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Director	Peter Mickleson – Director Planning & Development
Reference	DA19/33721
Previous Item	Nil
Delegation	In accordance with Clause 6.7.1a) of the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site photographs 2. Applicant's Justification

1.0 Executive Summary

The purpose of this report is for Council to consider a development application received from the applicant on 21 December 2018 for a proposed two storey single dwelling with an under-croft at 7 Marlin Court, Dalkeith.

A design principle assessment is sought in relation to lot boundary setback, cut and fill and visual privacy. It is recommended that the application be approved by Council subject to conditions.

It is considered to satisfy the design principles of the R-Codes and is unlikely to have a significant adverse impact on the local amenity due to the scale and the nature of the proposed development. For further detail refer to the application details section below.

The application was advertised to adjoining neighbours in accordance with clause 2.1 of Council's Neighbour Consultation Policy. Three objections were received during the advertising period.

2.0 Recommendation to Committee

Council approves the development application to construct a two-storey single dwelling with an under-croft at (Lot 24) No.7 Marlin Court, Dalkeith, received on 21 December 2019 with amended plans received on 18 March 2019, subject to the following conditions and advice:

- 1. The development shall comply at all times with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.**

3. The parapet wall being finished to a professional standard within 14 days of the proposed development's practicable completion and be maintained thereafter by the landowner to the City's satisfaction.
4. All structures, retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
5. Where two storeys are directly above, the use of the basement level shall be restricted to the uses of plant and equipment, storage, toilets and/or the parking of wheeled vehicles. Prior to occupation of the dwelling, the owner shall execute and provide to the City a notification pursuant to s. 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of the basement is subject to the restriction set-out above.
6. Visual privacy screening to be provided in accordance with the Residential Design Codes 2018 along the northern and western sides of the master bedroom 1 balcony, and the southern portions of the upper floor living room windows where setback less than 6m from the southern lot boundary. Amended plans showing this are to be provided as part of the building permit application.
7. All visual privacy screens/obscure glass panels to Major Openings/Unenclosed Active Habitable Spaces as shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes 2018. The visual privacy screens/obscure glass panels shall be installed prior to the development's practicable completion and remain in place permanently, unless otherwise approved by the City (Advice Note 8).

Advice Notes specific to this approval:

1. With regard to Condition 5, the applicant and the landowner are advised that the Section 70A Notification may not be required when the City's Local Planning Scheme No. 3 is gazetted. Please contact the City's Planning department (tel: 9273 3500) to ascertain whether this restriction still applies.
2. All crossovers to the street(s) shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
3. Stormwater to be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. All downpipes from guttering shall be connected to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, at least 1.8m from the boundary of the block. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.

4. All swimming pool waste water shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well. The swimming pool shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
5. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
6. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM. Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements. Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
7. The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

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

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

8. A sewage treatment and effluent disposal system or greywater reuse or treatment system shall not be installed unless an *Approval to Construct or Install an Apparatus for the Treatment of Sewage* has been issued by the City beforehand.
9. Screening devices are to be at least 1.6m in height, at least 75 percent obscure, permanently fixed, made of durable material and restrict view in the direction of overlooking to any adjoining property.
10. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

3.0 Background

3.1 Land Details

Land Area	819.5m ²
Local Planning Scheme Zone	Residential R12.5
Metropolitan Region Scheme Zone	Urban

3.2 Locality Plan



4.0 Application Details

The applicant seeks development approval to construct a two-storey single dwelling with an undercroft at the property.

The two-storey dwelling with undercroft proposes the following:

- A boundary wall with a nil setback to the eastern (side) lot boundary is proposed. The deemed to comply provision is a 1m setback unless the design principles (refer to policy considerations section) are met.
- Excavation of up to 2m in depth is proposed within 1m of the northern (side) lot boundary. The deemed to comply provision is 0.5m of excavation within 1m of the lot boundary unless the design principles (refer to policy considerations section) are met.

- Excavation of up to 4.5m in depth within 1m of the southern (side) lot boundary is proposed. The deemed to comply provisions is 0.5m of excavation within 1m of the lot boundary unless the design principles (refer to policy considerations section) are met.
- A balcony is proposed with a visual privacy (overlooking) setback of 1.69m from the side (northern) lot boundary. The deemed to comply requirements is 7.5m unless the design principles (refer to policy considerations section) are met.
- A living room is proposed with a visual privacy (overlooking) setback of 5.2m from the side (northern) lot boundary. The deemed to comply requirement is 6m unless the design principles (refer to policy considerations section) are met.
- No major openings are proposed from a habitable room directly facing the primary street. The deemed to comply requirement is for a major opening to be provided directly facing the primary street unless the design principles (refer to policy considerations section) are met.

5.0 Consultation

The application was advertised in accordance with the requirements of Council's Neighbour Consultation Policy. Three objections were received during the advertising period. The following is a summary of the concerns received:

- The dwelling may potentially contribute to building bulk.
- Visual privacy (overlooking) into adjoining properties.
- The proximity of the dwelling to the lot boundaries (reduced setbacks).
- Potential damage to adjoining properties through excavation and construction works.
- Concerns over boundary wall development.

Note: A full copy of all relevant consultation feedback received by the City has been given to the Councillors prior to the Council meeting.

By way of support in favour of the application the applicant has provided a detailed justification (refer to Attachment 2).

As the property directly adjoins the Swan River Trust's Development Control Area the application was also referred to the Department of Biodiversity, Conservation and Attractions (DBCA). DBCA advised the following points in relation to the development application:

- Land adjacent to the Swan Canning River Development Control Area is required to be setback 10m
- Low height structures such as above ground swimming pools with a height exceeding 1m are required to be setback 9.5m
- Private development on public land is not permitted

The plans being presented to Council address all of the above DBCA comments. The DBCA has not asked that any additional conditions and/or advice notes be included if approved by Council.

6.0 Assessment of Statutory Provisions

6.1 Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, clause 67 (Matters to be considered by local government) of the Regulations stipulates those matters that are required to be given due regard to the extent relevant to the application.

In accordance with provisions (m) and (n) of the Regulations clause 67, due regard is to be given to the likely effect of the proposed development's height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

If Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act (2005)*

6.2 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The proposal is an urban use and is therefore consistent with the zoning classification under the MRS.

6.3 City of Nedlands Town Planning Scheme No. 2

Under the provisions of the Scheme the subject site is zoned Residential R12.5.

6.3.1 Amenity

Under clause 5.5.1 of TPS2 Council may refuse to approve any development if:

"in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any other factor inconsistent with the use for which the lot is zoned."

6.3.2 Controlled Development Area

Under clause 5.10.1 the subject property is located within the Controlled Development Area (CDA), whereby any development requires special approval:

"Any development within the areas bounded by:

- (a) Reserve 17391, The Esplanade, Broadway, lots on the north side of Elizabeth Street and Bruce Street;*
- (b) Victoria Avenue, the City boundary, the Metropolitan Region Recreation reserve abutting the Swan River and Reserve 16668; and*
- (c) Jutland Parade, Iris Avenue, the Metropolitan Region Recreation reserve abutting the Swan River and Point Resolution Reserve*

shall require the Council's special approval."

6.4 Policy Considerations

6.4.1 Residential Design Codes - State Planning Policy 3.1

Lot Boundary Setbacks

Deemed-to-Comply Requirement	Design Principles	Proposed
For properties coded R12.5, there are not deemed-to-comply criteria for 'boundary wall' development Walls absent of major openings to habitable rooms up to 9m in length and less than 3.5m = 1m setback	<p><i>"P3.1 – Buildings set back from lot boundaries so as to:</i></p> <ul style="list-style-type: none"> <i>• reduce impacts of building bulk on adjoining properties;</i> <i>• provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</i> <i>• minimise the extent of overlooking and resultant loss of privacy on adjoining properties."</i> 	The garage/store is proposed to have a nil setback to the eastern lot boundary.
<p>Administration Comment</p> <p>The garage/store proposed to the eastern lot boundary is deemed to satisfy the relevant design principles of the R-Codes in the following ways:</p> <ul style="list-style-type: none"> • The proposed boundary wall is not assessed to contribute to building bulk which would affect the adjoining eastern property as it does not represent a large expanse of blank and unarticulated wall surface. The height of the wall is also similar in size to that of a dividing fence due to the differences in ground levels between 8 and 7 Marlin Court; and • The boundary wall does not compromise the adjoining eastern property's access to direct northern sunlight by way of positioning; and • The boundary wall does not compromise ventilation to the eastern property's open spaces as it does not restrict or hinder the adjoining property's access to prevailing winds; and • The boundary wall does not include within it any major openings to any habitable rooms, nor does it include any associated fill which would trigger visual privacy assessment. In this way the boundary wall does not intrude upon the privacy of the adjoining eastern property. <p>Based on the above, the proposed eastern and southern lot boundary setback reductions are assessed as being acceptable as they are unlikely to have a detrimental impact on the adjoining properties.</p>		

Street Surveillance

Deemed-to-Comply Requirement	Design Principles	Proposed
C3.1 The street elevation(s) of the dwelling to address the street with clearly definable entry points visible and accessed from the street.	<p><i>"Buildings designed to provide for surveillance (actual or perceived) between individual dwellings and the street and between common areas and the street, which minimise opportunities for concealment and entrapment."</i></p>	Clearly definable point of entry to the provided through vehicular access gate.
C3.2 At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.		No major openings from habitable room are proposed to face the street.

Administration Comment

Due to the lot configuration and orientation, providing adequate surveillance of the street is restricted to a 4.6m wide section of the property which addresses Marlin Court.

Notwithstanding the constraints of the lot, the proposed development is also assessed as satisfying the relevant design principles of the R-Codes as:

- There is a clear and definable point of entry to the property; and
- The lot is situated at the end of a cul-de-sac where a pedestrian would pass the frontages of five neighbouring dwellings therefore it is likely that enough passive and active surveillance of the streetscape will be possible; and

The existing dwelling on the property does not provide street surveillance in the form of a major opening from a habitable room, and therefore does not reduce the amount of street surveillance of Marlin Court from the property.

Site Works

Deemed-to-Comply Requirement	Design Principles	Proposed
Excavation or filling behind a street setback line and within 1m of a lot boundary, not more than 0.5m above the natural ground level at the lot boundary except where otherwise stated in the scheme, local planning policy, local structure plan or local development plan.	<p>“P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</p> <p>P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.”</p>	<p>Excavation up to 2m in lieu of 0.5m within 1m of the northern lot boundary.</p> <p>Excavation up to 4.5m in lieu of 0.5m within 1m of the southern lot boundary</p>

Administration Comment

The excavation along the northern and southern portions of the property satisfies the corresponding R-Code design principles as:

- The excavation is stepped toward the Swan River and is generally consistent with the downward sloping topography;
- Fill is utilised along portions of the southern and northern boundaries to mitigate the impact of excavation to balance the stepping tiers of excavation, which is consistent with the principles of developing on heavily graded sites;
- The excavation along the southern lot boundary is a response to the topography across the property in the east-west direction;
- The excavation works are supplemented with retaining walls, which mitigate the visual impact of excavation on the northern and southern adjoining properties; and
- No concerns were raised by the DBCA regarding the proposed work.

Considering the above, the scale and the location on the property of the proposed work is unlikely to have a detrimental impact on the surrounding neighbours' amenity.

Visual Privacy

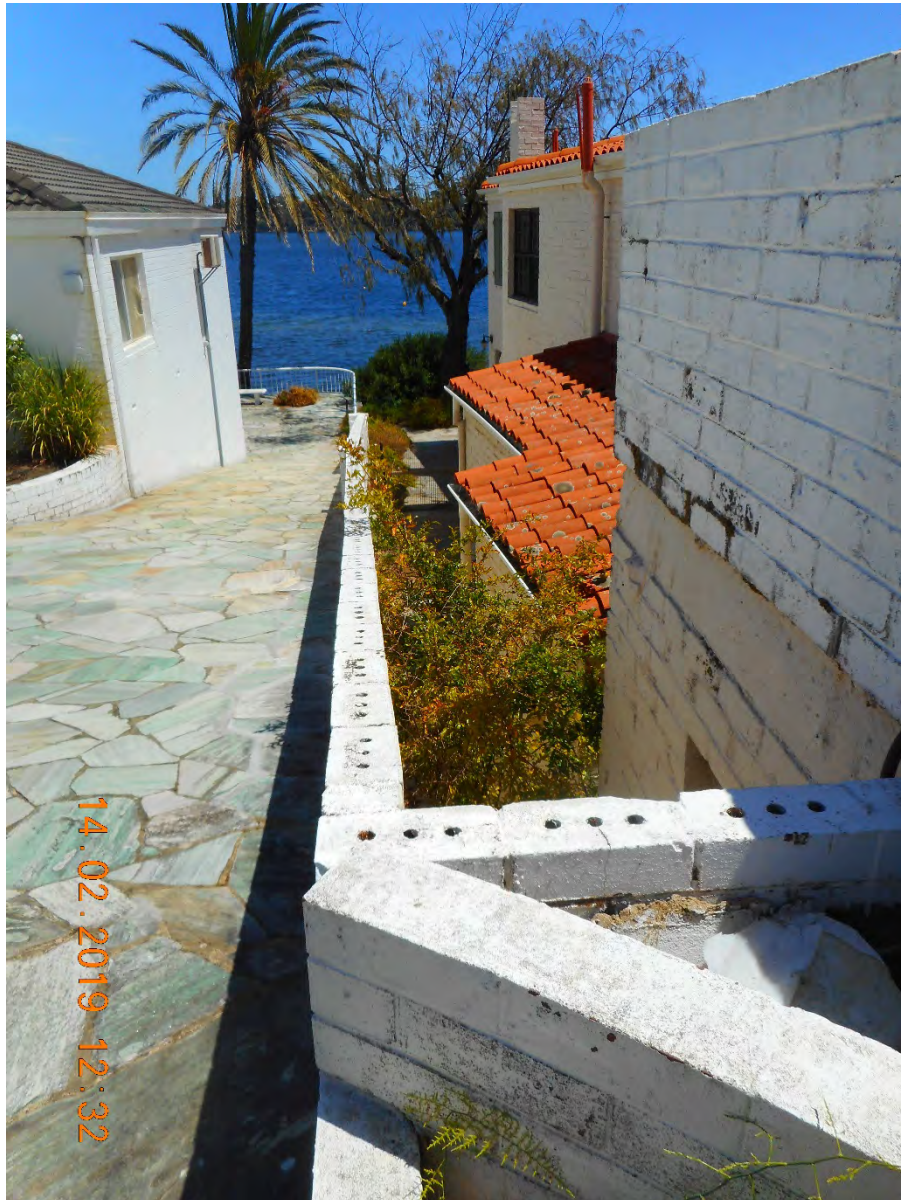
Deemed-to-Comply Requirement	Design Principles	Proposed
<p>Major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line are a minimum distance as prescribed below:</p> <ul style="list-style-type: none"> Major openings to bedrooms and studies setback on areas coded R50 or lower to be 4.5m setback Major openings to habitable rooms other than bedrooms or studies setback on areas coded R50 or lower to be 6m setback Unenclosed outdoor active habitable spaces on areas coded R50 or lower to be 7.5m setback <p>are provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space.</p>	<p><i>“P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</i></p> <ul style="list-style-type: none"> building layout and location; design of major openings; landscape screening of outdoor active habitable spaces; and/or location of screening devices. <p><i>P1.2 Maximum visual privacy to side and rear boundaries through measures such as:</i></p> <ul style="list-style-type: none"> offsetting the location of ground and first floor windows so that viewing is oblique rather than direct; building to the boundary where appropriate; setting back the first floor from the side boundary; providing higher or opaque and fixed windows; and/or screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).” 	<p>Kitchen, visual privacy setback 2.8m in lieu of 6m (no screening proposed) to southern lot boundary.</p> <p>Balcony visual privacy setback 2.7m in lieu of 7.5m (partial screening proposed) to northern lot boundary.</p> <p>Living room visual privacy setback 5.2m in lieu of 6m (no screening proposed) to northern lot boundary.</p>
<p>Administration Comment</p> <p>The proposed dwelling will result in overlooking being possible into properties to the immediate north and south behind their street setback areas. This does not satisfy the design principles of the R-Codes in relation to visual privacy as it will result in habitable rooms and/or outdoor living areas on the adjoining properties being overlooked.</p> <p>The visual privacy measures could be adequately addressed and mitigated through screening measures. Adequate justification has not been supplied as to why this cannot be provided.</p> <p>The only exception to this, which does satisfy the design principles, being where the living room is setback 5.2m in lieu of 6m from the northern lot boundary. As the area on the neighbouring property which is less than 6m from the living room contains no major openings nor outdoor living area, only solid dividing fencing.</p> <p>If the application is approved by Council it is recommended that a condition be included which requires visual privacy screening to be provided in accordance with the R-Codes along the northern and western sides of the master bedroom 1 balcony, and the southern portions of the living room window where setback less than 6m from the southern lot boundary.</p>		

7.0 Conclusion

The proposed development is assessed as satisfying the design principles of the R-Codes in terms of site works and lot boundary setbacks. Considering the nature and the scale of the development, the site layout and the local development context the Design Principle assessment items are unlikely to have a detrimental impact on the local amenity.

The living room visual privacy (overlooking) element of the proposal satisfies the design principles, however the balcony element of the proposed development does not. To address the issue, it is recommended that visual privacy screening be required to be installed around the balcony.

Considering the above, it is recommended that Council approves the application subject to conditions.







Hi James,

In relation to your email below, please find attached amended plans which seek to address concerns raised by neighbours in the following ways:

1. General concerns regarding reduced setback distances

The building articulation on the southern boundary has been amended therefore the setback distance now complies.

2. Concerns regarding the presence of a boundary wall

The boundary parapet wall has been reduced in height by 522mm making the visible overall height above natural ground level 1800mm. The idea here is that the masonry boundary wall at 1800mm will match the proposed parapet wall disguising any visual appearance of a parapet wall from the adjoining neighbour. Both the boundary wall and parapet wall will be constructed and finished in the same alignment and manner. The amenity of the adjoining neighbour is therefore not impacted by any more than a typical boundary fence. Furthermore, the long established vegetation grown along this boundary on the adjoining neighbours site is significantly higher than the proposed boundary wall and would be retained.

3. Concerns regarding visual privacy from the north-western balcony

A privacy screen has been added to the northern elevation of the balcony. The intent here is to restrict view of the northern neighbouring lot whilst retaining a western aspect of the riverway. A small arc of vision crosses the boundary however only to the extent of the river reserve and will not impact the amenity of any current or future development on the adjoining property.

4. Concerns over the bulk of the proposal and it's possible impact on the amenity of the locality

This parcel of land is restricted by a height covenant. Without this impediment, the home would be within its rights to build as much as an additional storey above that currently proposed. There are many examples of homes built to the proscribed height limits within close proximity so the bulk and scale of this home is naturally far less. From the street, the home presents as a single storey home, sunken into the site with a 1m drop from the verge to the front door before it cascades down the steep site. The design is heavily articulated, with the use of several materials, cantilevering elements, extensive glazing, and an intricate layering of roof forms to break up the mass. These all play an intentional role in reducing the sense of scale and bulk. This home will have a very positive impact on the locality and exemplify how good design can in fact enhance amenity.

It is also worth noting that the significant raised deck area on the current home which presents as a very bulky element will be removed and the natural lie of the land reinstated as part of the proposed development.

Should you have any further queries James, please don't hesitate to contact me.

Regards,

—
architects &
builders

GIORGI

—
gavin hestelow
architect

Suite 1
24 Parkland Road
Osborne Park,
Western Australia 6017

t 08 9444 8711
f 08 9444 8733
m 0413 053 805

www.giorgi.co

PD11.19	No. 99 Waratah Ave, Dalkeith - Proposed Change of Use (from Shop to Health Studio)
Committee	9 April 2019
Council	23 April 2019
Applicant	H Clarke
Landowner	S Franetovich
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Peter Mickleson – Director Planning & Development
Reference	DA19-34141
Previous Item	Nil
Delegation	In accordance with Clause 6.3 (Special Procedures) of Town Planning Scheme No 2 Council is required to determine the application due to objections being received.
Attachments	1. Traffic Engineering letter

1.0 Executive Summary

The purpose of this report is for Council to consider a development application, received from the applicant on 24 January 2019, for a proposed change of use from retail to health studio at 99 Waratah Avenue, Dalkeith.

A health studio is an 'AA' use under Town Planning Scheme No. 2 (TPS2), in addition to this there are no car parking requirements for a health studio under TPS2. The application was advertised in accordance with clause 2.1 of Council's Neighbour Consultation Local Planning Policy and 2 objections and 1 non-objection were received.

It is recommended that the application be approved by Council, as considering the nature and the scale of the proposed use it is unlikely to have a detrimental impact on the local amenity.

2.0 Recommendation to Committee

Council approves the development application dated 24 January 2019 to change the use from Shop to Health Studio at Lot 384 (No. 99) Waratah Avenue, Dalkeith, subject to the following conditions and advice:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. The proposed use complying with the Health Studio definition stipulated under the City's Town Planning Scheme No. 2 (refer to advice note 1).**
- 3. A maximum of two staff are permitted on the premises at any one time.**

4. The operating hours of the Health Studio is restricted to between the following:

Monday and Friday, 6:00am to 8:05pm;
Saturday 7:00am to 12:15pm; and
Sunday 8:30am to 11:05am.
5. All clients visiting the business are to do so via prior appointment only.
6. No materials and/or equipment being stored externally on the property which is visible from off site, and/or obstructs pedestrian access ways, street parking bays and/or any street (un)loading bays.
7. Any signage being maintained by the landowner to the City's satisfaction.

Advice Notes specific to this proposal:

1. With regard to condition 4, the applicant and landowner are advised that the use Health Studio, is defined as being the following under Town Planning Scheme No. 2:

“Health Studio - means any land and building designed and equipped for physical exercises, recreation and sporting activities including outdoor recreation;”
2. This decision does not obviate rights and responsibilities of strata owners under the *Strata Titles Act 1985*, which may require additional consultation and/or permissions from the stratum, prior to the commencement of works.
3. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997*.
4. Adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia. Where these are situated externally to the public building, the area providing access to the sanitary conveniences shall be illuminated.
5. Service and/or delivery vehicles are not to service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless otherwise approved by the City beforehand.
6. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

3.0 Background

3.1 Land Details

Land area	1012m ²
Local Planning Scheme Zone	Retail Shopping
Metropolitan Region Scheme Zone	Urban

3.2 Locality Plan



4.0 Application Details

The applicant seeks development approval to change the use of the premises from a shop to a health studio, details of which are as follows:

- The proposed business is a Pilates Studio.
- The business is proposed to serve a maximum of 11 clients per session, with one instructor on site per session.
- Sessions will run from 6:00am to 8:05pm weekdays, 7:00am to 12:15pm on Saturdays and 8:30am to 11:05am on Sundays.
- One session is proposed to be held at any one time.
- There will be a minimum of a 10-minute break between sessions.
- No parking is proposed to be available on site.

5.0 Consultation

The development application was advertised in accordance with Council's Neighbour Consultation Policy. Two objections and one non-objection were received. The following is a summary of the concerns raised / comments received:

- Increased noise resulting from higher traffic volumes.
- Increased need for car parking, where no new car parking is proposed.
- Increased occurrence of verge parking at the front of residential properties.
- Increased competition for car parking affecting trade of neighbouring businesses.
- Uncivilised operating hours.

Note: A full copy of all relevant consultation feedback received by the City has been given to the Councillors prior to the Council meeting.

6.0 Assessment of Statutory Provisions

6.1 Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, clause 67 (Matters to be considered by local government) stipulates those matters that are required to be given due regard to the extent relevant to the application. Where relevant, these matters are discussed in the following sections.

In accordance with provisions (m) and (n) of the Regulations clause 67, due regard is to be given to the likely effect of the proposed development's height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

If Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act (2005)*

6.2 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The proposal is an urban use and is therefore consistent with the zoning classification under the MRS.

6.3 City of Nedlands Town Planning Scheme No. 2

6.3.1 Amenity

Under clause 5.5.1 Council may refuse to approve any development if:

"in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any other factor inconsistent with the use for which the lot is zoned."

6.3.2 Car Parking

TPS2 Car Parking Required	Car Parking Bays Proposed	Shortfall
Existing Use – Retail Car parking requirement under the current use of Retail, requires 9 car bays under TPS2	Zero bays are provided on site.	A shortfall of 9 bays is present.
Proposed Use - Health Studio: No car parking requirement is stipulated under TPS2 for this use therefore it is at Council's discretion.		No shortfall is present under the TPS2, as no requirement is listed

The applicant has provided a Traffic Engineering Letter to the City as part of their application (refer to attachment 1). This report indicates the following:

- There are 77 street parking bays provided within the immediate vicinity of 103A Waratah Ave, Dalkeith.
- An average of 25 bays were identified to be free during operating hours.
- Overall, "...carparking is considered to have sufficient spare capacity to cater for the needs of patrons of the subject site."

6.4 Draft Local Planning Scheme No. 3

The subject site is to be re-zoned under draft Local Planning Scheme No. 3 (LPS 3) from Retail Shopping to Mixed Use.

The following is applicable under a LPS3 planning assessment:

- A use such as that being proposed is deemed to be a Private Recreation use under LPS 3 which is defined as being the following:
- Private Recreation is to be an 'A' use within the Mixed-Use zone.

6.4.1 Draft Parking and Access and Traffic Local Planning Policy

Under the draft Parking and Access and Traffic Local Planning Policy the following car parking requirements are proposed for the use:

Policy Requirements	Car Parking Bays Proposed	Shortfall
Existing Use – Retail 1 car bay per 30m ² of NLA 1 bicycle space per 50m ² of NLA 54.2m ² of NLA therefore 2 car bays and 2 bicycle spaces required.	Zero bays are provided on site.	2 car bays and 2 bicycle bays
Proposed Use - Health Studio: 1 car bay per 20m ² of NLA. 1 bicycle space per 50m ² of NLA 54.2m ² of NLA therefore 3 car bays and 2 bicycle spaces required.		3 car bays and 2 bicycle bays

7.0 Conclusion

Considering the number of staff and clients on site per session it is likely that the health studio will require up to 12 car bays at any one time. No car bays are proposed to be provided due to the existing site layout.

The property contains various office, shop and restaurant uses the peak hours of operation for which are likely to be different to that of the health studio.

Based on the car parking assessment provided as part of the development application an ample amount of car parking bays are likely to be available when the health studio and the other businesses on the property are all operating.

Considering the above, the proposal is unlikely to have a detrimental impact on the local amenity therefore it is recommended that Council approves the application.

City of Nedlands
Received
24 JANUARY 2019

TRAFFIC ENGINEERING LETTER

103a Waratah Avenue

Dalkeith

January 2019

Rev A

The logo for Kcitt, featuring a stylized 'K' with three diagonal lines above it, followed by 'citt' in a bold, lowercase sans-serif font.

HISTORY AND STATUS OF THE DOCUMENT

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DISTRIBUTION OF COPIES

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Name of Project	103a Waratah Avenue, Dalkeith
Name of the Document	103a Waratah Avenue, Dalkeith – Parking Survey Letter
Document Version	KC00971.000_L01_ Rev A



Quality
ISO 9001

Prepared by: **KCTT (Trading as KC Traffic and Transport Pty Ltd)**

ABN 35 148 970 727 |

Postal address: **PERTH:** Unit 7, No 10 Whipple Street Balcatta WA 6021 | **BELGRADE:** 23 Hilandarska, Beograd 11000

Phone: 08 9441 2700 |

Website: www.kctt.com.au |

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Appendices

Appendix - Carparking Noise Diagrams

1. Executive Summary

- This letter was prepared to examine on street parking occupancy levels in vicinity of the subject site location - 103a Waratah Avenue, Dalkeith. The purpose of the survey is to determine whether the existing parking can support a boutique fitness facility that is to be opened in place of one of the current commercial tenancies.
- The on-street parking areas included in the parking survey are as follows:
 - Waratah Avenue (Section 1 between Alexander Road and Genesta Crescent and Sections 2 and 3 between Genesta Crescent and Adelma Road)
 - Genesta Crescent (Section 4 between Waratah Avenue and Alexander Road)
- Parking survey was conducted in the following days of the week and time periods:
 - Wednesday 16th and Thursday 17th 2019:
 - 10:05 - 10:35
 - 17:10 - 17:40
 - 18:15 - 18:45
 - Saturday 19th January 2019:
 - 9:15 - 9:45
 - 10:15 - 10:45
 - 11:15 - 11:45
- Between 6.5% and 72.7% of all parking bays were unoccupied during the peak period on working days and between 25.9% and 35.0% on weekends. Similarly, between 18.2% to 68.8% of all parking bays had full utilisation on working days, and between 39.0% - 46.7%.
- As seen from the carparking noise diagrams provided in the Appendix and the tables above, overall the parking area can be deemed solidly-utilised, with sufficient spare capacity to support a boutique fitness facility.
- Higher occupancy was observed in AM period, while parking occupancy significantly drops in PM period during working days.
- Parking bays around the subject development on Waratah Avenue are mostly occupied, while Genesta Crescent provides the highest volume of available parking bays in all parking periods.
- Though the subject of this survey was only on-street parking, it was noted there is ample public parking available at the Nedlands Community Centre, located in the immediate vicinity of the subject site.
- Parking on the northern side of Waratah Avenue is generally time restricted during working hours to 30minutes, with some pockets of 15 minute parking, while parking on the southern side of Waratah Avenue is restricted to 60 minutes during working hours. Parking on Genesta Crescent is not time restricted.
- Overall the carparking is considered to have sufficient spare capacity to cater for the needs of patrons of the subject site.

2. Traffic Engineering Letter

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2.1 Location

Lot Number	384
Street Number	103a
Road Name	Waratah Avenue
Suburb	Dalkeith
Description of Site	The site is currently occupied by a mixed-business building, offering a variety of commercial services.
Local Government Authority	City of Nedlands

2.2 Land Uses

Are there any existing Land Uses	YES
<i>If YES, Nominate:</i>	Mixed-business building with variety of services.
Proposed Land Uses	
How many types of land uses are proposed?	One (1)
Nominate land use type and yield	Pilates studio (maximum of 11 patrons + 1 staff members)
Are the proposed land uses complimentary with the surrounding land-uses?	YES

2.3 Local Road Network Information

How many roads front the subject site? 2

Name of Roads Fronting Subject Site / Road Classification and Description:

Road 1

Road Name	Waratah Avenue
Number of Lanes	two way, one lane each direction, undivided
Road Reservation Width	Approximately 20m
Road Pavement Width	Approximately 8m
Classification	Significant Urban Local Road / Local Distributor
Speed Limit	50kph or State Limit
Bus Route	YES
<i>If YES Nominate Bus Routes</i>	Bus Route 24
On-street parking	YES

Road 2

Road Name	Alexander Road
Number of Lanes	two way, one lane (no linemarking), undivided
Road Reservation Width	Approximately 20m
Road Pavement Width	Approximately 6m
Classification	Urban Local Road / Access Road
Speed Limit	50kph or State Limit
Bus Route	NO
<i>If YES Nominate Bus Routes</i>	
On-street parking	YES

2.4 Traffic Volumes

Road Name	Location of Traffic Count	Vehicles Per Day (VPD)	Vehicles per Peak Hour (VPH)				Heavy Vehicle %	Year	
			AM Peak Time	AM Peak - Peak VPH	PM Peak Time	PM Peak - Peak VPH		Date of Traffic Count	<i>If older than 3 years multiply with a growth rate</i>
Waratah Avenue	East of Curlew Street	3,207	07:45 – 312		14:45 – 270		6.8%	2017/2018	–

2.5 Vehicular Crash Information

Is Crash Data Available on Main Roads WA website? YES

If YES, nominate important survey locations:

Location 1

Intersection of Waratah Avenue / Alexander Road

Period of crash data collection

01/01/2013 - 31/12/2017

Road / Intersection Name	SLK	Functional Classification	Road Hierarchy	Speed Limit	Crash Statistics			
					No of KSI Crashes	No of Medical Attention Crashes	No of PDO Major Crashes	No of PDO Minor Crashes
Waratah Avenue / Alexander Road	N/A	Significant Urban Local Road / Urban Local Road	Local Distributor / Access Road	50kph or State Limit / 50kph or State Limit	0	0	3	1
No of MVKT Travelled at Location					approximately 4,000 VPD * 365 * 5 years * 0.3 km = 2.19 MVKT			
KSI Crash Rate					0 KSI crashes / 2.19 MVKT = 0 KSI crashes/MVKT			
All Crash Rate					4 crashes / 2.19 MVKT = 1.83 crashes/MVKT			
Comparison with Crash Density and Crash Rate Statistics					All crashes rate of 1.83 crashes/MVKT is slightly higher than the local roads network average of 1.73 crashes/MVKT.			

The following table shows the Crash Density and Crash Rates on Metropolitan Local Roads as obtained from Main Roads WA on the 14th May 2018 by email request: -

Crash Density and Crash Rate on Metropolitan Local Roads Network only

	All Crashes		Serious Injury Crashes (Fatal+Hospital)	
	Average Annual Crash Density (All Crashes/KM)	Average Annual Crash Rate (All Crashes/MVKT)	Average Annual Crash Density (Ser. Inj. Crashes/KM)	Average Annual Crash Rate (Ser. Inj. Crashes/MVKT)
Metro Local Road - Midblock	2.99	0.81	0.13	0.03
Metro Local Road - All	6.41	1.73	0.26	0.07

Note: Based on 5-years data for the period 2013 to 2017.

The following table shows the Crash Density and Crash Rates on Metropolitan State Roads as obtained from Main Roads WA on the 14th May 2018 by email request: -

2.6 Parking Surveys

Was a parking survey required? YES

If YES, provide details:

KCTT have been commissioned to determine the percentage of occupancy of the parking within the carparking area on Waratah Avenue and Alexander Road in Dalkeith, near the project location on 103a Waratah Avenue, Dalkeith during peak hours of operation. Focus of the survey was on occupancy of the parking bays during the peak activity period and the practical spare capacity of the surveyed parking area. The following road sections were surveyed:

- Waratah Avenue (Section 1 - between Alexander Road and Genesta Crescent; Sections 2 and 3 - between Genesta Crescent and Adelma Road)
- Genesta Crescent (Section 4 between Waratah Avenue and Alexander Road)

Time of the survey is based on the highest estimated demand for parking – end of one session and the beginning of another session. The provider confirmed they will have a minimum of 10 minute separation between adjacent sessions.

Given that the operator already has studio with regular times in Nedlands, the times of survey are generally based on the schedule available online at the following web address <https://www.corefocuspilatesaustralia.com/Timetable>

The parking has been surveyed in regular increments of 10 minutes.

Survey heat diagrams have been shown in the Appendix attached to this letter.

The entire surveyed area has a total of 77 parking bays.

Times and dates of parking survey

Wednesday 16th and Thursday 17th 2019:

- 10:05 - 10:35
- 17:10 - 17:40
- 18:15 - 18:45

Saturday 19th January 2019:

- 9:15 - 9:45
- 10:15 - 10:45
- 11:15 - 11:45

Provide detailed results of the survey:

The tables below represent a statistical overview of the survey. Parking bays have been surveyed in 10-minute increments in order to determine the percentage of occupancy of the parking in the vicinity of the subject site.

The results were classified in four categories: -

1. 0% - unoccupied
2. 33% occupied – deemed under-utilised
3. 67% occupied – deemed solid-utilised
4. 100% occupied – deemed full utilisation

The percentages refer to the amount of time parking bays were occupied within the surveyed period.

For graphic presentation of the results and sections, please refer to Appendix.

Results of survey conducted on **Wednesday 16th January 2019 between 10:05-10:35**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	0	0.0	2	10.0	2	25.0	1	3.4	5	6.5
33%	1	5.0	3	15.0	0	0.0	2	6.9	6	7.8
67%	4	20.0	6	30.0	2	25.0	1	3.4	13	16.9
100%	15	75.0	9	45.0	4	50.0	25	86.2	53	68.8
Total	20	100.0	20	100.0	8	100.0	29	99.9	77	100.0

The survey results show that 68.8% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 6.5% of total available parking bays have not been used at all during the surveyed period.

During this survey there was a mass activity in NCC. Once the activity was finished, majority of participants simply moved to the adjoining bistro – increasing the overall percentage of occupancy.

