



Development Services Reports

Committee Consideration – 13 September 2011
Council Resolution – 27 September 2011

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D53.11	No. 81 (Lot 197) Mountjoy Road, Nedlands – Proposed Amendments to DA11/245
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Committee	13 September 2011
Council	27 September 2011

Applicant	Exclusive Residence
Owner	Peter and Lynne Mannolini
Officer	Laura Sabitzer – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA11/361 : M05/81
Previous Item No's	N/A
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

This application is referred to Council for determination as the proposal does not meet the Acceptable Development Criteria of Clause 6.3.2 (Building on Boundary).

Recommendation to Committee

Council refuses an application for proposed amendments to DA11/245 at No. 81 (Lot 197) Mountjoy Road, Nedlands in accordance with the application and plans dated 23 August 2011 for the following reasons:

1. the southern parapet wall does not comply with the Acceptable Development or Performance Criteria of the Residential Design Codes;
2. the external appearance of the development will have an adverse effect on the amenity of the surrounding area; and
3. the proposal will not be orderly and proper planning.

Strategic Plan

- KFA 3: Built Environment
 - 3.8 Facilitate appropriate development of existing residential housing to complement the surrounding residential amenity.
- KFA 5: Governance
 - 5.6 Ensure compliance with statutory requirements and guidelines.

Background

Property Address: No. 81 (Lot 197) Mountjoy Road, Nedlands
 (Refer Locality Attachment 1)
 Zoning MRS: Urban
 Zoning TPS2: Residential R10
 Lot Area: 1013.803 m²

On 27 July 2011, planning approval (DA11/245) was granted for a two storey dwelling and swimming pool on the subject site. A carport was approved on the southern boundary with an RCodes variation, due to the side setback being nil in lieu of 1 m. The adjoining owner of 83 Mountjoy Road, Nedlands provided no objection to the RCodes variation and signed the plans.

The carport was approved with a 1.8 m high wall (permitted height of dividing fence and abutted a 1.8 m high limestone wall) and steel columns (on top of the wall) to a height of 2.8 m on the southern boundary.

Proposal Detail

Amendments to the approved (DA11/245) were received on 23 August 2011, proposing that the carport previously approved be amended to a garage with a parapet wall on the southern boundary. The proposed parapet wall is 6.5 m in length and 3.7 m in height and is behind the front setback.

Please refer to attachments 2-3.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Advertising Period 5 July 2011 – 19 July 2011

The proposed variation to the Residential Design Codes (RCodes) was advertised to the adjoining properties for a period of 14 days.

Comments received: One (1) Comment relating to proposed parapet wall

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

Summary of comments received	Officers technical comment
<p>Issue: Adjoining owner has no specific objection to proposed garage parapet wall but requests that it will not impact the existing wall</p>	<p>It is noted that the adjoining owner has no objections to the parapet wall. However, given the proposed height of the parapet wall it is</p>

(that the proposed parapet abuts) footings and no drainage issues will result. Also the proposed parapet walls finish /colour will be compatible to the limestone wall.	considered that the proposal will be bulky and will dominate the front portion of the neighbouring property's southern elevation.
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Legislation

- Residential Design Codes 2008
- City of Nedlands Town Planning Scheme No.2
- Policy 6.4 'Neighbour Consultation – Planning Applications'

The application proposes the following variations to the RCodes:

- 1) Clause 6.3.2 of the Residential Design Codes requires boundary walls to abut an existing or simultaneously constructed wall of similar or greater dimension. The proposed boundary wall does not abut an existing wall of similar or greater dimension.

Budget/financial implications

Nil

Risk Management

Precedent of parapet on large blocks that do not contribute to streetscape.

Discussion

The variations to the Residential Design Codes are discussed as follows:

Issue: Southern Parapet Wall

Requirement:	<p>Clause 6.3.2 of the Residential Design Codes requires boundary walls to “abut an existing or simultaneously constructed wall of similar or greater dimension”.</p> <p>The RCodes do not allow for parapet walls as of right in areas zoned R10. However the City can exercise discretion when assessing a parapet wall and approve them if it meets the Performance Criteria of Clause 6.3.2.</p>
Applicants Proposal:	<p>The proposed garage parapet located on the southern boundary has a wall length of 6.5 m with a maximum wall height of 3.7 m. The proposed parapet wall abuts an existing limestone wall which is a maximum height of 1.8 m.</p>

<p>Performance Criteria:</p>	<p><i>Clause 6.3.2 Performance Criteria</i> <i>P1 Buildings built up to boundaries other than street boundary where it is desirable to do so in order to:</i></p> <ul style="list-style-type: none"> • <i>Make effective use of space; or</i> • <i>Enhance privacy; or</i> • <i>Otherwise enhance the amenity of the development; or</i> • <i>Not have any significant adverse effect on the amenity of the adjoining property; and</i> • <i>Ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.</i>
<p>Applicant justification summary:</p> <p>Note: A full copy of the applicant justification received by the City has been given to the City's Councillors prior to the meeting.</p>	<p>"The parapet wall makes effective use of space and has no significant adverse effect on the neighbouring property given that it abuts a driveway which has a high limestone wall already built on the boundary".</p> <p>The southern neighbour has signed acceptance of the parapet wall.</p>
<p>Officer technical comment:</p>	<p>The proposed parapet wall abuts an existing 1.8 m high limestone wall. But it does not satisfy the Acceptable Development Criteria for Clause 6.3.2 because it does not abut an existing or simultaneously constructed wall of similar or greater dimension. The proposed parapet wall is higher than the existing limestone wall by 1.9 m. Refer to Attachment 4.</p> <p>The proposed development is considered to not comply with the following performance criteria:</p> <ul style="list-style-type: none"> • <i>Otherwise enhance the amenity of the development;</i> <p>It is not accepted that the proposal will enhance the amenity of the development. The RCodes notes that an objective of boundary setbacks, is to, "moderate the visual impact of building bulk on a neighbouring property".</p> <p>The property is zoned R10 which is low density. The explanatory notes of the RCodes states that, "the acceptance of boundary walls is greater in medium density compared with low density areas".</p>

	<ul style="list-style-type: none">• <i>Not have any significant adverse effect on the amenity of the adjoining property;</i> <p>The height of the proposed parapet wall, being 1.9m higher than the existing boundary wall, the parapet wall will be bulky and will dominate the front portion of the neighbouring property's southern elevation.</p>
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Town Planning Scheme No.2 (TPS2)

Clause 5.5.1 of TPS2 states that “...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...”

