

Planning and Development Reports

Committee Consideration – 10 March 2020

Council Resolution – 24 March 2020

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Council: 24 March 2020

PD05.20	Local Planning Scheme 3 Scheme Amendment No. 3 Consolidated Vehicle Access, Deep Soil Areas and Dwelling Mix (Standard Amendment)
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Committee	10 March 2020
Council	24 March 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil.
Previous Item	Nil.
Attachments	1. Scheme Amendment No. 3 Report

1.0 Executive Summary

The purpose of this report is for Council to provide consent to advertise (initiate) proposed Scheme Amendment No. 3 (Standard Amendment) to Local Planning Scheme No. 3 (LPS3).

The proposed amendment seeks to incorporate a new clause into the Scheme Text that will require consolidated vehicular access, provision of deep soil area and a minimum mix of dwelling typology within areas coded R40, R60 and R160.

It is recommended that Council provide consent to advertise for the purpose of initiating the scheme amendment.

2.0 Recommendation to Committee

Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, initiate an Amendment to Local Planning Scheme No. 3 by:
 - a) amending the Scheme Text to insert new sub-clause (4) under clause 26 Modification of R-Codes:
 - (4) In relation to land coded R40, R60 or R160:
 - (a) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.5 (Vehicular access) is modified by including an additional deemed-to-comply requirement C5.8:
C5.8 Development is designed incorporating consolidated vehicular access and where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.
 - (b) For development of multiple dwellings in accordance with SPP 7.3 R Codes Volume 2, 3.8 Vehicle Access is modified by including an additional Acceptable Outcome A 3.8.8:

A 3.8.8 Vehicular access is limited to one opening per 20m street frontage that is visible from the street, except for where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.

- (c) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.2 (Landscaping) is modified by including an additional deemed-to-comply requirement C2.1:

C2.1 i) includes deep soil areas and trees in accordance with Tables (8) and (9) below:

Table 8 Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas				
Proposed Site Area	Minimum deep soil area ²	Minimum requirements for trees ¹ behind front setback area	Minimum requirements for trees ¹ in front setback area	Retention of existing on-site trees criteria as part of the deep soil area.
Less than 200m ²	10% OR 7% if existing tree(s) retained on site (% of site area)	1 medium tree OR small trees to suit area	A minimum of 2 small trees or 1 medium tree located within the front setback area, co-located where possible with existing trees on site or adjoining properties trees.	<ul style="list-style-type: none">- healthy specimens with ongoing viability AND- species is not included on a State or local area weed register AND- height of at least 4m AND/OR- trunk diameter of at least 160mm, measured 1m from the ground AND/OR- average canopy diameter of at least 4m.
200 - 500m ²		2 medium trees OR 1 medium tree and small trees to suit area		
>500m ²		1 medium tree and small trees to suit area OR 3 medium trees OR 1 large tree and small trees to suit area		

¹Minimum requirement for trees includes retained or new trees. Refer Table 9 for tree sizes.

²Definition for Deep soil area is as per Residential Design Codes Volume 2

Table 9 Tree sizes						
Tree Size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m	3m	2m (DSA) + 1m (RSZ)	200L

Large	>9m	>12m	64m	6m	4.5m (DSA) + 1.5m (RSZ)	500L
¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA. Definition for Rootable soil zone is as per Residential Design Codes Volume 2						

- (d) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, 5.5 (Special purpose dwellings) is modified by adding new clause 5.5.4:**

5.5.4 Minimum Dwelling Mix

C4 Minimum dwelling mix for developments of 5 or more dwellings shall comply with the following:

- i. at least one dwelling within the development shall be an aged and dependent person dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio area of 70m².
2. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 Section 34 and 35(2), the City considers that the amendment is a Standard Amendment for the following reasons:
 - a) the proposed amendment relates to the Residential zone and is consistent with the objectives identified in the scheme for that zone;
 - b) the proposed amendment is consistent with a local planning strategy which has been endorsed by the WAPC; and
 - c) the proposed amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
3. Pursuant to Section 81 of the Planning and Development Act 2005, refers Scheme Amendment No. 3 to the Environmental Protection Authority.
4. Subject to Section 84 of the Planning and Development Act 2005 advertises Scheme Amendment No. 3 in accordance with Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Council Policy – Community Engagement.

3.0 Background

Local Planning Scheme No. 3 (LPS3) was gazetted on the 16th April 2019, which included new zones and density upcoding along the strategic activity corridors (also known as Urban Growth Zones) of Stirling Highway, Hampden Road and Broadway. The transitional density areas are in place to provide a physical buffer or transition between the urban growth zones and the nearby adjacent existing lower coded areas. However, comprehensive controls are not yet in place primarily for single and grouped dwellings and in some circumstances for multiple dwellings.

To adequately protect the amenity of affected streetscapes and localities, therefore supplementary R-Code development controls need to be inserted into the Scheme. Accordingly, Scheme Amendment No. 3 proposes to strengthen the City's existing planning framework to facilitate high quality development outcomes within the transitional density areas relating to:

- a) restricting the number of vehicular access points for single, grouped and multiple dwellings, and requiring vehicle access from new and existing laneways as a priority.
- b) requiring minimum deep soil areas for single and grouped dwelling developments; and
- c) requiring a mixture of dwelling types be included for single and grouped dwelling development.

4.0 Amendment Details

Scheme Amendment No. 3 - Standard Amendment

Introduction

It is proposed to initiate Scheme Amendment No. 3 to LPS3 to address three key development control issues arising from new single, grouped and multiple development being proposed within the transitional density areas (R40, R60 and R160). The amendment entails both R-Code Volume 1 and R-Code Volume 2 modifications that would be inserted under Clause 26 - Modification of R-Codes in the scheme text. Each proposed clause is detailed below.

Proposed Clause 26 (4) (a): Modification of 5.3.5 (Vehicular access) of R-Codes Volume 1; and Proposed Clause 26 (4) (b): Modification of 3.8 Vehicular Access of R-Codes Volume 2

Intent of Clauses 26 (4) (a) and (b)

The proposed amendment will provide the City with the ability to control the number of vehicular access points for single, grouped and multiple dwelling development in the R40, R60 or R160 transitional density areas. It will provide an acceptable level of certainty on how new development (whether that be single, grouped or multiple dwellings) will integrate with the existing established streetscapes.

Specifically, Scheme Amendment No. 3 will require that development and subdivision be in the form of prioritised access from a laneway or right-of-way as a mandatory requirement. The City is currently undergoing detailed analysis of its density transition areas including the identification of future laneways for the purposes of increasing the efficiency of the movement network in these areas.

The City also wishes to increase the opportunities for quality streetscape and urban design by reducing the reliance on battle-axe subdivision and development typology and instead creating opportunities for green title, street frontage infill lots.

Current Situation

Development and green title subdivision applications are being submitted and / or referred to the City for comment by the WAPC, relating to land within the transitional density areas. This pattern of lodgement / referral is expected to continue given the recent up-codings in LPS3.

The quantity of crossovers being proposed in response to green title subdivision for existing corner lots or lots fronting an existing secondary street is of particular concern. This is due to the opportunities generated by the increase in density code for multiple lot subdivision and the cumulative number of associated crossovers being generated for each new lot.

When looking at streetscape scenarios for example over substantial distances, such as for Bedford and Gordon Streets in the Hollywood Ward and Jenkins Avenue, Edward Street and Bruce Street in the Melvista Ward, the effects of the development of multiple crossovers in place of fewer crossovers under previous density coding will result in a substantially modified streetscape outcome.

Lot sizes originally associated with lower codes that have now increased to R40, R60 and R160 have attracted applications for subdivision or equivalent intensity development proposals in some cases from 1 lot to 5 lots. These are designed to maximise the quantity of residential dwellings but without due regard to the streetscape character nor the functionality of the immediate and surrounding road network.

Existing Planning Framework

As determination of subdivision rests with the WAPC, the Commission has the jurisdiction to approve such proposals due to their compliance with the minimum and average site areas of Table 1, (C1.1 deemed-to-comply requirement under 5.1.1 Site area of R Codes Volume 1) resulting in rows of single lots, and therefore rows of individual new crossovers

This represents a risk to City of Nedlands existing and future built environment and character in the areas of density transition. Key issues arising from the increased number of vehicular access points (that provide the physical link to crossovers) being proposed for such subdivision and development applications include:

- substantial detrimental impact of existing valued 'leafy' streetscape character of affected streets. This arises from the accumulated impact of an undesirable increase in crossover numbers from one to two, to potentially five or six for the same lot. This is at the expense of soft landscaped verges and deep soil areas for street trees.
- detrimental impact upon vehicular and pedestrian traffic flow and safety within affected streetscapes due to increased presence of crossovers encroaching footpaths and verges.
- reduced areas for on-street parking, which would otherwise supplement visitor parking provision in the vicinity and supports traffic calming efforts due to the need to reduce speeds.
- an accumulated increase of concrete crossovers in conjunction with a substantial reduction in soft landscaping (lawns and verge trees) will not be conducive to climate responsive design. Instead, this will exacerbate the 'heat island' effect experienced in overdeveloped urban areas.