Results of survey conducted on **Wednesday 16th January 2019 between 17:10-17:40**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	15	75.0	11	55.0	2	25.0	20	69.0	48	62.3
33%	1	5.0	2	10.0	2	25.0	2	6.9	7	9.1
67%	0	0.0	0	0.0	2	25.0	3	10.3	5	6.5
100%	4	20.0	7	35.0	2	25.0	4	13.8	17	22.1
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 22.1% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 62.3% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Wednesday 16th January 2019 between 18:15-18:45**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	13	65.0	12	60.0	3	37.5	25	86.2	53	68.8
33%	2	10.0	1	5.0	3	37.5	0	0.0	6	7.8
67%	1	5.0	2	10.0	1	12.5	0	0.0	4	5.2
100%	4	20.0	5	25.0	1	12.5	4	13.8	14	18.2
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 18.2% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 68.8% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Thursday 17th January 2019 between 10:05-10:35**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	0	0.0	7	35.0	1	12.5	6	20.7	14	18.2
33%	2	10.0	3	15.0	3	37.5	1	3.4	9	11.7
67%	7	35.0	3	15.0	2	25.0	0	0.0	12	15.6

100%	11	55.0	7	35.0	2	25.0	22	75.9	42	54.5
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 54.5% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 18.2% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Thursday 17th January 2019 between 17:10-17:40**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	10	50.0	8	40.0	2	25.0	21	72.4	41	53.2
33%	0	0.0	4	20.0	2	25.0	1	3.4	7	9.1
67%	3	15.0	4	20.0	1	12.5	2	6.9	10	13.0
100%	7	35.0	4	20.0	3	37.5	5	17.2	19	24.7
Total	20	100.0	20	100.0	8	100.0	29	99.9	77	100.0

The survey results show that 24.7% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 53.2% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Thursday 17th January 2019 between 18:15-18:45**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	9	45.0	14	70.0	7	87.5	26	89.7	56	72.7
33%	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
67%	2	10.0	3	15.0	0	0.0	0	0.0	5	6.5
100%	9	45.0	3	15.0	1	12.5	3	10.3	16	20.8
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 20.8% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 72.7% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Saturday 19th January 2019 between 09:15-09:45**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	1	5.0	5	25.0	0	0.0	15	51.8	21	27.3
33%	3	15.0	5	25.0	3	37.5	1	3.4	12	15.6
67%	0	0.0	6	30.0	1	12.5	1	3.4	8	10.4
100%	16	80.0	4	20.0	4	50.0	12	41.4	36	46.7
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 46.7% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 27.3% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Saturday 19th January 2019 between 10:15-10:45**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	1	5.0	6	30.0	0	0.0	13	44.8	20	25.9
33%	1	5.0	6	30.0	0	0.0	2	6.9	9	11.7
67%	8	40.0	6	30.0	2	25.0	2	6.9	18	23.4
100%	10	50.0	2	10.0	6	75.0	12	41.4	30	39.0
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 39.0% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 25.9% of total available parking bays have not been used at all during the surveyed period.

Results of survey conducted on **Saturday 19th January 2019 between 11:15-11:45**

Usage	Section 1		Section 2		Section 3		Section 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
0%	2	10.0	10	50.0	1	12.5	14	48.3	27	35.0
33%	7	35.0	3	15.0	2	25.0	1	3.4	13	16.9
67%	5	25.0	0	0.0	0	0.0	1	3.4	6	7.8
100%	6	30.0	7	35.0	5	62.5	13	44.9	31	40.3
Total	20	100.0	20	100.0	8	100.0	29	100.0	77	100.0

The survey results show that 40.3% of available parking surrounding the subject site can be deemed as fully utilised during the peak hours while 35.0% of total available parking bays have not been used at all during the surveyed period.

2.7 On-site photos



Figure 1 Waratah Avenue (westbound view) - Morning Survey - Wednesday 16th January



Figure 2 Adjoining Nedlands Community Centre Parking Area - Morning Survey - Wednesday 16th January



Figure 3 Genesta Crescent (northbound view) - Morning Survey - Thursday 17th January



Figure 4 Genesta Crescent (southbound view) - Afternoon Survey - Thursday 17th January



Figure 5 Waratah Avenue (northbound view) - Morning Survey - Saturday 17th January

2.8 Conclusions

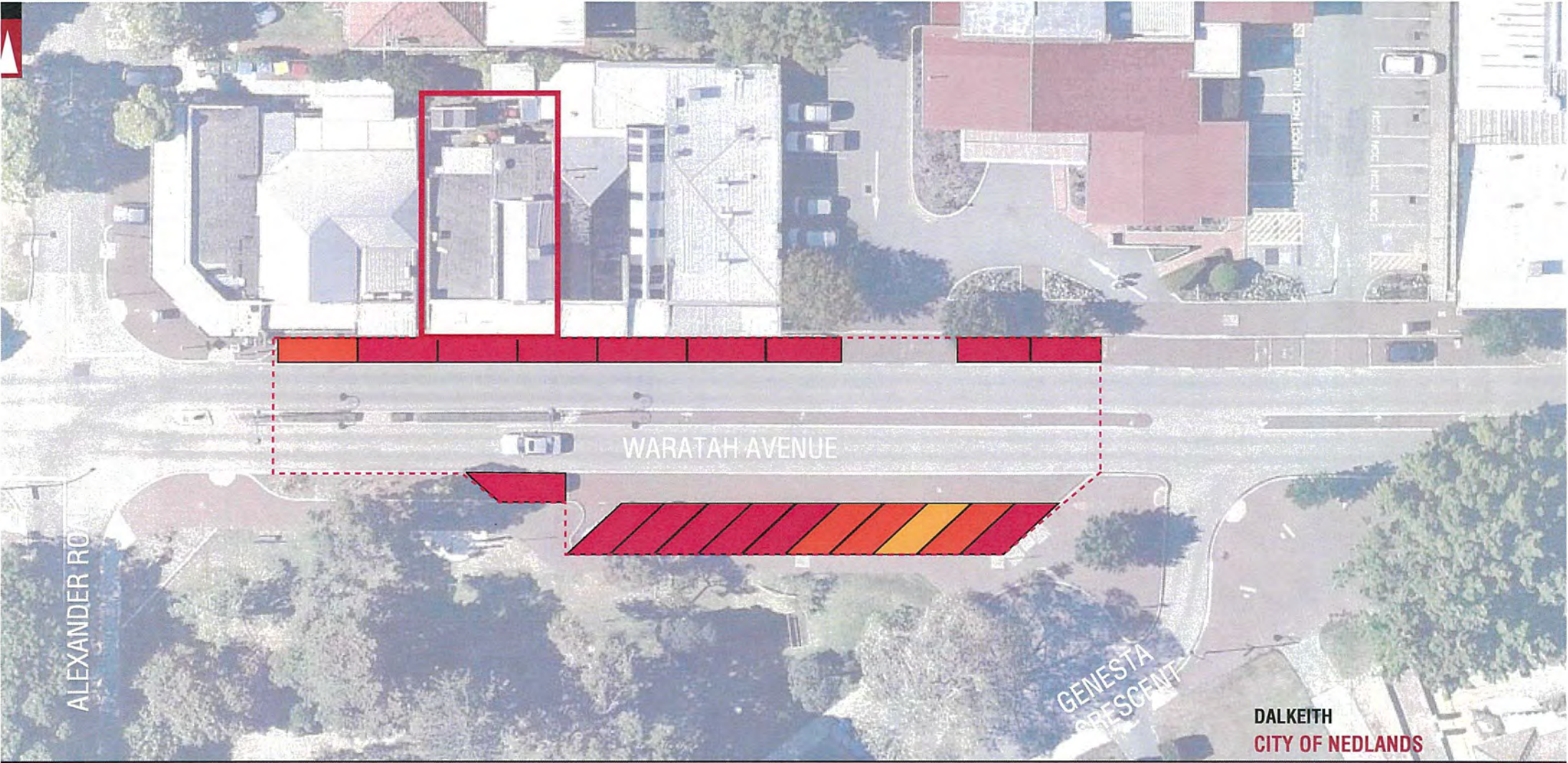
-
- Between 6.5% and 72.7% of all parking bays were unoccupied during the peak period on working days and between 25.9% and 35.0% on weekends. Similarly, between 18.2% to 68.8% of all parking bays had full utilisation on working days, and between 39.0% - 46.7%.
 - As seen from the carparking noise diagrams provided in the Appendix and the tables above, overall the parking area can be deemed solidly-utilised, with sufficient spare capacity.
 - Higher occupancy is observed in AM hours, while parking occupancy significantly drops in PM hours on working days.
 - Parking bays around the subject development on Waratah Avenue are mostly occupied, while Genesta Crescent provides the most available parking bays in all parking periods.
 - Overall the carparking is considered to have sufficient spare capacity to cater for the needs of patrons of the subject site.
-

CITY OF NEDLANDS

24 JAN 2019

Appendix

Carparking Noise Diagrams



LOCATION
BOUNDARY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

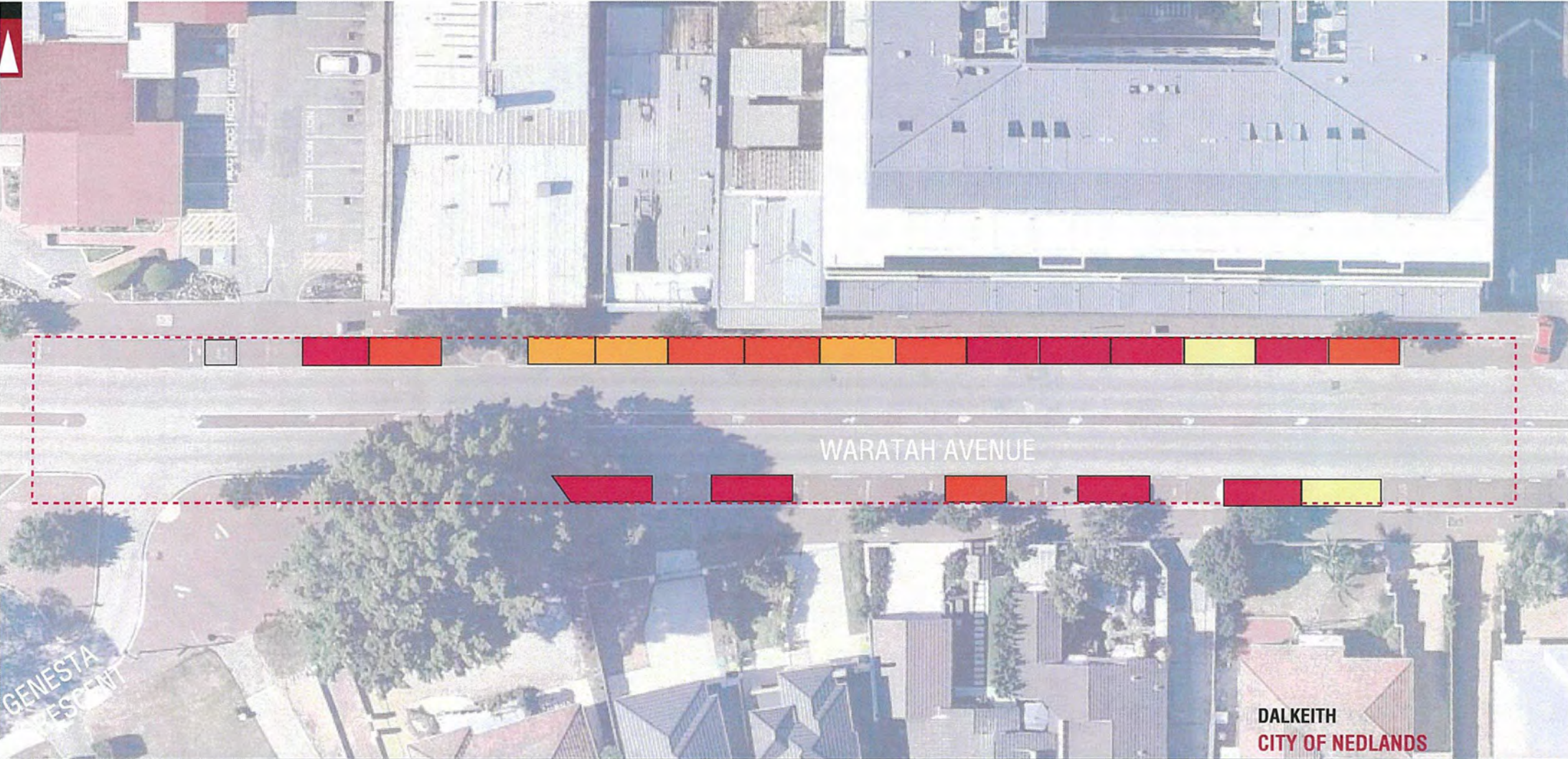
* 0/20 available parking bays

A site visit was conducted on Wednesday
16th January, 2019 between 10:05-10:35

LEGEND

Certified System
Quality
ISO 9001
SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au			
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1	J.S.				
			DRAWING NUMBER: KC00971.000_S40-1					
A	16-01-2019	ISSUED FOR REVIEW						
No	DATE	AMENDMENT						



LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME

NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

* 02/20 available car parking bays


A site visit was conducted on Wednesday 16th January, 2019 between 10:05-10:35

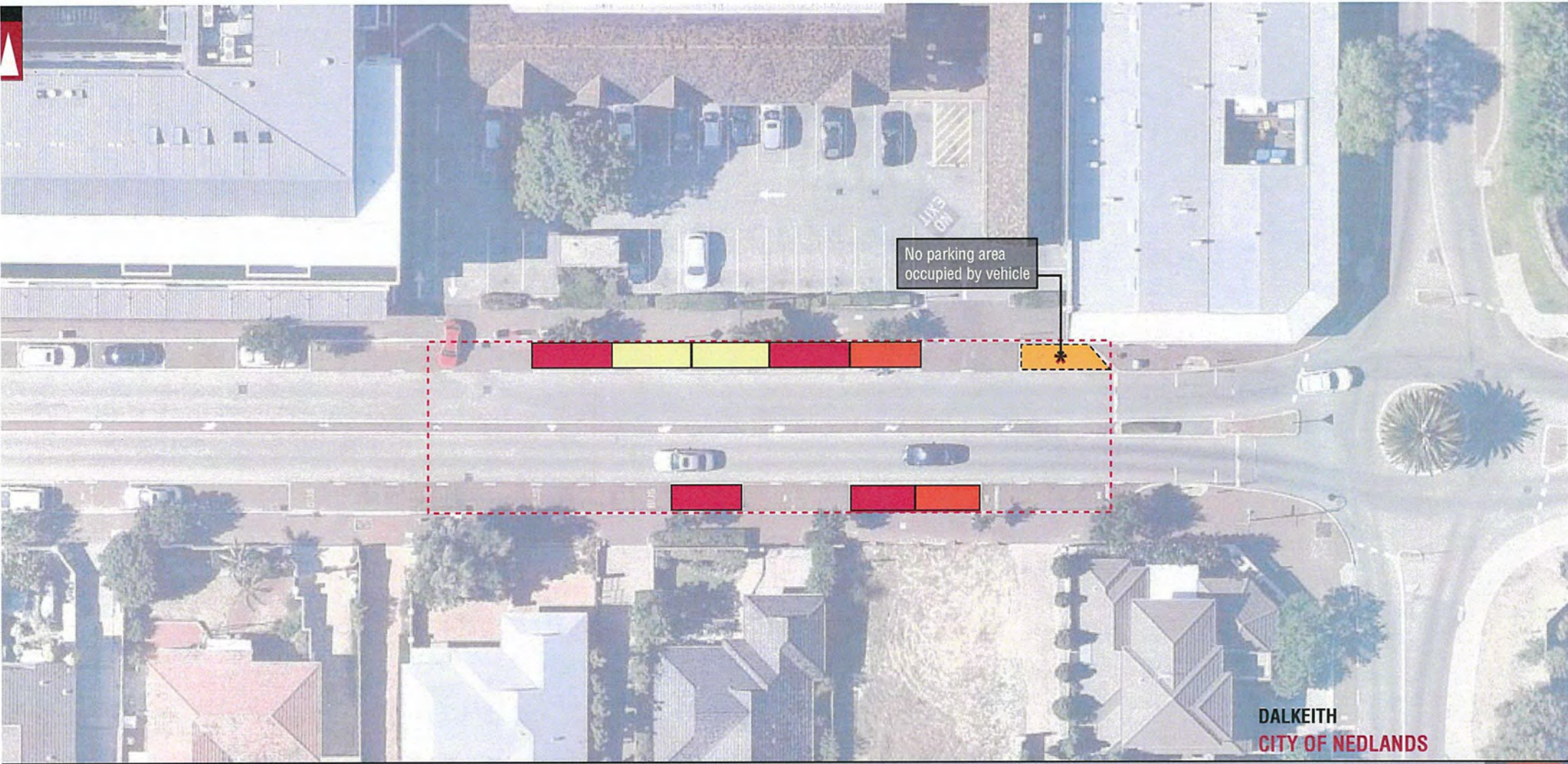
LEGEND

Certified System

Quality ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021	PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2			
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S40-2	J.S.		
No	DATE	AMENDMENT				



LOCATION
BOUNDARY

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

* 02/08 available parking bays


A site visit was conducted on Wednesday
16th January, 2019 between 10:05-10:35

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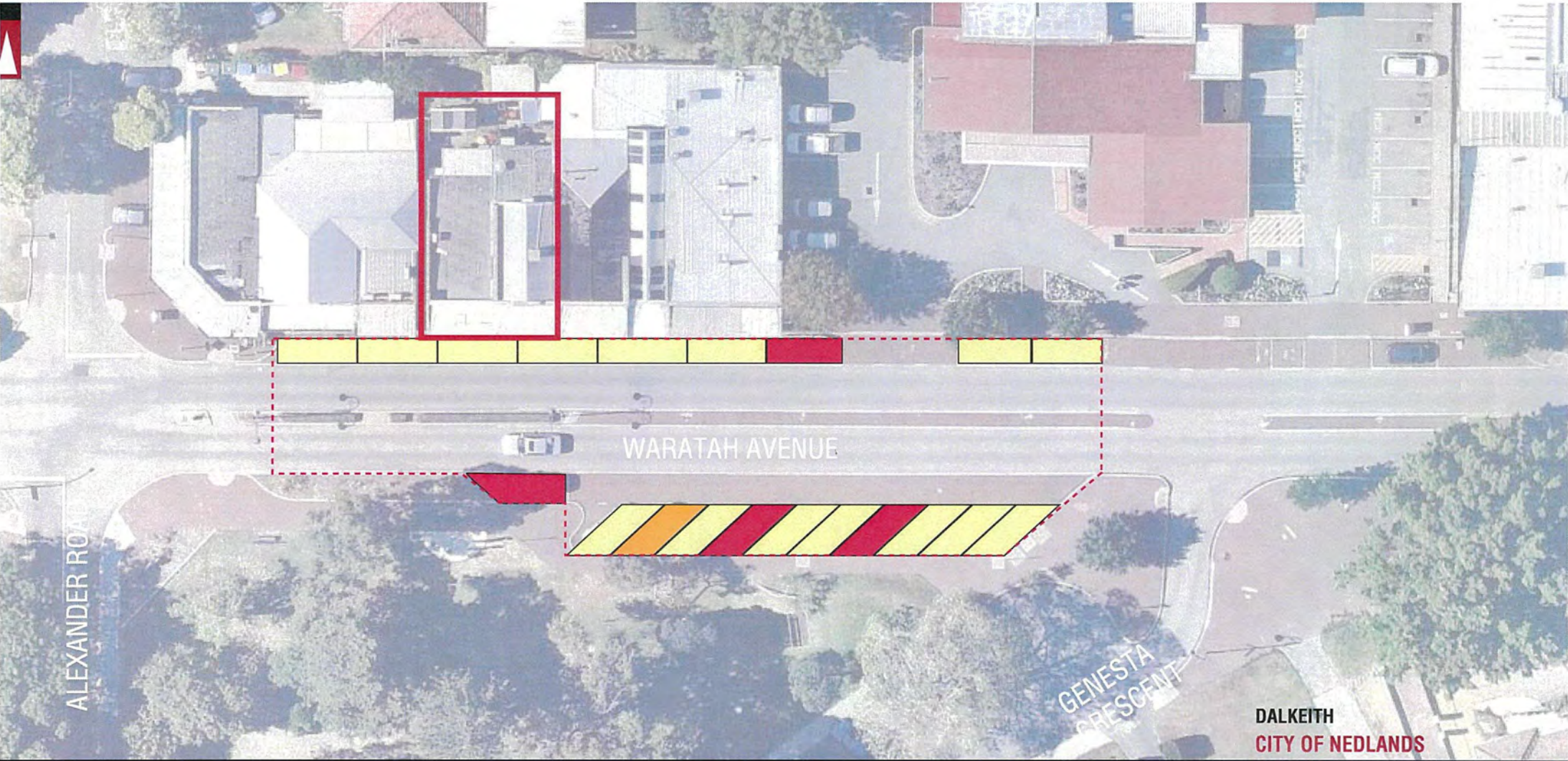
SAI GLOBAL

LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 Ph: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3	J.S.		
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S40-3			
No	DATE	AMENDMENT				



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021	PH: 08 9441 2700 WEB: www.kctt.com.au	kctt
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4			
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S40-4			
No	DATE	AMENDMENT				



DALKEITH
CITY OF NEDLANDS


*15/20 available parking bays

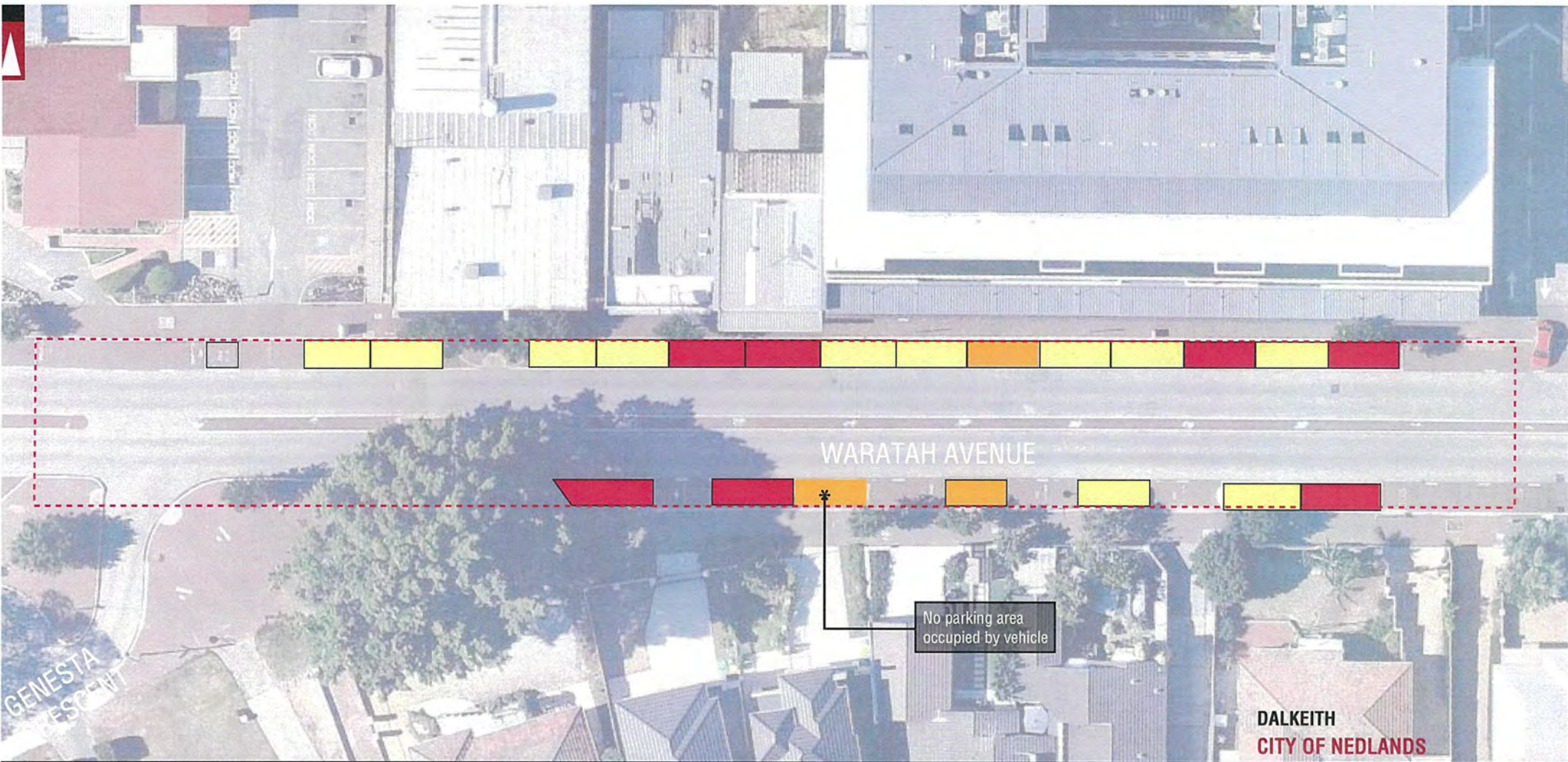
A site visit was conducted on Wednesday
16th January, 2019 between 17:10-17:40

LEGEND



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1	
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S41-1	J.S. PH: 08 9441 2700 WEB: www.kctt.com.au
No	DATE	AMENDMENT		





LOCATION
BOUNDARY



LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

* 11/20 available car parking bays

A site visit was conducted on Wednesday
16th January, 2019 between 17:10-17:40

LEGEND

Certified System
Quality
ISO 9001
SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2			
			DRAWING NUMBER: KC00971.000_S41-2			
A	16-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



DALKEITH
CITY OF NEDLANDS

LOCATION
BOUNDARY

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

* 02/08 available parking bays

A site visit was conducted on Wednesday
16th January, 2019 between 17:10-17:40

Certified System

Quality
ISO 9001

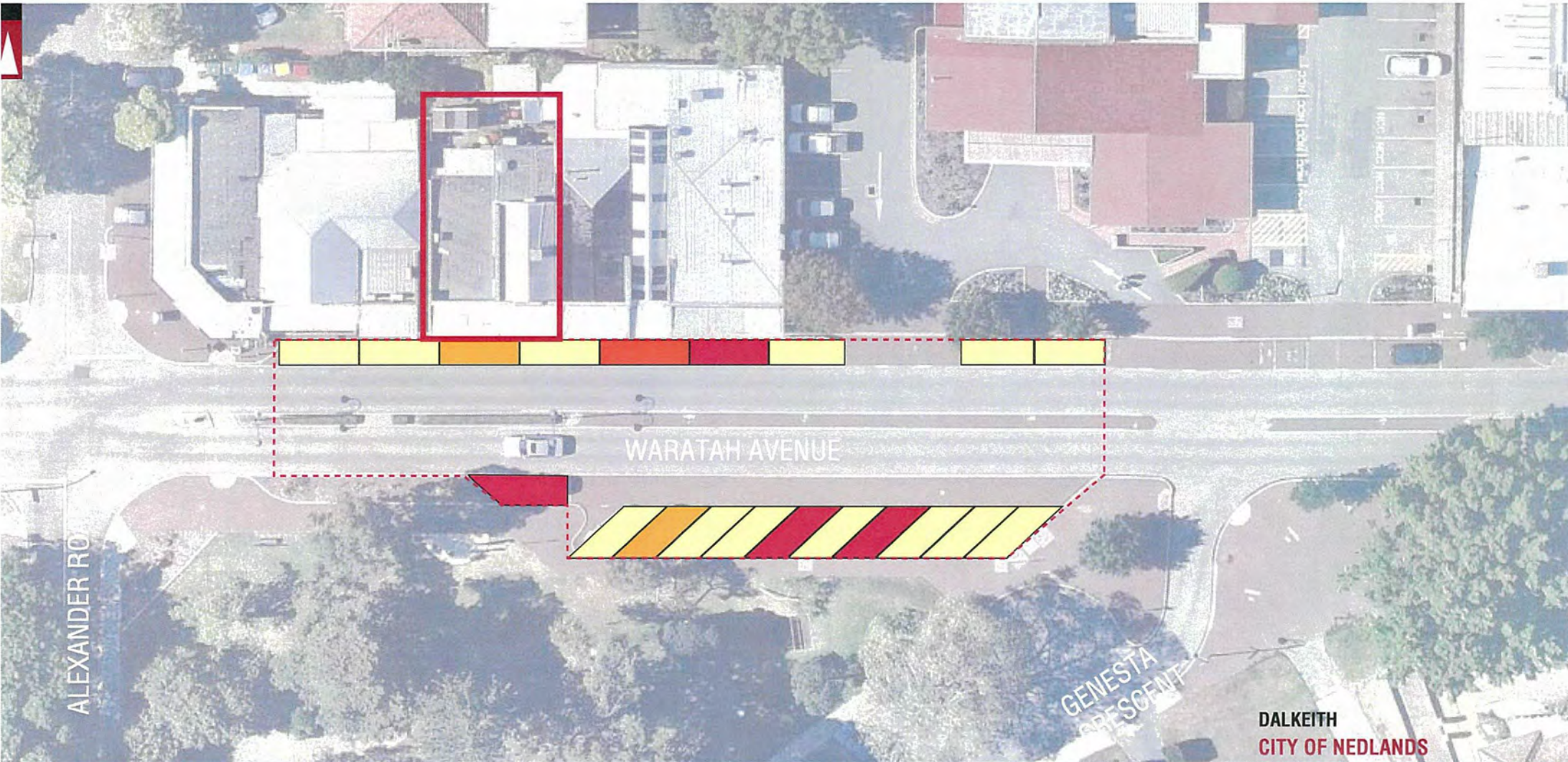
SAI GLOBAL

LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3		
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S41-3		
No	DATE	AMENDMENT			



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4			
			DRAWING NUMBER: KC00971.000_S41-4			
A	16-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



LOCATION
BOUNDARY

SURVEY EXTENT

LEWIS ROAD

ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

DALKEITH
CITY OF NEDLANDS

*13/20 available parking bays


A site visit was conducted on Wednesday
16th January, 2019 between 18:15-18:45

LEGEND

Certified System

Quality
ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1			
			DRAWING NUMBER: KC00971.000_S42-1			
A	16-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY


* 12/20 available car parking bays

A site visit was conducted on Wednesday
16th January, 2019 between 18:15-18:45

LEGEND



Quality
ISO 9001
SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021	PH: 08 9441 2760 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2			
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S42-2	J.S.		
No	DATE	AMENDMENT				



DALKEITH
CITY OF NEDLANDS

LOCATION BOUNDARY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

* 03/08 available parking bays

A site visit was conducted on Wednesday
16th January, 2019 between 18:15-18:45

Certified System

Quality ISO 9001

SAI GLOBAL



LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div></div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3		
A	16-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S42-3	J.S.	
No	DATE	AMENDMENT			



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4			
			DRAWING NUMBER: KC00971.000_S42-4			
A	16-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



 LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME


 NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

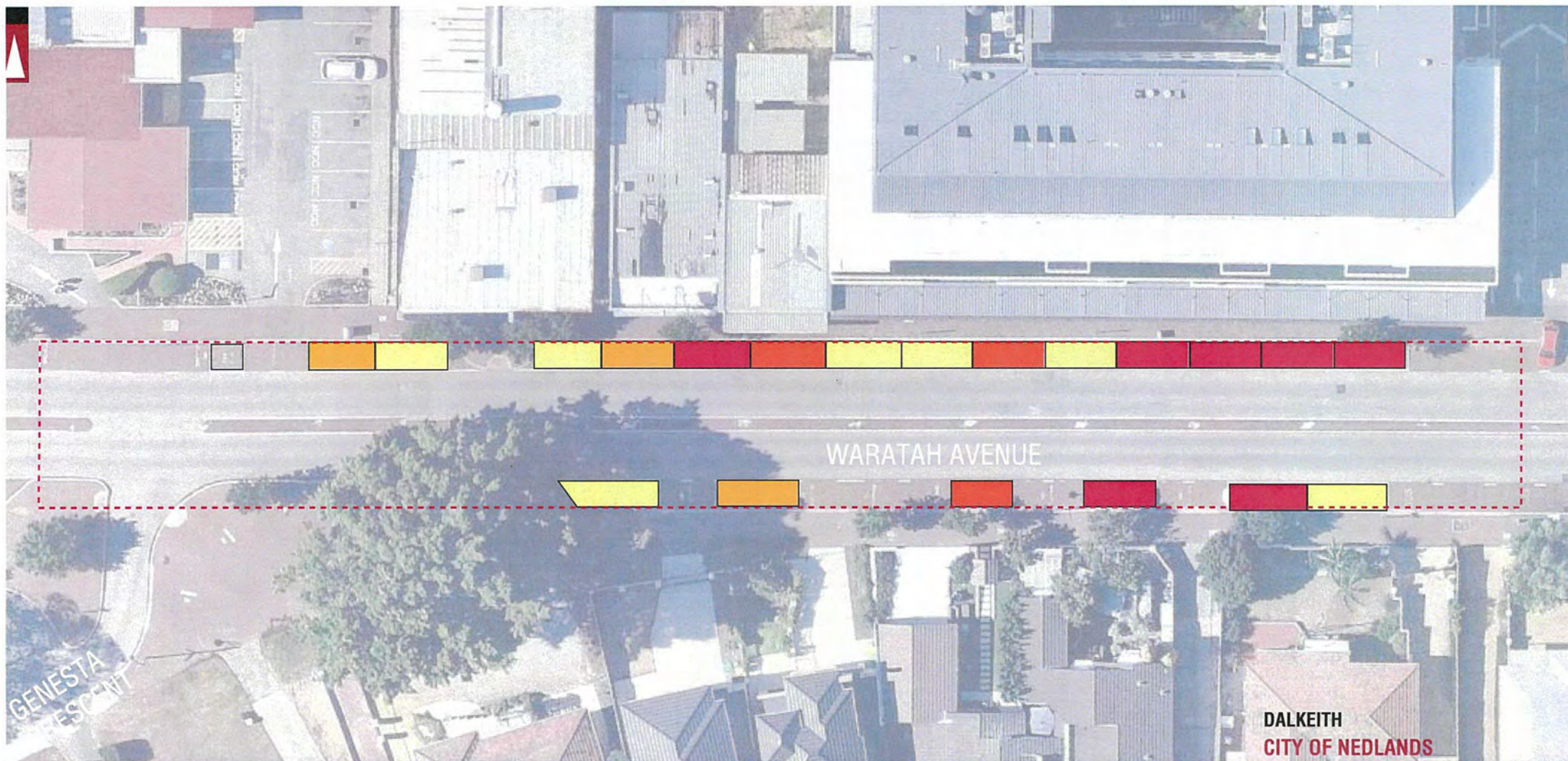
* 0/20 available parking bays

A site visit was conducted on Thursday
17th January, 2019 between 10:05-10:35

Certified System
 Quality
 ISO 9001
 SAI GLOBAL

LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No.10 Whipple Street Balcatta WA 6021	PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1			
A	17-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S43-1	J.S.		
No	DATE	AMENDMENT				



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

* 7/20 available car parking bays

A site visit was conducted on Thursday
17th January, 2019 between 10:05-10:35

LEGEND



Quality
ISO 9001
SAI GLOBAL

No	DATE	AMENDMENT
A	17-01-2019	ISSUED FOR REVIEW

PROJECT:
103A WARATAH AVENUE, DALKEITH

TITLE:
CARPARKING NOISE DIAGRAM - SECTION 2

DRAWING NUMBER:
KC00971.000_S43-2

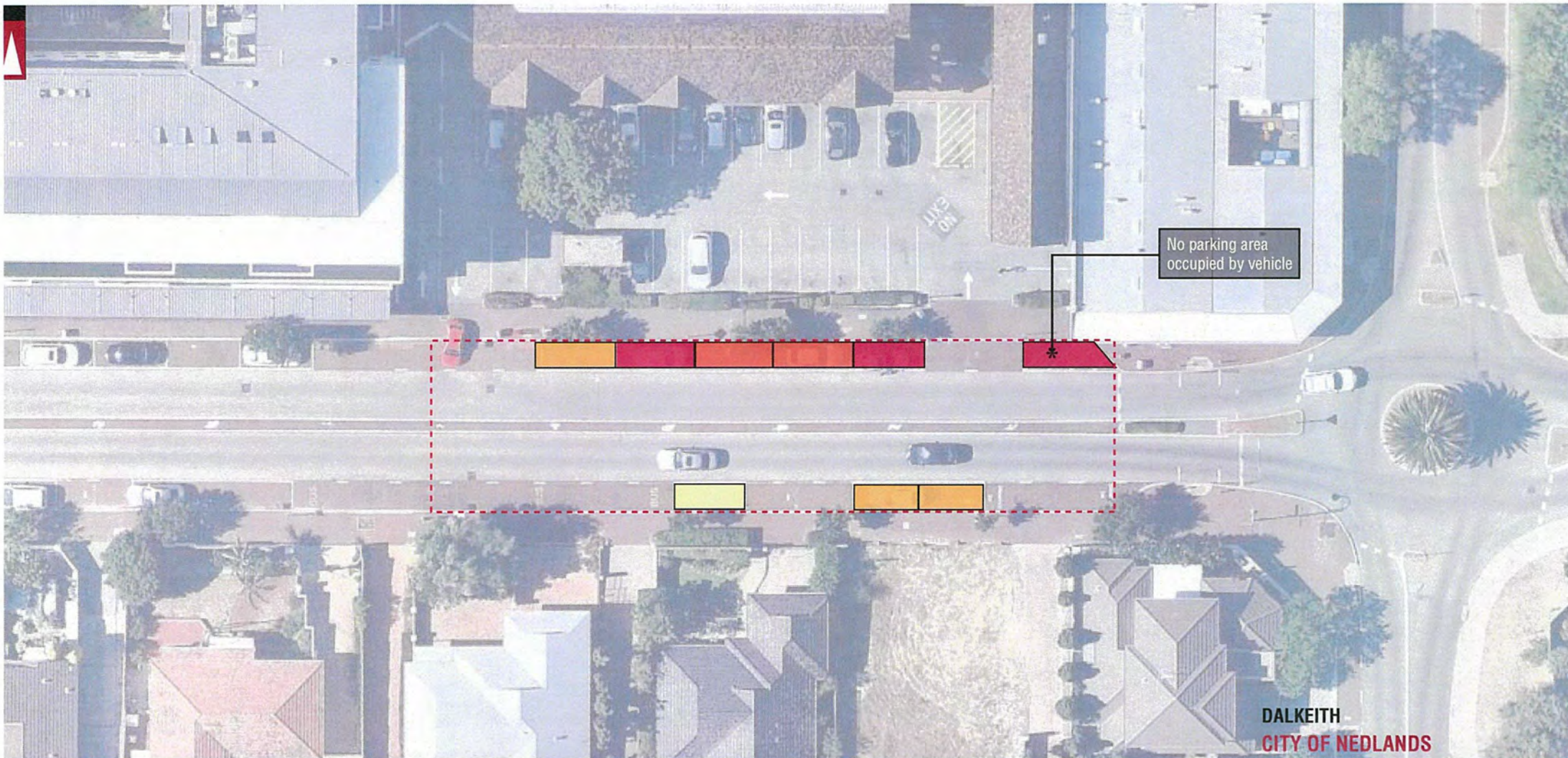
DRAWN BY:

J.S.