As the parapet wall can be viewed from the street (refer to attachment 4) and proposes a 3.7 m high wall it is considered that this external appearance is not in keeping with locality. The streetscape of the locality is open, with surrounding properties being generally setback from lot boundaries, especially near the front setback area.

Conclusion

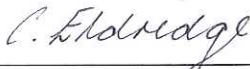
It is not accepted that the proposal will enhance the amenity of the development and as a result does not meet the performance criteria of the Residential Design Codes. The proposal is also considered to affect the amenity of the surrounding area and does not conform to Clause 5.5.1 of the City of Nedlands Town Planning Scheme No.2. Therefore, the application is recommended for refusal.

Attachments

1. Locality Plan
2. Site Plan
3. Elevation Plan
4. Photos showing height of proposed parapet wall.

D54.11	No. 47 (Lot 101) Kirwan Street, Floreat (Fortyseven Kirwan Street Cafe) – Increase in seating capacity and proposed alfresco dining
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Committee	13 September 2011
Council	27 September 2011

Applicant	Karen Hughie-Williams
Owner	Karen Hughie-Williams
Officer	Elle O'Connor – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	KI6/47 : DA2011/243 : M11/16738
Previous Item No's	
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

This application is referred to Council for determination as officers have no delegation to approve an application once objections have been received.

Recommendation to Committee

Council approves the application for additional seating, including alfresco dining at No. 47 (Lot 101) Kirwan Street in accordance with the application and plans dated 2 June 2011 subject to the following conditions:

1. the hours of operation shall be limited to 7:00 am to 5:00 pm, Monday to Sunday;
2. a maximum number of thirty (30) seats shall be permitted at the premise (including inside and outside dining);
3. the alfresco dining shall not extend further than 700 mm from the front wall of the building as outlined on the approved plans;
4. the tandem carparking bays shown as bays 11, 12, 13 & 14 on the site plan, shall only be used by staff and marked accordingly;

5. the verandah/fascia sign is approved as part of this application, but any further signage will require further planning approval; and
6. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Advice Notes:

- a) A building licence application to modify the sanitary facilities to comply with the current requirements of the Building Code of Australia 2010 shall be lodged within 45 days of the planning approval being granted, with construction on the toilets to commence within 30 days of the building licence having been issued. An inspection will be required by Property Services, to confirm that the sanitary facilities have been constructed in accordance with the requirements of the BCA within three (3) months of the date of issuance of the building license.
- b) The applicant is required to obtain a separate sign license from the City for any retrospective and proposed signage.
- c) No outdoor dining area shall be set up or conducted in a street or public place not on the private property unless the City has issued an Outdoor Dining Licence for that area.

Strategic Plan

- KFA 3: Built Environment
Encourage economic activity in harmony with local amenity
- KFA 7: Economic Development
- 7.1 Support local businesses in their activities
 - 7.4 Identify and develop opportunities to strengthen and maintain the character and effectiveness of locations for business and community activity.

Background

Property Address: No. 47 (Lot 101) Kirwan Street, Floreat
(Refer to attachment 1 for a Locality Plan)

Zoning MRS: Urban

Zoning TPS2: Retail

Lot Area: 629.5 m²

Tenancy Area 127.5 m²

History

The subject property is located in an established commercial precinct between Draper Street and Grasby Street, Floreat. The shopping strip has nine (9) tenancies located on six (6) freehold lots, each in separate ownership. The tenancies include an accounting firm, travel agent, dog grooming salon and hair dresser. All tenancies have allocated parking bays onsite which are all accessed via Gracilis Lane.

Prior to 1994

The subject tenancy was operating as a Café (with 16 seats) and Professional Office with the following parking allocation:

Use	Car Bays Required (TPS2)	Car Bays Provided	Shortfall Approved
Office	4.75 bays / 100m ² 130 m ² = 6 bays	6 bays	Nil
Café	1 bay / 2 seats 16 seats = 8 bays	4 bays	4 bays
Total	14 bays	10 bays	4 bays

As 10 bays were provided onsite, a four (4) bay shortfall was approved.

May 1994

Approval for an additional 85 m² office extension was granted.

The applicant proposed to relocate the rear toilets in order to provide two (2) additional car bays. This increased the carbays as follows:

Use	Car Bays Required	Car Bays Provided	Shortfall Approved
Office	4.75 bays / 100 m ² 215 m ² = 10 bays	8 bays (6 existing bays + 2 new bays)	2 bays
Café	1 bay / 2 seats 16 seats = 8 bays	4 bays	4 bays
Total	18 bays	12 bays	6 bays

As 12 bays were provided onsite, a six (6) bay shortfall was approved.

The toilets were removed to provide for 2 additional car bays, however, the 85 m² office extension was never constructed.

Proposal Detail

The applicant wishes to increase the number of seats at the subject tenancy which is now known as *Fortyseven Kirwan Street Café* from 16 to 40 seats (28 inside and 12 outside).