Relationship to Existing Scheme Clause 32.2

The City through its local planning framework will identify the locational opportunities for new laneways, a system, design and process in which to implement the ceding and construction of those laneways in accordance with Clause 32.3 of the Scheme, which states:

Ceding of rights-of-ways and laneway widening

- (1) The owner of land affected by a right-of-way or laneway identified by the scheme, structure plan, local development plan, activity centre plan or local planning policy is to, at the time of developing or subdividing the land.
 - a) Cede to the local government free of cost that part of the land affected by the right-of-way or laneway; and
 - b) Construct the relevant section of the right-of-way or laneway to the satisfaction of the local government.

Scheme Amendment No. 3 will ensure that where the laneway or right-of-way is designated through one of these instruments, that the vehicular access is indeed taken from that laneway or right-of-way and that the choice to maintain or create access from the primary street is removed.

Proposed Clause 26 (4) (c) Modification of 5.3.2 (Landscaping) of R Codes Volume 1

Intent of Clause 26 (4) (c)

The intent of proposed clause 26 (4) (c) of Scheme Amendment No. 3 is to ensure that regardless of the choice of development typology made by an applicant (i.e. single, grouped or multiple dwellings), development design incorporates appropriate quality landscaping requirements that provides for mandatory tree planting and supports tree growth, which will assist in responding to the City of Nedlands traditional leafy character and soften single and grouped development outcomes in the density transitional areas.

Existing Planning Framework

Land within the transitional density areas (R40, R60 and R160) has the potential to be developed as single dwellings, grouped dwellings or multiple dwellings. Single and grouped dwellings are assessed against the R Codes Volume 1 (and the City's Local Planning Policy – Residential Development: Single and Grouped Dwellings), while multiple dwellings are assessed in accordance with R Codes Volume 2.

Volume 1 of the R Codes does not include requirements for deep soil areas or minimum tree requirements, which represents a gap in the planning framework for single and grouped dwellings. When compared with multiple dwelling development, R-Codes Volume 2 already sets out requirements in relation to these issues. It is noted that the DPLH is currently in the scoping stage for better managing medium density development, the so called the "missing middle" in particular targeting grouped dwelling outcomes, which are likely to incorporate similar landscaping aims as provided in the R-Codes Volume 2.

Proposed Clause 26 (4) (c)

Clause 26 (4) (c) requires that single and grouped dwelling developments in R40, R60 and R160 require deep soil areas and trees across the development site. The requirements are outlined within two new Tables 8 and 9.

"Table 8 – Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas" requires a minimum of 10% of deep soil areas per proposed site area and a minimum number of trees. The proposed site areas within Table 8 have been altered from what is required in R-Codes Volume 2 to be proportional to the smaller lot sizes associated with single and grouped dwelling developments. Where existing trees are proposed

to be retained, there is a reduction in the percentage of required deep soil area to 7%, to encourage the retention of established trees. The table also highlights the criteria for the retention of trees.

Table 8 also proposes a minimum number of trees per proposed new site behind and forward of the front setback to ensure both the interior areas of the site and the streetscape benefits.

The two tables 8 and 9 make reference to the following R-Codes Volume 2 definitions which will apply for single and grouped dwelling development:

“Deep soil area – soft landscape area on lot with no impending building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.”

"Rootable soil zone – areas beyond the primary deep soil area under adjacent pavements that are engineered and constructed to support tree root penetration. This is achieved by the use of structural soil and structural cells which are materials for creation of rootable soil zone beneath pavements and other structures. Structural soil involves the use of structural materials such as rock, that interlock under specified compaction loads while leaving macro spaces that provide rootable soil zone for tree roots. Structural cells are similar but utilise a plastic cell structure to meet the required compaction and loading."

Proposed Clause 26 (4) (d) Modification of 5.5 (Special purpose dwellings) of R Codes Volume 1

Intent of Clause 26 (4) (d)

Clause 26 (4) (d) will provide the local planning framework with the ability to require a mixture of dwelling types within the transitional density areas for single and grouped dwellings. This is already a requirement for multiple dwellings under R-Codes Volume 2 to provide for a range of dwelling types, sizes and configurations.

Existing Planning Framework

There are no mandatory requirements for dwelling mix for single and grouped dwelling development under the R-Codes Volume 1 nor in the City's existing planning framework. Under the current R-Codes Volume 1, 5.5 Special purpose dwellings incentivise dwelling diversity (in the form of ancillary dwellings, aged or dependent persons dwellings or single bedroom dwellings) by allowing higher density development that would normally be permitted under the applicable R-Code.

While the above 'developer decides' approach is acceptable in regular development areas, it is considered that a dwelling mix be mandated for transitional density areas for single and grouped dwellings at the same ratio as applicable for multiple dwelling developments under the R-Codes Volume 2. The reasons for this is (a) due to the proximity of the transitional areas to Stirling Highway, Hampden Road or Broadway and their accessibility to public transport and services, and (b) the function of the transitional areas includes facilitating greater diversity and this is outlined in the City's Local Housing Strategy 5.1 Intentions for Population and Housing.

Proposed Clause 26 (4) (d)

Clause 26 (4) (d) proposes that for the R40, R60 and R160 transitional density areas a minimum dwelling mix of 5 or more dwellings (whether they be single or grouped),

would require at least one dwelling be an aged or dependent persons dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio of 70m².

The above proposed ratio is equivalent to the minimum requirement as sought by the Acceptable Outcomes under 4.8 Dwelling Mix of the R-Codes Volume 2, which for developments greater than 10 multiple dwellings requires to include at least 20% of apartments of differing bedrooms. i.e 20% of 5 dwellings is 1 dwelling.

5.0 Planning Framework

The proposed amendment is considered by Administration to be a Standard Amendment as per Section 34 of the Planning and Development (Local Planning Schemes) Regulations 2015. This is primarily due to the proposed modifications to the R-Codes and requiring that single and grouped dwellings are subject to equivalent Volume 2 requirements and

5.1 Metropolitan Region Scheme

The subject transition density areas are zoned 'Urban' under the Metropolitan Region Scheme (MRS). The details of the scheme amendment relate to residential development and therefore the scheme amendment is consistent with the zoning classification under the MRS.

5.2 Local Planning Scheme No. 3

The proposed clauses (4) (a), (b), (c) and (d) of proposed Scheme Amendment No. 3 are consistent with the Residential Zone objectives of LPS3:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.

5.2 City of Nedlands Local Planning Strategy

All aspects of proposed Scheme Amendment No. 3 are consistent with the City's Local Planning Strategy, which was endorsed by the WAPC on 26 September 2017.

Consolidated Vehicular Access

Sections 5.6 and 5.8 of the Local Housing Strategy outline the City's intentions for Traffic and Transport; and Urban Design, Character and Heritage as follows:

"Intentions: 5.6 Traffic and Transport

Promote a movement network that foremost enables mobility, and particularly encourages non-car modes. Locate land uses (particularly higher density residences) and transport networks in a way that maximises efficiency.

Strategies (relevant points only):

- Increase opportunities for residents, businesses and visitors to use cycling, walking and public transport as their preferred mode of transport.
- Plan for enhanced cycle access through a combination of infrastructure and non-infrastructure proposals.
- Provide direction for the future of laneways throughout the City and maximise their opportunity to contribute positively to the neighbourhood.
- Seek to minimise the negative impacts of parking and congestion through careful consideration and continuous improvement of management techniques while being open to innovation.”

“Intentions 5.8 Urban Design, Character and Heritage

Retain and enhance the character and streetscape of the City’s existing residential areas whilst promoting best practice urban design principles in targeted infill areas. Maintaining and enhancing high quality streetscapes will be of the utmost importance to decision making, and developments will need to respond to the unique character of each precinct.

Strategies (relevant points only):

- Ensure the Local Planning Scheme and other development controls are in place to retain and enhance the existing character of each identified precinct.
- Development mechanisms to promote and / or incentivise best practice urban design outcomes in areas experiencing change and in areas of transition (for example, between precincts, corner sites, different densities/ land uses, targeted infill areas etc.)

Deep soil areas

Sections 5.3 and 5.8 of the Local Housing Strategy outline the City’s intentions for Physical Features, Climate and Natural Areas; and Urban Design, Character and Heritage as follows:

“Intentions: 5.3 Physical Features, Climate and Natural Areas

Encourage sustainable practices that respond to the City’s physical features and climate. Maintain, protect and enhance existing key natural resources.

Strategies: (relevant points only):

- To maintain, protect and enhance natural resources; and where appropriate encourage the retention, protection and enhancement of significant existing natural resources in new development.

“Intentions 5.8 Urban Design, Character and Heritage

(Refer to text above)

Strategies: (relevant points only):

- Ensure the Local Planning Scheme and other development controls are in place to retain and enhance the existing character of each identified precinct.
- Development mechanisms to promote and / or incentivise best practice urban design outcomes in areas experiencing change and in areas of transition (for example, between precincts, corner sites, different densities/ land uses, targeted infill areas etc.)

Mix of Dwelling Types

Section 5.1 Population and Housing of the Local Housing Strategy outlines the following, making clear reference to the intention of supporting a mix of dwelling types within targeted infill areas. It is noted that ‘targeted infill areas’ is defined under the Local Housing Strategy Map to include the transitional density areas subject to this scheme amendment.