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

PH: 08 9441 2700
WEB: www.kctt.com.au

kctt



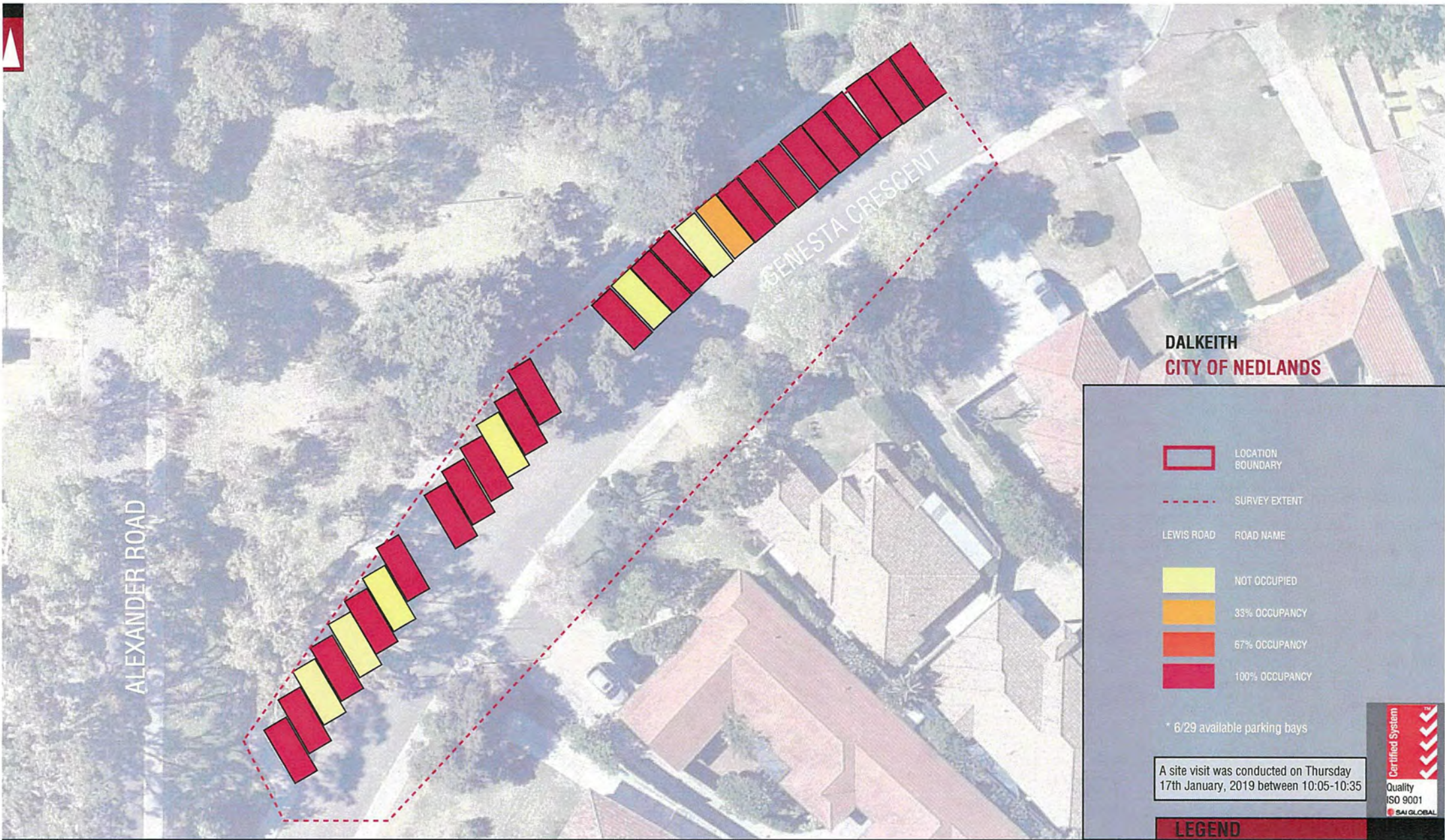
* 01/08 available parking bays

A site visit was conducted on Thursday
17th January, 2019 between 10:05-10:35

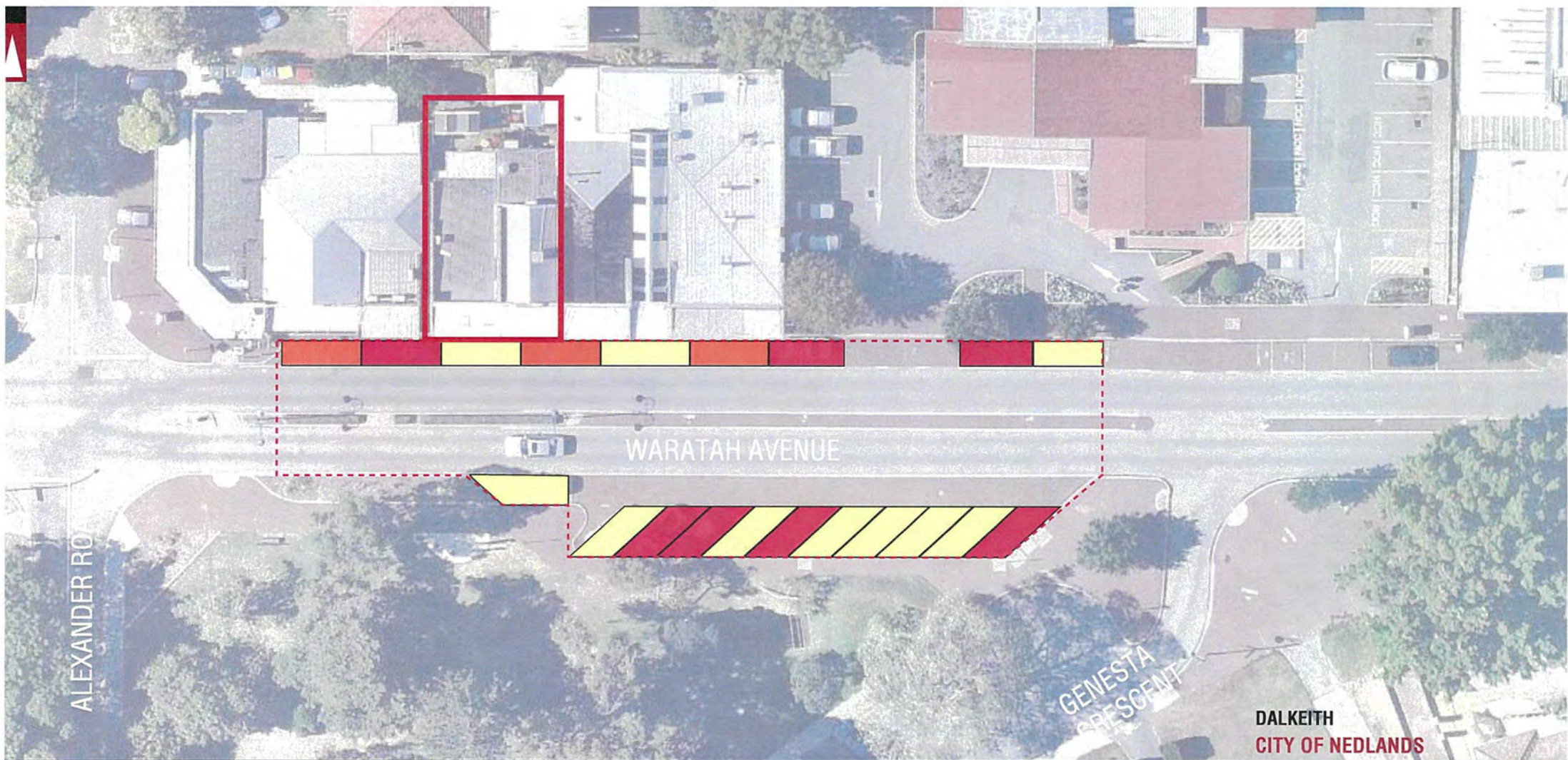
LEGEND



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3		
A	17-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S43-3		
No	DATE	AMENDMENT			



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au kctt
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4		
A 17-01-2019 ISSUED FOR REVIEW			DRAWING NUMBER: KC00971.000_S43-4		
No	DATE	AMENDMENT			



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

DALKEITH
CITY OF NEDLANDS

*10/20 available parking bays

A site visit was conducted on Thursday
17th January, 2019 between 17:10-17:40

LEGEND



No	DATE	AMENDMENT
A	17-01-2019	ISSUED FOR REVIEW

PROJECT:
103A WARATAH AVENUE, DALKEITH

TITLE:
CARPARKING NOISE DIAGRAM - SECTION 1

DRAWING NUMBER:
KC00971.000_S44-1

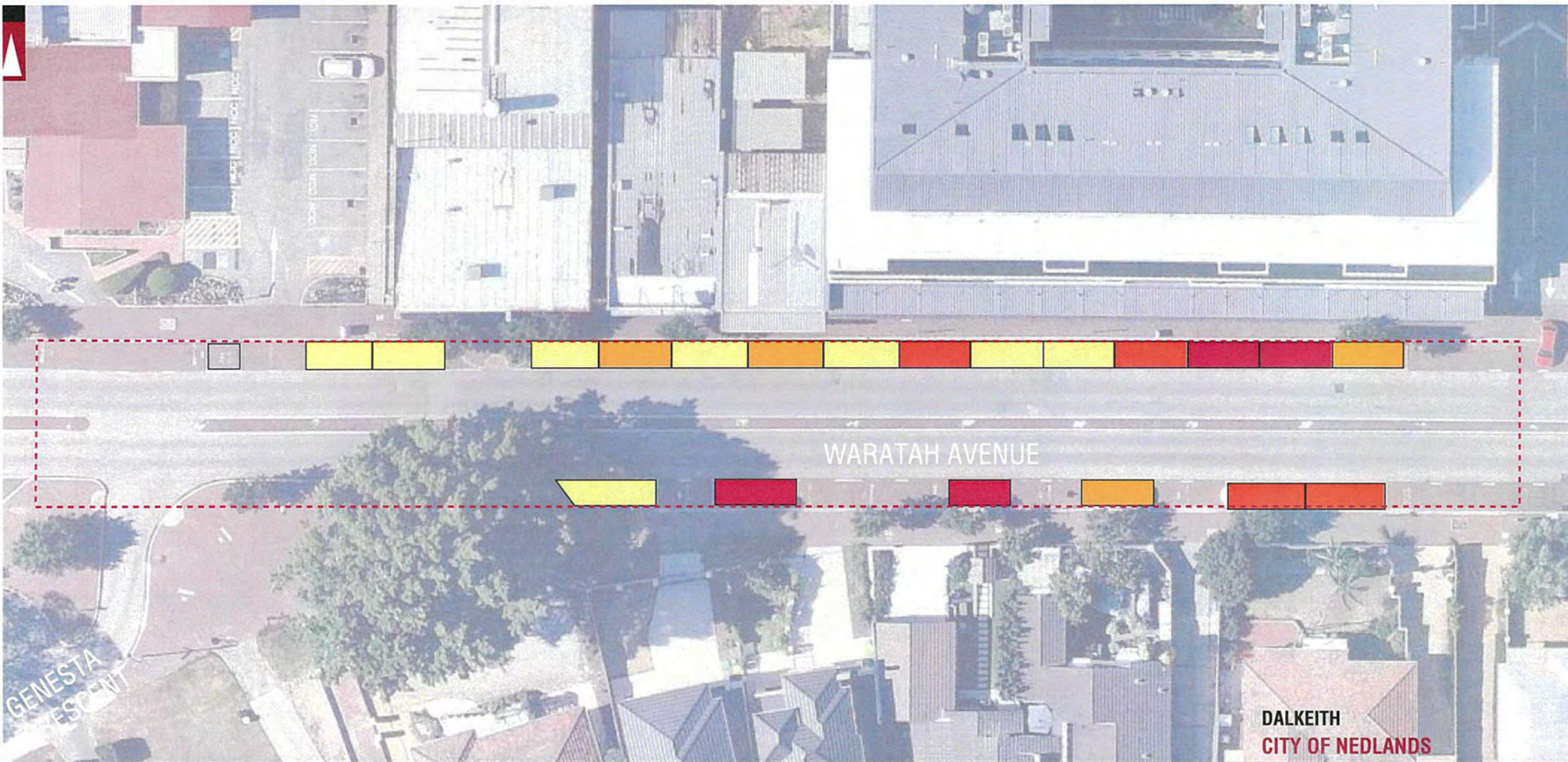
DRAWN BY:

J.S.

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

PH: 08 9441 2700
WEB: www.kctt.com.au

kctt



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

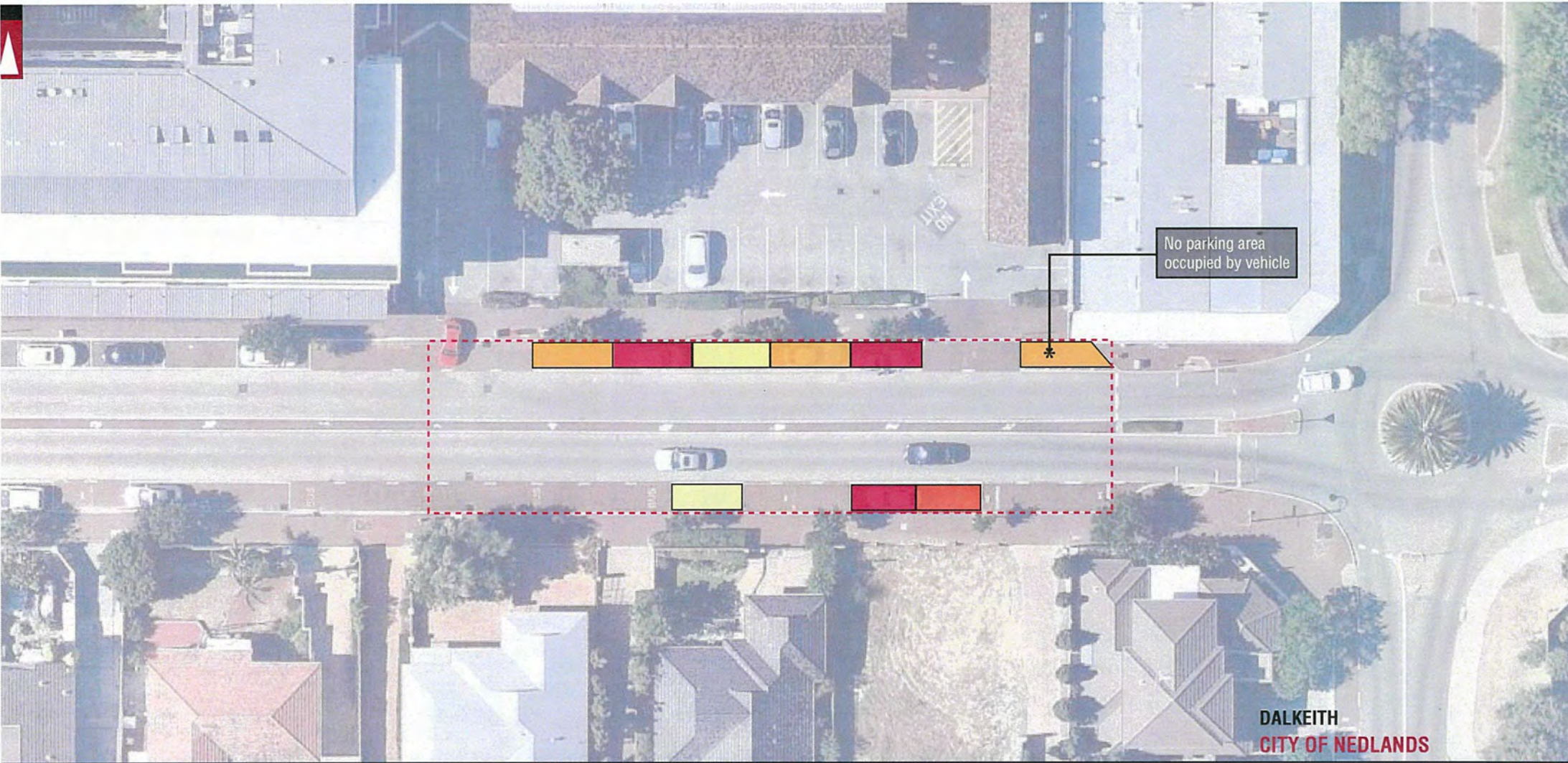
* 8/20 available car parking bays

A site visit was conducted on Thursday
17th January, 2019 between 17:10-17:40

LEGEND



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2			
			DRAWING NUMBER: KC00971.000_S44-2			
A	17-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



DALKEITH
CITY OF NEDLANDS

LOCATION BOUNDARY

NOT OCCUPIED

SURVEY EXTENT

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

LEWIS ROAD

ROAD NAME

* 02/08 available parking bays

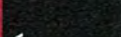
A site visit was conducted on Thursday
17th January, 2019 between 17:10-17:40

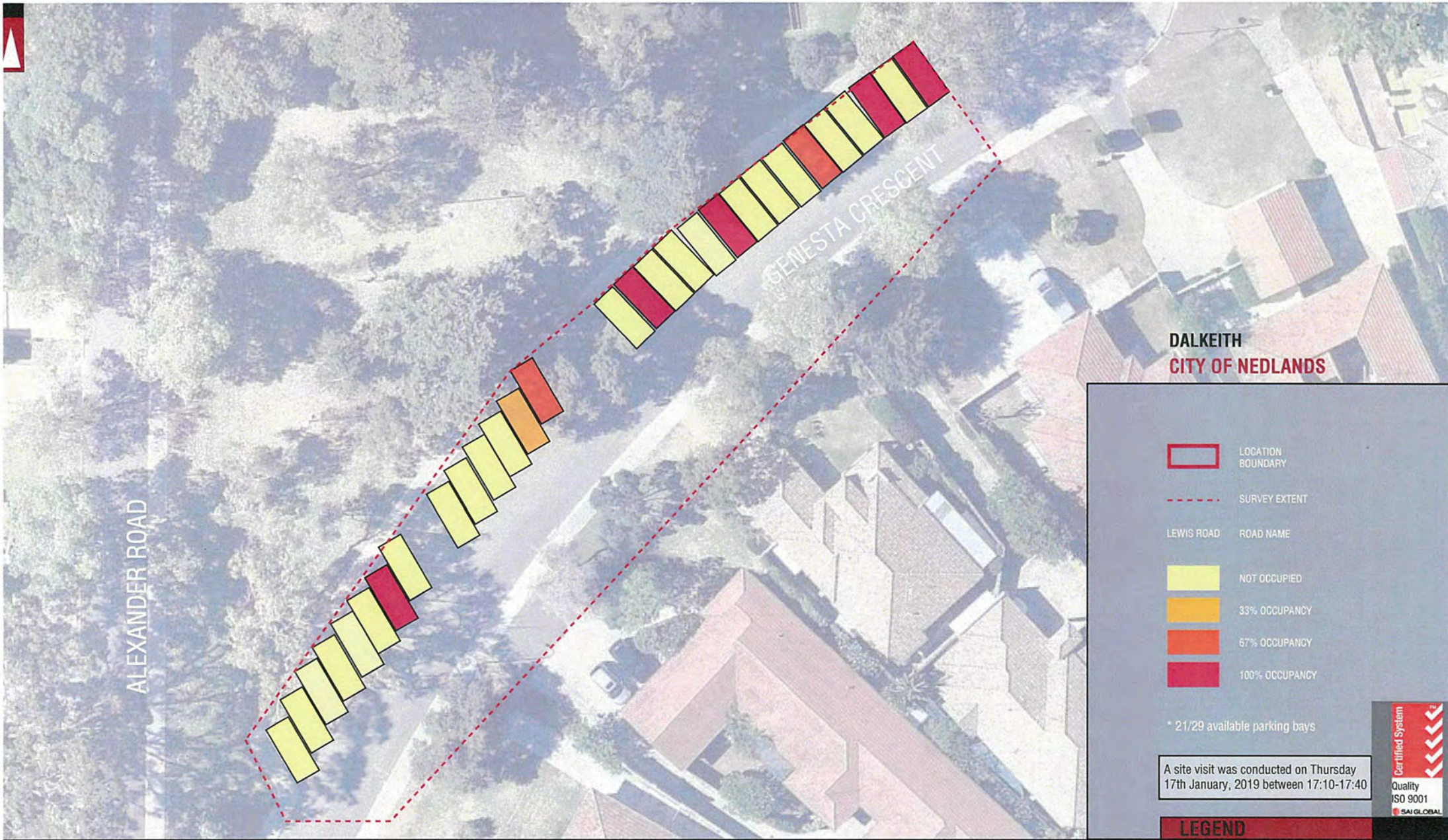
Certified System

Quality ISO 9001

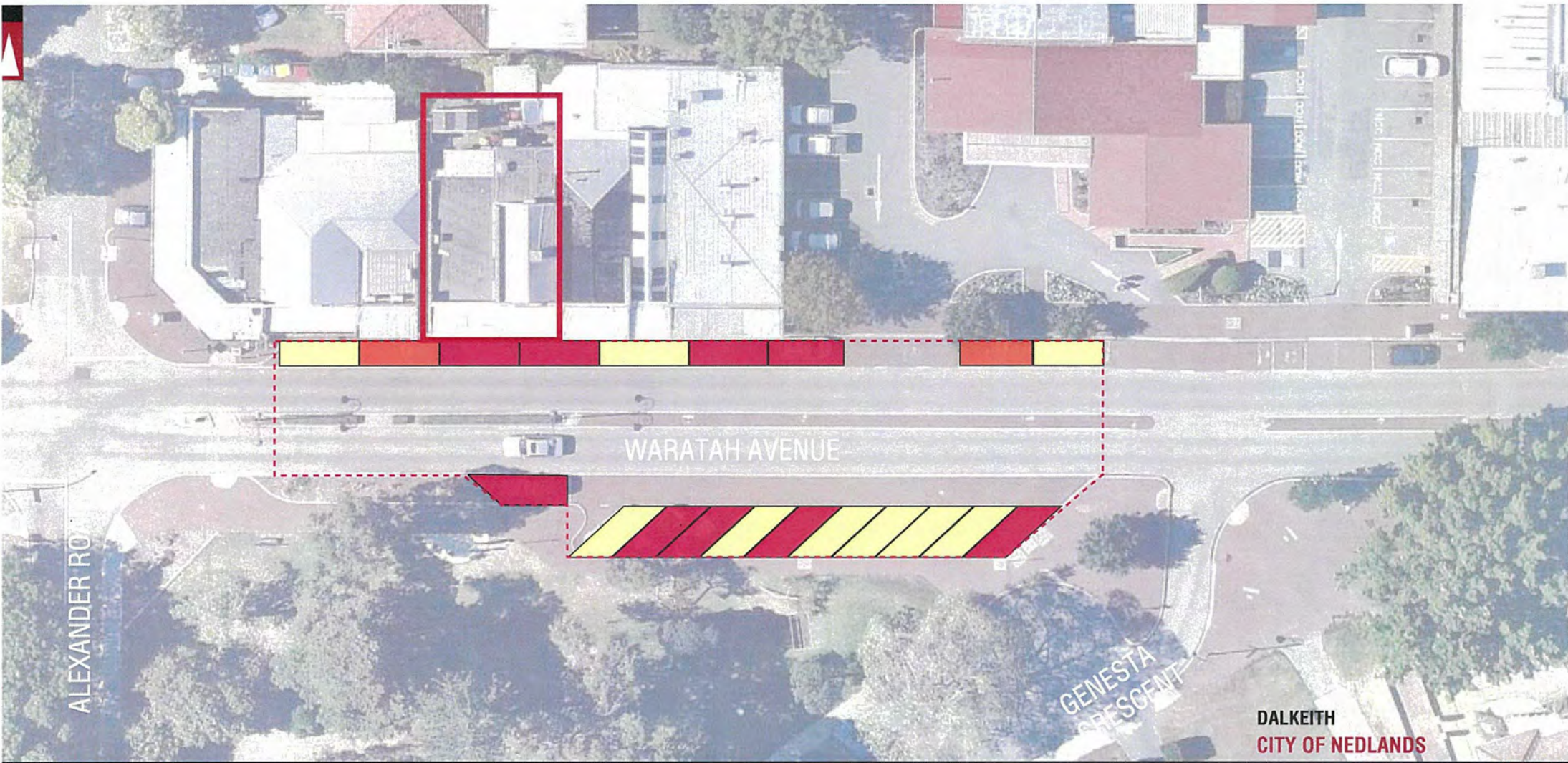
SAI GLOBAL

LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9341 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3	J.S.		
A	17-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S44-3			
No	DATE	AMENDMENT				



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4			
			DRAWING NUMBER: KC00971.000_S44-4			
A	17-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



LOCATION BOUNDARY

SURVEY EXTENT

LEWIS ROAD

ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY


100% OCCUPANCY

DALKEITH
CITY OF NEDLANDS

*9/20 available parking bays

A site visit was conducted on Thursday
17th January, 2019 between 18:15-18:45

LEGEND

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021	J.S.	PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1				
A	17-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S45-1				
No	DATE	AMENDMENT					



LOCATION BOUNDARY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

* 14/20 available car parking bays


A site visit was conducted on Thursday
17th January, 2019 between 18:15-18:45

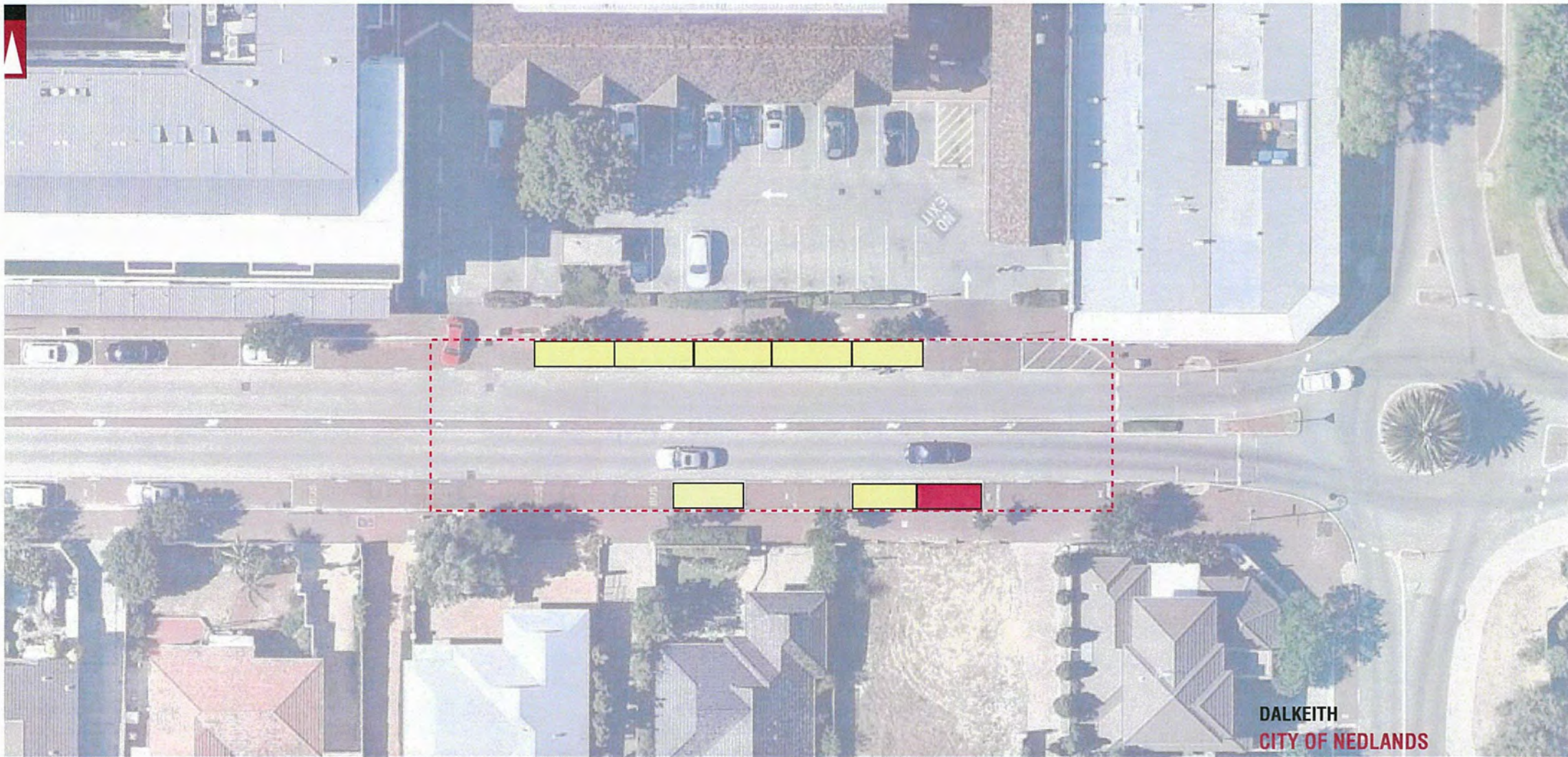
LEGEND

Certified System

Quality
ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2			
			DRAWING NUMBER: KC00971.000_S45-2			
A	17-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

DALKEITH
CITY OF NEDLANDS

* 07/08 available parking bays

A site visit was conducted on Thursday
17th January, 2019 between 18:15-18:45

LEGEND



No	DATE	AMENDMENT
A	17-01-2019	ISSUED FOR REVIEW

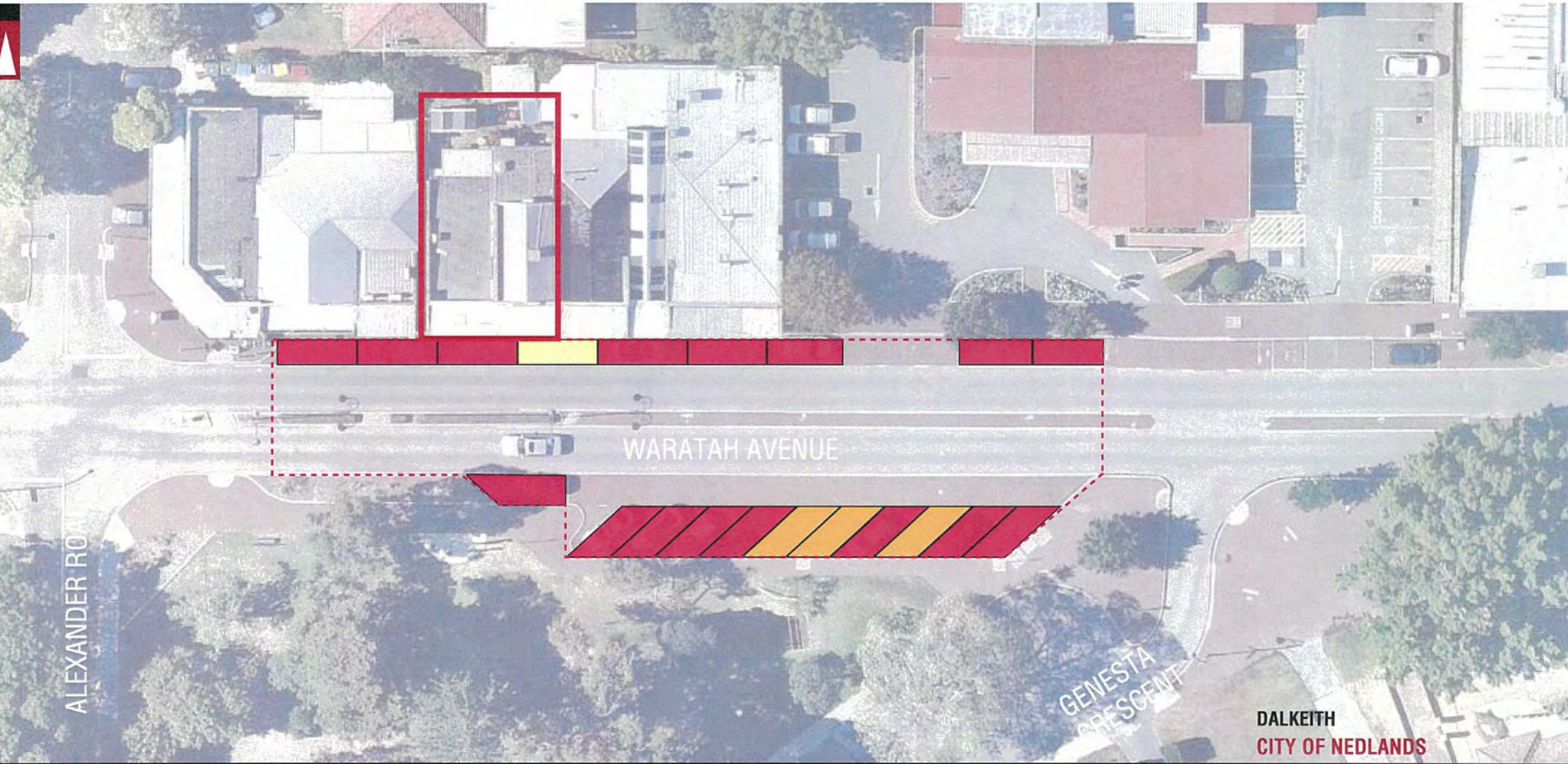
PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:
TITLE: CARPARKING NOISE DIAGRAM - SECTION 3	J.S.
DRAWING NUMBER: KC00971.000_S45-3	