The café is proposed to operate seven (7) days a week from 7:00 am to 5:00 pm. The proposed alfresco dining area will be located on the northern footpath and will provide a 2 m wide pedestrian footpath.

The total restaurant seating area is approximately 49 m² (including alfresco area).

The applicant proposes additions to the restroom facilities to accommodate the increase in patrons.

Under the City of Nedlands Town Planning Scheme No.2 (TPS2), the parking schedule (Schedule III) requires a restaurant to provide one (1) car bay for every two (2) seats or one (1) bay per 2.6 m² of restaurant seating area, whichever is greater. In this case, the number of seats proposed is greater than the area calculation.

The calculations for required seating at *Fortyseven Kirwan Street* are as follows:

Use	Car Bays Required	Car Bays Provided	Shortfall proposed
Office	4.75 bays / 100 m ² * 130 m ² = 6 bays	6 bays (NB: no change to original approval as proposed 1994 extension not constructed)	Nil
Café	1 bay / 2 seats * 40 seats = 20 bays	6 bays	8 additional shortfall 6 existing approved shortfall
Total	26 bays	12 bays	8 additional shortfall 6 existing approved shortfall

No additional car parking bays are proposed as a part of this application.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Letter advertising parking shortfall to affected adjoining owners from 22 July 2011 – 5 August 2011

Comments received: 9 Comments, (7 Objections)

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

Summary of comments received	Officers technical comment:
Issue: Parking and Traffic The parking is inadequate for the proposed increase in seating and there is no room for 'spill over'	Noted Public parking bays are available along Kirwan Street, Grasby Street and Gracilis Lane which all surround the commercial precinct

<p>The café customers utilize all of the public parking bays out the front and this is unfair to other businesses in the commercial precinct.</p>	<p>these bays are utilised by the Child Care Centre and other businesses in the precinct between the same operation hours as the café.</p> <p>Noted All businesses in this commercial precinct have to provide parking onsite. Each tenant has allocated bays at the rear of the precinct (Refer to attachment 2 - Aerial Photograph).</p> <p>The communal bays at the front are owned by the City, and are not allocated to any specific business.</p> <p>Due to the precinct previously having unoccupied tenancies and smaller businesses, the employees have been parking in the two (2) hour public bays at the front - not in their allocated bays at the rear. If all employees in the precinct park in their allocated bays at the rear, more two (2) hour public bays will be available for costumers.</p> <p>The City's Rangers have been notified of the issue and have agreed to monitor the area during business hours.</p>
<p>Issue: Noise</p> <p>The café is proposed to be open seven days a week which will create noise issues.</p>	<p>Dismiss</p> <p>This section of Kirwan Street is a non- residential area where it is expected that activities will generate more noise than in a purely residential area.</p> <p>Notwithstanding, all uses must comply with legislation on noise.</p> <p>Noise levels from this use are not expected to increase as the majority of the activity is contained indoors.</p>

	The City's Sustainable Nedlands Department can monitor any complaints registered by the adjoining owner under the <i>Environmental (Noise) Regulations (1997)</i> .
<p>Issue: Smell</p> <p>The smell of food is permeating into residential dwellings.</p>	<p>Dismiss</p> <p>Odour levels from the cafe are not expected to increase as the majority of the activity is indoors. In addition, all odours are subject to the Health Regulations and as such will be required to comply in terms of any odour permeating from the premises.</p>
<p>Issue: Sense of Community</p> <p>The café is a long awaited establishment for the local community.</p> <p>The café adds to the community feel/identity in the area and any additional seating they are approved will only add to the the service they provide to the local area.</p>	<p>Support</p> <p>The application is in accordance with the City of Nedlands Strategic Plan 2008–2013. In particular the KFA 3 and KFA7 as it:</p> <p>encourages economic activity in harmony with local amenity, and;</p> <p>Identifies and develops opportunities to strengthen and maintain the character and effectiveness of locations for business and community activity.</p>

Legislation

- City of Nedlands Town Planning Scheme No.2 (TPS2), including Schedule III - Carparking
- Council Policy 6.4 – Neighbour Consultation

Budget/financial implications

Nil

Risk Management

Nil

Discussion

The proposed increase in seating at *Fortyseven Kirwan Street Café* from 16 seats to 40 seats will result in a parking shortfall increase from six (6) bays to 14 bays. An eight (8) bay shortfall increase.

The commercial strip along Kirwan Street provides twenty-four (24) (2 hour) public parking bays and there are unmarked public parking bays along Grasby Street and Gracilis Lane. The subject tenancy obtained approval for a six (6) bay shortfall in 1994. This shortfall was presumably approved due to the number of public parking bays in the immediate locality.

The applicant intends to utilise some of the 24 (2 hour) parking bays along the Kirwan Street commercial strip and the public parking bays along Grasby Street and Gracilis Lane.

It is considered parking issues may develop if the café customers utilise too many of the public bays along Kirwan Street, Grasby Street and Gracilis Lane to cater for the shortfall. This will likely impact on adjoining business owners who also wish to utilise these bays for their customers. Similarly, if the public bays along the streets are congested this may impact on the residential amenity.

Notwithstanding this, the applicant has established that the busiest hours of operation for the Café is on weekends. As the majority of businesses along Kirwan Street are closed on weekends, most of the 24 bays along Kirwan Street can be utilised by café customers.

In addition, two tandem carbays are provided in the rear carparking area of the site. If utilised appropriately i.e. marked and used by staff only, these bays will reduce the overall impact of the proposal.