“Intentions: 5.1 Population and Housing

To facilitate potential realisation of the specified housing targets through a strategic approach that aims to conserve and enhance the quality of the City of Nedlands’ existing attractive residential neighbourhoods. Strongly encourage development of a considerable number of additional dwelling units of a diverse nature within the targeted infill areas.

Strategies (relevant points only):

- Facilitate greater diversity, specifically higher density multiple and grouped dwelling developments in targeted infill areas to provide a diverse range of dwelling types to accommodate changes in population trends.”

The proposed scheme amendment will mandate a variety of dwelling types within single or grouped dwelling developments, including aged or dependent persons’ dwellings, single dwellings or ancillary dwellings within the targeted infill areas

6.0 Consultation

If the Scheme Amendment is granted consent to advertise, the City will refer the application to the Environmental Protection Authority (EPA) in accordance with Section 81 of the Planning and Development Act 2005.

The application is required to be advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations). The consultation of this Scheme Amendment is in line with the ‘consult’ engagement process under the City’s Community Engagement Council Policy. Advertisement of a standard amendment is as follows:

- The City must prepare a notice in a form approved by the West Australian Planning Commission (WAPC) giving details of the purpose, where the amendment may be inspected and to whom and during what period submissions can be made.
- The City must then advertise the amendment by publishing the notice in the newspaper, display the notice in the Administration building, provide a copy to all public authorities which are likely to be affected and publish a copy on the City’s website.
- The advertising period can be no less than 42 days commencing on the day that the notice is published in a newspaper circulating in the scheme area.

Once submissions are received the City must acknowledge in writing the receipt of each submission.

A 60-day consideration period for a standard scheme amendment applies after the end of the submission period, in which the City must consider all submissions and

Council must pass a resolution to support, support with modifications or not support the proposed amendment.

Once Council has decided on the scheme amendment, all documents will be referred to the WAPC and they will deliver a recommendation to the Minister for Planning. The Minister will then make the final decision on the proposed scheme amendment.

7.0 Budget / Financial Implications

Nil.

8.0 Risk Management

Nil.

9.0 Administration Comment

Administration is recommending support of Scheme Amendment No. 3 for the following reasons:

- The amendment is consistent with the City's Local Planning Strategy, which has been endorsed by the WAPC; and
- The amendment will provide certainty around controlling development within the transitional density areas.

Once the Scheme Amendment is granted the consent to advertise, the City will refer the amendment to the Environmental Protection Authority for review to comply with section 48A of the EP Act.

Once the City has received approval from the EPA, the City will then undertake advertising, subject to WAPC consent, and will report all submissions and any issues raised to Council for a final recommendation.

It is recommended that the Council grant consent for this scheme amendment to be advertised.



City of Nedlands

Local Planning Scheme No. 3

Amendment No. 3

Amending the Scheme Text to insert new sub-clause (4) under clause 26 Modification of R-Codes: (4) In relation to land coded R40, R60 or R160:

- a) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.5 (Vehicular access) is modified by including an additional deemed-to-comply requirement C5.8: C5.8 Development is designed incorporating consolidated vehicular access and where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.**
- b) For development of multiple dwellings in accordance with SPP 7.3 R Codes Volume 2, 3.8 Vehicle Access is modified by including an additional Acceptable Outcome A 3.8.8: A 3.8.8 Vehicular access is limited to one opening per 20m street frontage that is visible from the street, except for where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.**
- c) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.2 (Landscaping) is modified by including an additional deemed-to-comply requirement C2.1: C2.1i) includes deep soil areas and trees in accordance Tables (8) and (9) below:**

Table 8 Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas

Proposed Site Area	Minimum deep soil area ²	Minimum requirements for trees ¹ behind front setback area	Minimum requirements for trees ¹ in front setback area	Retention of existing on-site trees criteria as part of the deep soil area.
Less than 200m ²	<p>10%</p> <p>OR</p> <p>7% if existing tree(s) retained on site</p> <p>(% of site area)</p>	1 medium tree OR small trees to suit area	<p>A minimum of 2 small trees or 1 medium tree located within the front setback area, co-located where possible with existing trees on site or adjoining properties trees.</p>	<ul style="list-style-type: none"> - healthy specimens with ongoing viability AND - species is not included on a State or local area weed register AND - height of at least 4m AND/OR - trunk diameter of at least 160mm, measured 1m from the ground AND/OR - average canopy diameter of at least 4m.
200 - 500m ²		2 medium trees OR 1 medium tree and small trees to suit area		
>500m ²		<p>1 medium tree and small trees to suit area</p> <p>OR</p> <p>3 medium trees</p> <p>OR</p> <p>1 large tree and small trees to suit area</p>		

¹Minimum requirement for trees includes retained or new trees. Refer Table 9 for tree sizes.

²Definition for Deep soil area is as per Residential Design Codes Volume 2

Table 9 Tree sizes

Tree Size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m	6m	4.5m (DSA) + 1.5m (RSZ)	500L

¹Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA. Definition for Rootable soil zone is as per Residential Design Codes Volume 2

- (d) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, 5.5 (Special purpose dwellings) is modified by adding new clause 5.5.4: 5.5.4 Minimum Dwelling Mix: C4 Minimum dwelling mix for developments of 5 or more dwellings shall comply with the following: i. at least one dwelling within the development shall be an aged and dependent person dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio area of 70m².

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

*City of Nedlands Local Planning Scheme 3
Scheme Amendment 3*

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

Inserting the following clause into the Scheme:

- a) **Amending the Scheme Text to insert new sub-clause (4) under clause 26 Modification of R-Codes: (4) In relation to land coded R40, R60 or R160: For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.5 (Vehicular access) is modified by including an additional deemed-to-comply requirement C5.8: C5.8 Development is designed incorporating consolidated vehicular access and where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.**
- b) **For development of multiple dwellings in accordance with SPP 7.3 R Codes Volume 2, 3.8 Vehicle Access is modified by including an additional Acceptable Outcome A 3.8.8: A 3.8.8 Vehicular access is limited to one opening per 20m street frontage that is visible from the street, except for where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.**
- c) **For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.2 (Landscaping) is modified by including an additional deemed-to-comply requirement C2.1: C2.1i) includes deep soil areas and trees in accordance Tables (8 and (9) below:**

Table 8 Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas

Proposed Site Area	Minimum deep soil area ² requirements. A reduction of DSA is applicable where existing trees that meet the *criteria are retained.	Minimum requirements for trees ¹ behind front setback area	Minimum requirements for trees ¹ in front setback area	*Criteria for the retention of existing trees (encouraged).
Less than 200m ²	10% OR 7% if existing tree(s) retained on site (% of site area)	1 medium tree OR small trees to suit area	A minimum of 2 small trees or 1 medium tree located within the front setback area, co-located where possible with existing trees on site or adjoining properties trees.	<ul style="list-style-type: none">- healthy specimens with ongoing viability AND- species is not included on a State or local area weed register AND- height of at least 4m AND/OR- trunk diameter of at least 160mm, measured 1m from the ground AND/OR- average canopy diameter of at least 4m.
200 - 500m ²		2 medium trees OR 1 medium tree and small trees to suit area		
>500m ²		1 medium tree and small trees to suit area OR 3 medium trees OR 1 large tree and small trees to suit area		
¹ Minimum requirement for trees includes retained or new trees. Refer Table XX for tree sizes. ² Definition for Deep soil area is as per Residential Design Codes Volume 2				

Table 9 Tree sizes

Tree Size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m	6m	4.5m (DSA) + 1.5m (RSZ)	500L
¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA. Definition for Rootable soil zone is as per Residential Design Codes Volume 2						

- (d) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, 5.5 (Special purpose dwellings) is modified by adding new clause 5.5.4: 5.5.4 Minimum Dwelling Mix C4 Minimum dwelling mix for developments of 5 or more dwellings shall comply with the following: i at least one dwelling within the development shall be an aged and dependent person dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio area of 70m².

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- the proposed amendment relates to the Residential zone and is consistent with the objectives identified in the scheme for that zone;
- the proposed amendment is consistent with a local planning strategy which has been endorsed by the WAPC; and
- the proposed amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____ 20____

(Chief Executive Officer)

City of Nedlands

Local Planning Scheme No. 3 – Scheme Amendment No. 3

Scheme Amendment Report

1.0 INTRODUCTION

Local Planning Scheme No. 3 (LPS3) was gazetted on the 16th April 2019, which included new zones and density upcoding along the strategic activity corridors (also known as Urban Growth Zones) of Stirling Highway, Hampden Road and Broadway.

The transitional density areas are in place to provide a physical buffer or transition between the urban growth zones and the nearby adjacent existing lower coded areas. However, comprehensive controls are not yet in place primarily for single and grouped dwellings and in some circumstances for multiple dwellings.

To adequately protect the amenity of affected streetscapes and localities, therefore supplementary R-Code development controls need to be inserted into the Scheme. Accordingly, Scheme Amendment No. 3 proposes to strengthen the City's existing planning framework to facilitate high quality development outcomes within the transitional density areas relating to:

- a) restricting the number of vehicular access points for single, grouped and multiple dwellings, and requiring vehicle access from new and existing laneways as a priority.
- b) requiring minimum deep soil areas for single and grouped dwelling developments; and
- c) requiring a mixture of dwelling types be included for single and grouped dwelling development.