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021
PH: 08 9441 2700
WEB: www.kctt.com.au





			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4		
			DRAWING NUMBER: KC00971.000_S45-4		
A	17-01-2019	ISSUED FOR REVIEW			
No	DATE	AMENDMENT			



LOCATION
BOUNDARY

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

DALKEITH

CITY OF NEDLANDS

*01/20 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 09:15-09:45

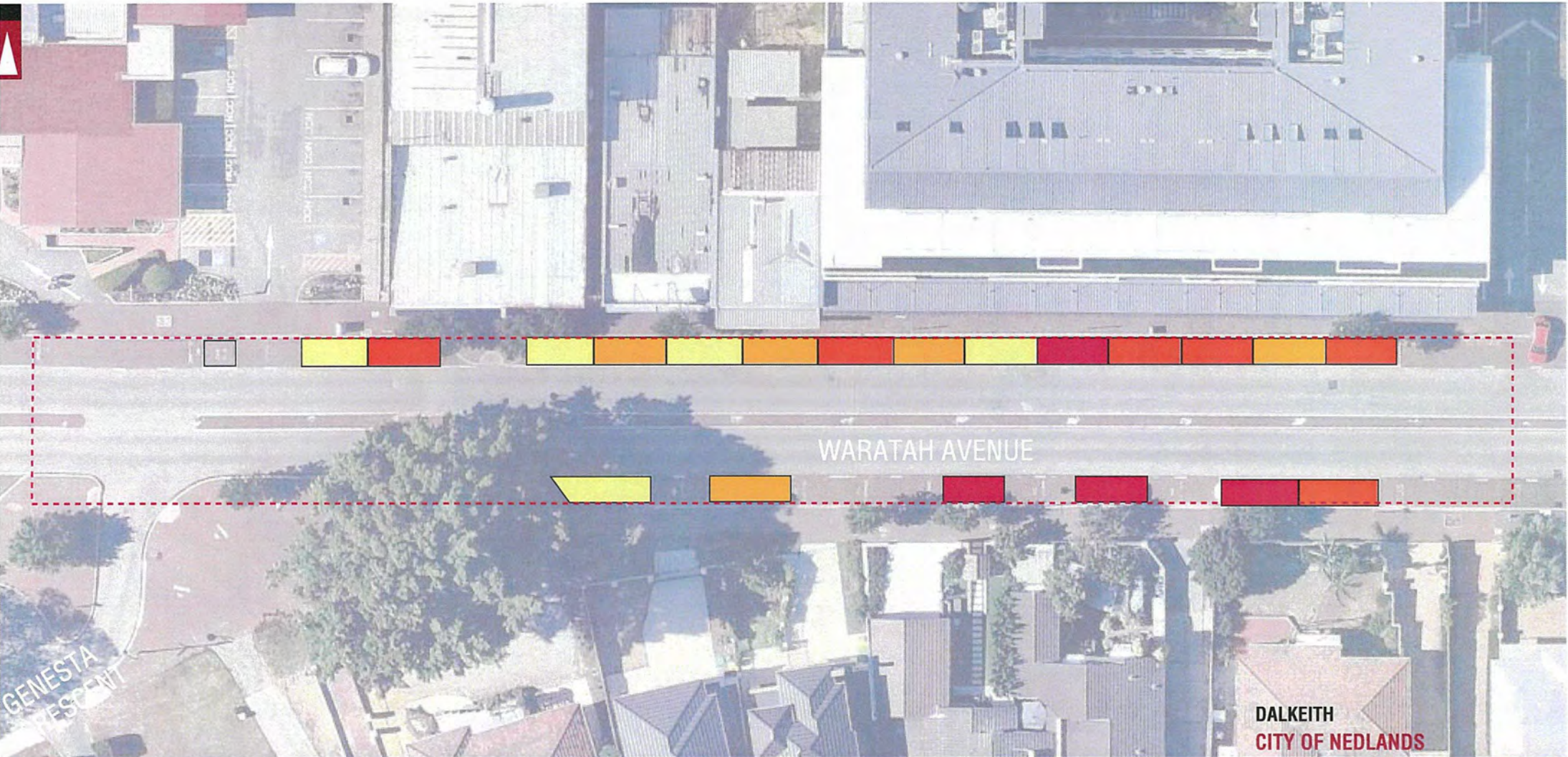
LEGEND

Certified System

Quality
ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH		DRAWN BY: A.N.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div> <div>PH: 08 9441 2700</div> <div>WEB: www.kctt.com.au</div> </div> <div>kctt</div>		
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1					
			DRAWING NUMBER: KC00971.000_S46-1					
A	21-01-2019	ISSUED FOR REVIEW						
No	DATE	AMENDMENT						



LOCATION BOUNDARY

SURVEY EXTENT

LEWIS ROAD ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

* 05/20 available car parking bays

A site visit was conducted on Saturday
19th January, 2019 between 09:15-09:45

LEGEND

DALKEITH
CITY OF NEDLANDS

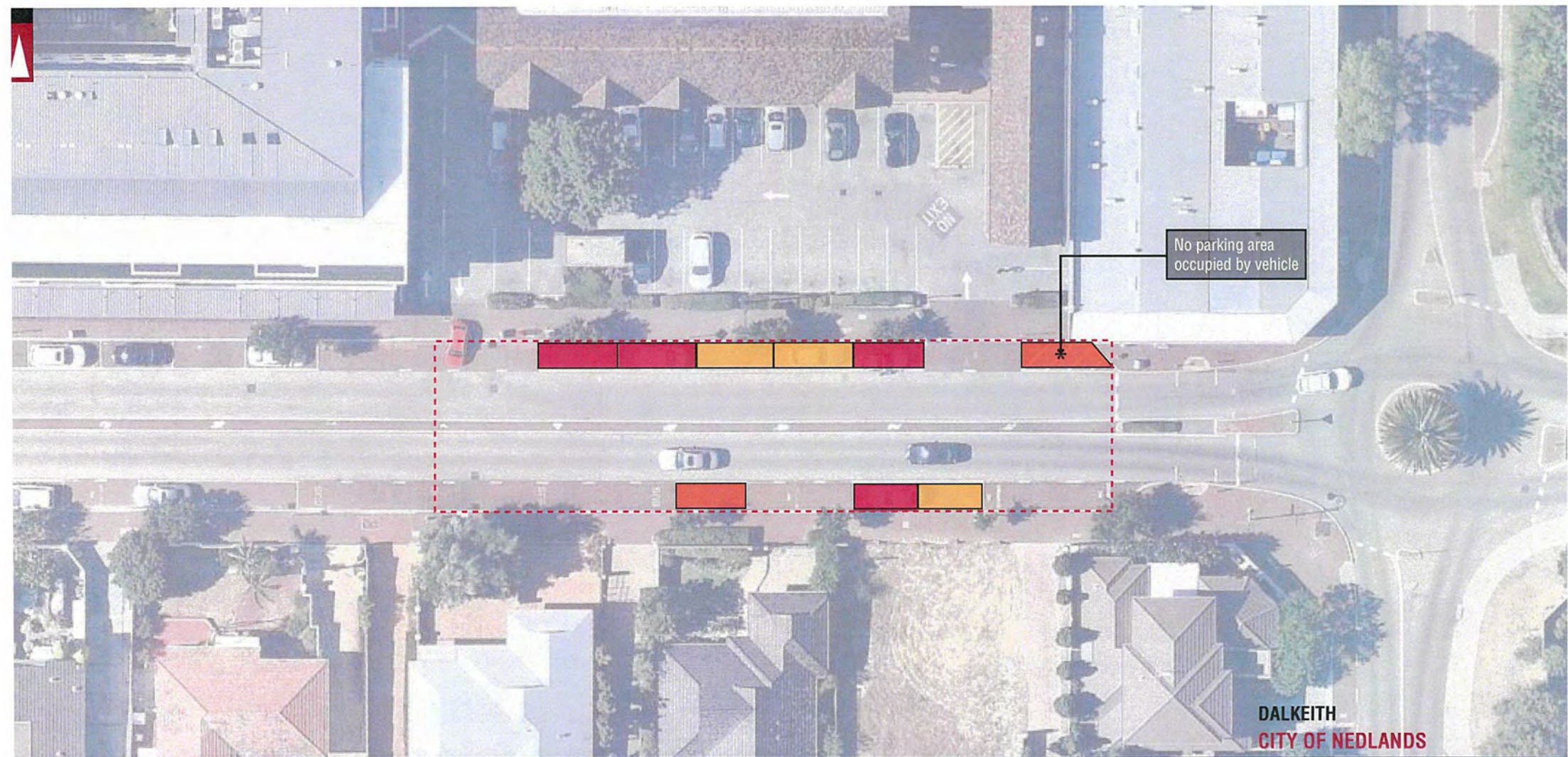
Certified System



Quality ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	<div style="background-color: red; color: white; padding: 10px;"> <p>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</p> <p>PH: 08 9441 2700 WEB: www.kctt.com.au</p> </div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2		
			DRAWING NUMBER: KC00971.000_S46-2		
A	21-01-2019	ISSUED FOR REVIEW			
No	DATE	AMENDMENT			





 LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME

 NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

* 00/08 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 09:15-09:45

LEGEND







			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au kctt
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3	A.N.	
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S46-3		
No	DATE	AMENDMENT			

ALEXANDER ROAD

GENESTA CRESCENT

DALKEITH
CITY OF NEDLANDS

-  LOCATION BOUNDARY
-  SURVEY EXTENT
- LEWIS ROAD ROAD NAME
-  NOT OCCUPIED
-  33% OCCUPANCY
-  67% OCCUPANCY
-  100% OCCUPANCY

* 15/29 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 09:15-09:45

LEGEND

Certified System
Quality
ISO 9001
SAI GLOBAL

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

PH: 08 9441 2700
WEB: www.kctt.com.au

kctt

PROJECT:
103A WARATAH AVENUE, DALKEITH

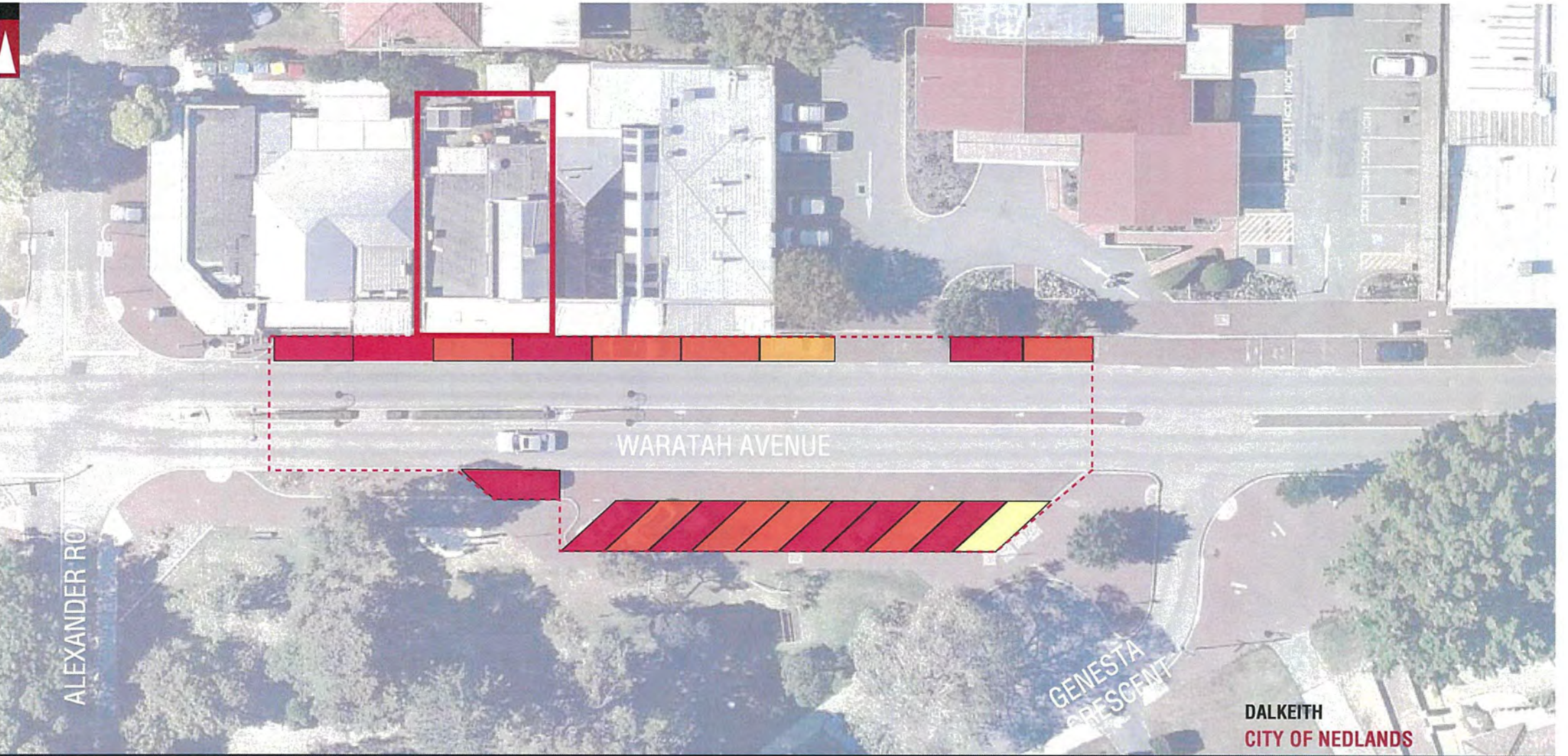
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CARPARKING NOISE DIAGRAM - SECTION 4

DRAWING NUMBER:
KC00971.000_S46-4

DRAWN BY:

A.N.

A	21-01-2019	ISSUED FOR REVIEW
No	DATE	AMENDMENT



LOCATION
BOUNDARY

SURVEY EXTENT

LEWIS ROAD

ROAD NAME

NOT OCCUPIED

33% OCCUPANCY

67% OCCUPANCY

100% OCCUPANCY

DALKEITH
CITY OF NEDLANDS

*01/20 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 10:15-10:45

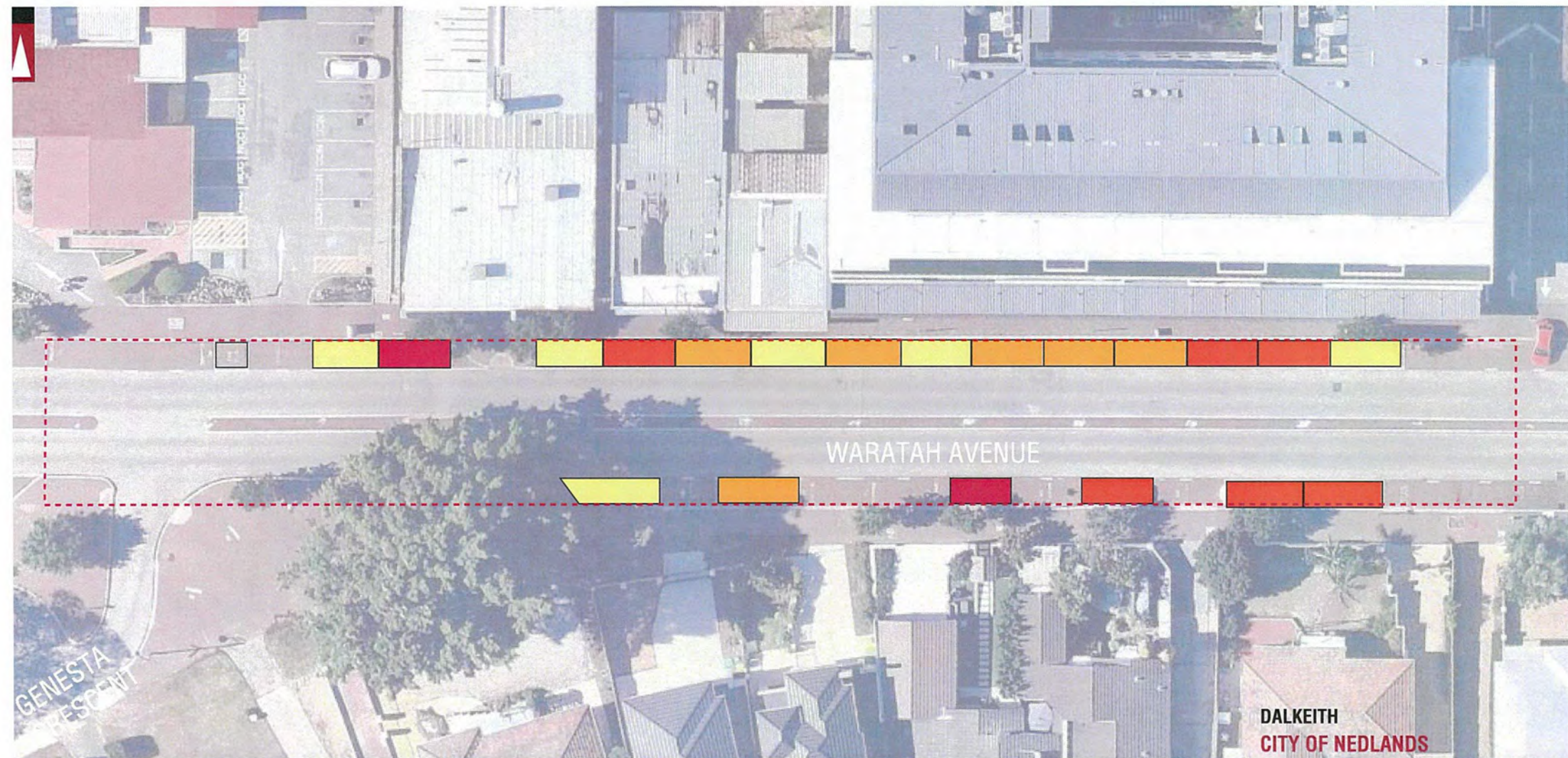
LEGEND

Certified System

Quality ISO 9001

SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1		
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S47-1		
No	DATE	AMENDMENT			



LOCATION
BOUNDARY



SURVEY EXTENT

LEWIS ROAD

ROAD NAME



NOT OCCUPIED



33% OCCUPANCY



67% OCCUPANCY



100% OCCUPANCY

* 06/20 available car parking bays

A site visit was conducted on Saturday
19th January, 2019 between 10:15-10:45

LEGEND



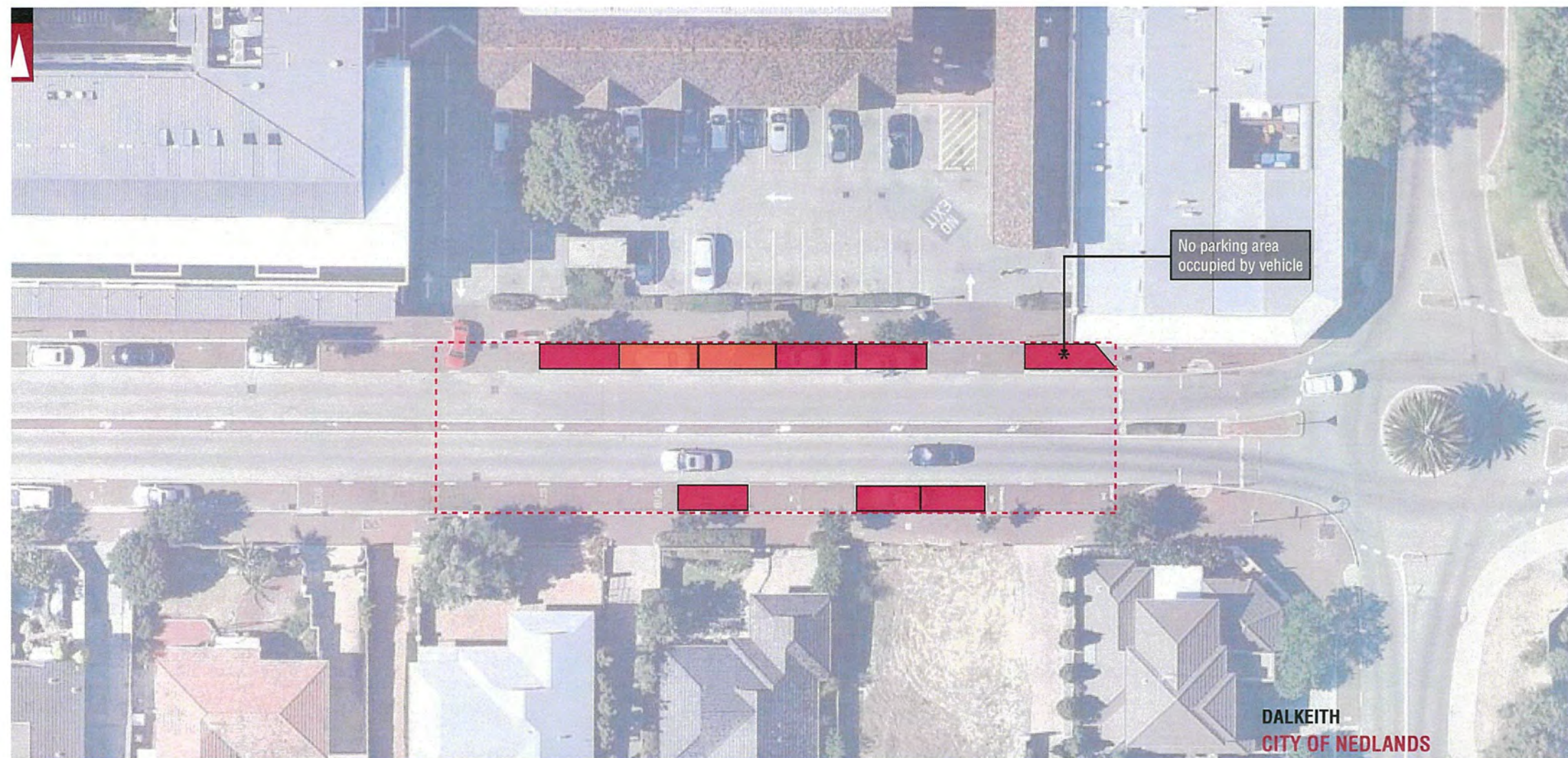
Quality
ISO 9001
SAI GLOBAL



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 2		
			DRAWING NUMBER: KC00971.000_S47-2		
A	21-01-2019	ISSUED FOR REVIEW			
No	DATE	AMENDMENT			

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

PH: 08 9441 2700
WEB: www.kctt.com.au

kctt



 LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME

 NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

* 00/08 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 10:15-10:45

LEGEND

Certified System
 Quality
 ISO 9001
 SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3		
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S47-3		
No	DATE	AMENDMENT			

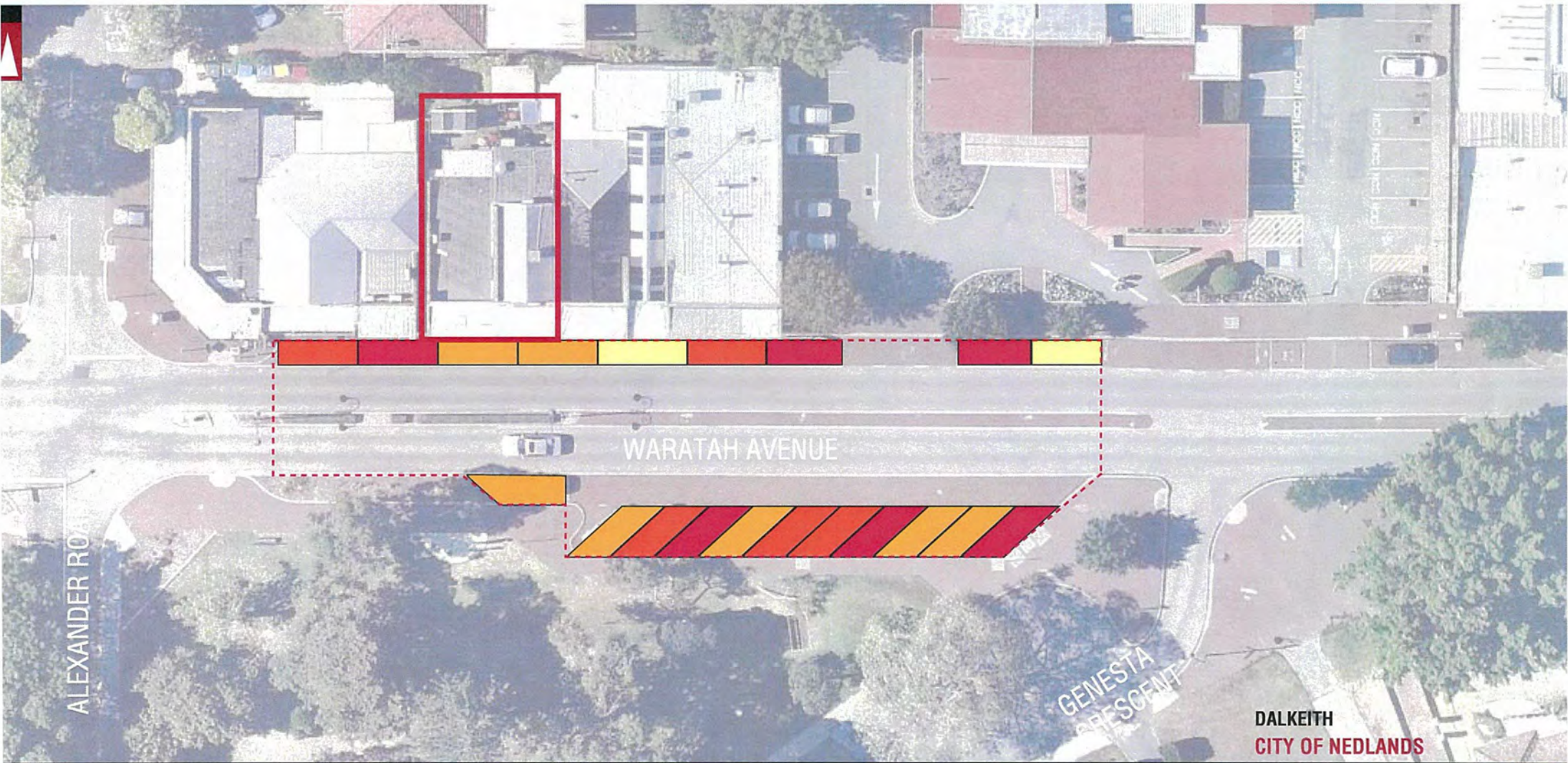
Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021



PH: 08 9441 2700
WEB: www.kctt.com.au





kctt



			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	<div>Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4		
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S47-4		
No	DATE	AMENDMENT			



 LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME


 NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

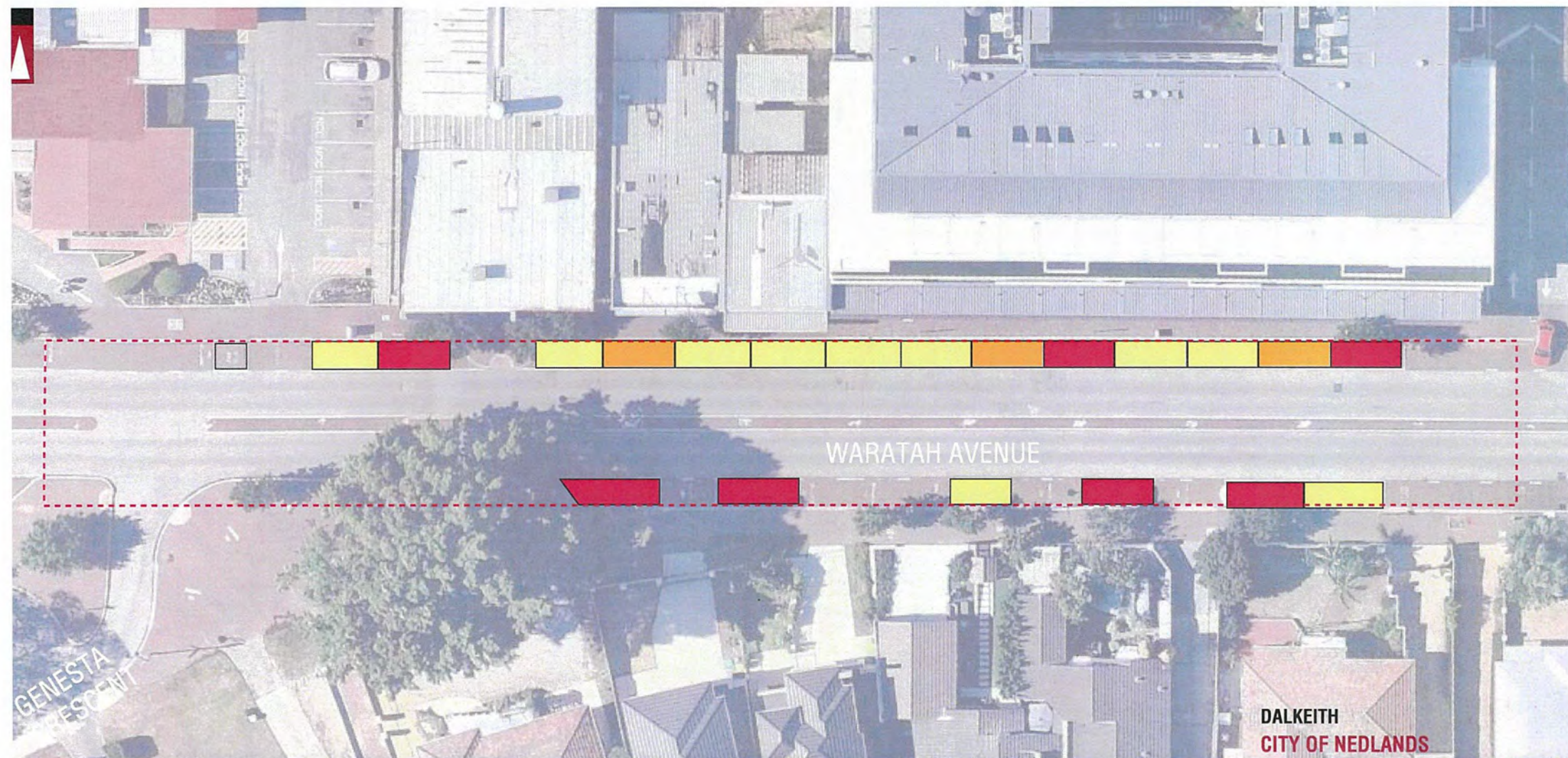
*02/20 available parking bays



A site visit was conducted on Saturday
19th January, 2019 between 11:15-11:45


LEGEND

Certified System
 Quality
 ISO 9001
 SAI GLOBAL

			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY: A.N.	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 1			
			DRAWING NUMBER: KC00971.000_S48-1			
A	21-01-2019	ISSUED FOR REVIEW				
No	DATE	AMENDMENT				



 LOCATION BOUNDARY
 SURVEY EXTENT
 LEWIS ROAD ROAD NAME

 NOT OCCUPIED
 33% OCCUPANCY
 67% OCCUPANCY
 100% OCCUPANCY

* 10/20 available car parking bays

A site visit was conducted on Saturday
19th January, 2019 between 11:15-11:45

LEGEND



PROJECT:
103A WARATAH AVENUE, DALKEITH

TITLE:
CARPARKING NOISE DIAGRAM - SECTION 2

DRAWING NUMBER:
KC00971.000_S48-2

DRAWN BY:

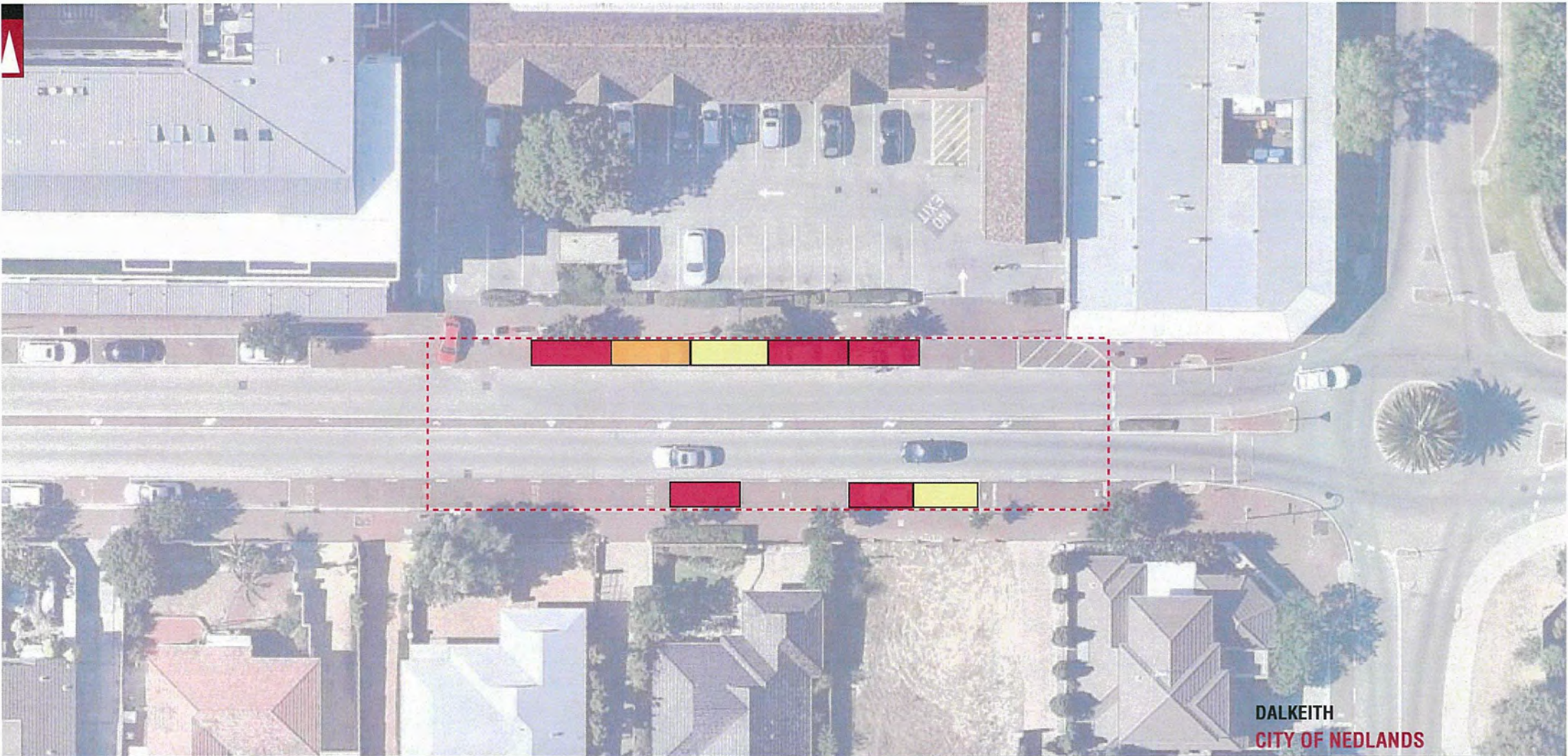
Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

A.N.

PH: 08 9441 2700
WEB: www.kctt.com.au

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A	21-01-2019	ISSUED FOR REVIEW
No	DATE	AMENDMENT



DALKEITH
CITY OF NEDLANDS

LOCATION BOUNDARY

NOT OCCUPIED

SURVEY EXTENT

33% OCCUPANCY

LEWIS ROAD

ROAD NAME

67% OCCUPANCY

100% OCCUPANCY

* 02/08 available parking bays

A site visit was conducted on Saturday
19th January, 2019 between 11:15-11:45

LEGEND

Certified System

Quality ISO 9001


			PROJECT: 103A WARATAH AVENUE, DALKEITH
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 3
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S48-3
No	DATE	AMENDMENT	

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

PH: 08 9441 2700
WEB: www.kctt.com.au





			PROJECT: 103A WARATAH AVENUE, DALKEITH	DRAWN BY:	Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcaita WA 6021 PH: 08 9441 2700 WEB: www.kctt.com.au	
			TITLE: CARPARKING NOISE DIAGRAM - SECTION 4			
A	21-01-2019	ISSUED FOR REVIEW	DRAWING NUMBER: KC00971.000_S48-4	A.N.		
No	DATE	AMENDMENT				

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021
PH: 08 9411 2700
WEB: www.kctt.com.au

kctt

PD12.19	No. 50 Haldane Street. Mt Claremont – Proposed Single Dwelling
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Committee	9 April 2019
Council	23 April 2019
Applicant	O. Pearce
Landowner	S. Wilson
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Peter Mickleson – Director Planning & Development
Reference	DA19-33832
Previous Item	Nil
Delegation	In accordance with Clause 6.7.1a) of the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site photographs 2. Applicant's justification

1.0 Executive Summary

The purpose of this report is for Council to consider a development application received from the applicant on the 9 January 2019, for a proposed single dwelling at 50 Haldane Street, Mount Claremont.