Although the increase in the shortfall (8 bays) is not overly significant, an overall 14 bay shortfall for the cafe is expected to impact on the existing residential neighbourhood and the 8 other tenancies along Kirwan Street. It is therefore recommended at this stage, that the number of seats be reduced from 40 seats to 30 seats. Thirty (30) seats would require a total of 15 bays under TPS2, resulting in an overall shortfall of nine (9) bays. Taking into account the existing approved 6 bay shortfall, this would be a three (3) bay shortfall increase.

Conclusion

The development is in accordance with the City of Nedlands Strategic Plan in particular the Key Focus Area (KFA);

- 7.1 as approving the development will help strengthen local businesses in their activity;

- 7.4, as it will identify and develop opportunities to strengthen and maintain the character and effectiveness of locations for business and community activity; and
- the objectives of KFA 3 as it is considered to encourage economic activity in harmony with local amenity

In reducing the increase of seats to 30, this will ensure the amenity of the residents is not affected whilst ensuring that diverse residential and commercial areas are encouraged. The City considers that there is sufficient car parking in the area to service the increase in seating to 30 seats.

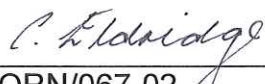
As such the development is considered to be orderly and proper planning and therefore in accordance with Clause 5.4.1.4 of the Codes it is recommended that the parking requirements are varied and the further parking shortfall of 3 bays be approved, subject to the reduction of seat numbers.

Attachments

1. Locality Plan
2. Aerial Photograph
3. Site Plan
4. Alfresco Dining Plan
5. Photos of pedestrian pathway

D55.11	Review of State Planning Policy 3.1 - Residential Design Codes (RCodes)
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Committee	13 September 2011
Council	27 September 2011

Applicant	WAPC
Owner	WA State Government
Officer	Matt Stuart - Senior Statutory Planning Officer
Director	Carlie Eldridge - Director Development Services
Director Signature	
File ref.	ORN/067-02
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

The Western Australian Planning Commission (WAPC) and the Department of Planning (Department) have released proposed modifications to the current version of the Residential Design Codes of WA (RCodes). The document is currently advertised for public consultation, closing on Friday 30 September 2011.

The City has produced a draft submission on the changes, which includes:

1. draft RCodes with City of Nedlands comments annotated; and
2. a changes schedule.

Recommendation to Committee

Council endorses the comments as outlined in attachments 1 and 2 as the City's submission to the WAPC's Review of State Planning Policy 3.1 - Residential Design Codes (RCodes).

Strategic Plan

- KFA 3: Built Environment
 - 3.3 Promote urban design that creates attractive and liveable neighbourhoods.
 - 3.7 Provide efficient and integrated approvals systems.
- KFA 5: Governance
 - 5.6 Ensure compliance with statutory requirements and guidelines.

Background

The RCodes is the single most influential statutory planning document, which serves as a state-wide instrument. Since its inception in the 1980's, various reviews of the RCodes have been undertaken with major changes in 1990, 2002 and 2007. The document is adopted by the WAPC as a Statement of Planning Policy, and it is compulsory that the RCodes form part of every Town Planning Scheme.

Proposal Detail

The Council's role is to provide comment, and WAPC will determine the content of the final version of the document.

In summary, the review has been flagged as an ongoing process, however the comments on the changes that are currently being considered are as follows:

1. to the structure of the document:
 - there is a requirement to include Local Planning Polices (LPP) within the RCodes in a document; and
 - the elements have been renumbered.

2. to the currently used terminology:

Current Term	Proposed Term
Acceptable Development	Deemed-to-Comply
Performance Criteria	Design Solutions
Ancillary Accommodation	Supplementary Accommodation
Detailed Area Plans (DAP)	Area Specific Plans (ASP)
Decision-maker	Authority

3. fundamental aspects:
 - introduction of a new type of residential component called Supplementary Accommodation in place of Ancillary Accommodation, which removes restriction on type of persons that can be accommodated;
 - reduction in minimum lot sizes for R20 to R40 resulting in more flexibility for subdivisions;
 - for lots coded R20 and higher, increased height and length of parapet walls as of right;
 - provision for reductions in minimum car parking space requirements as of right;
 - offsite car parking provisions with greater scope;

- reduction in minimum size of Aged Persons Dwellings and increase in size of Single Bedroom Dwellings;
- tightening of overshadowing provision which has potential to affect development potential of lot;
- modified open space provisions and new diagram;
- relaxed overlooking provisions for Single Houses and Grouped Dwellings in R60+, and remove overlooking provision for Multiple Dwellings and Mixed Use developments in density codings R80 and above;
- increase in minimum dimensions of balcony sizes for Multiple Dwellings;
- more demolition control of heritage; and
- possible shift to justify variations based on objectives of Codes rather than criteria listed under Performance Criteria (now Design Solutions).

4. General Comments

- modified, added and removed diagrams and associated notes;
- proforma for inclusion of LPP and schedules; and
- more detailed Explanatory Guidelines.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Legislation

The RCodes review is a State Government initiative, but will affect:

- *Planning and Development Act 2005*;
- City of Nedlands Town Planning Scheme No. 2 (TPS2); and
- City of Nedlands LPP's.

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

The Council's comment on the document has no financial implications for the City.

Risk Management

Providing comment by the due date will result in the community's voice being heard, and being included in further debate.

Discussion

Overall Comment:

1. Important that the review is ongoing and supportive that the document remains up to date.
2. In summary, no real issue with the proposed changes to structure of document and terminology, with only concern that the inclusion of LPP could lead to confusion about their legal status.
3. Significant concern with regard to changes to some of the fundamental concepts and bulk of comments arise from these concerns.

Due to the length of the documents, the annotated RCodes document and table read together to comprise comment from the City of Nedlands.

Conclusion

The proposed amendment to the RCodes has numerous changes. Some are supported, some not supported, and some which require further clarification, rewording, deleting and additions.