The amendment is in the opinion of the City considered to be a Standard Amendment as it satisfies the following criteria of Regulation 34 of the Planning and Development (Local Planning Scheme) Regulations 2015:

- the proposed amendment relates to the Residential zone and is consistent with the objectives identified in the scheme for that zone;
- the proposed amendment is consistent with a local planning strategy which has been endorsed by the WAPC; and
- the proposed amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

2.0 PROPOSAL AND JUSTIFICATION

The City proposes to insert new clause (4) (a) (b) (c) and (d) into clause 26. Modification of R-Codes:

(4) In relation to land coded R40, R60 or R160:

- (a) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.5 (Vehicular access) is modified by including an additional deemed-to-comply requirement C5.8:

C5.8 Development is designed incorporating consolidated vehicular access and where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.

- (b) For development of multiple dwellings in accordance with SPP 7.3 R Codes Volume 2, 3.8 Vehicle Access is modified by including an additional Acceptable Outcome A 3.8.8:

A 3.8.8 Vehicular access is limited to one opening per 20m street frontage that is visible from the street, except for where a vehicle access laneway or right-of-way is designated in a local planning policy, local development plan or activity centre plan, vehicle access will be limited to that laneway or right-of-way.

- (c) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, clause 5.3.2 (Landscaping) is modified by including an additional deemed-to-comply requirement C2.1:

C2.1i) Includes deep soil areas and trees in accordance with Tables (X) and (XX) below:

Table 8 Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas				
Proposed Site Area	Minimum deep soil area²	Minimum requirements for trees¹ behind front setback area	Minimum requirements for trees¹ in front setback area	Retention of existing on-site trees criteria as part of the deep soil area.
Less than 200m ²	10% OR 7% if existing tree(s) retained on site (% of site area)	1 medium tree OR small trees to suit area	A minimum of 2 small trees or 1 medium tree located within the front setback area, co-located where possible with existing trees on site or adjoining	- healthy specimens with ongoing viability AND - species is not included on a State or local area weed register AND - height of at least 4m AND/OR - trunk diameter of at least 160mm, measured 1m from the ground AND/OR
200 - 500m ²		2 medium trees OR 1 medium tree and small trees to suit area		
>500m ²		1 medium tree and small trees to suit area OR 3 medium trees OR		

			1 large tree and small trees to suit area	properties trees.	- average canopy diameter of at least 4m.	
¹ Minimum requirement for trees includes retained or new trees. Refer Table XX for tree sizes.						
² Definition for Deep soil area is as per Residential Design Codes Volume 2						
Table XX Tree sizes						
Tree Size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m	6m	4.5m (DSA) + 1.5m (RSZ)	500L
¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA. Definition for Rootable soil zone is as per Residential Design Codes Volume 2						

- (d) For development of single and grouped dwellings in accordance with SPP 7.3 R Codes Volume 1, 5.5 (Special purpose dwellings) is modified by adding new clause 5.5.4:

5.5.4 Minimum Dwelling Mix

C4 Minimum dwelling mix for developments of 5 or more dwellings shall comply with the following:

- i. at least one dwelling within the development shall be an aged and dependent person dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio area of 70m².

2.1 JUSTIFICATION

It is proposed the City initiates Scheme Amendment No. 3 to LPS3 to address three key development control issues arising from new single, grouped and multiple development being proposed within the transitional density areas (R40, R60 and R160). The amendment entails both R-Code Volume 1 and R-Code Volume 2 modifications that would be inserted under Clause 26 - Modification of R-Codes in the scheme text. Each proposed clause is detailed below.

Proposed Clause 26 (4) (a): Modification of 5.3.5 (Vehicular access) of R-Codes Volume 1 and Proposed Clause 26 (4) (b): Modification of 3.8 Vehicular Access of R-Codes Volume 2

Intent of Clauses 26 (4) (a) and (b)

The proposed amendment will provide the City with the ability to control the number of vehicular access points for single, grouped and multiple dwelling development in the R40, R60 or R160 transitional density areas. It will provide an acceptable level of certainty on how new development (whether that be single, grouped or multiple dwellings) will integrate with the existing established streetscapes.

Specifically, Scheme Amendment No. 3 will require that development and subdivision be in the form of prioritised access from a laneway or right-of-way as a mandatory requirement. The City is currently undergoing detailed analysis of its density transition areas including the identification of future laneways for the purposes of increasing the efficiency of the movement network in these areas.

The City also wishes to increase the opportunities for quality streetscape and urban design by reducing the reliance on battle-axe subdivision and development typology and instead creating opportunities for green title, street frontage infill lots.

Current Situation

Development and green title subdivision applications are being submitted and / or referred to the City for comment by the WAPC, relating to land within the transitional density areas. This pattern of lodgement / referral is expected to continue given the recent up-codings in LPS3.

The quantity of crossovers being proposed in response to green title subdivision for existing corner lots or lots fronting an existing secondary street is of particular concern. This is due to the opportunities generated by the increase in density code for multiple lot subdivision and the cumulative number of associated crossovers being generated for each new lot.

When looking at streetscape scenarios for example over substantial distances, such as for Bedford and Gordon Streets in the Hollywood Ward and Jenkins Avenue, Edward Street and Bruce Street in the Melvista Ward, the effects of the development of multiple crossovers in place of fewer crossovers under previous density coding will result in a substantially modified streetscape outcome.

Lot sizes originally associated with lower codes that have now increased to R40, R60 and R160 have attracted applications for subdivision or equivalent intensity development proposals in some cases from 1 lot to 5 lots. These are designed to maximise the quantity of residential dwellings but without due regard to the

streetscape character nor the functionality of the immediate and surrounding road network.

Existing Planning Framework

As determination of subdivision rests with the WAPC, the Commission has the jurisdiction to approve such proposals due to their compliance with the minimum and average site areas of Table 1, (C1.1 deemed-to-comply requirement under 5.1.1 Site area of R Codes Volume 1) resulting in rows of single lots, and therefore rows of individual new crossovers

This represents a risk to City of Nedlands' existing and future built environment and character in the areas of density transition. Key issues arising from the increased number of vehicular access points (that provide the physical link to crossovers) being proposed for such subdivision and development applications include:

- substantial detrimental impact of existing valued 'leafy' streetscape character of affected streets. This arises from the accumulated impact of an undesirable increase in crossover numbers from one to two, to potentially five or six for the same lot. This is at the expense of soft landscaped verges and deep soil areas for street trees.
- detrimental impact upon vehicular and pedestrian traffic flow and safety within affected streetscapes due to increased presence of crossovers encroaching footpaths and verges.
- reduced areas for on-street parking, which would otherwise supplement visitor parking provision in the vicinity and supports traffic calming efforts due to the need to reduce speeds.
- an accumulated increase of concrete crossovers in conjunction with a substantial reduction in soft landscaping (lawns and verge trees) will not be conducive to climate responsive design. Instead, this will exacerbate the 'heat island' effect experienced in overdeveloped urban areas.

Relationship to Existing Scheme Clause 32.2

The City through its local planning framework will identify the location opportunities for new laneways, a system, design and process in which to implement the ceding and construction of those laneways in accordance with Clause 32.3 of the Scheme, which states:

Ceding of rights-of-ways and laneway widening

- (1) *The owner of land affected by a right-of-way or laneway identified by the scheme, structure plan, local development plan, activity centre plan or local planning policy is to, at the time of developing or subdividing the land;*
 - a) *Cede to the local government free of cost that part of the land affected by the right-of-way or laneway; and*
 - b) *Construct the relevant section of the right-of-way or laneway to the satisfaction of the local government.*

Scheme Amendment No. 3 will ensure that where the laneway or right-of-way is designated through one of these instruments, that the vehicular access is indeed taken from that laneway or right-of-way and that the choice to maintain or create access from the primary street is removed.

Proposed Clause 26 (4) (c) Modification of 5.3.2 (Landscaping) of R Codes Volume 1

Intent of Clause 26 (4) (c)

The intent of proposed clause 26 (4) (c) of Scheme Amendment No. 3 is to ensure that regardless of the choice of development typology made by an applicant (i.e. single, grouped or multiple dwellings), development design incorporates appropriate quality landscaping requirements that provides for mandatory tree planting and supports tree growth, which will assist in responding to the City of Nedlands traditional leafy character and soften single and grouped development outcomes in the density transitional areas.

Existing Planning Framework

Land within the transitional density areas (R40, R60 and R160) has the potential to be developed as single dwellings, grouped dwellings or multiple dwellings. Single and grouped dwellings are assessed against the R Codes Volume 1 (and the City's Local Planning Policy – Residential Development: Single and Grouped Dwellings), while multiple dwellings are assessed in accordance with R Codes Volume 2.

Volume 1 of the R Codes does not include requirements for deep soil areas or minimum tree requirements, which represents a gap in the planning framework for single and grouped dwellings. When compared with multiple dwelling development, R-Codes Volume 2 already sets out requirements in relation to these issues.

It is noted that the DPLH is currently in the scoping stage for better managing medium density development, the so called the "missing middle" in particular targeting grouped dwelling outcomes, which are likely to incorporate similar landscaping aims as provided in the R-Codes Volume 2. This is however indicated to be 12 months or more away from finalisation, in the meantime the City is required to protect its leafy green character and should promote the planting of new trees on all sites that are being redeveloped and subdivided in the transitional density areas.