A design principle assessment is sought in relation to lot boundary setbacks, street wall fencing and vehicular access. It is recommended that the application be approved by Council subject to conditions.

It is considered that the proposed development satisfies the design principles of State Planning Policy 3.1- Residential Design Codes (R-Codes). The proposal will not have a significant adverse impact on the local amenity due to the nature, size and scale. For further details refer to the application details section below.

The application was advertised to adjoining neighbours in accordance with clause 2.1 of Council's Neighbour Consultation Policy. One objection was received in response to the proposal.

It is recommended that the application be approved by Council.

2.0 Recommendation to Committee

Council approves the development application to construct a single dwelling at (Lot 702) No.50 Haldane Street, Mount Claremont, received on 9 January 2019 with amended plans received on 21 February 2019, subject to the following conditions and advice:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**

2. All footings and structures associated with the retaining walls and any fencing shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
3. All fencing/visual privacy screens to Major Openings/Unenclosed Active Habitable Spaces as shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes 2018. The fencing/visual privacy screens shall be installed prior to the development's practicable completion and remain in place permanently, unless otherwise approved by the City.
4. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.

Advice Notes specific to this approval:

1. A separate development application is required to be submitted to and approved by the City prior to erecting any fencing within the street setback area(s) which is not compliant with the deemed-to-comply provisions of the Residential Design Codes, and/or erecting any fencing behind the primary street setback area which is more than 1.8m in height above natural ground level.
2. All crossovers to the street(s) shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
3. The concrete footpath(s) shall be retained across the proposed crossover(s).
4. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Work Application (NSWA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
5. All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved under the Nature Strip Development approval.
6. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
7. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.

8. The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

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

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

9. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

3.0 Background

3.1 Land Details

Land Area	377m ²
Local Planning Scheme Zone	Residential R10/20
Metropolitan Region Scheme Zone	Urban

3.2 Locality Plan



4.0 Application Details

The applicant seeks development approval to construct a single storey dwelling with an under-croft garage. The dwelling is approximately 169m² in area, comprises three bedrooms, a kitchen/living/dining room and bathrooms/utilities.

Design principle assessment is required for the following departures from the deemed-to-comply criteria of the R-Codes:

- Vehicular access is proposed from the primary street (Haldane Street) in lieu of the adjoining right of way (Acacia Lane);
- The north-western portions of street wall fencing to Haldane Street being proposed to be solid up to 1.8m in height in lieu of 1.2m;
- The street fencing to Acacia Lane is proposed to be up to 2.4m in height in lieu of 1.8m;
- The side (eastern) lot boundary setback distance to the ensuite and balcony is proposed to be 1m in lieu of 1.1m;
- The rear (southern) setback distance to the kitchen and Bed 2 is proposed to be 1m in lieu of 6m; and
- Open space provided is proposed to be 55.2% in lieu of 60%

5.0 Consultation

The application was advertised in accordance with clause 2.1 of Council's Neighbour Consultation Policy. One objection was received during the advertising period.

The objection relates to vehicular access from Haldane Street in lieu of from Acacia Lane, and concerns about the proposed location of the crossover and the potential impact this may have on traffic and/or pedestrian safety.

Note: A full copy of all relevant consultation feedback received by the City has been given to the Councillors prior to the Council meeting.

6.0 Assessment of Statutory Provisions

6.1 Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, clause 67 (Matters to be considered by local government) of the Regulations stipulates those matters that are required to be given due regard to the extent relevant to the application.

In accordance with provisions (m) and (n) of the Regulations clause 67, due regard is to be given to the likely effect of the proposed development's height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

If Council does not support the proposed development, there is a right of review (appeal) to the State Administrative Tribunal (SAT) under Part 14 of the *Planning and Development Act (2005)*

6.2 City of Nedlands Town Planning Scheme No. 2

Under the provisions of the Scheme the subject site is zoned Residential R10/20

6.2.1 Amenity

Under clause 5.5.1 of TPS2 Council may refuse to approve any development if:

“in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any other factor inconsistent with the use for which the lot is zoned.”

6.2.2 Dual Density Coding

Under clause 5.3.1 (a) of TPS2 grouped dwelling development in areas with dual density coding are to comply with the development requirements for that of the lower density code:

“where an area is designated with an R. Code R.12.5/R.20 or R.10/R.20 no development other than a single dwelling house complying with R. 12.5 or R. 10 requirements (as the case may be) is permitted...”

6.3 Draft Local Planning Scheme No. 3

Under Draft Local Planning Scheme No.3 (LPS 3) the existing dual density coding of R10/R20 is proposed to be changed to R20. If this occurs the following deemed-to-comply provisions under the R-Codes would be applicable to the property, amongst others:

- A 1m rear lot boundary setback will potentially be permissible.
- The minimum amount of open space required will be reduced to 50%.

6.4 Policy Considerations

6.4.1 Residential Design Codes - State Planning Policy 3.1

Lot Boundary Setbacks

Deemed-to-Comply Requirement	Design Principles	Proposed
Buildings which are set back in accordance with the following provision, subject to any additional measures in other elements of the R-Codes: i. buildings set back from lot boundaries in accordance with Table 1, Tables 2a and 2b (refer to Figure Series 3 and 4).	<i>P3.1 – Buildings set back from lot boundaries so as to:</i> <ul style="list-style-type: none"> • <i>reduce impacts of building bulk on adjoining properties;</i> • <i>provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</i> • <i>minimise the extent of overlooking and resultant loss of privacy on adjoining properties.”</i> 	<ul style="list-style-type: none"> • The eastern setback distance for the ensuite, master bed and balcony is proposed to be setback at 1m in lieu of 1.1m. • The rear (southern) setback to the kitchen and bed 2 is proposed at 1m in lieu of 6m.

Administration Comment

The reduced lot boundary setbacks are deemed to be acceptable as they do not detrimentally impact the existing or future amenity of the locality. The proposed reduction in lot boundary setbacks satisfy the relevant design principles for the following reasons:

- The setback distances to Acacia lane and the rear lot boundary are consistent with existing forms of development on nearby properties;
- The reduced setback to the eastern (side) lot boundary is deemed to be minor in nature, and of little detrimental impact on the adjoining property as the reduced setback is adjacent to a garage wall free of windows or major openings;
- The reduced rear (southern) setback provides an opportunity for the dwelling to maximise the northern aspect of the property for habitable rooms and outdoor living areas whilst still maintaining the required overshadowing requirements of the R-Codes for the adjoining southern property;
- The reduced rear (southern) setback is consistent with the setback requirements applicable to the future development context of the location under LPS3, and is therefore deemed to be acceptable to the future amenity and characteristics of the locality; and
- The dwelling includes design features such as windows and louvres, which provide screening, and break up the appearance and bulk of external walls, minimising its potential impact on adjoining properties and reducing the loss of privacy to adjoining properties.

Considering the above, the reduced setbacks to the lot boundaries will not have a detrimental impact on the existing or future amenity of the locality.

Open Space

Deemed-to-Comply Requirement	Design Principles	Proposed
Open space provided in accordance with Table 1 (refer Figure Series 6) (for an R10 coded lot a minimum of 60% open space is required).	<p><i>P4 Development incorporates suitable open space for its context to:</i></p> <ul style="list-style-type: none"> • <i>reflect the existing and/or desired streetscape character or as outlined under the local planning framework;</i> • <i>provide access to natural sunlight for the dwelling;</i> • <i>reduce building bulk on the site, consistent with the expectations of the applicable density code and/or as outlined in the local planning framework;</i> • <i>provide an attractive setting for the buildings, landscape, vegetation and streetscape;</i> • <i>provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within/around the site; and</i> • <i>provide space for external fixtures and essential facilities."</i> 	55.2% open space.

Administration Comment

The proposed reduction in lot boundary setbacks satisfy the relevant design principles for the following reasons:

- It is consistent with the future open space requirements of the locality under LPS3;
- The open space variation is as a consequence of the WAPC approving a lot size (377sqm) which is significantly less than what the R-Codes require for the R10 coding (875sqm minimum and 1,000sqm average);
- The design and positioning of the dwelling on the lot allows for the habitable rooms and outdoor living areas to maximise the natural sunlight offered from the north of the property;
- The external appearance of the dwelling minimises the impacts of building bulk on adjoining properties (as indicated above); and
- The proposed setback to the northern property boundary (Haldane Street) is greater than what is required and provides the opportunity for residents of the dwelling to use the open space external to the building directly from habitable rooms.

Street Walls and Fences

Deemed-to-Comply Requirement	Design Principles	Proposed
<p>Front fences within the primary street setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the front fence.</p> <p>Each of the following is acceptable material for a fence on a Residential lot:</p> <ul style="list-style-type: none"> a) A timber fence (consisting of pickets or overlapping panels); b) A fence constructed of corrugated reinforced cement sheeting; c) A fence constructed of masonry, stone or concrete; d) A metal panel fence; or e) A wrought iron fence. <p>In primary street setback areas, solid fencing to a maximum height of 1.2 metres above natural ground level, and visually permeable fencing to a maximum height of 1.8m above natural ground level.</p> <p>Dividing fences are not to be higher than 0.75 metre above natural ground level, within 1.5 metres of where it adjoins vehicle access points where a driveway meets a public street and where two streets intersect.</p> <p>Within the 1.5m area stipulated under clause 4.4 of this policy, the following obstructions are deemed acceptable by the City:</p>	<p><i>“Front fences are low or restricted in height to permit surveillance (as per Clause 5.2.3) and enhance streetscape (as per clause 5.1.2), with appropriate consideration to the need:</i></p> <ul style="list-style-type: none"> • <i>for attenuation of traffic impacts where the street is designated as a primary or district distributor or integrator arterial; and</i> • <i>for necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial.</i> 	<p>Street boundary fencing in the north-western portion of the site is proposed to be solid to 1.8m above natural ground level in lieu of 1.2m.</p>

<ul style="list-style-type: none"> a) One pier with a maximum height of 2.1 metres above natural ground level with a length and width of no greater than 0.5m; b) All other solid structures to be reduced to a height of no greater than 0.75 metres above natural ground level; and c) All visually permeable structures to a maximum height of 1.8 metres above natural ground level. 		
<p>Administration Comment</p> <p>The proposed fencing satisfies the relevant design principles of the R-Codes and the objectives of Council's Fill and Fencing Local Planning Policy for the following reasons:</p> <ul style="list-style-type: none"> • The solid portion of fencing does not abut up to an adjoining dwelling and is located adjacent to similarly large walls/fencing provided along the laneway by adjoining properties; • The solid portion of fence maintains compliant vehicular sightlines between Acacia Lane and Haldane Street; and • The solid portion of the fence is to be used to screen the proposed outdoor living area immediately adjacent to Acacia Lane and Haldane Street, and will contribute to reducing the impact of traffic frequenting the laneway and passing on Haldane Street. 		

Vehicular Access

Deemed-to-Comply Requirement	Design Principles	Proposed
<p>Access to on-site car parking spaces to be provided:</p> <ul style="list-style-type: none"> • where available, from a right-of-way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street; • from a secondary street where no right-of-way exists; or • from the primary street frontage where no secondary street or right-of-way exists. 	<p><i>P5.1 Vehicular access provided for each development site to provide:</i></p> <ul style="list-style-type: none"> • vehicle access safety; • reduced impact of access points on the streetscape; • legible access; • pedestrian safety; • minimal crossovers; and • high quality landscaping features. 	<p>Driveway greater than 0.5m from side lot boundary and located greater than 6m from a street corner.</p>
<p>Administration Comment</p> <ul style="list-style-type: none"> • The proposed means of vehicular access to the property satisfies the relevant design principles for the following reasons: • The proposed driveway location provides sufficient separation distance to services, street poles, trees and obstructions; • The proposed driveway location maintains the required sightlines for vehicular entry and exit points; • The proposed crossover is consistent with the width and splay requirements; and • The vehicle entry point is from a legible gazetted road and will not constitute or contribute to a proliferation of vehicle crossovers along that portion of Haldane Street. 		

7.0 Conclusion

The proposal is deemed to satisfy the design principles of the R-Codes in relation to open space, lot boundary setbacks, street walls and vehicular access.

Considering that the development potential of the site is restricted due to its size, and the local development context (both current in potentially in future), the proposal is unlikely to have a detrimental impact on the local amenity.

It is recommended that Council approves the application.













19 March 2019

Council Committee Member
City of Nedlands
71 Stirling Hwy
Nedlands WA 6009

Dear Sir / Madam

RE: 50 Haldane Street, Mount Claremont, WA 6010
LOT: 702 D/P: 411325
Application for Development Approval

Please find the Development Application overview provided in the statement below. A detailed depiction of our proposal can be found in the attached Development Application Documents.

Development Application Overview:

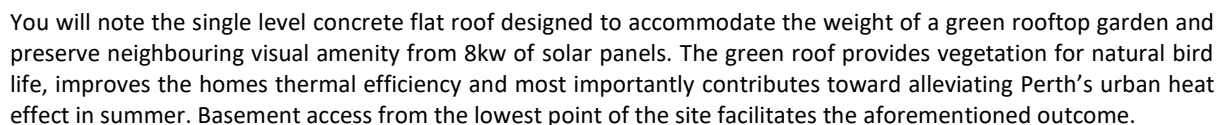
The proposed design is the vision of myself (architect) and my partner. We plan to live long term in the home and hope to enjoy the amenity and community of Mount Claremont.

The application addresses the proposed new residence on the recently subdivided R10/20 zoned, 377m² Lot at 50 Haldane Street, Mt Claremont. Scope of work includes a basement storage room and carport with a single level residence above. The design includes a north facing front garden, an environmental green roof, solar panels, landscaping, retaining, boundary fencing & gates.

The design is inspired by the **1960's low slung modernist homes** prevalent in neighbouring streets of Mt Claremont and in the nearby garden suburbs of Floreat and City Beach. The design orientates the front garden, open plan living/dining area, master bedroom and study to the north, maximising the natural light and providing a lively, active street façade that seeks to engage with the neighbours and Mount Claremont community.

Development Application Key Dates Timeline:

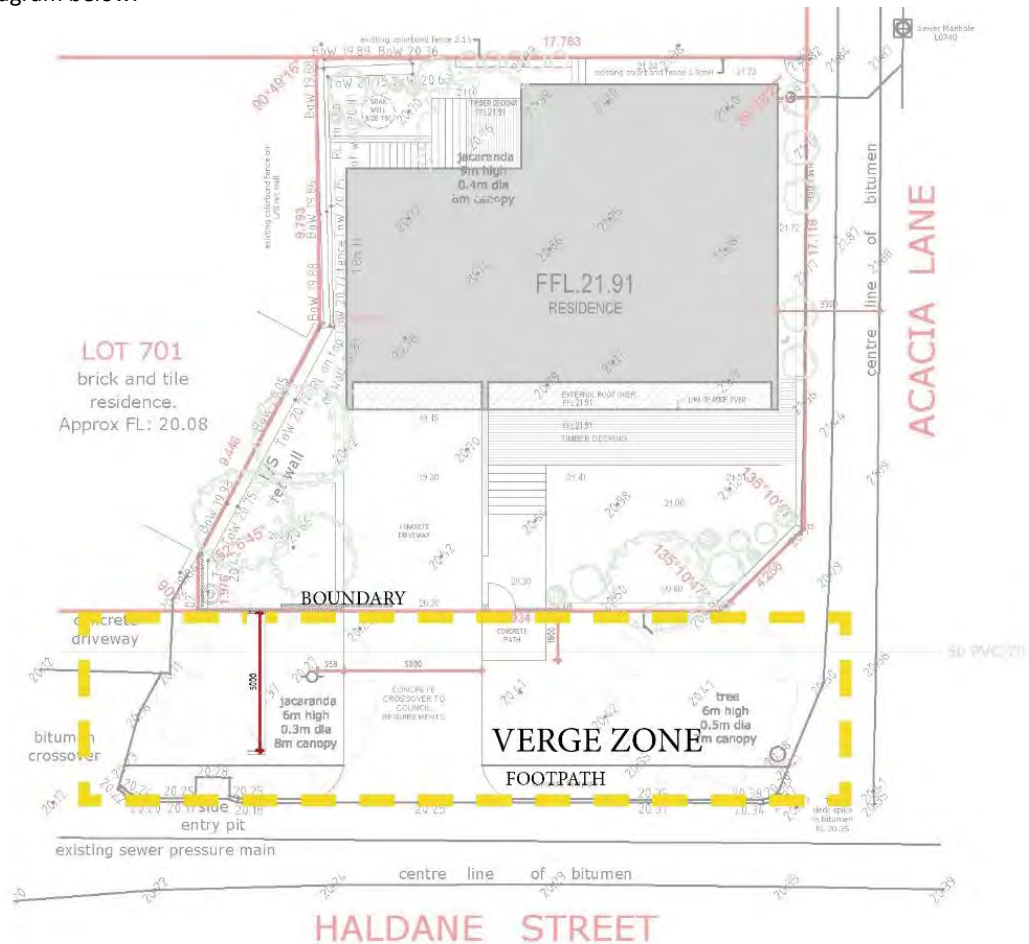
14 Nov 18	Pre-Lodgement Meeting with James Fletcher, Statutory Planning Officer of City of Nedlands ("CoN")
8 Jan 19	The Development Application was lodged with the CoN
11 Feb 19	Advertising period closed. Statutory Planning Officer verbally advised the application has not received any objections in the advertising period.
11 Mar 19	CoN issue notice they have now received an objection from a neighbour (1 month after the advertising period closed) to the development application on the basis of vehicular access being proposed from Haldane Street in lieu of Acacia Lane although the statutory planning officer noted CoN would not provide contact details to facilitate a rational design discussion with the neighbour.



1.2 Safe Vehicle Access

The property borders a wide 7 meter verge, which will assist safe access/egress. Visually the property has a 21-meter Haldane St frontage, which assists in minimising the crossover to street impact. The proposed Driveway and Cross Over are 5m wide and is to be concrete finish and designed in accordance with the CON standards. The automatic driveway gate is steel framed with vertical timber slats and the adjacent fence is also comprised of vertical timber slats. Both are visually permeable, refer drawings for further detail.


See diagram below:




1.3 Existing Street Built Fabric

72% of residences in the surrounding built form of Haldane St, Fortview Rd & Mayfair St have a cross over & vehicle access from the street front. See diagram below delineating all homes with a boundary on a laneway that provide street front vehicular access:

KEY:

 EXISTING LANEWAY

 RESIDENCES WITH EXISTING STREET CROSSOVER & CARPORT/GARAGE WITH A BOUNDARY ON A LANEWAY.



1.4 Laneway Condition & Width

The width of Acacia Lane is limited which requires the garage to be set back off the lane and inevitably instigate additional site line concerns given the narrow lane and adjoining impermeable fencing. The laneway condition is also poor, it is unsealed loose bitumen / gravel with insufficient drainage.

1.3 Sloping Site

The natural ground level of the site falls from RL21.82 in the SW corner to RL20.02 in the NE corner. The design aim was to work with and maximise the advantage of the natural levels. The driveway ramp is at the lowest point of the site, while the proposed FFL sits at RL21.91, which relates to the adjacent Acadia lane levels to the SW. The design approach facilitates superior access to the site and a preferable design outcome for the home consistent with the original **1960's low slung modernist homes** prevalent in neighbouring streets of Mt Claremont.

1.4 Quiet Street

Low traffic volumes on Haldane Street, with it being a primary access route for **local traffic residences only**.

I hope the development application letter containing our performance justifications to the vehicle access meet the council's approval. Should you have any queries please do not hesitate to call me on 0439918974.

Yours sincerely,

Orielle Pearce
Architect RAIA
M.Arch | B.Env.Des
M: 0439918974
E: orielle@sph.net.au

APPENDIX 1

The following justifications are listed in Appendix 1. There were NO OBJECTIONS to below variations from the neighbours when the Statuary Planning Officer conducted the review of the documents and issued them for advertising.

The below is provided for reference only.

14/11/18 Pre-Lodgement Meeting:

My partner & I attended a pre-lodgement meeting at the City of Nedlands (CON) with Planning Officer James Fletcher on the 14th of November 2018. The meeting was valuable in identifying and further understanding the R-codes, CON Town Planning Scheme (TPS) and where there may be variations in the proposed design. We subsequently considered items discussed, please see list below of the design concept variations and justifications for Council consideration.

Design Concept Variations & Justifications:

Vehicle Access:

Front and Rear Setback Variation:

- It was pleasing to hear the CON would support 7.5m setback to the front. It was noted there is a rear setback of 6m. We ask for consideration for the following reasons.

Justification:

- Lot constraints, the recently subdivided lot is 377m² & has an irregular chamfer shape of the NE & NW corners.
- Considering the lot size 6m setback from the rear and 7.5m from the front leaves a very limited footprint to build. It is not in line with our connected single level living spaces concept.
- We aimed to address the principle of this idea through creating a small courtyard to the south east, to generate some articulation, staircase access from the carport and to preserve an existing mature Jacaranda tree that will lift the design and connection to greenspace.

Boundary Fencing:

- The design proposes variations to the boundary fencing to the North Elevation (Haldane Street) and to the West Elevation (Acacia Lane).

Justification:

West Elevation (Acacia Lane)

- We request consideration to have a fence that is min 2.0m – 2.4m at the highest point. This would increase privacy to bedroom, study and bathroom/laundry areas that have windows to the west.
- The natural topography of Acacia Lane rises from RL20.35 to 21.84. The 2.4m section is proposed where there would be the greatest level change in the laneway and for a visual reason - to avoid too many steps in the proposed limestone block fence.

North Elevation (Haldane Street)

- We request consideration to have section of solid limestone block fence wrapping the around corner and chamfer of Haldane Street to Acacia lane.
- As the north garden is our primary outdoor living area, we were looking to create some level of privacy. We request a variation to the TPS and 5.2.4 Street wall and Fences as the proposed design meets both R-code design principles 5.2.3 Street Surveillance and 5.3.1 Outdoor Living Areas (P1.1).
- The percentage of solid wall to permeable wall (including the chamfer) is 38% solid. If the chamfer is excluded, then the percentage of solid wall is 25% solid.
- In addition, we do note the neighbouring property to the West currently has a solid limestone fence that is nom. 3.4m above natural ground level with no chamfered corner, in direct comparison the max 2.0m fence to the north and max 2.4m section of fence to the west would not appear overbearing.

Driveway Ramp Clarification:

- When developing the design of the driveway ramp I reviewed the TPS, which notes *car park designs on-site shall comply with the Australian Standards and the City's TPS*. I couldn't see anything further on gradients in the TPS so referred to the Australian Standard.

- AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking. The proposed basement ramp meets the requirements set out in 2.6.2 Gradients and has transitions in accordance with 2.6 Design for Domestic Driveways Figure C1 Ground Clearance Templates (b) B85 Vehicle – for domestic driveways only.

Visual Privacy Clarification:

- During the pre-lodgement the visual privacy requirement to some windows was required. Windows have been addressed through a combination of frosting, timber screens, and planting, please refer to drawings for further details.

Finished Floor Level Clarification:

- The natural ground level of the site falls from RL21.82 in the SW corner to RL20.02 in the NE corner.
- The design aim was to work with and maximise the advantage of the natural levels. The driveway ramp is at the lowest point of the site, while the proposed FFL sits at RL21.91, which relates to the adjacent Acadia lane levels to the SW.
- The proposed design does alter natural ground level and has retaining more than 500mm, please refer to the drawings for reference.

Environmental Green Roof Clarification:

- To clarify, the green roof is decorative, non-habitable and will consist of gravel, succulents and native shrubs & coastal scrubs.
- We see it as a space that will be largely self-sufficient. It will have a drip reticulation when required. It will have the ability to hold its own water through natural rainfall and will require limited maintenance. There will be no fixed access point to the roof, only accessed via ladder when required.
- As an Architect, it has been a vision to create a green roof. Green roofs are not commonly seen in Perth however they have a range of social, economic and environmental benefits. Green roofs provide environmental benefits in relation to stormwater management and increased biodiversity, while also offering economic benefits in terms of reduced energy costs and extended roof life.
- They also increase the greenspace in a small suburban lot, referencing back to the concept idea of the 'garden suburb'.

I hope the development application letter containing our variations and justifications meet the council's approval. Should you have any queries please do not hesitate to call me on 0439918974.

Yours sincerely,

Orielle Pearce
Architect RAIA
M.Arch | B.Env.Des
M: 0439918974
E: orielle@sph.net.au

21 Feb 2019
City of Nedlands
71 Stirling Hwy
Nedlands WA 6009

Attention:

James Fletcher
Planning Officer
City of Nedlands

RE: 50 Haldane Street, Mount Claremont, WA 6010
LOT: 702 D/P: 411325
Application for Development Approval
Additional Open Space Variation

Further to the previous development application letter please see the justification for the shortfall of open space under the current TPS.

Design Concept Variations & Justifications:

As discussed, the 377m2 site is zoned R10/20. Under the current TSP the site requires R10 open space to be met, which is 60% open space.

Proposed amendments to the drawings as follows:

- Lower the north deck and adjust location on external stair to suit
- Lower the south deck and adjust the timber privacy screening to the stair to suit

With the above changes implemented it means our open space calculation would be 169m2 internal, which is $169 / 377 = 0.448$ so 55.2% open space, which is 4.8% under the deemed to comply for a current for R10/20 site.

We request a variation and consideration from the CON for the 4.8% shortfall for the following justifications:

The Design Principles 5.1.4

- *Street Character*, the majority of open space addresses the street in this design. The additional undercover outdoor space and the balcony outside the main bedroom (which is excluded due to the 0.5 above NGL in front of the also adds to this street character). This area is 18.2m2, if this excluded area was added to the deemed to satisfy area the open space the total about would be 60% open space.
- *Reduce bulk of the site*, it was an important design decision to achieve a 'low slung' building that referenced the 1960 single storey houses of the suburbs and neighbouring Floreat and city beach suburbs. This decision favourably achieves the reduced bulk principle outlined in the r-codes.
- *Landscape*, the comparatively large north front yard will give much opportunity for landscape, the design is also tailored around an existing mature jacaranda tree in the south east courtyard.
- *Natural light*, the shortfall of open space does not impact the ability for the design to maximise the northern aspect. The main living / dining, main bedroom and minor bedroom/study all take advantage of this orientation.

I hope the development application letter containing the additional variation and r-code justifications meet the CON approval. Should you have any queries please do not hesitate to call me on 0439918974.

Yours sincerely,



Orielle Pearce
M.Arch | B.Env.Des
M: 0439918974
E: orielle@sph.net.au

PD13.19	Christ Church Grammar School – Request for Endorsement of Possible Acquisition of Landfill Site
----------------	--

Committee	9 April 2019
Council	23 April 2019
Applicant	Taylor Burrell Barnett
Landowner	State of WA
Employee Disclosure under section 5.70 Local Government Act 1995	Mark Goodlet, Chief Executive Officer – Nature of interest – Impartiality. Extent of interest being that his child is a student at John XXIII College.
Director	Peter Mickleson – Director Planning & Development
Previous Item	PD 74.18- Christ Church Grammar School - Possible Acquisition of Landfill Site
Attachments	1. Applicants formal request for endorsement

1.0 Executive Summary

The purpose of this report is to support increased recreational space in Mt Claremont using land currently owned by the State Government. The proposal is for Christ Church Grammar School (CCGS) to acquire the land shown in Table 1 owned by the State Government to operate as an extension to their current playing fields. This would be available for both the school and general community use. Council is asked to write a letter of support for these parcels to be developed at playing fields which may potentially aid in CCGS's proposal to acquire the land.

It is recommended that a letter of support be given by the Council for the land to be used for recreational playing field purposes available to the public. This does not explicitly endorse the school purchasing the land but is open to any proponent looking to purchase the site for the use of playing fields which are accessible by the wider community.

2.0 Recommendation to Committee

Council instructs Administration to write a letter of endorsement from the City to support the lots shown in Table 1 to be developed as playing fields. With the conditions that:

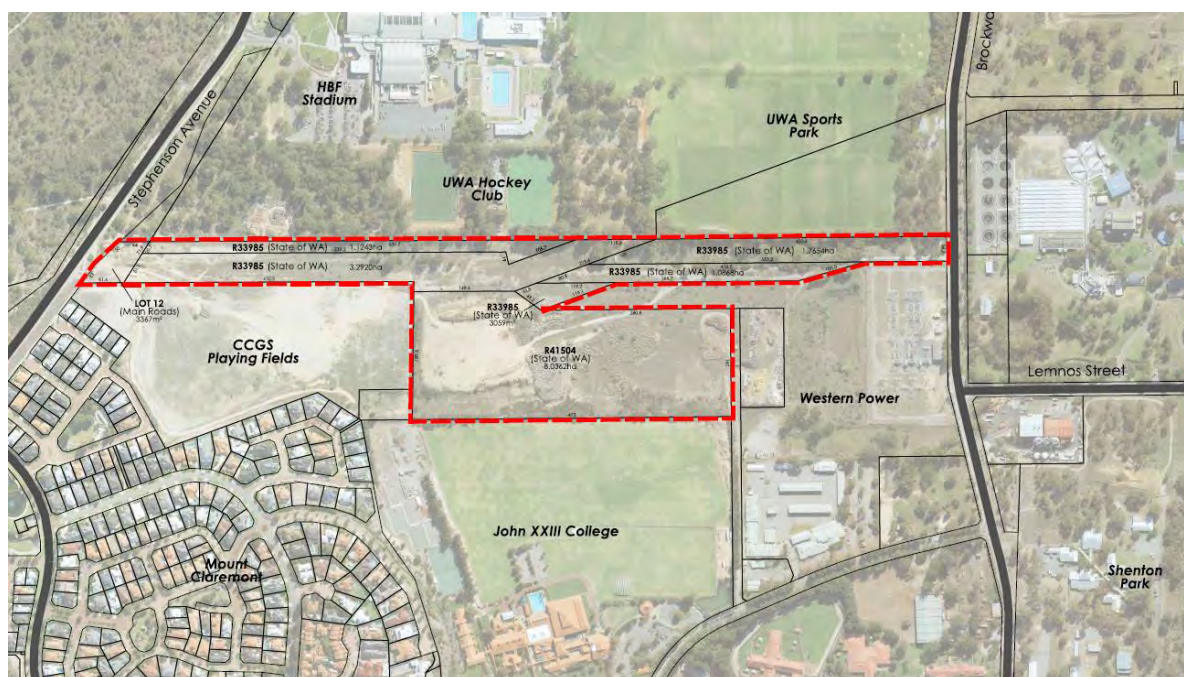
- 1. The sites are remediated, and any contamination issues are resolved;**
- 2. That the sites are amalgamated;**
- 3. The sites are used for sport and recreational purposes;**
- 4. The sites are open to the public for use; and**
- 5. That the City has the opportunity to participate in the planning and development of the playing fields.**

3.0 Background

3.1 Land Details

Land Area	16.3ha in total
Local Planning Scheme Zone	No Zone with a small parcel of Recreation
Metropolitan Region Scheme Zone	Urban with a small section of Public Purpose - Hospital

3.2 Locality Plan



The subject sites are located within the North Eastern area of Mt Claremont. The parcels ownership and vesting arrangements are shown below in Table 1. The sites are currently unused due to site contamination from the former landfill site.

Reserve No./Lot No./ Plan No.	Volume	Folio	Area	Registered Proprietor(s)
R33985 Lot 10949 on Plan 216951	LR3141	650	1.1243ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 10781 on Plan 216951	LR3141	649	3.2920ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 9206 on Plan 213700	LR3141	646	0.3059ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 9208 on Plan 213700	LR3141	647	1.0868ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 9209 on Plan 213700	LR3141	648	1.7654ha	STATE OF WA (Minister for Sport and Recreation)
R41504 Lot 12970 on Plan 219939	LR3111	283	8.0362ha	STATE OF WA (Minister for Sport and Recreation)
Lot 12 on Plan 024305	2205	636	0.3367ha	COMMISSIONER OF MAIN ROADS

4.0 Application Details

The school is wanting to use these parcels of land for extension of their current playing fields adjacent to the site. CCGS is seeking support from the City for their potential acquisition of the former landfill site.

The sites are contaminated and will require substantial costs to remediate. The State Government has not indicated that they are able or willing to remediate the site. The school is aware of the site contamination and associated costs and are willing to undertake works to solve this issue on these sites.

The general public would have access to use the playing fields for non-organised sport and passive recreation, such as dog exercising, walking and general kick-to-kick, as is the case at the existing CCGS St John's Wood playing fields.

The access and management arrangements are detailed in Attachment 1. CCGS has expressed that their intention is that access to the playing fields and associated facilities would be made available to the general public and community sports clubs for training and competition outside of the times the school is required to use the facilities. The school would require exclusive use of the oval and facilities at the following times, almost exclusively during the school term (38 weeks per annum):

- Monday to Thursday afternoons (3:30 – 5:00pm), for sports training;
- Friday afternoons (1:30 – 5:00pm) – for organised fixtures; and
- Saturday mornings (8am – 12:00pm) – for organised fixtures.

Outside of these times, community groups would have the ability to book the playing fields and facilities including change rooms and toilets, consistent with the arrangements at the existing CCGS playing fields.

Bookings would be advertised and scheduled online with a link placed on the City of Nedlands website. The bookings would be coordinated via an in-house resource, which would be utilised exclusively to book facilities to the general public and community groups. This resource is currently used by CCGS and regularly approached by community groups for access to playing fields, the school pool, gymnasium and boarding facility.

5.0 Consultation

CCGS has contacted the City's Councillors to discuss the proposal. The school has indicated a desire from the Council to participate in future planning and development of the site if they are able to acquire the land.

The applicant has indicated that CCGS has discussed the proposal to acquire this land with the University of WA (UWA) and John XXIII College whereby they may wish to share the acquisition for similar purposes however this has not yet been confirmed or finalised.

CCGS has also approached the Department of Local Government, Sport and Cultural Industries (DLGSCI) for a letter of endorsement similar to that requested from the City. The applicant has informed that the DLGSCI has verbally confirmed their support of the proposal for the site to be used as playing fields.

6.0 Supporting Documents

6.1 Metropolitan Region Scheme

Majority of the subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS), with a small portion to the east being zoned Public Purpose – Hospital. It is likely that the applicant will have to undergo an MRS amendment to remove the no longer relevant Public Purpose – Hospital zoning over the eastern positions of the site.

6.2 City of Nedlands Town Planning Scheme No. 2

Under the provisions of the Scheme the subject site is largely unzoned with a small area in the centre, adjacent to the City's depot have a recreation zoning. It is acknowledged by the applicant that a Scheme Amendment will be required to zone the lots so that they are suitably identified in Town Planning Scheme No.2 (TPS2) for the intended development.

6.3 City of Nedlands Local Planning Scheme No.3

Under the provisions of the proposed new Local Planning Scheme No.3 (LPS3) due to be gazetted soon, the parcels will all be zoned Urban Development. This zoning will allow for the applicants to submit a development application to operate playing fields on the site.

6.4 Local Planning Strategy

The City's endorsed Local Planning Strategy sets out the following aims for the Mt Claremont East Precinct:

- Retain and enhance the character and streetscape of the existing residential areas.
- Comprehensively plan for the remaining non-residential areas.
 - Land uses and development within this area shall not conflict with the urban character being predominantly of sporting, research and educational facilities.
- Prevent the encroachment of sensitive land uses and residential development within the Subiaco WWTP odour buffer area.
- Consider opportunities to consolidate and improve access throughout the precinct.

The proposal to use these sites for recreation purposes is in line with the City's Local Planning Strategy for the area.

6.5 AK Reserve / UWA Sports Park Master Plan

The AK Reserve / UWA Sports Park Master Plan was adopted by the WAPC in 2006 as a requirement of the Perry Lakes Redevelopment Act 2005 (PLRA). The Master Plan identifies sporting ovals on the subject land, including a cricket oval and rugby oval. This is shown in Figure 2 of Attachment 1.