Attachments

1. Draft RCodes with City of Nedlands comments inserted.
2. City of Nedlands Changes Schedule.

D56.11	<i>Lot 2103 Brockway Road, Mt Claremont – Proposed Limited Outline Development Plan for the University of Western Australia Sports Hockey Precinct</i>
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Committee	13 September 2011
Council	27 September 2011

Applicant	CLE Town Planning and Design
Owner	University of Western Australia
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref.	BR4/L2103-02
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

The purpose of this report is for Council to approve, in principle, a limited Outline Development Plan (ODP) for the University of Western Australia (UWA) Sports Hockey Precinct at Lot 2103 Brockway Road, Mt Claremont to guide the upgrade of the Hockey Precinct in order to commence advertising.

Recommendation to Committee

Council:

1. approves, in principle, the limited ODP for the UWA Hockey Precinct at Lot 2103 Brockway Road, Mt Claremont, as per Clauses 3.8.3 of Town Planning Scheme No. 2 (TPS2), for the purpose of seeking consent from the Western Australian Planning Commission to formally advertise the limited ODP;
2. instructs administration to refer the limited ODP to the Western Australian Planning Commission for consent to advertise; and
3. instructs administration to advertise the proposed limited ODP in accordance with Clauses 3.8.4 and 3.8.5 of Town Planning Scheme No. 2 (TPS2), upon receiving consent to advertise from the Western Australian Planning Commission.

Strategic Plan

KFA 3: Built Environment

- 3.4 Plan and develop the sustainable provision of community infrastructure and facilities with a focus on flexible and multiple uses.

Background

Property Address: Portion of Lot 2103 Brockway Road, Mt Claremont
Zoning MRS: Urban
Zoning TPS2: Development Zone
Lot Area: 3.5 ha (land within limited Outline Development Plan)

Location

The UWA Sports Park is used for recreation purposes and is included within Lot 201 Stephenson Avenue, Mt Claremont. The entire Sports Park comprises a total area of 48.98 ha.

The Hockey Precinct, the portion of the Sports Park which is the subject of the limited ODP, is located in the southern portion of the Sports Park and comprises 3.5ha. The precinct includes the artificial turf surface and grassed playing fields, existing clubrooms, amenities, supporting infrastructure, access, permanent and temporary parking.

History

The ODP for the precinct is the product of significant planning for the area that has occurred for the overall area over the past decade. This has included:

2002 – 2004	Shenton Park Structure Plan
2004 – 2005	Mt Claremont Sports Precinct Structure Plan
2005 – 2006	AK Reserve/UWA Sports Park Master Plan

The proposed development of the Hockey Precinct as indicated in the ODP aligns with the previous planning for the area included in the above mentioned plans. Whilst a broader ODP process has commenced, the proposed ODP has been lodged prior to the conclusion of this process as the upgrade to the hockey facilities is urgent.

All existing and any new uses will continue to be related to the ongoing use of the Sports Park for recreation purposes.

Town Planning Scheme No. 2

The procedure for processing this proposed ODP is clearly outlined in Section 3.8 'Development Zone' in Town Planning Scheme No 2 (TPS2).

The clauses (3.8.3, 3.8.4, 3.8.5, 3.8.6 and 3.8.7) related to advertising of the limited ODP and its determination by Council are specific and do not appear to allow for discretion.

Proposal Detail

Purpose of ODP

The purpose of the proposed ODP is to guide the upgrade of the Hockey Precinct. The document has been prepared as part of the requirements for a 'Development Zone' in the TPS2.

The proposed upgrades can be summarised as follows:

- As a priority, replacing the existing grassed hockey field with new international standard blue artificial turf and associated infrastructure (including runoff areas and surrounds, lighting towers, water storage and other standard services) in Precinct A.
- In the long term, formalise parking and extend various facilities around the clubrooms in Precinct B.
- General maintenance and upkeep of the current artificial turf surface and surrounds in Precinct C.

As part of the upgrade, the range of uses and activities will not change, however, the hockey facility will be substantially improved.

The overall intent of the ODP is to enable the expansion and consolidation of an existing recreation use (UWA Sports Park Hockey Precinct) as part of the subsequent development approval process for which funding has been received and there is a short delivery timeframe. An overall ODP for the whole site is currently being prepared by UWA.

Structure of ODP

The document submitted by the applicant (refer attachment 4) includes two parts.

Part 1 is the background section and includes:

- An introduction;
- Information about the subject land;
- An explanation of TPS2 and how it applies; and
- Outlines the current relevant strategic planning initiatives.

Part 2 is the actual proposed ODP and provides the following information:

- a. Existing site conditions and land uses

The Hockey Precinct, which is the land the subject of the ODP, is shown on Figure 7 of the document (refer attachment 3).

To the east is the existing artificial turf with the grandstand/amenity area on the western edge of the field. Immediately adjacent is the hockey parking area, which at present caters for 71 vehicles. Vehicle access is

provided directly from the main internal Sport Park road running east west. To the west of the car park is the existing grass hockey field which is to be upgraded to artificial turf.

There are a number of trees that are scattered around the precinct in a parkland setting. The ODP makes mention of recognising the need for future development applications to consider the practical retention of the more significant tree specimens.

As part of the upgrade, the incumbent recreation uses and activities will not change.

b. Roads and access

The Hockey Precinct has immediate and very efficient access provided by the main internal Sports Park road, which links to Stephenson Avenue and Brockway Road. The area has excellent vehicle access via the main internal road system.

The ODP argues that the proposed upgrades will not result in additional traffic as both playing spaces are already heavily utilised. The proposed developments are intended to upgrade existing facilities rather than expanding the activity of the UWA Hockey Club. Accordingly, it is not expected that the upgrades envisioned in the ODP will result in attracting additional users.

c. Parking management

The ODP notes that a strength of the Regional Sporting Precinct (Challenge Stadium, Basketball and Athletics Stadiums, Rugby facilities and the UWA Sports Park) is that parking is used reciprocally.