Proposed Clause 26 (4) (c)

Clause 26 (4) (c) requires that single and grouped dwelling developments in R40, R60 and R160 require deep soil areas and trees across the development site. The requirements are outlined within Tables 8 and 9.

"Table 8 – Minimum deep soil area and tree provision requirements for single and grouped dwellings in R40, R60 and R160 transitional density areas" requires a minimum of 10% of deep soil areas per proposed site area and a minimum number of trees. The proposed site areas within Table 8 have been altered from what is required in R-Codes Volume 2 to be proportional to the smaller lot sizes associated with single and grouped dwelling developments. Where existing trees are proposed to be retained, there is a reduction in the percentage of required deep soil area to 7%, to encourage the retention of established trees. The table also highlights the criteria for the retention of trees.

Table 8 also proposes a minimum number of trees per proposed new site behind and forward of the front setback to ensure both the interior areas of the site and the streetscape benefits.

The two tables 8 and 9 make reference to the following R-Codes Volume 2 definitions which will apply for single and grouped dwelling development:

"Deep soil area – soft landscape area on lot with no impending building structure or feature above or below, which supports growth of medium to large canopy trees and

meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, serves, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas."

"Rootable soil zone – areas beyond the primary deep soil area under adjacent pavements that are engineered and constructed to support tree root penetration. This is achieved by the use of structural soil and structural cells which are materials for creation of rootable soil zone beneath pavements and other structures. Structural soil involves the use of structural materials such as rock, that interlock under specified compaction loads while leaving macro spaces that provide rootable soil zone for tree roots. Structural cells are similar but utilise a plastic cell structure to meet the required compaction and loading."

Proposed Clause 26 (4) (d) Modification of 5.5 (Special purpose dwellings) of R Codes Volume 1

Intent of Clause 26 (4) (d)

Clause 26 (4) (d) will provide the local planning framework with the ability to require a mixture of dwelling types within the transitional density areas for single and grouped dwellings. This is already a requirement for multiple dwellings under R-Codes Volume 2 to provide for a range of dwelling types, sizes and configurations.

Existing Planning Framework

There are no mandatory requirements for dwelling mix for single and grouped dwelling development under the R-Codes Volume 1 nor in the City's existing planning framework. Under the current R-Codes Volume 1, 5.5 Special purpose dwellings incentivise dwelling diversity (in the form of ancillary dwellings, aged or dependent persons dwellings or single bedroom dwellings) by allowing higher density development that would normally be permitted under the applicable R-Code.

While the above 'developer decides' approach is acceptable in regular development areas, it is considered that a dwelling mix be mandated for transitional density areas for single and grouped dwellings at the same ratio as applicable for multiple dwelling developments under the R-Codes Volume 2. The reasons for this is (a) due to the proximity of the transitional areas to Stirling Highway, Hampden Road or Broadway and their accessibility to public transport and services, and (b) the function of the transitional areas includes facilitating greater diversity and this is outlined in the City's Local Housing Strategy 5.1 Intentions for Population and Housing.

Proposed Clause 26 (4) (d)

Clause 26 (4) (d) proposes that for the R40, R60 and R160 transitional density areas a minimum dwelling mix of 5 or more dwellings (whether they be single or grouped), would require at least one dwelling be an aged or dependent persons dwelling or single bedroom dwelling or where a proposed lot is 450m² or greater, an ancillary dwelling, with a maximum plot ratio of 70m².

The above proposed ratio is equivalent to the minimum requirement as sought by the Acceptable Outcomes under 4.8 Dwelling Mix of the R-Codes Volume 2, which for developments greater than 10 multiple dwellings requires to include at least 20% of apartments of differing bedrooms. i.e 20% of 5 dwellings is 1 dwelling.

Consideration as a standard amendment

<p>The proposed amendment relates to the Residential zone and is consistent with the objectives identified in the scheme for that zone;</p>	<p>The proposed clauses (4) (a), (b), (c) and (d) of proposed Scheme Amendment No. 3 are consistent with the Residential Zone objectives of LPS3:</p> <ul style="list-style-type: none"> • <i>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</i> • <i>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</i> • <i>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</i> • <i>To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.</i>
<p>The proposed amendment is consistent with a local planning strategy which has been endorsed by the WAPC; and</p>	<p>All aspects of proposed Scheme Amendment No. 3 are consistent with the City's Local Planning Strategy, which was endorsed by the WAPC on 26 September 2017.</p> <p>Consolidated Vehicular Access</p> <p>Sections 5.6 and 5.8 of the Local Housing Strategy outline the City's intentions for Traffic and Transport; and Urban Design, Character and Heritage as follows:</p> <p><i>"Intentions: 5.6 Traffic and Transport</i></p> <p><i>Promote a movement network that foremost enables mobility, and particularly encourages non-car modes. Locate land uses (particularly higher density residences) and transport networks in a way that maximises efficiency.</i></p> <p><i>Strategies (relevant points only):</i></p> <ul style="list-style-type: none"> • <i>Increase opportunities for residents, businesses and visitors to use cycling, walking and public transport as their preferred mode of transport.</i> • <i>Plan for enhanced cycle access through a combination of infrastructure and non-infrastructure proposals.</i> • <i>Provide direction for the future of laneways throughout the City and maximise their opportunity to contribute positively to the neighbourhood.</i> • <i>Seek to minimise the negative impacts of parking and congestion through careful consideration and continuous improvement of management techniques while being open to innovation."</i>

"Intentions 5.8 Urban Design, Character and Heritage

Retain and enhance the character and streetscape of the City's existing residential areas whilst promoting best practice urban design principles in targeted infill areas. Maintaining and enhancing high quality streetscapes will be of the utmost importance to decision making, and developments will need to respond to the unique character of each precinct.

Strategies (relevant points only):

- Ensure the Local Planning Scheme and other development controls are in place to retain and enhance the existing character of each identified precinct.*
- Development mechanisms to promote and / or incentivise best practice urban design outcomes in areas experiencing change and in areas of transition (for example, between precincts, corner sites, different densities/ land uses, targeted infill areas etc.)*

Deep soil areas

Sections 5.3 and 5.8 of the Local Housing Strategy outline the City's intentions for Physical Features, Climate and Natural Areas; and Urban Design, Character and Heritage as follows:

"Intentions: 5.3 Physical Features, Climate and Natural Areas

Encourage sustainable practices that respond to the City's physical features and climate. Maintain, protect and enhance existing key natural resources.

Strategies: (relevant points only):

- To maintain, protect and enhance natural resources; and where appropriate encourage the retention, protection and enhancement of significant existing natural resources in new development.*

"Intentions 5.8 Urban Design, Character and Heritage

(Refer to text above)

Strategies: (relevant points only):

- Ensure the Local Planning Scheme and other development controls are in place to retain and enhance the existing character of each identified precinct.*

	<ul style="list-style-type: none"> • <i>Development mechanisms to promote and / or incentivise best practice urban design outcomes in areas experiencing change and in areas of transition (for example, between precincts, corner sites, different densities/ land uses, targeted infill areas etc.)</i> <p>Mix of Dwelling Types</p> <p>Section 5.1 Population and Housing of the Local Housing Strategy outlines the following, making clear reference to the intention of supporting a mix of dwelling types within targeted infill areas. It is noted that ‘targeted infill areas’ is defined under the Local Housing Strategy Map to include the transitional density areas subject to this scheme amendment.</p> <p><i>“Intentions: 5.1 Population and Housing</i></p> <p><i>To facilitate potential realisation of the specified housing targets through a strategic approach that aims to conserve and enhance the quality of the City of Nedlands’ existing attractive residential neighbourhoods. Strongly encourage development of a considerable number of additional dwelling units of a diverse nature within the targeted infill areas.</i></p> <p><i>Strategies (relevant points only):</i></p> <ul style="list-style-type: none"> • <i>Facilitate greater diversity, specifically higher density multiple and grouped dwelling developments in targeted infill areas to provide a diverse range of dwelling types to accommodate changes in population trends.”</i> <p>The proposed scheme amendment will mandate a variety of dwelling types within single or grouped dwelling developments, including aged or dependent persons’ dwellings, single dwellings or ancillary dwellings within the targeted infill areas</p>
<p>The proposed amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.</p>	<p>The proposed amendment is designed to support the environmental, social, economic and governance of land in the scheme area via the protection and enhancement of streetscapes and via the provision of mixed housing types.</p>

3.0 CONCLUSION

The information and justification provided in this report is submitted to support the proposed modifications to Clause 26 (4) of LPS 3.

COUNCIL ADOPTION

This [Standard] Amendment was adopted by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year].

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year], proceed to advertise this Amendment.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council

held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

FORM 6A - CONTINUED

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

PD06.20	Local Planning Scheme 3 – Local Planning Policy Waste Management and Guidelines
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Committee	10 March 2020
Council	24 March 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	PD38.19 – OCM 24 September 2019 PD53.19 – OCM 17 December 2019
Attachments	<ol style="list-style-type: none"> 1. Tracked Changes Draft Waste Management Local Planning Policy (LPP) 2. Tracked Change Draft Waste Management Guidelines 3. Draft Waste Management Local Planning Policy (LPP) and Guidelines 4. Schedule of Submissions 1. Submissions (CONFIDENTIAL)

1.0 Executive Summary

The purpose of this report is for Council to adopt the Waste Management Local Planning Policy and Guidelines required under Local Planning Scheme 3 (LPS 3).