6.6 Environmental Considerations

The subject land is located over the former Brockway Landfill site. Initial environmental investigations have been undertaken which indicate that landfill material remains buried across the subject land and asbestos-containing materials are located in some of the surface soils.

The applicant acknowledges that the subject land would be required to be remediated prior to development of playing fields, which may comprise capping with clean fill along with some degree of water and land fill gas management. CCGS are willing to undertake all required remediation works, understanding remediation works may be similar to those required on the adjacent CCGS St John's Wood ovals which were recently developed.

The northern section of the site has many Water Corporation easements which are used for sewerage and drainage outfalls to the ocean. Development of this site would require discussions with the Water Corporation in relation to these easements.

6.7 Perry Lakes Redevelopment Act 2005

The parcels of land were formerly located within the *Perry Lakes Redevelopment Act 2005* (PLRA) Area. The Governor proclaimed completion of the PLRA on the 25 November 2016, meaning that any applications over this area now received by the City will be assessed under the City's TPS2.

6.8 Mount Claremont Sports Precinct structure plan Draft Development Concept (2004)

A study was commissioned by the Department of Sport and Recreation and the Department of Planning and Infrastructure in 2005 to provide a detailed planning framework for a regional sports complex at Mt Claremont. The study provided two possible options for development of the site as a sports precinct. Figure 1 shown in Attachment 1 of this report shows the possible outcome of the structure plan. This study's main emphasis was to allow for future expansion and development of sports facilities, associated infrastructure and other land uses within the study area.

6.9 Mt Claremont North-East Structure Plan Investigation

At the Council Meeting on the 23 October 2018 Council resolved to direct administration to prepare a Project Plan and Community Engagement Strategy for the Mt Claremont North-East area which includes the sites discussed by CCGS. This is required for the City to explore options for future development and planning for the Mt Claremont north-east area. The proposal by CCGS is aligned with this decision by Council as they will be using the central sites which are currently underused and poorly configured. The applicant has also expressed interest to be included in any future planning undertaken by the City for this area.

7.0 Conclusion

Administration supports the endeavours of CCGS seeking to acquire the former landfill site consisting of the lots listed in Table 1 above, for playing fields. The proposal is in line with the City's overall vision for the area as stipulated in the Local Planning Strategy.

Administration believes that the school's development of these sites for recreation will provide a benefit to the community and as stated previously will be open for public use. The sites currently are unused and unable to be rehabilitated due to the substantial cost by either the City or the State Government. The school are willing to take on the costs involved and develop this site as a recreational facility that can be used by the community as well as the school.

The potential amalgamation and decontamination of these sites proposed by the school would allow for these sites to no longer be left unused and would be asset to both the school and the community. The City recommends that Council support the land be developed for playing fields.

Assuming that the City provides in-principle support for the proposal, CCGS will engage with the Department of Planning, Lands and Heritage (Lands Division) to seek its agreement to remove the vesting of the subject land and sell the land to CCGS. If CCGS proceeds to purchase the land, consultation will be undertaken with the City of Nedlands to progress the necessary planning to facilitate development of the subject land.

Our Ref: 18/071 LB:CB

07 November 2018

Attention: Aron Holbrook

City of Nedlands
Administration Centre
71 Stirling Highway
NEDLANDS WA 6009

Dear Aron

RE CHRIST CHURCH GRAMMAR PLAYING FIELDS – REQUEST FOR IN-PRINCIPLE SUPPORT FOR ACQUISITION OF LANDFILL SITE

I refer to our previous discussions and email correspondence in respect of the above matter. As discussed, Christ Church Grammar School (CCGS) is seeking to acquire the former Brockway Landfill site on Brockway Road, Mount Claremont (subject land) (refer **Attachment 1 – Context Plan**) for the purpose of expanding its existing adjacent sporting facilities. Prior to approaching the Department of Planning, Lands and Heritage to seek its agreement to sell the land, CCGS is seeking an indication of support from the City and the Department of Local Government Sport and Cultural Industries (DLGSC).

The purpose of this letter, therefore, is to request that the City provide written in-principle support for CCGS to acquire the subject land for the purpose of extending their playing fields. This letter provides additional details on the subject land, the proposed development and land use and management arrangements, to enable the City to provide informed in-principle support.

BACKGROUND

Subject Land

The subject land is located on Brockway Road, Mount Claremont. It is bound by the UWA Sports Park and UWA Hockey Club to the north, Stephenson Avenue and existing CCGS St John's Wood Playing Fields to the west, John XXIII College and a Western Power site to the south, and Brockway Road to the east (refer **Attachment 1 – Context Plan**).

The land comprises eight lots and is 16.3039ha in area, and is described in **Table 1** below.

Table 1 Subject Land Lot Details

Reserve No. / Lot No. / Plan No.	Volume	Folio	Area	Registered Proprietor(s)
R33985 Lot 10949 on Plan 216951	LR3141	650	1.1243ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 10781 on Plan 216951	LR3141	649	3.2920ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 9206 on Plan 213700	LR3141	646	3059m ²	STATE OF WA (Minister for Sport and Recreation)



R33985 Lot 9208 on Plan 213700	LR3141	647	1.0868ha	STATE OF WA (Minister for Sport and Recreation)
R33985 Lot 9209 on Plan 213700	LR3141	648	1.7654ha	STATE OF WA (Minister for Sport and Recreation)
R41504 Lot 12970 on Plan 219939	LR3111	283	8.0362ha	STATE OF WA (Minister for Sport and Recreation)
Lot 38 on Diagram 094815 (Blenheim Lane)	LR3138	403	3566m ²	STATE OF WA (City of Nedlands)
Lot 12 on Plan 024305	2205	636	3367m ²	COMMISSIONER OF MAIN ROADS

PLANNING FRAMEWORK

Perry Lakes Redevelopment Act 2005

The subject land is located within the *Perry Lakes Redevelopment Act 2005 (PLRA)* Area, and as such the City of Nedlands Local Planning Scheme No. 2 (LPS 2) would cease to apply to development on the subject land. However, as the Governor proclaimed completion day over the PLRA Area on 25 November 2016, development applications are now to be determined by the relevant local government, assessed against the applicable Local Planning Scheme.

City of Nedlands Local Planning Scheme No. 2

The City of Nedlands LPS 2 does not designate zoning over the subject land. The City of Nedlands advised the Scheme zoning prior to the Redevelopment Act designation would therefore apply to the subject land. A portion of the subject land was previously zoned Development, with a portion reserved Recreation, and a portion identified as having no zone.

A Scheme Amendment would be required to ensure the land was suitably identified in the LPS 2 for the intended development.

Structure Plan

A Structure Plan was prepared for the Mt Claremont Sports Precinct in 2004 for the non-residential areas of the Mt Claremont north-east area, inclusive of the subject land. Following extensive stakeholder consultation, the Structure Plan was advertised by the WAPC in May 2005 for six weeks, however as the PLRA was introduced in December 2005, the WAPC resolved to simply note the submissions and acknowledge that more detailed future planning would be required. Two development concept plans were produced as part of the structure planning process, both of which indicated sporting ovals and facilities on the subject land (refer **Figure 1 – Development Concept Plan Option 1**).

It is understood, based on the minutes from City of Nedlands Council Meeting on the 23 October 2018, that the City of Nedlands intends to undertake detailed planning and prepare a new structure plan over the Mt Claremont north-east area, following the resolution of the City's new Local Planning Scheme no.3. CCGS would be willing to participate in any future structure planning process.

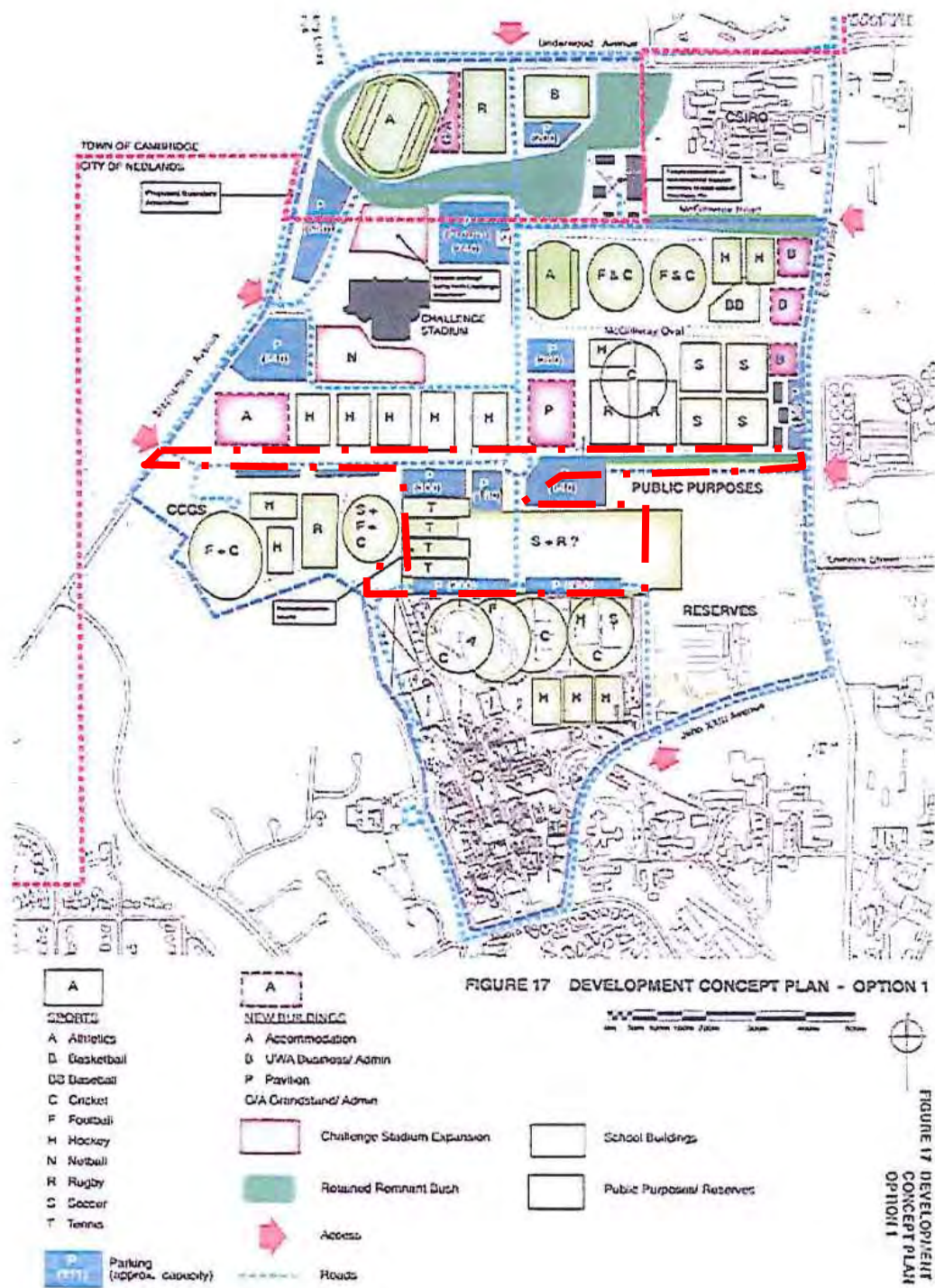


Figure 1 Mt Claremont Sports Precinct Structure Plan Draft Development Concept – Option 1 (approximate location of subject land identified by dashed red line).



AK Reserve / UWA Sports Park Master Plan

The AK Reserve / UWA Sports Park Master Plan was adopted by the WAPC in 2006 as a requirement of the PLRA. The Master Plan identifies sporting ovals on the subject land, including a cricket oval and rugby oval (refer Figure 2).

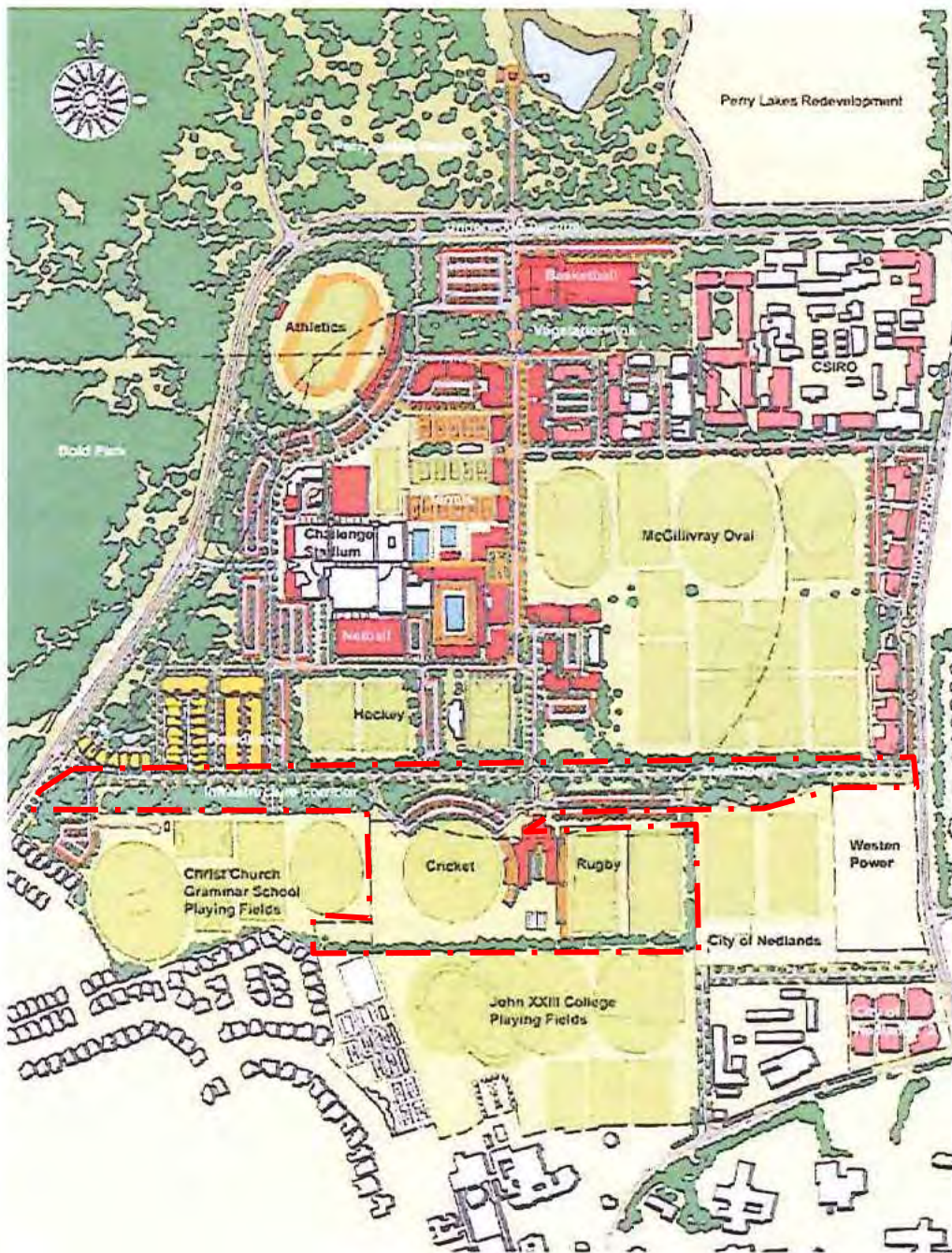


Figure 2 AK Reserve / UWA Sports Park Master Plan (approximate location of subject land identified by dashed red line).



ENVIRONMENTAL CONSIDERATIONS

The subject land is located over the former Brockway Landfill site. Initial environmental investigations have been undertaken which indicate that landfill material remains buried across the subject land and asbestos-containing materials are located in some of the surface soils.

The subject land would be required to be remediated prior to development of playing fields, which may comprise capping with clean fill along with some degree of water and land fill gas management. CCGS are willing to undertake all required remediation works, understanding remediation works may be similar to those required on the adjacent CCGS St John's Wood ovals which were recently developed.

PROPOSED DEVELOPMENT

CCGS intend to develop the subject land for playing fields, forming an extension to the existing CCGS St John's Wood playing fields. The exact detail and layout of the proposed development is yet to be determined, however the intent is to optimise the playing field offering across the broader precinct, in conjunction with UWA.

The land is currently comprised of eight lots, which would be amalgamated to form a consolidated parcel of land prior to development.

ACCESS AND MANAGEMENT ARRANGEMENTS

It is the school's intention that access to the playing fields and associated facilities would be made available to the general public and community sports clubs for training and competition outside of the times the school is required to use the facilities. The school would require exclusive use of the oval and facilities at the following times, almost exclusively during the school term (38 weeks per annum):

- Monday to Thursday afternoons (3:30 – 5:00pm), for sports training;
- Friday afternoons (1:30 – 5:00pm) – for organised fixtures; and
- Saturday mornings (8am – 12:00pm) – for organised fixtures.

Outside of these times, community groups would have the ability to book the playing fields and facilities including change rooms and toilets, consistent with the arrangements at the existing CCGS playing fields.

Bookings would be advertised and scheduled online with a link placed on the City of Nedlands website. The bookings would be coordinated via an in-house resource, which would be utilised exclusively to book facilities to the general public and community groups. This resource is currently used by CCGS and regularly approached by community groups for access to playing fields, the school pool, gymnasium and boarding facility.

The general public would also have access to use the playing fields for recreation and non-organised sport and passive recreation, such as dog exercising, walking and general kick-to-kick, as is the case at the existing CCGS St John's Wood playing fields.

CONSULTATION

CCGS has discussed the proposal with UWA and John XXIII College, with the potential that they may also share the acquisition, essentially for the same purpose; however, they are presently reserving judgement on whether or not to participate.



Given the majority of the subject land is vested in the DLGSC, CCGS has written to the DLGSC similarly requesting their in-principle support for the proposal, and it is understood that the Department has already informally advised of its support.

NEXT STEPS

Assuming that the City provides in-principle support for the proposal, CCGS will engage with the Department of Planning, Lands and Heritage (Lands Division) to seek its agreement to remove the vesting of the subject land and sell the land to CCGS. If CCGS proceeds to purchase the land, consultation will be undertaken with the City of Nedlands to progress the necessary planning to facilitate development of the subject land.

CONCLUSION

We therefore request the City of Nedlands considers this request, and provides written in-principle support for CCGS to acquire the subject land for the purpose of extending their playing fields. We trust the enclosed information provides sufficient detail to enable the City to satisfy this request. Please do not hesitate to contact Lex Barnett should you have any queries or wish to discuss this request further.

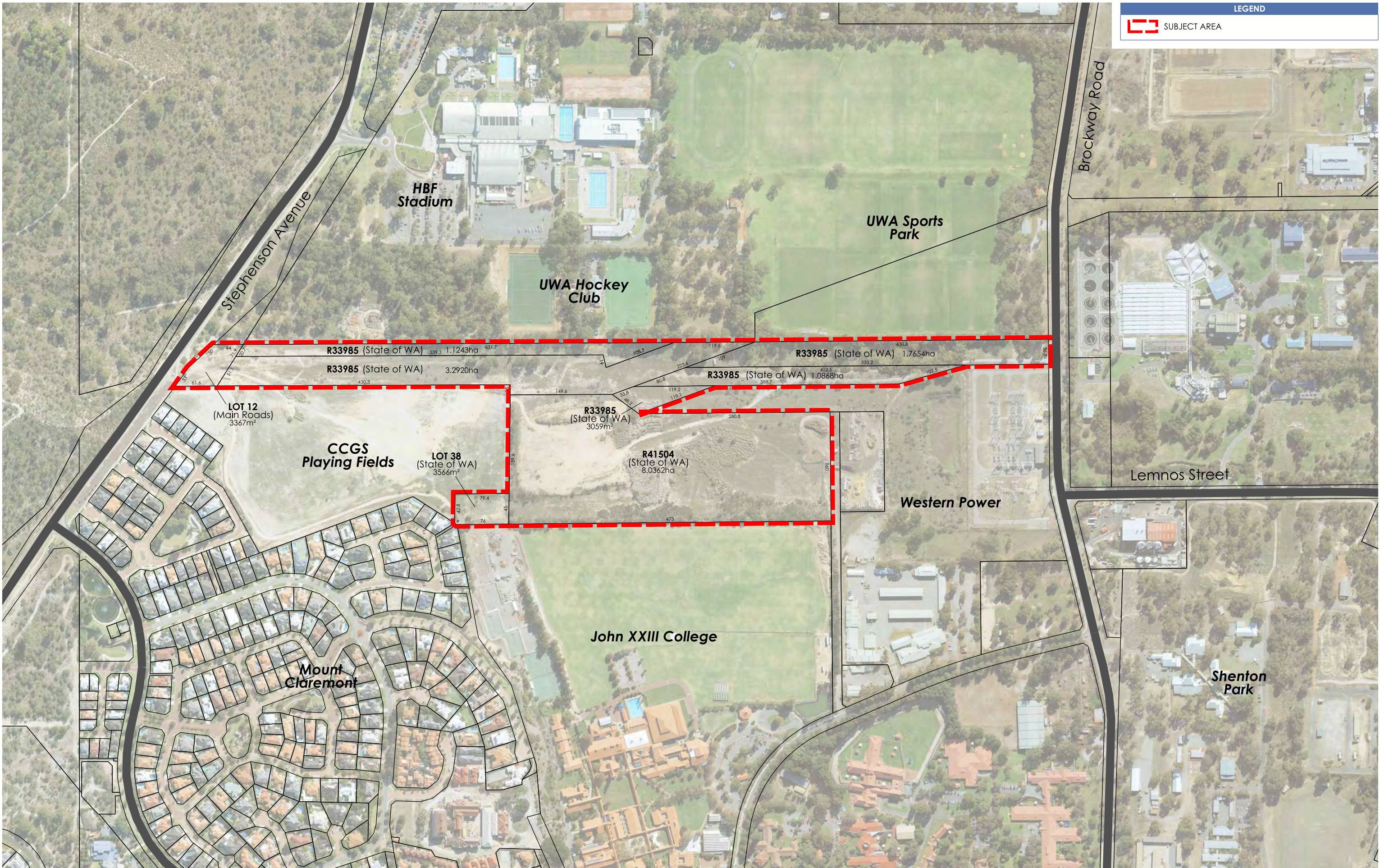
Yours faithfully
TAYLOR BURRELL BARNETT

A handwritten signature in black ink, appearing to read 'Lex Barnett', with a stylized flourish at the end.

LEX BARNETT
Managing Director




ATTACHMENT 1 CONTEXT PLAN



LEGEND

 SUBJECT AREA

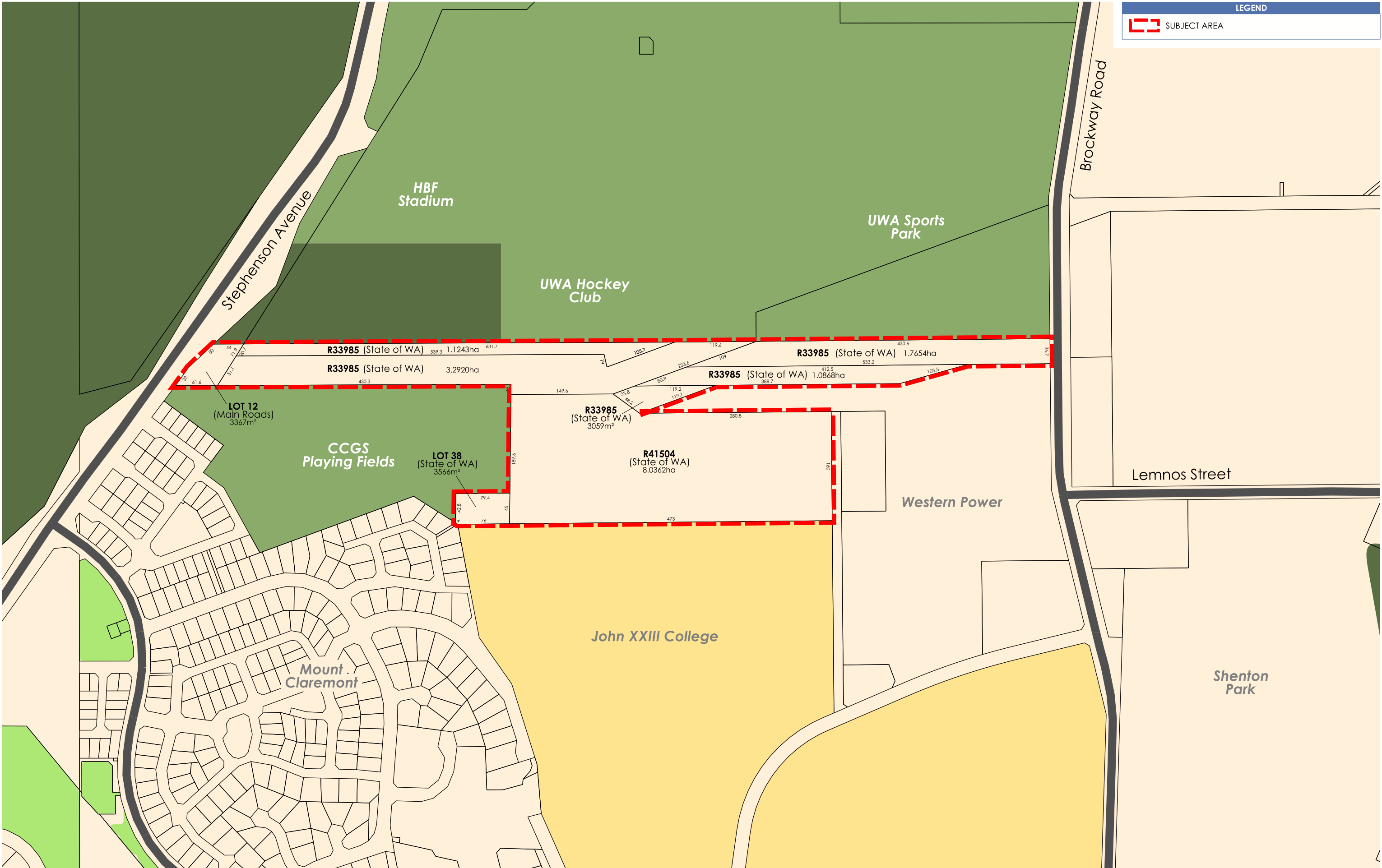
CONTEXT PLAN
Mount Claremont

 0m 25 50 75m


s: 1:5000@A3
d: 20 Dec 2017
p: 15/073/159

Taylor Burrell Barnett
Taylor Burrell Barnett Town Planning and Design
Level 7, 160 St Georges Terrace, Perth WA 6000
p: (08) 9226 4276 f: (08) 9322 7879
e: admin@tbbplanning.com.au

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CONTEXT PLAN
Mount Claremont

 0m 25 50 75m
s: 1:5000@A3
d: 20 Dec 2017
p: 15/073/159

Taylor Burrell Barnett Town Planning and Design
Level 7, 160 St Georges Terrace, Perth WA 6000
p: (08) 9226 4276 f: (08) 9322 7879
e: admin@tbbplanning.com.au

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PD14.19 Establishment of a Design Review Panel	
Committee	9 April 2019
Council	23 April 2019
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Peter Mickleson – Director Planning & Development
Reference	Nil
Previous Item	Nil
Attachments	1. Design Review Guide – Department of Planning, Lands and Heritage (February 2019)

1.0 Executive Summary

The purpose of this report is for Council to consider whether or not to establish a Design Review Panel (DRP) which would provide independent expert design review advice for complex planning proposals.

With the anticipated imminent gazettal of Local Planning Scheme No. 3 (LPS 3) the City is likely to experience a higher level of growth in development occurring in the locality and community expectations about the quality of built form outcomes are likely to be increased particularly with the adoption of State Planning Policy 7.0 (SPP7.0) Design WA.

Larger scale developments and projects with a strong design focus require additional expertise and a Design Review Panel can provide additional input in areas such as architecture, heritage, landscape design and amenity. With a higher importance on ameliorating design impacts and mitigating any potential impact on established neighbourhoods from new development a Design Review Panel could be considered as a way of complying with SPP7.0.

Ensuring that the City has a consistent approach to built form design should be addressed and a DRP is suggested as the preferred approach. It is noted that there will be an expectation of the Development Assessment Panels (DAP's) that applications before them would have undertaken a design review process prior to being presented for determination by the DAP.

Should Council decide to proceed with a DRP a local planning policy (LPP) would need to be prepared for operational and procedural purposes to outline how the DRP members would be appointed and what type of development will be referred to the DRP. This along with terms of reference will need to be established and presented to Council for approval.

It is recommended that Council establishes a DRP and instructs administration to prepare the Local Planning Policy and Term of Reference referred to above.

2.0 Recommendation to Committee

That Council:

- 1. Instructs the City's Administration to establish a Design Review Panel Terms of Reference for the purposes of providing independent expert design review advice for complex planning proposals;**
- 2. Instructs the City's administration to prepare a Local Planning Policy outlining the types of development, policies and projects that will be referred to the Panel, a set of Design Principles that the panel will use for a basis for review and relevant operations and procedures for the panel; and**
- 3. Receive a further report following assessment of the expressions of interest to consider further appointment of panel members and the draft local planning policy.**

3.0 Background

Previous planning reform by the WA Planning Commission (WAPC) identified the need for initiatives and actions for the improvement of design and development. This is now being delivered as Design WA. Stage 1 which aims to deliver elements with a direct planning reform mandate, including:

- State Planning Policy 7.0 Design of the Built Environment (SPP 7.0)
- State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments
- Design Review Guide (the Guide). Refer to Attachment 1.

The Guide sets a best-practice model for the establishment of DRP's offering practical advice on how to establish and operate a panel and to encourage consistency, as existing design review processes evolve.

DRP's provide independent expert advice and informed assessment of proposals, guided by a performance-based set of design quality principles. It offers feedback and observations that will lead to the improvement of proposals but does not redesign them.

The majority of metropolitan local governments already have DRP's established or are in the process of forming a DRP. It has been confirmed by the WAPC that Design Review Panels will not form part of the Regulations and are therefore not mandatory.

It is also noted that the City has approached the Western Suburbs Regional Organisation of Councils (WESCROC) to explore if a joint DRP could be formed and resources being shared amongst the participating Local Governments. A position has not yet been formed, however this will inform any future recommendations to Council regarding a DRP for the City of Nedlands.

4.0 State Planning Policy 7.0 - Design of the Built Environment

SPP 7.0 addresses design quality and built form outcomes in Western Australia. It seeks to deliver the broad economic, environmental, social and cultural benefits that derive from good design outcomes and supports consistent and robust design review and assessment processes across the State.

An objective of SPP 7.0 is a coordinated strategy of design quality mechanisms to achieve design outcomes that meet government and community expectations, including, amongst others, design review (skilled evaluation expertise).

SPP 7.0 stipulates that Planning authorities, including local governments, should establish or arrange access to design review processes to review complex planning proposals, those proposals identified as benefitting from design review, or as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Whilst it is an advisory process, it is expected that decision-makers give due regard to the advice and any recommendations provided by the DRP.

5.0 Design Review Guide

The Guide has been prepared to assist local governments in meeting the requirement for design review outlined in SPP 7.0.

The guide has been based on design review methodology developed by the UK Commission for Architecture and the Built Environment (CABE), which is widely considered to represent international best practice and is utilised in successful design review processes throughout Australia.

The Guide stipulates that once the decision is made to form a DRP, resources must be committed to make it happen. It is important to be clear how the panel is run, the processes by which design review is accessed and how the advice and recommendations are provided and used.

The DRP's role is to provide information and advice to decision makers, not to make a decision. For this reason, a DRP should not be a committee of Council under the *Local Government Act 1995* but should be established as an independent panel with separate membership and terms of reference. The Council should endorse the terms of reference for the panel and may endorse panel appointments.

DRP members are to have a range of design and built environment expertise in one or more of the following disciplines:

- Architecture (essential)
- Landscape architecture (essential)
- Urban design (essential)
- Heritage
- Sustainability and environmental design
- Services engineering
- Accessibility
- Transport planning
- Planning
- Public art
- Civil and/or structural engineering

The panel should consist of a quorum of not less than four and not more than six members. Panel members are appointed for an agreed term - usually two years.

6.0 The Preparation of a Local Planning Policy

If the Council chooses to set up a DRP a local planning policy would need to be prepared to outline the following, as a minimum:

- Panel membership;
- The role of the panel;
- The operation of the panel;
- Any design principles the panel is to have regard to when considering proposals;
- The format of the panel meeting;
- The roles and responsibilities of each panel member;
- The frequency of the DRP meetings; and
- The panel member fees.

7.0 Budget / Financial Implications

There is a cost associated with establishing and maintaining a DRP which depends on:

- The types of applications that the local government requires to be presented to a DRP;
- The frequency of meetings;
- The number of members who attend each meeting;
- The amount of time allocated for each meeting (preparation and attendance);
- Whether there is a fee charged to applicants;
- Staff time required for the preparation and operation of the meetings; and
- Member sitting fees.

A summary of the costs associated with DRPs at other local governments has been provided to Council as a confidential attachment. It would also be possible to charge an applicant a fee for referring an application to the DRP.

8.0 Risk management

The risks associated with not having a DRP include the following:

- Complex applications will not be reviewed by a panel of built form design experts relating to new assessment criteria as prescribed by Design WA;
- Applications before the JDAP may not be approved due to lack of DRP consideration, potentially causing delays and additional costs for applicants and administration; and
- Alternative expert advice in the areas of architecture, sustainability / energy efficiency, landscape architecture and arborists amongst others will need to be engaged separately to adequately address the complex assessment items required to be vetted by the City as part of Design WA.

9.0 Options

- Do nothing – there is no requirement for a Local Government to set up a DRP. However, it is recommended as best practice and the lack of design review of an application may cause delays and additional costs to the applicant in demonstrating they have complied with SPP7.0. As design review is likely to apply to medium to high density developments and above it is unknown, at this stage, how many applications would likely to need review that are also decided by Council. In many cases the value of the development would mean it is decided by the JDAP in any case;
- Set up a DRP – this is the recommended option. Council would be able to set the Terms of Reference as well as select the members for the Panel. A DRP would ensure that Council, when it is the decision maker, could be satisfied that the principles of SPP 7.0 have been considered and advice provided; or
- Participate in a joint DRP – it is possible that the number of applications requiring design review, where Council is the decision maker, will be low. In which case it may not be viable to set up a DRP just for the City of Nedlands. It is possible to refer applications to another existing DRP or set one up for a small group of local governments such as the Western suburbs Councils. With this option Council would have a reduced or joint role in setting Terms of Reference and selecting membership of the DRP.

10.0 Conclusion

Development in the City is likely to no longer be dominated by single storey dwellings. Instead some areas are likely to experience greater levels of redevelopment as a result of LPS 3 becoming operative.

Establishing a DRP to provide independent expert architectural and design advice on large-scale and complex development that can impact the community is seen by Administration as best practice for the City. As the City moves into an increasingly sophisticated planning assessment process including an increase in more intensive density and varied development typologies, the DRP therefore becomes increasingly important and it is therefore important that the Council is provided with professional expertise. It is therefore recommended that Council pursue the establishment of a DRP and instruct Administration to prepare and develop the relevant terms of reference, policies and procedures to establish the Panel.



Design Review Guide

Guidance for local governments to set up and operate
design review processes



The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

Acknowledgment

This document was developed as a collaboration between the Department of Planning, Lands and Heritage and the Office of Government Architect, drawing on best practice models from South Australia, Victoria, New South Wales and the UK (CABE).

An extensive consultation process with existing design review panels, local governments and practitioners has informed the content.

Disclaimer

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Gordon Stephenson House
140 William Street
Perth WA 6000
Locked Bag 2506
Perth WA 6001

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website: www.dplh.wa.gov.au

email: info@dplh.wa.gov.au

tel: 08 6551 8002

fax: 08 6551 9001

National Relay Service: 13 36 77

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ODASA Design Review *[image: courtesy of the Office for Design and Architecture SA (ODASA); credit: Sam Noonan Photographer]*

Design Review Guide

**Guidance for local governments to set up and operate
design review processes**

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About this document

► Planning reform

Previous planning reform identified the need for initiatives and actions to improve design and development, now being delivered as Design WA. Stage 1 will deliver elements with a direct planning reform mandate, including:

- State Planning Policy 7.0 Design of the Built Environment
- State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments
- Design Review Guide (this document)

► About good design

Good design is not a subjective idea; it can be defined and measured. Notions of design quality extend beyond taste, style and appearance to encompass functionality, sustainability, response to context, structural integrity, flexibility in use, and cost efficiency, both during construction and over the life of the building. Most importantly, good design results in an environment that performs well for all users and the broader community.¹

Good design endeavours to reconcile multiple concurrent and often competing objectives, and outcomes vary according to the circumstances of each site and project. The logic and rigour of the design process of a project may be more important than whether it meets predefined outcomes. This needs to be acknowledged in the conventions and methods for guidance, discussion and evaluation of design in the planning system.