This means that it can be argued that, in general, the Sports Park provides ample parking for all users during the day as well as meeting the general demand.

Parking across the Regional Sporting Precinct is managed by:

- Venues West (Challenge Stadium, Basketball and Athletics Stadiums, Rugby facilities); and
- UWA Sport and Recreation (balance of the Regional Sporting Precinct).

To ensure formal parking management is coordinated between the two organisations a Precinct Working Committee has been operating. This committee allows for individual users and clubs to coordinate and plan events and activities.

Within the Hockey Precinct, at present there are:

- 71 documented paved and informal bays (in reality there are many other informal spaces around the playing areas).
- Within walking distance of the precinct there are another 568 bays available if there is an overflow in parking demand.

These additional bays can be used as needed and their use is coordinated by the Precinct Working Committee. Given the location of the parking areas, parking is expected to be contained with the sporting precinct and not flow into the City's surrounding areas.

d. Planning precincts

The Outline Development Plan for the Hockey Precinct identifies three precincts – Precinct A; Precinct B; and Precinct C. These precincts are shown in attachment 4.

Precinct A contains the existing grassed hockey field.

- The ODP proposes that this field will be upgraded to an international standard field with associated infrastructure including runoff areas and surrounds, lighting towers, water storage and other standard services.
- This upgrade is classified as a priority in the document.

Precinct B generally includes the existing clubrooms and parking area.

- The ODP proposes that in the long-term this precinct will be upgraded to formalise parking and extend facilities.

Precinct C contains the current artificial turf surface and surrounds.

- No immediate redevelopment is proposed other than maintenance and upkeep.

All existing and any new uses will continue to be related to the ongoing use of the precinct for recreation purposes.

e. General

The UWA Hockey Club has advised that total patron numbers for the turf and grass can vary from 50 during a training session to a maximum of up to 600 on a club game day. The maximum number would represent a brief spike as numbers typically fluctuate over the course of the day.

It is noted that the club is not proposing to attract additional users as a result of the proposed upgrades.

Consultation

When the Western Australian Planning Commission (WAPC) gives its in principle approval of the proposed ODP, public consultation can commence.

As per the requirements of Clauses 3.8.4 and 3.8.5 of TPS2, advertising of the proposed limited ODP will be carried out by Council at the expense of the applicant. Advertising will include the following:

- Advertising will be for a minimum of 21 days from the date of the last advertising shall be made available for submissions (Clause 3.8.4).
- The proposed ODP will be available for public inspection at the offices of Council and submissions are to be made to the Chief Executive Officer (Clause 3.8.4).
- The advertisement of the preparation of the limited ODP shall be by notice at weekly intervals for each of 3 consecutive weeks in a newspaper circulating in the district (Clause 3.8.5).
- The notice shall be of such size as determined by Council (Clause 3.8.5).

Clauses 3.8.4 and 3.8.5 do not allow discretion for varying the process of advertising proposed ODPs.

Legislation

1. Town Planning Scheme No. 2 (TPS2) – Section 3.8 ‘Development Zone’

Section 3.8 of TPS2 outlines the process for receiving, advertising and determining ODPs for land zoned ‘Development Zone’.

The process for advertising proposed ODPs is covered in the ‘Consultation’ section of this report.

Following the end of the advertising period, the following steps are taken:

- Council considers the submission to the ODP in the light of the submissions (Clause 3.8.6).
- Council may decide not to proceed with the proposal. Once Council agrees to adopt the proposal (in its original or revised form), Council forwards the proposal to the Western Australian Planning Commission together with the submissions (Clause 3.8.7).

No appeal rights exist should Council decide not to proceed with the proposed ODP.

Budget/financial implications

Nil

Risk Management

The City is obligated to progress applications received for Outline Development Plan and not doing so would have negative implications for the City's reputation.

Discussion

Previous studies completed

A broader ODP process has been commenced for UWA's Shenton Park land holdings including UWA Sports Park and the area east of Brockway Road. The proposed ODP has been lodged prior to the conclusion of this process as the upgrade to the hockey facilities is urgent.

Notwithstanding the interim nature of the proposed ODP, the planning for the future upgrade of the Hockey Precinct is consistent with significant planning that has occurred for the area over the past decade.

Given the history of planning for the overall area and that the proposed upgrades are consistent with this planning, it is recommended that the ODP can be supported.

Proposed development

The future works outlined in the proposed ODP align with the established recreational use of the area. They are considered to be appropriate for the site and are therefore supported.

Parking management

Parking management for the site is well established through a committee that coordinates reciprocal parking arrangements between the different managing bodies that use the overall area (Venues West and UWA).

This arrangement, which has worked successfully for some time, means that there are 639 parking bays available to the users of these facilities (71 located within the Hockey Precinct and 568 within the Regional Sporting Precinct).

As the nature of the development that will be enabled by the ODP is not expected to increase the demand for parking, it is expected that:

- The proposed development included in the ODP will not negatively affect the ability of the committee to continue managing parking efficiently; and
- The current arrangements can continue to operate.

Parking assessment

The UWA Hockey Club has advised that total patron numbers for the turf and grass can vary from 50 during a training session to a maximum of up to 600 on a club game day. The maximum number would represent a brief spike as numbers typically fluctuate over the course of the day.

Based on the above ratio and the figures provided by the club and assuming the worst case scenario, 600 patrons on a club game day would require 120 parking bays. Taking into account the 71 Hockey Precinct bays and the 568 overflow bays that are available, it can be concluded that parking supply will meet parking demand.