This policy details the requirements relating to waste management and minimisation which is to be considered in the design of any proposed development within the City of Nedlands.

This policy was presented to Council at its Council Meeting on 24 September 2019 where Council resolved for this item to be deferred to a Council Briefing. Following this decision Council was briefed on this matter at the 5 November Council Briefing. The Policy and Guidelines were then presented to Council in December 2019 where Council resolved to prepare and advertise the Waste Management Policy and Guidelines. The Policy and Guidelines were subsequently advertised to the public for a period of 21 days ending on the 8 February 2020.

The policy seeks to augment section 4.17 Waste Management of the Residential Design Codes Volume 2. Augmentation of this section requires West Australian Planning Commission (WAPC) approval. Once the policy is adopted by Council, it will be forwarded to the WAPC for approval.

2.0 Recommendation to Committee

1. **Proceeds to adopt the Waste Management and Guidelines Local Planning Policy, with modifications as set out in Attachment 3, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(ii); and**

- 2. Refers the Waste Management and Guidelines Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 2 – Apartments 2019 Clause 1.2.3.**

3.0 Background

Waste Management Plans have been required by the City on an ad hoc basis for development applications which are considered to generate surplus waste above the normal household. Prior to Local Planning Scheme No.3 (LPS 3) there were fewer opportunities to develop grouped or multiple dwellings, therefore the waste management of development of that nature was dealt with on a case by case basis.

The City has had issues in the past with surplus rubbish bins being placed on the verge and blocking areas used by both pedestrians and vehicles with no set guideline being adhered to.

The proposed policy guidelines will support a higher standard of waste management with associated benefits for the community. It will also benefit applicants by clearly setting out what is expected by the City as a minimum standard.

With the introduction and application of the City's new Local Planning Scheme No.3 (LPS3) there are greater opportunities for the development of grouped and multiple dwellings as well as large scale mixed use development. This has necessitated the need for a Local Planning Policy and subsequent technical Guidelines to set out the requirements for waste management plans, when they must be prepared, and what specifications are expected by the City.

4.0 Details

The policy details the requirements for waste management and minimisation which are to be considered in the design of any proposed development in accordance with the City's Waste Minimisation Strategy 2017-2020.

All aspects of waste management should be considered in the initial design stage of a development. This includes, but is not limited to waste generation, recycling, storage, truck accessibility and collection options.

Early consideration of waste management requirements will ensure effective integration of facilities into the design of the development, so that visual amenity, convenience, efficiency and health and safety is maintained at a high standard.

The policy details when a waste management plan is required and the overall objectives of waste management within the City. The guidelines component (Appendix One) provides the technical information in relation to the City's specifications for waste management and what must be included in the waste management plan.

Modifications to the Policy

Modifications to the Policy and Guidelines can be viewed through Attachments 1 and 2. Majority of the changes made have been to clarify points raised through submissions that were unclear.

The only major change to the Policy and Guidelines is the introduction of small trucks and their specifications. After several meetings with applicants the City has decided to offer the option of smaller waste trucks to developments of 40 dwellings or less or where otherwise deemed appropriate by the City. The smaller truck size will allow for applicants to utilise the internal servicing arrangement without it detrimentally impacting the design of their building. Administration believes that the smaller truck size is a positive alternative providing options to applicants whilst still achieving the objectives of the policy in relation to amenity, streetscape and safety.

5.0 Consultation

In line with Council's December 2019 resolution, the Policy and Guidelines were advertised for 21 days in accordance with Schedule 2, Part 2, Division 2, Clause 4 of the Planning and Development (Local Planning Scheme) Regulations 2015 (P&D Regs.2015) and the City's Consultation LPP from 18 January 2020 till 8 February 2020. A notice was published in the newspaper, details were included on the City's website and the Your Voice engagement portal. In accordance with the City's Consultation LPP advertising was not undertaken between December 15 and January 15.

During the advertising period the City received a total of 48 Submissions. These are summarised and have been responded to in the Schedule of Submissions Attachment 3. Council is also provided with full copies of all submissions. The majority of submissions showed support for the policy in relation to having no more than 8 bins on the verge and encouraging internal servicing for 5 or more dwellings believing that this would enhance and protect the amenity and streetscapes of the area.

Many submissions discussed how collection times should be limited between the hours 7am and 4pm to avoid issues relating to noise and traffic. As discussed previously with Council, the time restrictions for waste collection are guided by the Environmental Protection (Noise) Regulations 1997 with collection services operated between the hours of 7am and 7pm. This Policy and Guidelines cannot manage noise as this is governed by the Noise Regulations.

Compactor maintenance, safety and usability were questions raised in the submissions. The operation of compactors on a site will need to be addressed within the waste management plan as well as addressing safety, service agreements, noise, use of compactors and who is responsible for the compactors. This detail will be required prior to development approval. The waste management plan will also have to address contingency plans which will be required in the case of a breakdown or service. The amount and size of bins required is calculated based on litres, and compactors can aid in allowing for a greater volume of waste to be placed within a standard bin.

The policy and guidelines are being presented to Council following the conclusion of the advertising period. Council can now consider any submissions and choose how to progress with the Policy. It is recommended that the Policy and Guidelines be adopted with the modifications proposed in Attachment 3.

As per Residential Design Codes Volume 2 part 1.2.3, section 4.17 Waste Management is an element that a Local Government cannot amend without WAPC approval. Accordingly, WAPC approval is required prior to these provisions taking

effect. Once the policy is adopted by Council, it will be forwarded to the WAPC for approval.

6.0 Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) Schedule 2, Part 2, Clause 4(3), sets out that after the expiry of the 21-day advertising period, the local government must review the proposed policy in light of any submissions made and resolve to:

- a) Proceed with the policy without modification; or
- b) Proceed with the policy with modification; or
- c) Not to proceed with the policy.

Administration recommends that Council resolves to proceed with the Waste Management LPP and Guidelines with modifications as shown in Attachment 3.

The modifications proposed to the draft LPP and Guidelines, which the public have not had the opportunity to comment on, are considered minor in nature and are not considered to warrant further advertising of the draft LPP.

7.0 Conclusion

The Waste Management LPP and guidelines are the preferred mechanism to guide decision making and advise the community of Council's position in relation to waste management within the City and what detail waste management plans must incorporate. In order to properly manage an increased number of applications for medium and higher density, the City is required to manage waste using current best practice. This policy and associated guidelines provide the necessary framework to manage appropriate information and advice regarding waste.

It is recommended that Council endorses administration's recommendation to adopt the Waste Management LPP and Guidelines with modifications as shown in Attachment 2.



LOCAL PLANNING POLICY – WASTE MANAGEMENT

1.0 PURPOSE

- 1.1 This policy details the requirements relating to waste management and minimisation to be considered in the design of any proposed development as per the City's Waste Management Guidelines.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to the development on land that is reserved or zoned within the City of Nedlands, with the exception of:
- (a) The erection or extension of a single house;
 - (b) The erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house or grouped dwelling.
- 2.2 Where the Residential Design Codes (R-Codes) apply, this policy augments the provisions of Part 5.4.4 C4.6 of the R-Codes Volume 1 and is in addition to Part 4.17 of the R-Codes Volume 2 - Apartments.
- 2.3 Where this Policy is inconsistent with the provisions of a specific Local Planning Policy or Local Development Plan, or Precinct Plan that applies to a particular site or area; the provisions of that specific Local Planning Policy, Precinct Plan or Local Development Plan prevail.

3.0 OBJECTIVES

- 3.1 Provide for waste management and minimisation in a manner that protects the environment, with a greater emphasis on higher levels of resource recovery and increased recycling.
- 3.2 To minimise the impacts of waste storage and collection facilities on the streetscape, public realm, building entries and the amenity for residents.
- 3.3 To allow for occupants to have convenient, safe and equitable access to both waste and recycling facilities on site.
- 3.4 To ensure industry best practice waste management design and operation for consistently high quality developments.

Commented [RC1]: Objective changed by suggestion in submission. Policies already allow for flexibility and this doesn't need to be stated in an objective. All designs should be in line with best practice and high quality.



4.0 POLICY MEASURES

4.1 Waste Management Plans

4.1.1 A Waste Management Plan shall be submitted as part of the following categories of Development Application:

- (a) Residential
 - (i) 5 or more multiple dwellings;
 - (ii) 5 or more grouped dwellings;
 - (iii) 5 or more aged or dependant persons dwellings/beds;
 - (iv) Short-Term Accommodation uses (as defined in the Short-Term Accommodation Policy);
 - (v) All proposals where there is insufficient lot, road or verge frontage for collection vehicle access (as determined by the City).
- (b) Mixed Use Developments
 - (i) All mixed-use developments.
- (c) Commercial, Industrial and Other Non-Residential Development
 - (i) All non-residential development that will generate waste.
- (d) Any other proposal the City considers will affect resource recovery.

Note 1: Change of use applications that will not result in increased waste collection requirements or frequency as determined by the City are not required to submit a Waste Management Plan.