► Planning for design

Planning is often focussed on compliance with specific standards and metrics, but there are limits to how these prescriptive controls can be formulated and applied, especially for complex and site-specific developments. Performance-based controls offer greater flexibility and promote positive development outcomes, rather than simply defending against negative impacts. Flexible controls need to be applied with rigour and consistency to determine where standards could be appropriately varied or should be enforced. Well-managed design review processes can facilitate this evaluation to inform statutory planning.

1. *Better Places and Spaces, a policy for the built environment in Western Australia*, Office of the Government Architect, 2013

► Purpose of this guide

Design review involves obtaining independent, expert advice on the design quality of a proposal for the purpose of achieving good design outcomes. Local governments in Western Australia are increasingly using design review processes, via the establishment of design review panels, to review design proposals prior to lodgement.

This guide sets a best-practice model for the establishment of new design review panels offering practical advice on how to establish and operate a panel and to encourage consistency, as existing design review processes evolve.

It has been prepared to assist local governments in meeting the requirement for design review outlined in State Planning Policy 7.0 Design of the Built Environment, and local planning schemes and policies.

The guide has been based on design review methodology developed by the UK Commission for Architecture and the Built Environment (CABE), which is widely considered to represent international best practice and is utilised in successful design review processes throughout Australia.



CABE Design Review [image source: Centre for Architecture and the Built Environment (CABE) Design review, Principles and practice, 2009; credit: CABE]



ODASA Design Review [image: courtesy of the Office for Design and Architecture SA (ODASA); credit: Sam Noonan Photographer]

What is design review?

Design review is the process of independently evaluating the design quality of a built environment proposal. It is carried out by a panel of appropriately-trained, multi-disciplinary built environment professionals, who are experienced in offering objective and constructive design advice.

Design review provides independent expert advice and informed assessment of proposals, guided by a performance-based set of design quality principles. It offers feedback and observations that will lead to the improvement of proposals, but does not redesign them. A performance approach to evaluation provides the flexibility needed for the assessment of complex, multi-faceted projects.

Design review must also offer consistently high standards in the quality of its advice which gives decision makers the confidence and information to support innovative, high quality designs that meet the needs of all stakeholders and to resist poorly designed proposals.

The process of design review is typically applied to proposals that are significant - due to their size, use, location and/or community impact - where it is considered essential to ensure that minimum levels of design quality are being achieved. Suggested thresholds for when and where design review should occur are outlined in this document and can be adapted to suit local needs in local planning schemes and policies.

➤ 2.1 The role of design review in the planning system

Integrating design review into the planning system is a key component of the implementation and operation of State Planning Policy 7.0 Design of the Built Environment, as well as the State's 'Better Places and Spaces: a policy for the built environment in Western Australia' (adopted 2013).

Good design should be indivisible from good planning if better buildings and places are to be provided.

State Planning Policy 7.0 Design of the Built Environment includes performance-based design principles, which provide a guide to achieving good design, and the means for evaluating the merit of proposed solutions by professionals with appropriate levels of design expertise.

Performance-based design principles identify the objectives to be met without prescribing how to achieve them. They allow flexibility for developers and designers to provide innovative solutions to design challenges and better reconcile design requirements against the complexities of site and context.

Design review is an essential component of this approach, as qualitative assessment is required to determine whether the required performance outcomes have been achieved in a given proposal.

This approach provides flexibility for developers to deliver improved project and site-specific outcomes as well as benefits for the broader community. It provides latitude for skilled and experienced proponents to pursue innovative solutions. It also offers the opportunity for efficiency, as it allows for solutions to be considered collaboratively, generally enabling a smoother determination phase following the submission of an application. Skilled and experienced designers, working collaboratively with expert reviewers, typically require fewer design reviews.

2.2 Ten principles of effective design review

For design review to be effective, it must be resourced appropriately and conducted in a manner that is fair, robust and credible. The following 'best practice' principles of design review should be used to guide the review process and set an appropriately high standard of conduct from panel members.

Design review should be:

Independent – It is conducted by people who are not connected with the proposal's promoters and decision-makers and ensures that conflicts of interest do not arise.

Expert – It is carried out by suitably trained people who are experienced in design and know how to critique constructively. Review is usually most respected when it is carried out by professional peers of the project designers, because their standing and expertise will be acknowledged.

Multi-disciplinary – It combines the different perspectives of architects, urban designers, planners, landscape architects, engineers and other specialist experts to provide a complete, rounded assessment.

Accountable – The Design Review Panel, and the advice that it provides to the local government (or other approval authority) must be clearly seen to work for the benefit of the public.

Transparent – The Design Review Panel's remit, membership, governance processes and funding should always be in the public domain.

Proportionate – It is used on projects whose significance (either at local or State level) warrants the investment needed to provide the service.

Timely – It takes place as early as possible in the design process, because this can avoid a great deal of wasted time. It also costs less to make changes at an early stage.

Advisory – The Design Review Panel does not make decisions, but it offers impartial advice that informs recommendations to the people who do.

Objective – It appraises proposals according to measures that are reasoned and objective, rather than the stylistic tastes of individual panel members.

Accessible – The recommendations arising from design review are clearly expressed in terms that design teams, decision-makers and the public can all understand and make use of.

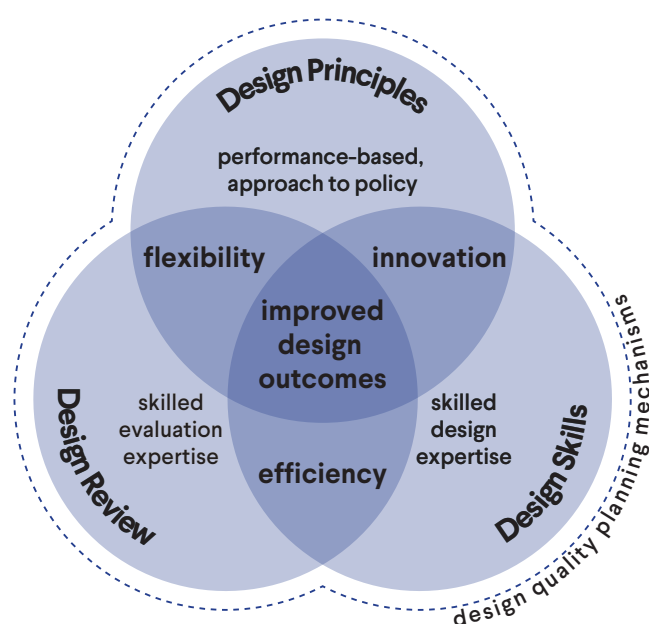
2.3 State Design Review Panel

The State Design Review Panel is a highly-experienced, multi-disciplinary panel of built environment professionals from industry and government tasked with undertaking design review on major projects of the State Government and significant or strategic private sector projects.

The State Design Review Panel operates in accordance with the best practice model of design review outlined within this guide.

In providing a working model of a design review panel in practice, the State panel has also established a pool of appointed design review professionals in whose skills local governments can have confidence in delivering appropriate design review outcomes.

The State Design Review Panel may also offer an interim means of design review for significant projects where mutually agreed with a local government until a local panel is operational, or on an "as needed" basis where demand for design review is, and will likely remain, low.



Effective design quality planning mechanisms

Why undertake design review?

► 3.1 The benefits of good design

Improving the design quality of the built environment is proven to have a positive impact on local communities.

Research from the UK, Europe and the US demonstrates that investment in good design generates significant economic and social value. Collectively, the studies provide evidence that good design has positive impacts in the areas of crime prevention, housing amenity and resident well-being, healthcare and patient recovery, education outcomes, and business productivity.

It is clear that the benefits of good design are multiple and varied. Assessing design quality as part of the planning approval process allows local authorities to fully harness the opportunities offered by new development and ensure that maximum benefit is delivered to all.

DESIGN REVIEW HELPS ACHIEVE GOOD DESIGN OUTCOMES

“Good design results from a clearly discernible approach and must reconcile a number of often competing priorities – function, budget, site, performance and aesthetics... Well-designed buildings add more than aesthetic value to the public realm and have the potential to contribute positively to social interaction, economic activity, cultural vitality and deliver sound environmental performance.”

Better Places and Spaces: a policy for the built environment in Western Australia, 2013

“Good design is not just about the aesthetic improvement of our environments, it is as much about improved quality of life, equality of opportunity and economic growth.”

The Value of Good Design, CABE UK, 2002



Victorian Design Review Panel (VDRP) [image: courtesy of the Office of the Victorian Government Architect (OVGA); credit: OVGA]

► 3.2 The benefits of design review

Engaging in design review improves the design quality of projects and can speed up the planning process, leading to quicker delivery of high-quality buildings and places that provide a wide range of benefits to occupants, neighbours and the broader community.

Design teams can benefit from design review by:

- confirming the validity of design approaches early, before detailed design occurs
- receiving constructive independent advice including recommendations for change early, when it is most likely to be useful and more easily implemented i.e. before too many project variables are set
- receiving support for good design and innovative proposals

Developers can benefit from design review by:

- receiving expert independent advice on the design quality of their project
- providing the flexibility needed to pursue improved outcomes
- reducing risks and costs of delays in the planning process that can result from inadequate design quality by identifying weaknesses within the design at the earliest possible opportunity, when changes are less costly
- increasing the confidence of clients and designers to pursue innovative solutions

Local governments can benefit from design review by:

Whether it is carried out at the pre-application stage or after an application has been lodged, design review enables local government to ensure that developers and design teams prioritise design quality producing high-quality, inspiring buildings and public spaces that are of benefit to their communities. It helps local government recognise outstanding and innovative design, supports them in resisting poor design and gives them a practical means of understanding where improvements need to be made.

The establishment of a Design Review Panel makes a public statement that design quality is an important consideration and gives local government access to independent expertise that may not otherwise be available in evaluating proposals. Design review allows for solutions to be considered collaboratively, generally enables a smoother determination phase following the submission of an application and promotes confidence in assessing and dealing with design issues. Design review also offers a valuable training opportunity for local government officers on design quality considerations.

In addition to the assessment of applications, design review panels can provide advice on the development of local policy, plans and strategy based on best practice knowledge and understanding of context, history and future desired character of the locality. Design review can also support local government in improving the design quality of public buildings (for example, libraries and community facilities) and in the streets and open spaces for which they are responsible.

Decision-makers (State and local government, Development Assessment Panels and the State Administrative Tribunal) can benefit from design review by:

- gaining expert, independent advice on the design quality of a proposal
- enabling the recognition of good design outcomes and, when exercising discretion, the appropriate weight that might be applied to outstanding or innovative solutions that benefit the area
- having confidence in resisting poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

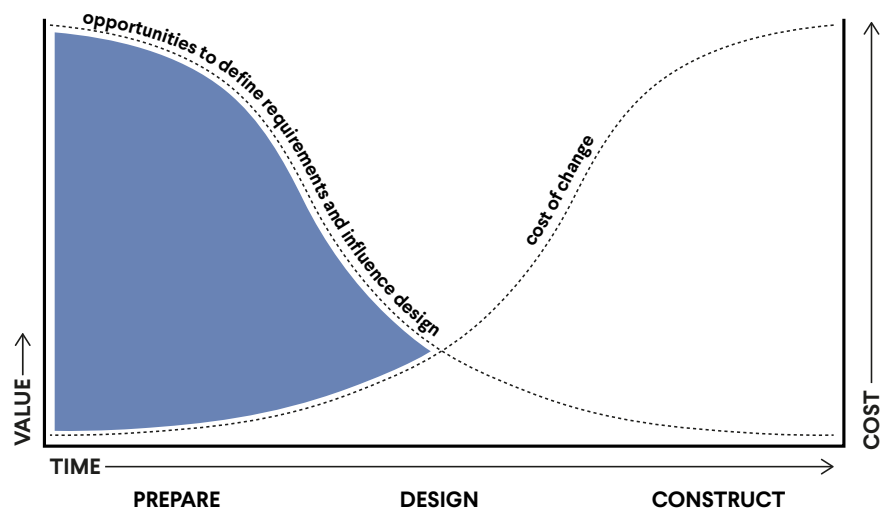
Communities benefit from design review by:

- gaining assurance that new developments will make a positive contribution to the public realm, adjacent development and the surrounding community
- developing confidence in urban infill development which will support the development and viability of neighbourhood centres

► 3.3 Value of engaging in early design review

Early design review offers the opportunity to increase the value and quality of a design proposal, before the cost of changes outweighs the benefits gained.

Well-run design review processes that promote early design review have been shown to improve the design quality of built outcomes and reduce project costs by identifying risks early, providing support for design concepts before investment in detailed design and expedited development application approvals following panel endorsement.



Opportunity to increase value [source: CABE, *Creating Excellent Buildings: A Guide for Clients*, 2003]

SPP 7.0

Design Principles

State Planning Policy 7.0 Design of the Built Environment (SPP7.0) outlines a set of performance-based Design Principles that – used together – create a broad definition of what is meant by ‘good design’. These have been developed from well-recognised national and international precedents and adjusted to the Western Australian context. These principles establish a definition of design quality and form the basis for design review.

Individual principles may not apply equally to all projects, due to their location or type. At the commencement of a design review, the panel should determine which principles should be prioritised in the evaluation process.

1. Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The distinctive characteristics of a local area include its prominent natural and built features, social, economic and environmental conditions, the overall qualities of its built environment, local Aboriginal culture and history and significant post-settlement heritage. Successful places are distinctive and memorable, with a character that people can appreciate easily.

Good design responds intelligently and sensitively to these factors in order to positively contribute to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood. Interpretative responses to context are encouraged; imitation of existing features should be avoided. New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development. Building materials, construction techniques and details should, where appropriate, enhance local distinctiveness.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and able to be sustained by existing or proposed transport, green and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change. Context is also important for greenfield development, to ensure a site-specific response to existing landscape and topographical features.

2. Landscape quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.

Outdoor spaces are important. Public spaces can include parks and nature reserves, as well as more formal squares, paved areas and streets. Designed with people in mind, they should be attractive and comfortable, offering opportunities for people to meet and socialise, bringing vitality and identity to a place.

Good landscape design protects existing environmental features and ecosystems, promotes biodiversity, offers a variety of habitats for flora and fauna, enhances the local environmental context and restores lost or damaged ecosystems, where possible. It considers environmental factors such as water and soil management, ground and site conditions, solar access, microclimate, tree canopy, urban heat island impacts, habitat creation and preservation of green infrastructure – balancing these against social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well-integrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while encouraging social inclusion, equitable access and respect for the public and neighbours. Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built form and scale

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.

Buildings can define open spaces by enclosing them. Good design delivers buildings and places of a scale that responds to landform characteristics and existing built fabric in a considered manner, mitigating the potential for negative amenity impacts on both private land and the public realm.

The scale, massing and height of new development should respond positively to that of the adjoining buildings, the topography, the general pattern of heights, and the views, vistas and landmarks of the place, reinforcing a coherent local identity. The orientation, proportion, composition, and articulation of built form elements should deliver an outcome that is suited to the purpose, defines the public domain, contributes to the character of adjacent streetscapes and parks, and provides good amenity for people at ground level.

4. Functionality and build quality

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.

Well-designed functional environments provide spaces that are suited to their intended purpose and arranged to facilitate good relationships to other spaces, and ease of use. Good design provides flexible and adaptable spaces to maximise their utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using durable materials, finishes, elements and systems that are easy to maintain and weather well over time. The outcome should be a development that is well-detailed, resilient to the wear and tear expected from its intended use, is easy to upgrade and without excessive maintenance requirements. Consideration should be given to the full life-cycle of the proposal and mitigation of potential climate change impacts.

Good design accommodates services in an integrated manner, without detriment to the appearance, functionality and serviceability of the final outcome.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Sustainable landscape and urban design adheres to established water-sensitive urban design principles, minimises negative impacts on existing natural features and ecological processes and facilitates green infrastructure at all project scales.

Sustainable built environments use passive environmental design measures at various scales, responding to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on technology for heating and cooling minimises energy use, resource consumption and operating costs over the life-cycle of the project.

Sustainable design also includes the use of sustainable construction materials, recycling, good waste management practices, re-use of materials and existing structures, harnessing of renewable energy sources, and total water cycle management.

6. Amenity

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.

Places should incorporate a mix of uses that work together to create viable environments that respond to the diversity of the local community and its culture. New development should offer a range of uses and activities that contribute to the vitality of the place at different times of the day and week and provide choices of housing, shopping, employment and entertainment.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook. Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

7. Legibility

Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points. Movement through a place should always be easy for everyone who uses it, whether they are on foot or by bicycle, public transport or private vehicle. Efforts should always be made to giving pedestrian movement priority over vehicular movement.

Good design provides environments that are logical and intuitive to use, at the scales of building, site and precinct. Consideration should be given to how the urban design of street environments can provide visual cues as to the street hierarchy.

Access and circulation within developments should contribute to a fine-grain network of direct and connected routes within and beyond the site and avoid creating large non-permeable blocks.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to the adjacent public realm.

The design of vehicular transport routes should integrate safety requirements in a manner that mitigates negative impacts on pedestrian amenity.

9. Community

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.

Good design encourages social engagement and physical activity in an inclusive, equitable manner and considers how the activities inside buildings can bring life and activity to public spaces. Places should be able to accommodate change over time, create continuity with the past and respond to new social, market or environmental demands.

New development should have some capacity to adapt to changing demographics, an ageing population, new uses and people with disability. In residential proposals, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and accommodating all ages and abilities.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. At the precinct scale, good design delivers outcomes that are logical and guided by a consideration of the experiential qualities that it will provide. Consideration should be given to how the arrangement of built form and spaces can contribute to the setting of important buildings and landmarks, including public art. A well-conceived design addresses all scales, from the articulation of building form through to the selection and detailing of materials and building elements, enabling sophisticated, integrated responses to the character of the place.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; the coherence of the design concept and the cultural relevance of the proposal should also be taken into account.



CABE design review [credit: Centre for Architecture and the Built Environment (CABE)]



CABE Design Review [image source: Centre for Architecture and the Built Environment (CABE) *Design review, Principles and practice*, 2009; credit: CABE]



City of Vincent Design Review [image: Department of Planning, Lands and Heritage/Office of the Government Architect]



[image: Office of the Government Architect/DPLH]

How to establish design review processes

Once the decision is made to form a Design Review Panel, resources must be committed to make it happen. It is important to be clear how the panel is run, the processes by which design review is accessed and how the advice and recommendations are provided and used.

It is critical that the Design Review Panel remains impartial, apolitical and independent. The panel's role is to provide information and advice to decision makers, not to make a decision. For this reason, a panel should not be a committee of Council under the *Local Government Act 1995* but should be established as an independent panel with separate membership and terms of reference. The Council should endorse the terms of reference for the panel and may endorse panel appointments through reports presented by the Chief Executive Officer.

Consistent terminology is encouraged with regard to the naming of 'Design Review Panels'. It is also recommended that the model templates included within this guide are used for consistency in the reporting of advice and recommendations from panels. This will help foster and maintain a common understanding of language, terminology and reporting used in design review processes across the State.

➤ 5.1 Funding

Local governments are responsible for the funding of their Design Review Panels. Where a panel is established by an agency that is not a local government, then that agency is responsible for funding the panel. Local governments with Design Review Panel processes in operation report that the investment in design review is considered good value as it offers broad and long-term benefits to the community.

Funding costs are generally associated with the appointment (or re-appointment) of the panel and operational costs (including member remuneration). Decisions made regarding the frequency of meetings and the number/s of panel members will impact the costs of each panel and experience suggests that these requirements will differ between local governments.

Where local governments fund design review, proponents may be more likely to seek design review earlier in the design process. However, a local government may consider setting a fee for the recovery, or part thereof, of the costs associated with the design review process as permitted by legislation.

5.2 Role description

The role of a Design Review Panel is to provide independent, expert design advice:

- to proponents and local government officers on the design quality of proposals
- to decision-makers (State and local governments, Development Assessment Panels, the State Administrative Tribunal) on eligible development applications or other proposals
- to local governments, where requested, on strategies, policies, master plans, precinct plans, local development plans, structure plans, activity centre plans, local planning schemes and amendments or other matters

5.3 Status of advice

Design Review Panels are advisory only and do not have a decision-making function. The panel advises on the design quality of proposals with reference to Design Principles (from SPP7.0, refer to Part 4) and supporting State Planning Policies, as well as local planning schemes and policies. Decision-makers should have due regard to the design review advice and recommendations in their deliberations.

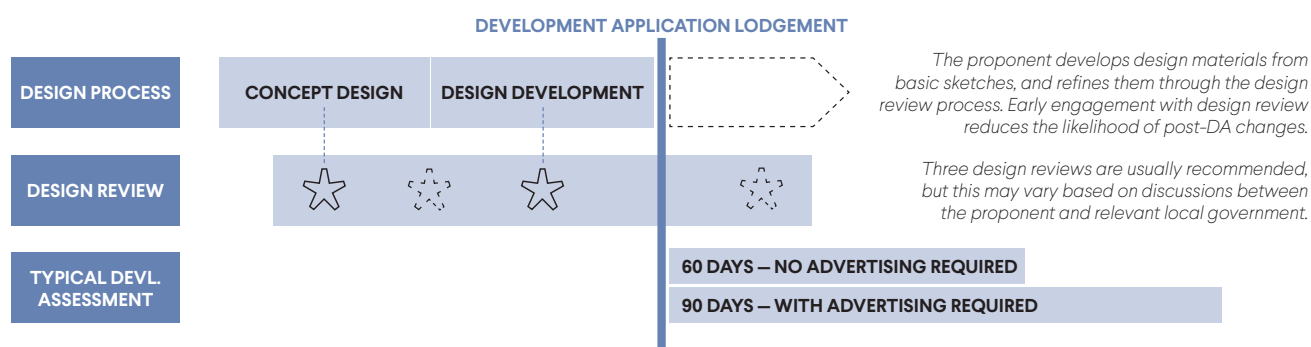
For continuity between design review and local government and Development Assessment Panel assessment procedures, the Design Review Panel Chair may be requested to brief decision makers either through preparation of a briefing note or attendance at a meeting. Where a matter is referred to the State Administrative Tribunal for review, the Design Review Panel Chair may also be invited to attend proceedings as required by the Tribunal.

5.4 Timing and number of reviews

The number of reviews needed will vary depending on the complexity of a proposal; however three reviews are typically needed for the process to be effective.

Design reviews should occur before a development application is submitted. It is strongly recommended that the first design review takes place during the **concept design stage** to ensure that proponents can take advantage of the advice offered at a time where the design is flexible enough to accommodate change without impacting on time and cost constraints. A subsequent review should typically occur at a stage when the design has been further progressed. Depending on the outcome of the initial meeting, this review session will typically occur during **design development** or prior to the proposal being submitted for development approval (**Pre-DA stage**).

At **building permit stage** (after development approval) it is suggested that a check takes place by the Design Review Panel Chair or delegate, to ensure that the design quality of the proposal is consistent with the approved development application and any relevant conditions related to design quality.



The relationship of design review with development application lodgement and typical development assessment statutory time frames.

► 5.5 Membership expertise

Local governments should ensure that panel members have a range of design and built environment expertise in one or more of the following disciplines:

- Architecture (essential)
- Landscape architecture (essential)
- Urban design (essential)
- Heritage
- Sustainability and environmental design
- Services engineering
- Accessibility
- Transport planning
- Planning
- Public art
- Civil and/or structural engineering

While local knowledge is useful, a balance between local and subject expertise from outside the local government area should be sought in order to optimise the range and calibre of expertise available. All Design Review Panel members should be eligible for registration and maintain good standing with their respective professional bodies.

To be independent and apolitical, the local government should not appoint decision-makers, its own elected members or officers to its Design Review Panel. However, key local government planning (and other) officers should participate in all design reviews in an advisory capacity and to provide administrative and governance support.



Practitioner Forum on Best-Practice for Design Review Panels, convened by the Department of Planning and the Office of the Government Architect, in collaboration with the PIA and AIA .

➤ 5.6 Appointing the Design Review Panel

Local governments should determine the number of members required to constitute a Design Review Panel. Member appointment processes should demonstrate transparency and rigour to ensure a high degree of confidence in the panel.

Section 5.6.2 contains a list of suggested selection criteria for panel members. When advertising for panel members, the local government should carefully consider whether all of the suggested selection criteria are relevant for the required appointment/s and should particularly be mindful of the skills, background and expertise that may be required to complement any current panel members. Local governments are also encouraged to consider the appointment of academics and other non-practicing professionals who specialise in design review to ensure a wide range of panel expertise.

The panel should consist of not less than four and not more than six members. Panel members are appointed for an agreed term – usually two years. To optimise consistency of membership between reviews, consideration should be given to establishing a pool from which the panel is appointed with the remaining members appointed to deputise where required. The quorum for a Design Review Panel meeting is at least two thirds of the total number of panel members.

Local governments that do not already have a Design Review Panel in place may consider appointing a panel by:

- accessing appropriate membership through the State Design Review Panel; or
- undertaking an independent appointment process

Where a local government undertakes an independent appointment process, it is recommended that it includes:

- public advertising of a formal Expression of Interest (EOI)
- consideration of EOIs by an appropriate selection panel
- if required, an interview process to confirm appropriate design review expertise
- a report with recommendation/s for appointment presented to the Chief Executive Officer

Following completion of the selection process, all details of the appointment are confirmed in writing and member induction is scheduled.

Where a local government has an established Design Review Panel in place, it may utilise some or all of the above steps when filling vacancies on the panel.

5.6.1 Guidelines for Expression of Interest

Expressions of Interest (EOI) for panel membership should be sought from suitably capable professionals to determine a short-list of applicants. Suggestions for managing this process include:

- **Timing** – Consider the timeframe within which the appointment is required and structure the advertising and appointment process to ensure that the panel may continue to operate until the new appointment/s is made
- **Advertise in the right place** – Notices calling for EOIs should be advertised where they are most likely to be viewed by the required professions. Contact the relevant professional peak bodies to include advertisements in regular member newsletters or journals
- **Allow sufficient advertising timeframes** – Repeat advertisements may be necessary, to ensure an adequate response

5.6.2 Guidelines for selection criteria

EOIs for Design Review Panel members should include a brief professional profile addressing the following selection criteria:

- appropriate qualifications and demonstrated expertise in the relevant professional area (refer to section 5.5)
- ability to work in a multi-disciplinary team
- highly regarded among professional peers
- demonstrated expertise in design review, design critique or the provision of strategic advice on design quality issues
- knowledge or understanding of the State's Planning Framework, relevant local government policies, development controls and design issues in the local area
- ability to analyse, evaluate and offer objective and constructive feedback on complex design quality issues in design review, for evaluation of complex development applications and on strategic planning matters
- good written and verbal communication to ensure that advice provided to proponents is clear and concise
- where relevant, it is desirable that the applicant is eligible for registration with an appropriate professional body or organisation in Western Australia and/or holds good standing with the relevant professional body

5 How to establish design review processes

5.6.3 Selection panel

Where appropriate, a competent selection panel should be formed to assess the applications and make recommendations for panel appointment.

It is essential that the selection panel includes members with design review expertise. A representative of the Office of the Government Architect or member of the State Design Review Panel, or another established Design Review Panel, would be appropriate and it is recommended that the Office of the Government Architect is contacted for assistance and advice. The selection panel should also include appropriate local government officer representation.

5.6.4 Guidelines for shortlisting and interview process

If necessary, the selection panel should meet to undertake the shortlisting process. At this meeting there is the opportunity to formulate interview questions based on any local interests and the nature of the EOIs received. The interview may include a design review task to confirm design review skills in short-listed applicants.

5.7 Remuneration guidelines

It is important that remuneration for Design Review Panel members is fair and equitable. Remuneration should reflect the professional standing of panel members and their time taken to prepare for and participate in meetings. The local government should determine the remuneration for panel members at the time of appointment. It is recommended that one of the following approaches is utilised however when setting remuneration, consideration should also be given to a range of matters including current professional hourly rates, the range of expertise of members, the number and length of meetings outside of normal business hours.

(a) Per Hour

- The panel Chair is paid an above-standard hourly fee* in recognition of the additional responsibility of the role, plus preparation, and time spent advising and editing reporting as needed
- Panel members — a set standard professional rate* per hour for the duration of the design review, plus one hour of preparation

(b) Per Meeting

In local governments where a higher number of proposals are anticipated, the maximum meeting duration of three hours could be assumed and a “per meeting” remuneration could be set using the above rationale, plus an hourly rate* for the panel Chair for time spent on additional briefings.

** Contact the Office of the Government Architect for guidance on current recommended rates.*



Victorian Design Review Panel (VDRP) [image: courtesy of the Office of the Victorian Government Architect (OVGA); credit: OVGA]

► 5.8 Member induction guidelines

It is recommended that an induction process be undertaken when new panels are established, or when new members are appointed, to confirm general operating and meeting procedures. This will allow the local government (or authority responsible for panel management) to clarify any new member queries, prior to the first panel meeting. The Office of the Government Architect may be able to assist with panel induction meetings, if required.

Suggested topics to be covered in the induction meeting are outlined below. Where individual new members are appointed to a panel at a later time, it is recommended that they be briefed jointly by the panel coordinator and Chair on this information.

Suggested induction meeting actions:

- introduce panel members and relevant local government officers, clarification of roles and responsibilities and contact details
- explain all administrative procedures including circulation of agendas, minutes and reports, procedures for requesting additional information or seeking clarification on proposals before the panel and arrangements for site inspections
- provide background on local planning and design issues and access to relevant policies and other documents
- advise of annual meeting schedule and reporting timeframes (where required)
- introduce members to the SPP7.0 Design Principles and how they will be used to guide the design review process
- confirm member responsibility to declare any conflicts of interests and other governance requirements including media protocols
- clarify the scope of advice required from the panel. i.e. advice should be objective and aligned with the design quality principles. Prescriptive design advice and subjective commentary are inappropriate in design review
- confirm contact details for remuneration matters, and frequency of invoicing
- appoint a Chair for the agreed term (unless the Chair is appointed separately)

► 5.9 Panel management and support

The local government will provide panel support to manage the scheduling, preparation, coordination, reporting and monitoring of Design Review Panel meetings. It is recommended that these roles are clearly outlined to ensure that all participants understand their roles and responsibilities when dealing with the Design Review Panel.



City of Vincent Design Review [image: Department of Planning, Lands and Heritage/Office of the Government Architect]



ODASA Design Review [image: courtesy of the Office for Design and Architecture SA (ODASA); credit: Sam Noonan Photographer]

➤ 5.10 Roles and responsibilities

A good working relationship between local government planners and Design Review Panel members is essential, as it's important to have regular, consistent and clear communication between those involved in the design review and assessment processes.

5.10.1 Guidelines for local government officers

Local governments are responsible for coordinating the operation of the Design Review Panel and support is required from suitably qualified local government officers, including senior officers. The local government should nominate a panel coordinator to assist in smooth communication regarding meetings and other panel matters.

Panel coordinator

- circulate the annual meeting schedule, panel contact details and other material
- act as the central point of contact between the panel members and other local government officers or stakeholders
- prepare agendas, ensuring sufficient notice is provided to all parties (seven days is recommended)
- arrange site inspections where appropriate
- respond to requests for additional information from panel members in accordance with the established administrative procedures
- arrange for relevant local government officers to attend meetings
- arrange for notes or minutes to be taken at meetings and work with the report writer and arrange Chair endorsement of the notes, minutes and/or design review report
- distribute the notes, minutes and/or report to relevant parties and make panel advice and/or recommendations available to the proponent within a specified time period (recommended 10 working days) of the panel meeting
- arrange for the administration of fees, where charged, and membership remuneration payments
- prepare a summary of council, Development Assessment Panel and State Administrative Tribunal decisions on applications considered by the panel, as a means of providing feedback and optimising awareness of any other relevant matters

Senior planning staff (Director/Manager)

Senior planning staff should provide the necessary administrative support and advice to the meeting including managing the meeting opening and closing proceedings and providing governance advice where requested by the panel Chair. The Chair should manage and facilitate the interactive design review discussion and identify the key recommendations for reporting.

Planning officer

For each proposal under consideration, a planning officer should present an overview of the site (or proposal) including history, current and future surrounding context as well as compliance with planning controls and relevant design criteria. They will also convey any concerns raised through internal referral pathways (e.g. heritage, stormwater, traffic/parking) if available.

Report writer (local government role)

Local government is responsible for ensuring that notes or minutes are taken for all panel meetings. The notes will be used to formulate a design review report for the local government's use in reporting to Council, JDAP or other decision maker. If the person is not a planning staff member, it is recommended that they are familiar with meeting procedures, planning and design terminology, the SPP7.0 Design Principles and the local planning scheme and policies. Notes and reporting needs to be clear and unambiguous to all parties with appropriate terminology and phrasing. The report writer should liaise with the panel coordinator in the preparation and finalisation of the meeting notes and the design review report.

Please refer to Reporting section in this guide.

5.10.2 Guidelines for panel members

All panel members are required to:

- provide independent, fair and reasonable professional advice relative to the SPP7.0 Design Principles and relevant State and local policies and schemes
- treat all discussions and information about applications with sensitivity and confidentiality
- respond to and comment on material presented, providing clear and constructive feedback
- disclose any actual or perceived conflicts of interest in writing for the record. Where an interest exists, the member must:
 - disclose the interest to the Chair as soon as possible, and before the meeting to ensure there is a quorum for all items
 - if the interest is a pecuniary interest, the member must not take part in the consideration or discussion of the matter

Panel Chair

The panel Chair is primarily tasked with running panel meetings and is responsible for:

- liaising with the nominated local government officer about the operation of the panel including advice regarding additional briefing material or requirements
- ensuring new members have been inducted and are briefed about panel operations
- ensuring that the meeting agenda is followed
- welcoming and introducing the panel, proponents and any observers present in the meeting
- facilitating interactive discussion and participation of all panel members, key local government attendees and proponents, enabling solutions to be brokered collaboratively
- ensuring that discussions remain focussed on the application being considered and that advice relates to matters covered by the SPP7.0 Design Principles, relevant State and local policies and schemes
- ensuring consistency of panel advice between reviews
- summarising the consensus view of the panel at the conclusion of the meeting
- endorsing the final design review report or meeting minutes post meeting
- briefing decision-makers on panel advice when required



Victorian Design Review Panel (VDRP) [image: courtesy of the Office of the Victorian Government Architect (OVGA); credit: OVGA]



CABE Design Review [image source: Centre for Architecture and the Built Environment (CABE) Design review, Principles and practice, 2009; credit: CABE]

Running a successful Design Review Panel

Panel meetings will run more smoothly if they follow a clear structure. It is also important that meetings take place in a suitable location, in a suitable room, using suitable materials with sufficient space for all participants.

➤ 6.1 Meeting procedures

The following design review meeting procedures have been developed to ensure consistency and effectiveness of the process. Meetings should be scheduled to occur regularly with frequency to approximate demand and may be cancelled if there are no items to review. It is recommended meeting procedures are made publicly available, to ensure proponents know what to expect.

A local government may choose to include additional operating procedures to address local circumstances.

6.1.1 Quorum and attendance

The local government will issue notice of a Design Review Panel meeting to all appointed panel members.

It is recommended that all members review the proposed agenda and advise the local government as soon as possible of:

- a. their ability to attend the meeting
- b. any interest to be declared in any matter listed on the agenda

If the minimum number of members required to reach a quorum is unable to attend or a quorum cannot be achieved for part of the meeting, the local government will contact the deputy members in accordance with the procedure adopted by that local government for deputies. If a quorum cannot be achieved, the meeting cannot proceed and should be re-scheduled.

All panel members should have an opportunity to regularly attend meetings, however it is important to optimise the consistency of the panel and advice across subsequent reviews for the same proposal. Local governments may replace panel members who are regularly unavailable for meetings.