Impact on surrounding property owners

The site is located in the southern portion of the Regional Sporting Precinct, south of Challenge Stadium and west of McGillivray Oval. It is located a significant distance away from any residential property.

Given the nature of the proposed works indicated in the ODP and that the site is accessible from Stephenson Avenue (to the west) and Brockway Road (to the east), there will be a negligible impact on surrounding property owners.

Conclusion

The proposed ODP ensures that future development of the Hockey Precinct will be coordinated. The works included in the proposed limited ODP are not expected to reduce the amenity of the area and will eventually result in improved facilities for the current people using the hockey facilities.

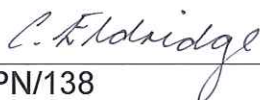
Therefore, it is recommended that the proposed ODP is supported, in principle and that advertising commences as required in Section 3.8 of TPS2.

Attachments

1. Figure 1 of the ODP – Local site context
2. Figure 2 of the ODP – Town Planning Scheme No. 2
3. Figure 7 of the ODP – Sports Hockey Precinct: Limited ODP plan
4. Limited ODP document

D57.11	<i>Draft Public Transport Plan for Perth 2031 - Request for Public Comment</i>
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Committee	13 September 2011
Council	27 September 2011

Applicant	Department of Transport
Owner	WA State Government
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref.	TPN/138
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Purpose

The draft Public Transport Plan for Perth 2031 is a state government initiative open for public comment until 14 October 2011.

Recommendation to Committee

Council:

1. **supports the Draft Public Transport Plan for Perth 2031 in principle;**
2. **identifies the following omissions, issues and requests that in regard to the matters listed below further information is to be included in the final report:**
 - i. **an overall principles section, overall definitions section and lessons learnt section focusing on implementation of Bus Rapid Transit;**
 - ii. **an action/implementation table and additional detail related to funding of proposed projects;**
 - iii. **details of completion and/or initiation of ferry infrastructure;**
 - iv. **include initiatives to improve accessibility of public transport for bicycle users; and**

- v. a new public transport link to service the expanded Regional Sporting Precinct at Challenge Stadium;
 - vi. The existing public transport service along Stirling Highway needs to be identified in the public transport plan for upgrading in order to cater for the proposed use of Stirling Highway as an activity corridor under Directions 2031.
 - vii. The public transport plan needs to identify and distinguish between 2 types of railway stations within the Perth railway network being those that function as for park and ride facilities and those that are public transport interchange stations (eg bus and train)
 - viii. Within the City of Nedlands the public transport plan needs to identify
 - a. at least one park and ride train station and expand its parking facilities so that long term parking is available; and
 - b. the public transport services from the surrounding residential areas (eg Mt Claremont) that serve those stations identified as public transport interchange stations in order to improve on the existing bus service.
 - ix. As an international city Perth requires that there is an efficient and direct public transport link rail or light rail that goes directly as a single transport journey from the airport to the city centre.
3. Require the Public Transport Authority to:
- i. additional cross suburb connections within the City of Nedlands apart from those provided which the Draft Plan has addressed;
 - ii. liaise with the City of Nedlands to implement a trial basis initially of a dedicated local area bus service to promote cross suburb connections.

Strategic Plan

KFA 1: Infrastructure

- 1.4 Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options.

KFA 5: Governance

- 5.6 Ensure compliance with statutory requirements and guidelines.
- 5.7 Establish and actively manage a range of partnerships with government, private and not-for-profit sectors.

Background

The State Government has prepared a series of integrated plans and policies to guide the future of the Perth and Peel metropolitan region. These plans have been based on the premise that the metropolitan region needs to cater for a rapidly growing population over the next 20 years.

Directions 2031 and Beyond, represents the broadest level of planning for the future of the metropolitan region. *Directions 2031 and Beyond* sets out the future of land use and development for the metropolitan region, based on achieving a 'connected city' outcome.

The draft *Public Transport for Perth 2031 Plan* identifies the public transport network needed to support Perth's anticipated growing population. It establishes public transport links to and between strategic centres and it also proposes the preferred type of public transport service (mode). Accordingly identifies the priorities for infrastructure investment across the network. Public comment on the draft Plan can be made until 14 October 2011.

The draft Plan was discussed with elected members at a workshop meeting on 30 August 2011 and the following issues were identified for incorporation into the City's comment by elected members.

1. The existing public transport service along Stirling Highway needs to be identified in the public transport plan for upgrading in order to cater for the proposed use of Stirling Highway as an activity corridor under Directions 2031.
2. The public transport plan needs to identify and distinguish between 2 types of railway stations within the Perth railway network being those that function as for park and ride facilities and those that are public transport interchange stations (i.e. bus and train)
3. Within the City of Nedlands the public transport plan needs to identify
 - a. at least one park and ride train station and expand its parking facilities so that long term parking is available; and

- b. the public transport services from the surrounding residential areas (i.e. Mt Claremont) that serve those stations identified as public transport interchange stations in order to improve on the existing bus service.
4. As an international city Perth requires that there is an efficient and direct public transport link rail or light rail that goes directly as a single transport journey from the airport to the city centre.

Proposal Detail

The current public transport system

Perth's current public transport system is primarily based on rail and bus services, with a small ferry service operating between the central business and South Perth. The rail system has expanded from 66 kilometres in 1990 to 173 kilometres in 2010 and now includes five main lines – Fremantle, Midland, Armadale, Joondalup and Mandurah.

To accompany the expansion of the rail network, there has been a 67 % increase in public transport patronage in the last decade. Buses are the most used public transport mode, with 56 % of trips being made on the bus network, compared to 44 % of trips being made on the rail network. The rail network use has increased significantly since 1990, when only 10 % of trips were made by rail.