4.1.2 Waste Management Plan (WMP) must include details but not limited to -

- (a) Land use type and Built Form (including but not limited to number of dwellings, bedrooms and storeys, size of commercial tenancy);
- (b) Bin Access and Storage;
- (c) Waste generation/Capacity;
- (d) Truck accessibility and manoeuvring;
- (e) Internal service collection arrangements (including swept path analysis where applicable);
- (f) Waste systems;
- (g) Signage;
- (h) Collection/placement options; and
- (i) Additional waste requirements.



- 4.1.3 The development shall be undertaken and operate in conformity with the Waste Management Plan approved by the City. This will be ensured in perpetuity via an appropriate condition of the development approval.

5.0 RELATED LEGISLATION

- 5.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- 5.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:
- (a) State Planning Policy 7.3 – Residential Design Codes Volume 1
 - (b) State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments
- 5.3 This policy should be read in conjunction with the City of Nedlands Waste Management Guidelines.

6.0 VARIATIONS TO POLICY

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

Commented [RC2]: This is a standard section in most policies. All policies can be varied this clause clarifies that it must be in line with the objectives of the policy in order to vary the policy.

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



WASTE MANAGEMENT LOCAL PLANNING POLICY

APPENDIX ONE WASTE MANAGEMENT GUIDELINES

1.0 INTRODUCTION

- 1.1 The guidelines are for developers, architects, waste consultants in their preparation of development applications to comply with the Waste Management Local Planning Policy.

2.0 PURPOSE

- 2.1 All aspects of waste management should be considered in the initial design phase of a development, to ensure effective integration of waste facilities into the design where visual amenity is maintained to a high standard, improves convenience, efficiency and protects the health and safety of all stakeholders.
- 2.2 A Waste Management Plan shall be submitted as per the Waste Management Local Planning Policy.

3.0 WASTE AND RECYCLING GENERATION

3.1 Residential

- 3.1.1 The City's collection service operates 7am-7pm on any day that is not a Public Holiday or Sunday (generally Monday to Saturday); and 9am – 7pm a Public Holiday or Sunday.
- 3.1.2 The City's minimum residential waste and recycling allocation per rateable property is 1 x 120 litres per week for waste and 1 x 240 litres per fortnight for recycling. The waste and recycling requirements for residents in multi-unit dwellings are as shown in Table 1 below.

Table 1

Dwelling size	Waste (litres per /week)	Recycling (litres per fortnight)
Studio/One bedroom	80	240
Two Bedroom	120	240
Three plus bedrooms	120	240

- 3.1.3 The City provides second recycling bins to residents free of charge. Therefore, developers should consider extra space for storage of additional recycling bins. Also, green waste will also need to be catered for onsite,



depending on the scale and nature of the development. The Waste Management Plan will also need to take this into consideration.

3.1.4 The City will allow for a maximum of 4 x 240L waste bins and 4 x 240L recycle bins to be placed on the verge for kerbside collection. More than 8 bins will require internal service arrangements.

Commented [RC1]: Added for clarity to explain how many bins can be placed on the verge.

3.1.5 The City may introduce Food organic and Garden organic (FOGO) bin in the future. Bin allocation for (FOGO) 240L bin will also needs to be catered for onsite. The minimum of 40L waste generation rate allocation per property per week is acceptable.

Commented [RC2]: The State Government are looking to introduce FOGO State-wide. The City will explore implementing FOGO with Councils support. This has been included in the policy to future proof the policy for such time when the City pursues FOGO.

3.2 Commercial

- 3.2.1 Waste and recycling generation for commercial developments are expected to be developed by the applicant and supported by waste generated modelling by a qualified waste consultant.
- 3.2.2 Commercial properties are not required to utilise the City's waste services and can seek private commercial waste collection arrangements.
- 3.2.3 Should the owner/s wish to utilise the City's commercial waste service, a written request is required, and approval will be considered at the sole discretion of the City.
- 3.2.4 However, commercial developments are encouraged to adhere to the residential waste management requirements to allow flexibility of choice to use the City's service.

Note- The City's residential collection service timelines must not be disrupted and take precedence over any other collection and deliveries. e.g. commercial waste collection and delivery collections.

4.0 BIN SIZE AND COLOUR

- 4.1 The Waste Management Plan must provide details on the proposed bin sizes. The City's available bin sizes and dimensions are shown in Table 2 and 3 below.

Notes: Please refer to the City's waste generation rates (table 1) to finalise bin numbers and the total bin area.

Table 2

Waste Stream	Colour
Residential Waste	Dark green body with dark green/white lid
Commercial Waste	Dark green body with red lid
Recycling	Dark green body with yellow lid
Green Waste (Optional Service)	Dark green body with lime green lid

Table 3

Size (Litres)	Width (m)	Depth (m)	Height (m)
120	0.5	0.6	1.0
240	0.6	0.8	1.1



360	0.7	0.9	1.1
660	1.3	0.8	1.2
1,100	1.4	1.3	1.5

Notes- The City encourages large multi-unit developments (10 or more dwellings) to utilise larger bin option (660L or 1100L).

5.0 COLLECTION FREQUENCY

5.1 The City currently offers weekly waste collection and fortnightly recycling collections to residential properties. The City can provide residential waste and recycling collections up to 2 times per week depending on the density of the development.

5.2 City of Nedlands collects residential waste at the following frequencies:

- (a) 1 to 55 apartments = 1 collection per week
- (b) 56 to 250 apartments = 2 collections per week

Note: Additional collection frequency approval is at the City 's discretion and will incur additional fees and charges for residents.

6.0 INTERNAL SERVICE COLLECTION

6.1 Internal service collection performed only by rear loader waste truck with the ability to service 240L, 360L, 660L and 1100L bins only.

6.2 Internal service collections should be provided for 5 or more multiple and grouped dwellings, all mixed-use developments, all commercial developments and any other proposals where there is insufficient lot, road or verge frontage for collection or vehicle access as determined by the City. Transfer of bins within the bin location and to the waste presentation point should only be undertaken by the City's waste contractor.

6.3 The City may consider on-street collection where it is impractical or unsafe to collect within the property. Progress of a design not taking into consideration inside service requirements is not considered an acceptable reason.

6.4 Internal service collection should follow the below:

- (a) The waste presentation point shall be within the private property as verge presentation is not permitted.
- (b) The bin storage area shall be located in a position that is easy access for users and collection staff. The path for wheeling bins between the waste presentation point and the waste collection truck must be a flat surface (≤ 1.20 , no steps or dock levellers) free of obstacles and a safe distance from parking bays and vehicle ramps.



- (c) The maximum walking distance between the last bin (furthest) at the bin's presentation point and the waste truck for all bin sizes and waste type shall not exceed 10 metres.

- (d) Access to the collection point must be available from 7am-4pm.

Note -All residential developments requiring an annual internal service collection will attract a fee in addition to annual waste charges. Residents and/or caretakers will not be responsible for the presentation and removal of the bins from/to bin storage/collection location.

7.0 WASTE TRUCK ACCESSIBILITY AND MANOEUVRING-

- 7.1 Any development of 5 or more dwellings shall require waste trucks to service all waste from within the property as verge presentation is not permitted. The design shall demonstrate the City's minimum compliance requirement of: -

- (a) Waste trucks must enter and exit the site in a forward gear, with all manoeuvring carried out on site. Submission of swept path analysis to demonstrate this is required using a waste truck length of 10m as specified in 22.2;
- (b) Rear lifts waste trucks will need a clearance height of minimum 3.8 metres in line with 22.2 and shall be clear of awnings, upper floors etc;
- (c) Both the driver and passenger should be able to safely enter and exit the vehicle before and after collection, allowing both doors to fully open; and
- (d) To allow safe operating conditions of the rear loader waste truck, there should be practical and convenient access for both the driver and passenger to access the rear of the vehicle with a minimum 800mm and a 2m operating space at the rear of the vehicle.

Commented [RC3]: As there are now two different truck size options this needed to be changed so that it no longer only referenced the larger trucks.

Commented [RC4]: As there are now two different truck size options this needed to be changed so that it no longer only referenced the larger trucks.

- 7.2 Smaller trucks as specified under Clause 22.2 may be considered by the City in the following circumstances: -

- (a) Where a development poses 40 dwellings or less; or

- ~~(e)~~(b) Otherwise approved by the City.

Commented [RC5]: Added along with the smaller truck specifications to allow for greater flexibility for inside service arrangements for developments of 40 dwellings or less.

8.0 EMBAYMENT OPTIONS

- 8.1 Embayment options within the private property may be considered subject to approval from the City in special circumstances.

Commented [RC6]: Within the 'private property' and 'in special circumstances' have been added due to some submissions concerned that this meant embayment's within the verge and not the private realm.

9.0 BIN STORAGE AREA

- 9.1 Depending on the number of dwellings residents may have individual bin areas or shared communal bin areas shown in Table 4 below.

Table 4

Bin area	Bin Size (litres)
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Development Type		Waste	Recycling	Green waste
1-5 dwellings	Individual	120L/240L	240L	240L
6-9 dwellings Shared	Shared Communal	240L	240L	240L
10 or more dwellings Shared	Shared Communal	660L/1100L	660L/1100L	240L

9.2 Developments with shared bins must include an easily accessible communal bin storage area within the development. In the case of mixed-use developments separate residential and commercial bin storage areas are required.