6.1.2 Observers

Design review meetings should be closed to members of the public as information discussed can be commercially confidential. Persons who may later be required to consider and determine an application that is undergoing design review should not attend panel meetings in order to preserve the transparency and integrity of the planning decision-making process.

Local governments are encouraged to allow planning and other officers to attend review sessions as observers, as it can offer valuable training on design quality considerations, familiarity with the design review process and understanding of how it can benefit a range of projects.

6.1.3 Site inspection

Panel members should be familiar with each site on the agenda prior to the meeting. A site visit may be arranged if considered necessary by the local government or panel Chair.

6.1.4 Panel member preparation

All panel members should ensure that they are familiar with all information provided prior to the meeting and prepare comments in advance, to enable effective use of session time. If additional information is required prior to the meeting, a request should be submitted to the local government in accordance with the procedures advised during the induction.

6.1.5 Agenda

The agenda for each meeting (along with submitted drawings and other relevant documentation) should be circulated to all panel members and meeting attendees at least one week prior to the meeting.

A meeting agenda template is included in this guide.

The priority of agenda items for each meeting should be determined by the local government ensuring the scheduling of items has regard for the relevant statutory timeframes.

Each item should be allocated an appropriate duration on the agenda, to allow for the recommended design review meeting format. Additional time may be required for complex projects where this is appropriate. It is recommended that the meeting agenda does not exceed three hours.

► 6.2 Drawing requirements for design review

It is recommended that initial design reviews occur early, prior to the submission of a formal application, to ensure better design outcomes (refer to 3.3 The value of engaging in early design review).

The material required for design review should sufficiently reflect the stage of development of the proposal and illustrate site analysis, site design response and the intended design proposal. For early design reviews, drawings may be conceptual and diagrammatic.

6.2.1 Site analysis

It is particularly important to provide contextual information on drawings and information submitted for review, to assist the panel in assessing how well a proposal responds to its site and context.

The key elements of a site analysis include:

- site location / wider context plan
- aerial photograph
- local context plan
- site context and survey plan
- streetscape elevations and sections

For residential proposals refer to the relevant volume of the Residential Design Codes for more detail.

6.2.2 Site design response

A thorough site design response demonstrates a balanced consideration of a proposals context, site, building configuration and opportunities to optimise building performance. Site design response drawings, 3D studies and diagrams identify site and context opportunities and constraints that generate design parameters. These drawings should clearly articulate the considerations that have informed the broader site design approach.

For residential proposals refer to the relevant volume of the Residential Design Codes for more detail.

6.2.3 Design proposal

Sufficient drawing material should be presented to outline the intended design proposal; however, the emphasis should be on having enough information rather than having fully-resolved drawings of every aspect of the proposal.

The key elements of a pre-development application design proposal include:

- development details
- precedents and context that have informed the design proposal
- site plan
- floor plans
- elevations of the proposal in context
- sections of the proposal in context
- draft design quality statement outlining how the proposal responds to the SPP7.0 Design Principles
- 3D images or visualisations if available

For residential proposals refer to the relevant volume of the Residential Design Codes for more detail.



Victorian Design Review Panel (VDRP) [image: courtesy of the Office of the Victorian Government Architect (OVGA); credit: OVGA]

➤ 6.3 Meeting format

The panel Chair should conduct the meeting in accordance with the agenda, following the meeting format outlined below. The recommended meeting duration for each item is 45 to 50 minutes, including a briefing. A longer duration can be allowed for complex projects.

A suggested format for individual items may include:

1. Briefing and pre-review panel discussion (panel only) – 10 minutes

- Overview by the local government planning officer, including:
 - relevant site history and background
 - surrounding context and proposed (if known) or approved developments
 - compliance with planning controls and relevant design criteria
 - internal referral comments if available (e.g. heritage, stormwater, traffic/parking)
 - where appropriate, briefings from relevant State Government agencies also invited to attend the meeting
- Panel pre-review discussion determining key questions to ask / key issues to raise

2. Welcome and introductions – 2 minutes

- Proponents are invited into the meeting room. Chair welcomes them and introduces the panel. Panel coordinator may assist with proponent setup

3. Proponent presentation – 10 minutes

- Proponent/client provides their vision for the project
- Proponent/design team presentation, explaining the project background and outlining how the proposal addresses the SPP7.0 Design Principles and other relevant matters

4. Panel questions and clarifications – 5 minutes

- Panel members are able to seek clarification on any points

5. Panel discussion – 10 minutes

- Chair invites panel members to provide individual comment on the proposal
- Discussion should be referred back to the SPP7.0 Design Principles

6. Confirmation of advice/ recommendations – 3 minutes

- Chair summarises panel comments and may confirm advice and recommendations or may indicate the timeframe within which this should be expected to be provided
- Chair thanks the proponent and the proponent leaves the meeting

7. Post review discussion (panel only) – 5-10 minutes

- Chair identifies key issues and recommendations for reporting
- Any new issues or recommendations that arise in post review discussions should be noted as such and communicated promptly to the proponent

➤ 6.4 Workshops

For large complex projects, an early workshop can offer opportunity for a dedicated and extended review to highlight key considerations prior to design work commencing, which can significantly reduce project risk. The need to hold a workshop will generally be determined by the local government in consultation with the panel Chair.

➤ 6.5 Language and consistency

The report writer and Chair should be aware of the following points when providing advice and finalising recommendations:

- advice should be in plain English that is readily understood by the proponent, consent authority, and the community. Avoid jargon, obscure terminology and long-winded descriptions
- consistency in advice across design reviews is important. As a design proposal develops, different questions become relevant, however raising entirely new design concerns late in the process should generally be avoided

➤ 6.6 Reporting

The meeting notes and/or report should:

- be compiled as a draft during the meeting, (a suitable template is provided in this guide)
- record conflicts of interest of panel members
- record key discussion points and panel recommendations
- be finalised out-of-session by the panel coordinator and panel Chair
- be available for issue of advice and recommendations to proponents as soon as possible (recommended within 10 working days of the meeting)

Design review reporting should be included with all development application reports and, where a proposal is to be determined by a Development Assessment Panel for deliberation, is included in full as an appendix to the Responsible Authority Report.

Also refer to 5.10 Roles and responsibilities, where the roles of report writer and panel coordinator are outlined.

Aim for 40 minutes of design review for a standard proposal, more for a complex one.



10 MINUTES

Briefing and pre-review panel discussion; Overview by the local government planning staff, followed by panel pre-review discussion determining key questions to ask/key issues to raise.

PROPONENT ENTERS THE ROOM



2 MINUTES

Chairperson welcomes the proponent team and introduces the Panel. Panel coordinator assists with proponent setup.



10 MINUTES

Proponent provides their vision for the project, followed by design team presentation.



5 MINUTES

Panel members are able to seek clarification on any points.



10 MINUTES

Chairperson invites panel members to provide individual comment on the proposal.



3 MINUTES

Chairperson summarises panel comments and confirms advice and recommendations. Chairperson thanks the proponent.

PROPONENT LEAVES THE ROOM

Design review modes and thresholds

For the design review of larger projects, the multi-disciplined expertise and independent advice of a full Design Review Panel is recommended. However, design review mechanisms may be applied in different modes to provide advice on a range of development types and scales.

The types of proposals and the scale/s of design review (if available) should be determined in by the local government and may be included in the terms of reference and/or an appropriate local planning policy. The design review threshold table may be used as a guide for determining the mode of design review best suited to a particular development.

▶ 7.1 When a full Design Review Panel is not required

As outlined within the design review threshold table, there may be cases where a full Design Review Panel is not warranted, with assessment instead being carried out by an individual panel member or, where available, by an in-house town or city architect.

Where neither of these avenues exist and there is no reasonable opportunity to refer the matter to the Design Review Panel, the local government may engage a suitably qualified consultant, giving consideration to the selection criteria outlined for the establishment of a Design Review Panel.

Local governments that rarely assess complex applications may not need to form a dedicated Design Review Panel. In these instances they may consider a shared Design Review Panel (with another local government) or use an 'as-required' design review consultant.

▶ 7.2 When the demand for design review is low

In smaller or regional local governments, the number of anticipated complex proposals or proposals requiring design review may be low. In these circumstances, consideration should be given to:

- The **State Design Review Panel** will offer a pool of appointed design reviewers that may be accessed by local governments on an "as needs" basis.
- A **city architect** can also be a valuable resource in smaller or regional local governments where demand for a full panel is low. Where an architect is not available on staff, a local architect could be appointed to provide this advice as required.

- **Shared panels** could be formed where demand is low, or where smaller contiguous local governments (or local governments with similar characteristics, development types, issues and/or visions) may benefit from a common panel.

▶ 7.3 Interim procedures until a full Design Review Panel is appointed

The design review thresholds table also contains suggestions for interim review mechanisms that could be utilised where a local government has yet to appoint a Design Review Panel.

The State Design Review Panel's (SDRP) core focus will be major State Government projects and significant or strategic private sector projects. However, the SDRP may also assist local governments to expedite local panel appointments and provide interim modes of design review:

- subject to legislative requirements, local governments may directly engage SDRP members, reducing appointment timeframes and administrative load
- the SDRP may also offer an interim means of carrying out design review on eligible larger projects for local government (where mutually agreed) until a local Design Review Panel is operational. Applications for design review by the SDRP can be made through the Office of the Government Architect

◆ 7.4 City architect

Some larger local governments have appointed a city (or town) architect. This is usually a permanent, part-time role.

City architects can:

- provide built form expertise to local government planning staff, Design Review Panel coordinators and elected members on day-to-day issues of design quality
- provide informed advice on local government urban design and strategic planning initiatives
- support the local government, advising on major local government funded, and State-funded projects to ensure they meet strategic built form objectives for that local government
- brief local government Design Review Panels on the built form objectives of local government strategic planning and initiatives relevant to proposals reviewed by the panel
- offer assistance in discussions between planners and proponents regarding design review recommendations
- be an in-house advocate and champion for design quality

In addition to the roles above, city architects can assist the local government by offering expert advice on the design quality of smaller proposals if a Design Review Panel has not been appointed, or if they do not meet the thresholds for review by a full panel. Refer to the Design Review Threshold Table.

INDICATIVE DESIGN REVIEW THRESHOLD TABLE											
	Projects of State significance	Public works of State significance	Public works of regional significance	Commercial development – DAP threshold	Commercial development – under DAP threshold	Apartment development DAP threshold or more than 10 dwellings	Apartment development less than 10 dwellings	Activity centre plans and structure plans	Commercial development low threshold	Detached and grouped dwellings	Other proposal as determined by local govt.
State Design Review Panel (SDRP)	◆	◆	◆◆	◇		◇					
Local Design Review Panel (LDRP)			◆◆	◆	◆◆	◆	◆◆	◆	◆◆	◆◆	◆◆
Local govt. 'city/town architect'					◆		◆	◆◆	◆◆	◆◆	◆◆
Local Govt. 'as-required' design review consultant					◆◆	◇	◇	◇	◆◆	◆◆	◆◆

◆ Recommended design review process

◆◆ Discretionary design review process

◇ Interim design review process

Appendices

The appendices provide model templates for the following:

- **DR1** *Design Review Panel meeting agenda*
- **DR2** *Development assessment overview*
- **DR3** *Design review report and recommendations (Parts 1-4)*
- **DR4** *Model terms of reference*

These templates are provided as a guide only and local governments should adjust the templates as required for the purposes of their local government.

DR1 – Design Review Panel meeting agenda

Prepared by the responsible local government officer and distributed to the Design Review Panel members with the DR2- Development assessment overview at least one week before the meeting.

Local government:		
Meeting date:		Meeting time:
Location		
Panel members	[Chair] [Members]	[details]
Local government officers	[names]	[details]
Proponent/s	[names]	[details]
Observer/s	[names]	[details]
Time	Item No.	Subject
[time]	1.	Attendance and apologies
	2.	Declarations of interest
	3.	Confirmation of previous reporting
	4.	Design review/s
	4.1	Proposed development
[time]		[Address, development description] [Proponent]
(10mins)		Pre-meeting (panel members and local government officers) Briefings and pre-review panel discussion: — development assessment overview — technical issues
(30mins)		Design review meeting (all) Proponent welcome (2 mins) Presentation/response to prior recommendations (10mins) Questions and clarification (5mins) Discussion (10mins) Summary by the Chair (3mins)
(5-10mins)		Post meeting (panel members and local government officers) Post-review discussion
	5.	Strategic planning/policy items [where required]
	6.	Other business
	7.	Next meeting [time/date]
	8.	Close

DR2 – Development assessment overview

This overview is to be prepared by the responsible local government officer and distributed to the Design Review Panel members with DR1 - Design review panel meeting agenda at least one week before the meeting.

Proposed development	
Street address	
Applicant/owner	
Reported by	
Proposal	[Brief and succinct summary of proposal]
Background	[A summary of relevant background information establishing history of the proposal to date including response to context and site; photos may also be useful]

Assessment summary:

Key objectives/standards of planning policies relevant to this proposal

Example only – shown for apartment development referencing elements of SPP7.3 R-Codes Volume 2 - Apartments

	Proposed	Assessment
<i>Building height</i>		
<i>Street setbacks</i>		
<i>Side setbacks</i>		
<i>Rear setback</i>		
<i>Other (e.g. building depths, building separation)</i>		
<i>Part 3 Elements (e.g. orientation, tree canopy and deep soil area, communal open space etc.)</i>		
<i>Part 4 Elements (e.g. solar and daylight access, natural ventilation, size and layout of dwellings etc.)</i>		
Key issues	[Summary/dot points]	

DR3

DR3 – Design review report and recommendations (Part 1/4)

*This report is prepared by the panel coordinator and checked by the design review Chair.
To maintain the integrity and independence of the design review process this report should be attached, unedited to Council reports and (if applicable) the Development Assessment Panel Responsible Authority Report.*

Local government		
Item no.	[Address, development, description]	
Date		
Time		
Location		
Panel members:	[Chair] [Members]	[details if required]
Local government officers	[names]	[details]
Proponent/s	[names]	[details]
Observer/s	[names]	[details]
Briefings		
Development assessment overview	[name]	[details]
Technical issues		
Design review		
Proposed development		
Property address		
Background		
Proposal	[Succinct summary of proposal]	
Applicant/representative address to the design review panel	[name]	[details]
Key issues/recommendations	[Summary of key issues and recommendations discussed]	
Chair signature		

DR3 – Design review report and recommendations (Part 2/4)

Design quality evaluation

		Supported
		Pending further attention
		Not supported
Principle 1 – Context and character		<p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p> <p>1a. [comments] 1b.</p>
Principle 2 – Landscape quality		<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p> <p>2a. [comments] 2b.</p>
Principle 3 – Built form and scale		<p>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.</p> <p>3a. [comments] 3b.</p>
Principle 4 – Functionality and build quality		<p>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.</p> <p>4a. [comments] 4b.</p>
Principle 5 – Sustainability		<p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</p> <p>5a. [comments] 5b.</p>
Principle 6 – Amenity		<p>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</p> <p>6a. [comments] 6b.</p>
Principle 7 – Legibility		<p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</p> <p>7a. [comments] 7b.</p>
Principle 8 – Safety		<p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p> <p>8a. [comments] 8b.</p>
Principle 9 – Community		<p>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.</p> <p>9a. [comments] 9b.</p>
Principle 10 – Aesthetics		<p>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</p> <p>10a. [comments] 10b.</p>

DR3

DR3 – Design review report and recommendations (Part 3/4)

Design review progress

	Supported		
	Pending further attention		
	Not supported		
	DR1	DR2	DR3
Principle 1 – Context and character			
Principle 2 – Landscape quality			
Principle 3 – Built form and scale			
Principle 4 – Functionality and build quality			
Principle 5 – Sustainability			
Principle 6 – Amenity			
Principle 7 – Legibility			
Principle 8 – Safety			
Principle 9 – Community			
Principle 10 – Aesthetics			

DR3 – Design review report and recommendations (Part 4/4)

Recommendations summary

DR1 - Recommendations	DR2 - Response	DR2 - Recommendations	DR3 - Response
1.	[SUPPORTED/PENDING FURTHER ATTENTION/ NOT SUPPORTED] [explanatory text]		[SUPPORTED/PENDING FURTHER ATTENTION/ NOT SUPPORTED] [explanatory text]
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

DR4 – Model terms of reference (1/5)

Model ToR for local government Design Review Panels. Local governments should adjust the model ToR as required for their individual purposes.

The role of design review in the planning system

Integrating design review into the planning system is a key component of the implementation and operation of State Planning Policy 7.0 Design of the Built Environment, as well as the State's 'Better Places and Spaces: a policy for the built environment in Western Australia' (adopted 2013).

Good design should be indivisible from good planning if better buildings and places are to result.

State Planning Policy 7.0 Design of the Built Environment includes performance-based design principles, which provide a guide to achieving good design, and the means for evaluating the merit of proposed solutions through design review, which uses professionals with appropriate levels of design expertise.

Performance-based design principles identify the objectives to be met without prescribing how to achieve them. Design review is an essential component of this approach, as qualitative assessment is required to determine whether the required performance outcomes have been achieved in a given proposal.

This approach provides flexibility for developers to deliver improved project and site-specific outcomes as well as benefits for the broader community. It provides latitude for skilled and experienced designers to pursue innovative solutions. It also offers the opportunity for efficiency, allowing for solutions to be considered collaboratively, and generally enabling a smoother determination phase following the submission of an application. Skilled and experienced designers, working collaboratively with expert reviewers, typically require fewer design reviews.

Ten principles of effective design review

For design review to be effective, it must be resourced appropriately and conducted in a manner that is fair, robust and credible. The following 'best practice' principles of design review should be used to guide the review process and set an appropriately high standard of conduct from panel members.

Design review should be:

Independent – It is conducted by people who are not connected with the proposal's promoters and decision-makers and ensures that conflicts of interest do not arise.

Expert – It is carried out by suitably trained people who are experienced in design and know how to critique constructively. Review is usually most respected when it is carried out by professional peers of the project designers, because their standing and expertise will be acknowledged.

Multi-disciplinary – It combines the different perspectives of architects, urban designers, planners, landscape architects, engineers and other specialist experts to provide a complete, rounded assessment.

Accountable – The Design Review Panel, and the advice that it provides to the local government (or other approval authority) must be clearly seen to work for the benefit of the community.

Transparent – The Design Review Panel's remit, membership, governance processes and funding should always be in the public domain.

Proportionate – It is used on projects whose significance (either at local or State level) warrants the investment needed to provide the service.

Timely – It takes place as early as possible in the design process, because this can avoid a great deal of wasted time. It also costs less to make changes at an early stage.

Advisory – The Design Review Panel does not make decisions, but it offers impartial advice that informs recommendations to the people who do.

Objective – It appraises proposals according to measures that are reasoned and objective, rather than the stylistic tastes of individual panel members.

Accessible – The recommendations arising from design review are clearly expressed in terms that design teams, decision-makers and the community can all understand and make use of.

DR4 – Model terms of reference (2/5)

Role description

The role of a Design Review Panel (DRP) is to provide independent, impartial, expert design advice:

- to proponents and local government officers on the design quality of proposals
- to decision-makers (State and local governments, Development Assessment Panels, the State Administrative Tribunal) on eligible development applications or other proposals
- to local governments, where requested, on strategic policy, master plans, precinct plans, local development plans, structure plans, activity centre plans, local planning schemes and amendments or other matters

Reviews will be undertaken in accordance with the model process outlined in the State's **Design WA: Design Review Guide**.

The 10 Design Principles from the State Planning Policy 7.0 Design of the Built Environment will be used as the basis for design review.

Status of advice

Design Review Panels are advisory only and do not have a decision-making function. The panel advises on the design quality of proposals with reference to design principles (from SPP7.0, refer to Part 4) and supporting State Planning Policies, as well as local planning schemes and policies. Decision-makers shall have due regard to the design review advice and recommendations in their deliberations.

For continuity between design review and local government and Development Assessment Panel assessment procedures, the Design Review Panel Chair may be requested to brief decision makers either through preparation of a briefing note or attendance at a meeting. Where a matter is referred to the State Administrative Tribunal for review, the panel Chair may also be required by the Tribunal to attend proceedings.

Governance

The Design Review Panel is an independent, advisory panel funded by the local government.

The local government will be responsible for the establishment, operation and management of the DRP. Dedicated DRP support will exist within the local government for this purpose.

Panel management and support

The local government will provide panel support to manage the scheduling, preparation, coordination, reporting and monitoring of Design Review Panel meetings.

Panel support will provide notice of the agenda and meeting times. To enable preparation by panel members, relevant material will be issued to the panel a week prior to the design review meeting.

DRP meetings will be held at the local government civic centre.

DRP support will issue reporting to proponents within 10 working days of the meeting.

Membership

Local governments should ensure that the panel includes members with expertise in one or more of the following disciplines:

- | | | |
|--------------------------------------|---|---------------------------------------|
| – Architecture (essential) | – Sustainability and environmental design | – Transport planning |
| – Landscape architecture (essential) | | – Planning |
| – Urban design (essential) | – Services engineering | – Public art |
| – Heritage | – Accessibility | – Civil and/or structural engineering |

While local knowledge is useful, a balance between locals and expertise from outside the local government area should be sought in order to optimise the range and calibre of skills available. All Design Review Panel members should be eligible for registration and maintain good standing with their respective professional bodies.

To be independent and apolitical, the local government should not appoint decision-makers, its own elected members or officers to its Design Review Panel. However, key local government planning (and other) officers should participate in all design reviews in an advisory capacity and to provide administrative and governance support.

DR4 – Model terms of reference (3/5)

Proposals for review

Proposals eligible for design review should include:

- proposals that are significant because of their size or the uses they support
- proposals that are significant because of their site or location
- proposals that are significant because of their community impact

The Design Review Panel is to provide impartial architectural and design advice on:

- proposals including a building that is three storeys or greater in height (above natural ground level)
- proposals with [LG to nominate] or more multiple dwellings (apartments)
- proposals of [LG to nominate] or more grouped dwellings
- proposals that meet the mandatory requirement to be determined by the Joint Development Assessment Panel any other proposal referred to the panel by the Director of Planning
- any relevant scheme amendment, activity centre plan, structure plan, policy, precinct plan, local development plan or design guidelines referred by the Director of Planning

Please refer to the **Design WA: Design Review Guide** (7.5 Design review threshold table) for additional guidance on the sorts of proposals recommended for review by a Design Review Panel.

Timing and number of reviews

The number of reviews needed will vary depending on the complexity of a proposal; however three reviews are typically needed for the process to be effective.

Design reviews should occur before a development application is submitted. It is strongly recommended that the first design review takes place during the **concept design stage** to ensure that proponents can take advantage of the advice offered at a time where the design is flexible enough to accommodate change without impacting on time and cost constraints. A subsequent review should typically occur at a stage when the design has been further progressed. Depending on the outcome of the initial meeting, this review session will typically occur during **design development** or prior to the proposal being submitted for development approval (**Pre-DA stage**).

At **building permit stage** (after development approval) it is suggested that a check takes place by the Design Review Panel Chair or delegate, to ensure that the design quality of the proposal is consistent with the approved development application and any relevant conditions related to design quality.

SPP7.0 Design Principles

State Planning Policy 7.0 Design of the Built Environment (SPP7.0) outlines a set of performance-based design principles. These principles establish a broad definition of 'good design' and form the basis of design review consideration.

Context and character – *Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.*

Landscape quality – *Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.*

Built form and scale – *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.*

Functionality and build quality – *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.*

Sustainability – *Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.*

Amenity – *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.*

Legibility – *Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.*

Safety – *Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*

DR4 – Model terms of reference (4/5)

Community – 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.

Aesthetics – Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Refer to Design WA State Planning Policy 7.0 Design of the Built Environment for the Design Principles in full.

Design Review Panel appointment

Suitable candidates will be recruited through an appointment process, which includes:

- public advertising seeking formal Expressions of Interest (EOI)
- consideration of EOIs by an appropriate selection panel
- an interview process, if required, to confirm appropriate design review expertise
- a report with recommendation/s for appointment presented to the Chief Executive Officer

Following completion of the selection process, all details of the appointment will be confirmed in writing and a member induction will be scheduled.

The term of office for a panel member shall be two years and run concurrently with the Council election cycle. Council may appoint a pool of suitable persons to serve on the Panel however each Design Review Panel meeting shall comprise a maximum of six members.

A person who is currently employed by, or who is an elected member of the local government, is not eligible for appointment as a member of the panel. All panel appointments are endorsed by Council.

Panel roles and responsibilities

All panel members are required to:

- provide independent, fair and reasonable professional advice relative to the SPP7.0 Design Principles and relevant State and local policies and schemes
- treat all discussions and information about applications with sensitivity and confidentiality
- respond to and comment on material presented, providing clear and constructive feedback
- disclose any actual or perceived conflicts of interest in writing for the record. Where an interest exists, the member must:
 - disclose the interest to the Chair as soon as possible, and before the meeting to ensure there is a quorum for all items
 - if the interest is a pecuniary interest, the member must not take part in the consideration or discussion of the matter

All disclosures of interest will be recorded in the panel meeting notes

Panel Chair

The panel Chair is primarily tasked with running panel meetings and is responsible for:

- liaising with the nominated local government officer about the operation of the panel including advice regarding additional briefing material or requirements
- ensuring new members have been inducted and are briefed about panel operations,
- ensuring that the meeting agenda is followed
- welcoming and introducing the panel, proponents and any observers present in the meeting
- facilitating interactive discussion and participation of all Design Review Panel members, key local government attendees and proponents, enabling solutions to be brokered collaboratively
- ensuring that discussions remain focussed on the application being considered and that advice relates to matters covered by the SPP7.0 Design Principles, relevant State and local policies and schemes
- ensuring consistency of panel advice between reviews
- summarising the consensus view of the panel at the conclusion of the meeting
- endorsing the final design review report or meeting minutes post meeting
- briefing decision-makers on panel advice when required

DR4 – Model terms of reference (5/5)

Remuneration

Members will receive standard professional rates up to a maximum of three hours review time, plus one hour of preparation.

The Chair will receive an above-standard fee due to the additional responsibility of the role, plus preparation, time spent advising and editing reporting as needed, and time spent on additional briefings.

Where a member of the panel is requested to appear on the local government's behalf as an expert witness at the State Administrative Tribunal, the member is to be paid at a mutually agreed hourly rate consistent with the qualifications, experience and professional status of the member.

Meeting procedures

Quorum and attendance

The local government will issue notice of a Design Review Panel meeting to all appointed panel members.

It is recommended that all members review the proposed agenda and advise the local government as soon as possible of:

- a. their ability to attend the meeting
- b. any interest to be declared in any matter listed on the agenda.

A Design Review Panel meeting may not proceed unless a quorum comprising a minimum of four members is present. If a quorum cannot be achieved for all or part of the meeting, the local government will contact suitable members from the pool in accordance with the procedure adopted by that local government for those circumstances. If a quorum cannot be achieved, the meeting cannot proceed and should be re-scheduled.

It is important to optimise the consistency of the panel and advice particularly across subsequent reviews for the same proposal. The local government may replace panel members who are regularly unavailable for meetings.

Observers

Design review meetings should be closed to members of the public as information discussed can be commercially confidential. Persons who may later be required to consider and determine an application that is undergoing design review should not attend panel meetings in order to preserve the transparency and integrity of the planning decision making process.

Local governments are encouraged to allow planning and other officers to attend review sessions as observers, as it can offer valuable training on design quality considerations, familiarity with the design review process and an understanding of how it can benefit a range of projects.

Site inspection

Panel members should be familiar with each site on the agenda prior to the meeting. A site visit may be arranged if considered necessary by the local government or panel Chair.

Panel member preparation

Where an application has already been submitted prior to referral to the panel, an initial officer assessment will be undertaken, the results of which will be provided to the panel as part of the agenda preparation process.

It is expected that panel members will familiarise themselves with all information provided prior to the meeting and prepare comments in advance, to enable effective use of session time. If additional information is required prior to the meeting, a request should be submitted to the local government in accordance with the procedures advised during the induction.

Frequency of meetings

Meetings will generally be held on quarterly/monthly/fortnightly, but can be scheduled at the any time in response to urgent matters. Advice of a scheduled meeting, the agenda and information associated with each proposal shall be provided to panel members one week prior to the intended meeting date.

Agenda

The agenda for each meeting (along with submitted drawings and other relevant documentation) will be circulated to all panel members and meeting attendees at least one week prior to the meeting.

Meeting agendas should not exceed three hours.

Code of Conduct

All panel members are required to abide by the local government's Code of Conduct.

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PD15.19	Itinerant Food Vendor Application (Ice Cream Van)
Committee	9 April 2019
Council	23 April 2019
Applicant	Silver Asjarv
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Director	Peter Mickleson – Director of Planning & Development
Reference	File No. COMP-1374877427-8910
Attachments	<ol style="list-style-type: none"> 1. Itinerant food business application form 2. Photos of mobile food service facility 3. Trading in Public Places Local Law 2000 – Local Law 8

1.0 Executive Summary

On 19 February 2019, an application to operate a mobile food service facility, namely an ice cream van was lodged with the City of Nedlands. The application (Attachment 1) was lodged by Mr. Silver Asjarv of 593 Great Northern Highway Herne Hill.

The applicant was requested to lodge an application after a noise complaint was received regarding the music associated with operation of the food business. Furthermore, it was found that the van had been operating within the City of Nedlands without approval.

Recommendation to Committee

That council approves an application by Mr Silver Asjarv to operate an itinerant Food Vendor within the City of Nedlands subject to the following conditions:

1. **Applicant to hold a valid City of Nedlands Itinerant Food Vendor's Licence;**
2. **Applicant to operate on a Sunday only from 10.00am to 7.00pm;**
3. **Applicant not trade within 50 metres of a permanent food business of the same food type;**
4. **Only remain at a location for as long as there is a customer making a purchase. If there is no customer making a purchase, the permit holder must move on from that location within a reasonable time of the last purchase having been made;**
5. **Maximum time in one location is not to exceed 10 minutes;**
6. **Service of ice creams, confectionary and drinks only are permitted;**
7. **Music, or any other forms of sound to attract customers, is not permitted to be played whilst the vehicle is parked;**

8. **Trading activities may be prohibited in certain areas should noise complaints be received and substantiated;**
9. **This Licence must be displayed in a conspicuous place on the vehicle and the permit must be produced to any Authorised Person or any police officer when requested;**
10. **The vehicle must be maintained in a clean and safe condition and in good repair;**
11. **The sale of food must comply with the *Food Act 2008, Food Regulations 2009* and the *Australia New Zealand Food Standards Code*;**
12. **A current Public Liability Insurance must be attained for the vehicle; and**
13. **This licence may be cancelled by the City of Nedlands if the vendor has not complied with the conditions of the licence or the provision of any written law or policy related to the activity.**

Discussion/Overview

The applicant proposes to operate an ice cream van between Thursday and Sunday between the hours of 10.00am and 7.00pm.

The food business is registered and garaged in the City of Swan. It also holds a license to operate in the City of Perth, City of Joondalup, Shire of Mundaring and Town of Mosman Park.

Site Inspection

The interior of the van was inspected on 12 March 2019 by the City's Environmental Health Department. The van was found to be in a clean and sanitary condition and suitably constructed for the sale of ice cream, shaved ice and soft drinks.

Complaints, Damage and Community Impact

A noise complaint pertaining to amplified music from the ice cream van was lodged with the City on 18 February 2019 by a Dalkeith resident. The complainant alleged that the music was creating a nuisance.

Whilst noise associated with braking systems and propulsion of motor vehicles is exempt under the *Environmental Protection (Noise) Regulations 1997* (the *Regulations*), amplified music, whether from a premises or vehicle, is classified as noise and is therefore required to comply with the *Regulations*.

As with most ice cream vans, amplified music is played from the van during transit to attract customers. The volume of the music is usually such that it can be heard in the street/vicinity where the van is situated.

Under the *Regulations*, noise from premises must not exceed assigned levels or unreasonably interfere with the health, welfare, convenience, comfort, or amenity of an occupier of premises receiving the noise. Although amplified music played from the van is likely to exceed assigned noise levels for short periods of time, it is unlikely

that the noise will be occurring for a long enough period to constitute a nuisance or be regarded as unreasonable.

Traffic/Parking

The City's Ranger Services have advised that, provided relevant parking and stopping restrictions are adhered to, the van is unlikely to adversely impact upon traffic flow in residential areas.

Public Liability

A copy of the public liability insurance policy to the value of 20 million dollars has been provided with the application, however as required under the City of Nedlands Local Law *Trading in Public Places 2000*, the City of Nedlands has not been listed as an interested party.

Food Hygiene

As previously mentioned, the van has been inspected and found to be suitably constructed for the sale of ice cream, shaved ice and soft drinks. Soft serve ice cream being a dairy product is regarded as a potentially hazardous food (PHF) product and therefore requires adequate temperature control to prevent the growth of bacteria. The van is fitted with a refrigerated soft serve machine that is able to maintain soft serve mixtures below 5 degrees celsius. The applicant has indicated that the machine is currently cleansed and sanitized on a daily basis.

Provided that good food hygiene practices are employed by the van operator, it is unlikely that the van will present any substantial public health risk to the community. Furthermore, the van, operator and food handler staff have undergone 'I'm Alert' food safety training.

Legislative Requirement

The City of Nedlands is required to either approve or refuse the application under the City of Nedlands Local Law relating to *Trading in Public Places 2000* (Attachment 3).

The van complies structurally with the requirements of the *Australian and New Zealand Food Standards Code* and the *Food Act 2008*.

Consultation

Various surrounding councils have been contacted regarding this application:

- The Town of Claremont does not permit itinerant food business to operate under Activities on Thoroughfare and Public Places Local Law;
- The Town of Cottesloe does not permit temporary food vendors to trade unless part of an approved event; and
- The Town of Mosman Park has approved Tiger Soft Serve as an itinerant food business subject to twelve (12) conditions to maintain the license.

Budget/Financial Implications

If approved, the applicant will be responsible for payment of an annual trading in public places fee of \$1548.

 City of Nedlands nedlands.wa.gov.au	Application Form Environmental Health
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Application for Licence as Itinerant Food Vendor

Schedule 1
HEALTH ACT 1911

To: Chief Executive Officer
City of Nedlands
PO Box 9 NEDLANDS
WA 6909

Applicant Details

Name of Applicant Silver Aasjarv
Business Name Tiger Soft Serve
Address 593 Great Northern Highway, Herne Hill 6056 WA

Mobile _____ email _____

Operation Details

Place where vehicle, food and trade utensils are stored
593 Great Northern Highway Herne hill, Home Storage room for cups and utensils

Details of Vehicle or Means of Carriage Fiat Ducato Van
Fiat Ducato Van

Signature  Date 19.02.2019

- *Application ultimately determined by the Council.*
- *Please contact the City's Health Services to obtain relevant information required to support your application.*
- *Please contact the City's Health Services to obtain the relevant fee required to be submitted with this application.*

License issued is valid until the next 31 December following the date of issue.





8. DETERMINATION OF APPLICATION

- (1) The local government may refuse an application for a licence, where –
 - (a) it does not comply with the application requirements under this local law;
 - (b) the needs of the district for which the licence is sought are adequately catered for by established shops or other persons to whom licences have already been issued;
 - (c) the proposed activity or place of trading is considered by the local government to be undesirable; or
 - (d) the proposed structure, stall, stand, table, or vehicle is considered by the local government to be unsuitable in any respect to the activity or location for which the licence is sought.
- (2) The local government may, in respect of an application for a licence –
 - (a) refuse the application; or
 - (b) approve the application on such terms and conditions, if any, as it sees fit.

9. LICENCE ISSUE

- (1) On approval of an application for a licence, a licence shall be issued in the form used by the local government for that purpose. A licence may include plans and other supporting documentation as required by this local law.
- (2) A licence will not be valid until such time as any public liability insurance policy, required as a condition of licence, has been put into effect and a certificate of currency covering the period of the licence has been lodged with the local government.

10. LICENCE RENEWAL

Prior to the expiry of an outdoor dining licence, a street market licence, an amusement licence, or a street trading licence, the licensee may apply for the renewal of a licence, without having to resubmit details required at the time of the initial application.

11. LICENCE FEES

- (1) All licence fees and charges applicable under this local law shall be as determined by the local government in accordance with section 6.16 of the Act however, the Local Government has a discretion to make concession for or waive the fees and charges when the applicant is a charitable organisation.