The strengths of the system can be summarised as follows:

- It is fully integrated – people can move easily between trains, buses and ferries.
- Decisions on timetabling and routes are made by a central agency – TransPerth.
- The train system provides a fast and reliable service and can bypass traffic congestion.
- There have been ongoing extensions to the system.

The weaknesses of the system can be summarised as follows:

- The system is focused almost entirely on servicing the central business district.
- Bus services are not the priority road users and are subject to delays due to traffic congestion.
- The bus system is not legible and services are not as frequent as rail.
- Some routes operate at capacity in peak periods.

In overall terms, public transport users express a high satisfaction level. However, areas of dissatisfaction related to frequency, safety and overcrowding on the public transport system.

Drivers for Change

The anticipated drivers for change of the Perth and Peel metropolitan region public transit system are summarised as follows:

- We need to plan for a continually growing city in the short, medium and long term.
- Traffic congestion will be growing and at a significant cost to the overall community.
- Access to Federal Government infrastructure funding will depend on State Governments having integrated land use and transport plans for the future development of their cities.
- Desire to reduce greenhouse gases (all transport modes contribute 14% of Australia's greenhouse gas emissions).
- To avoid ad-hoc decision making, it is financially prudent that there is a plan to guide State Government investment.

Draft Transport Plan Scope

The Draft Plan covers the Perth and Peel metropolitan region and forecasts the future growth of public transport infrastructure to 2031. The Draft Plan covers the range of modes and their timeframe of implementation. Refer to attachment 1.

Public Transport Modes

The following four types of public transit modes are identified in the Draft Plan:

1. **Railway Network**
 - Provision for 220 kilometers in rail expansion that includes:
 - Northern suburbs and Armadale line being expanded.
 - Midland line linkage to Perth Airport.
 - Connecting the Mandurah and Armadale lines.
2. **Road Rapid Transit Network**
 - Provision for light rail and/or bus rapid transit with the following characteristics:
 - Both services (light rail or bus rapid transit) will operate with dedicated priority lanes on existing streets. It is expected that there may be sections of mixed traffic use though.
 - Journey times aim to be faster with fewer stops that are further apart.

3. Bus Services
 - The role of standard bus services will change from being a standalone system to a feeder service for rail, light rail and bus rapid transit.
4. Ferries
 - Limited expansion is anticipated in regard to the ferry service linking major waterfront locations.

Implementation

The draft Plan proposes that projects are to be implemented in two stages. Short-term projects are to be implemented before 2020 (stage 1). Medium-term projects are expected to be implemented before 2031(stage 2).

Implication of draft Public Transport Plan for Perth 2031 related to the City of Nedlands

Stage 1

The key implications for the City are as follows:

Rail Network

- Increased carpark provision for higher rail network usage.

Road Rapid Transit Network

- Light rail is proposed between the CBD through QEII continuing down past UWA to Broadway.
- Rapid bus transit is proposed from the Esplanade Bus Station to UWA along Mounts Bay Road.

No changes are proposed to the Bus or Ferry service in stage 1.

See attachment 2

Stage 2

The key implications for the City are as follows:

Road Rapid Transit Network

- Rapid bus transit is proposed from QEII to the Shenton Park train station along Aberdare Road.

Bus Service

- Priority buses are to be provided to service Shenton Park and UWA/QEII.

No changes are proposed to the Bus or Ferry service in stage 2.

See attachment 3

Funding

The Draft plan requires that an independent panel consider a range of funding options these included following:

- Funding by public transport users;
- Allocation of the state transport portfolio funding;
- Cash in lieu of parking;
- Differential charging at peak times;
- Variation to concession subsidies;
- Variation to the chargers of park and ride customers.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type: N/A

Dates: N/A

Legislation

The *draft Public Transport Plan for Perth 2031* is a State Government initiative.

Budget/financial implications

Commenting on this proposal has no budget implications for the City.

Risk Management

The City runs the risk of having to accept undesirable outcomes in the long-term if it misses the opportunity to comment on this document.

Discussion

The *draft Public Transport Plan for Perth 2031* affects a significant portion of the City of Nedlands with minimal negative implications for the City.

It is encouraging to see that the draft Plan:

- Aligns largely with *Directions 2031* in its desired outcomes and projected population in provision of public transport service focuses on Hampden- Broadway and Stirling Highway where housing diversity is promoted in accordance with the principles of *Directions 2031 and Beyond*.

- Provides an integrated end product which will serve the metropolitan region well.
- Commits to Rapid Bus Transit as a new public transit option to be implemented in the short-term. Benefits to the City include providing QEII/UWA users with a further transit option to reduce the reliance on private vehicles.

There are a number of aspects of the draft Plan that from a City perspective fall short, which are listed below:

- Limited mention of cyclist friendly provisions and/or infrastructure has been not integrated with existing and proposed public transport initiatives.
- The Implementation program is broad with the identification of Stage 1 and Stage 2 projects, more detail would be helpful especially in regard to light rail.
- The differential pricing identified as a funding option does not provide any specific details.
- There is no public transit link to the Challenge Stadium Regional Sporting Precinct.
- Within the City, there are no cross suburb connections; all the attention is focused on the major roads and a lack of concentration neighborhood connectors.
- The Draft Plan outlines details of a ferry system yet does not specify its implementation in any stage.

Conclusion

The Draft Plan includes a number of positive elements for the City although it has some shortcomings, many relating to the lack of information provided. The proposal is acceptable and can be supported in principle; subject to the conditions that have been identified by the City are addressed in the final document.

Attachments

1. Entire Network of Draft Transport Plan.
2. Implementation of entire plan (Outside the City of Nedlands).
3. Stage 1 of the Draft Transport Plan.
4. Stage 2 of the Draft Transport Plan.