9.3 A bin storage area (or enclosure) must be provided on the premises where bins are stored and collected from as per the following requirements:

- (a) Easily accessible to allow for the removal of the receptacles;
- (b) Adequate circulation space for manoeuvring bins within the storage area must be allowed;
- (c) Provide for collection that limits pedestrian and vehicle disruption;
- (d) The bin storage area is to be provided with a permanent water supply and drainage facility; for washdown. The bin area is to be screened by a gate, brick walls or other suitable materials to a height not less than 1.8m;

Note-for further clarification, please refer to the City's Environmental Health Services.

- (e) Each waste stream must be separated and clearly labelled;
- (f) Residential waste needs to have a separate area from commercial waste;
- (g) Developments that include residential dwellings shall include a dedicated area for the temporary storage of large bulky items awaiting disposal
- (h) Design should not encourage the emission of odour outside the bin enclosure area;
- (i) Bin storage areas shall be located within the building (not on the verge), so they are not visible from the public realm, or screened from public view with a quality material compatible with the building design
- (j) The bin area is to be accessible via a suitably constructed service road that will allow waste truck vehicle movement;
- (k) Provided with a ramp into the bin storage area having a gradient of no steeper than 1:8 unless otherwise approved by the City; and



- (l) Where a mixed-use development is proposed (residential and any other use), the residential waste and recycling bin storage areas are to be self-contained and separate from commercial bin storage areas.
- (m) For all properties that have lockable waste presentation point, the City requires relevant access i.e. key or remote device.

10.0 COLLECTION OF BINS

- 10.1 Bins, ready for collection, shall be presented in a manner that has minimal impact on the public realm.
- 10.2 Where it cannot be demonstrated that the required number of bins for 4 dwellings or less can be practically accommodated on the verge for collection, bin storage areas shall be designed to allow for collection of waste from within the private site.
- 10.3 Any development of 5 or more dwellings, a bin storage area shall be designed to allow collection of all waste bins from within the site. All waste bins shall not be placed on the verge area for collection.

Notes; The City's waste contractor will only collect allocated "City of Nedlands" bins from the Centralised Residential bin storage as inside service.

11.0 WASTE SYSTEMS FOR MULTI-UNIT DWELLINGS

- 11.1 A detailed description of the waste system proposed must be provided, which shall include in-apartment source separation systems, chutes, carousels, in chute compaction equipment, transportable compactors, bin lifters and tugs or towing devices.

Developers must ensure that it is as easy to dispose of recyclable materials as a waste stream and that there is an adequate provision for the segregation of waste streams without contamination. Hard waste and charity goods should be taken to an easily accessible, secure and safe drop-off point on-site.

- 11.2 The following waste options exist for multiunit developments:

- (a) Option 1: Use 660L bins for waste and 660L bins for recycling with bins stored in communal storage area(s). Residents may be required to transfer all waste and recycling from their dwelling direct to the bin storage area(s).
- (b) Option 2: A dual chute system for waste and recycling leading to a central waste and recycling collection area in the basement or ground level.

Notes; All internal bins located at each unit/level to manage the internal waste will be purchased and maintained by the developer by private arrangement.

- 11.3 Detailed descriptions of the waste systems must be provided, including but not limited to:

- (a) Number of chutes;



- (b) No of bin carousels;
- (c) Compaction equipment; and
- (d) Bin tugs and towing devices.

12.0 WASTE CHUTE

12.1 The minimum waste system requirement based on Multiple Dwelling development size shown on Table 5 below.

Table 5

Number of floors/storeys	Preferred Waste System
Less than 6	Resident accessible bin store at ground level or basement level
6 or more	Dual chutes providing for both waste and recycling on each level

- 12.2 Termination of chutes into mobile bins is required to have skirting, or other equivalent system, to reduce any materials leaving the bin on impact. Where chute systems are installed, the City requires bins to have reinforced bases for bin longevity.
- 12.3 Where waste chutes are utilised, the approved waste compacted by a ratio of 2:1.
- 12.4 Chutes must be ventilated to ensure that air does not flow from the chutes through the service openings. All ongoing maintenance of chute systems, including cleaning is the responsibility of the building manager/strata management.
- 12.5 The City is aware of emerging technology regarding organic waste management. Alternate technology for the diversion of organic from landfill will be considered in place of a triple chute system.

13.0 WASTE COMPACTORS

- 13.1 Developments over 250 apartments or a total stream volume of 25,000 litres of waste and/or 25,000 litres of recycling per week are required to provide a compactor. Compactors should be designed to hold at least 1 week's residential waste or multiple thereof. Waste compaction ratio is 2:1. Higher rates can result in Occupational Health and Safety issues and/or mechanical damage.
- 13.2 The compaction systems should compact directly into the receptacle to reduce the requirement to manually handle the waste receptacle. For its operational reliability, compactors require regular maintenance and sufficient space must be allocated to store at least 3 days of uncompacted waste in case the compactor is out of service.

Commented [RC7]: Submission 1 raised issue that this statement was unclear as to whether it was weekly/monthly etc. This has been added for clarity of the Clause.



- 13.3 Developer's shall liaise with the City to ensure the City's collection contractor vehicles can collect the compactor proposed for each development. Any compactor proposal will need to be agreed with the City.

Note: The responsible entity (strata/corporate body) shall be liable for all bin replacement costs and/or repair costs relating to damage caused as a result of the bin compaction process.

14.0 SIGNAGE

- 14.1 Signs ~~are encouraged~~ within the bin storage area ~~to encourage~~ must demonstrate correct recycling and reduce contamination.
- 14.2 Clear signage and coloured bins (red for waste) and (yellow for recycling) to be placed in each bin storage area on each level.

Commented [RC8]: Suggested through the submissions this should say 'must' rather than 'encourages' as it is a requirement.



15.0 BULK WASTE (Residential properties only)-

15.1 Development plans shall indicate the allocation of a dedicated area to place bulk bins (twice a year) for bulk rubbish collections. The City offers two hard waste collections and two green waste collections for residents.

15.2 The City's bulk collection contractor will provide a 10m² bulk bin during the bulk collection (twice per annum). Hard waste items from multi-unit developments are not permitted to be placed on the verge area for collection.

15.3 On-site hard waste storage must be provided as follows:

- (a) 1 to 55 apartments = Minimum area of 5m²
- (b) 56 - 200 apartments = Minimum area of 10m²

15.4 A hard waste collection area must be provided for collection contractors that is immediate to the truck collection location.

16.0 COLLECTION AND CONTRACTORS

16.1 All residential properties must utilise the City's waste service. However, commercial properties can engage private contractors for the services.

17.0 COMPLIANCE WITH WASTE MANAGEMENT PLAN

17.1 Responsibility for ensuring compliance with the Waste Management Plan and the cleaning of the bin storage area/s and facilities must be allocated to a person of appropriate authority (i.e. property manager, strata manager, caretaker).

18.0 NOTIFICATION ON TITLE

18.1 Section 70A Notification for Waste (where applicable)

18.1.1 Prior to commencement of development, the owner must register over the Certificate of Title to the land the subject of the proposed development a notification, under section 70A of the *Transfer of Land Act 1893*, notifying prospective purchaser that the refuse charges imposed on lot owners by the City as part of its annual rates and charges will be higher than standard refuse charges, due to the additional services provided by the City for the use of small waste trucks, in respect of the collection of refuse from the development.

18.1.2 The section 70A Notification shall be prepared by the City's solicitors to the satisfaction of the City of Nedlands and all costs of and incidental to the preparation of any registration of the section 70A Notification including the City's solicitor's costs shall be met by the owner of the land.

18.2 Entry to private property.

Commented [RC9]: Smaller waste trucks cost the City more therefore the City will on charge this to the occupiers.



- 18.2.3 The responsible entity (strata/corporate body) is responsible for the maintenance of the common property (including roads) within the development and shall indemnify the Principal and its Contractors against any and all costs, expenses, liability, loss, claims or proceedings whatsoever in respect of personal injury to or the death of any person, and in respect of any injury or damage whatsoever to any property or person, arising out of or in the course of or caused by the carrying out of work.

19.0 ADDITIONAL INFORMATION REQUIRED

- 19.1 Please ensure that all plans included in the Waste Management Plan are drawn to either a 1:100 or 1:200 to assist with the assessment process with information below:

- (a) Typical commercial floor showing waste and recycling drop-off points;
- (b) Bin rooms including any bins and compactors;
- (c) Bin presentation location (on-site) with bin alignment shown;
- (d) Residential and commercial floor levels illustrating waste and recycling storage;
- (e) Bin storage areas including any chutes, carousels and bins;
- (f) Bin numbers and size of bins;
- (g) Bin presentation location with bin alignment (verge presentation - if applicable) shown;
- (h) Ramp grades;
- (i) Access to bin storage area and/or chutes; and
- (j) Swept path analysis illustrating sufficient access to collect bins.

20.0 DISCLAIMER

- 20.1 The above information is provided as a guide only and the City of Nedlands disclaims any liability for any damages sustained by any person acting on the basis of this information. It is recommended that initial discussions with the City's Planning and Development Services and Technical Services should be held to address waste management at the early stages of the development proposal.

21.0 DEFINITIONS

Multiple Dwellings	As per Residential Design Codes.
Grouped Dwelling	As per Residential Design Codes.
Multi-unit Dwelling	5 or more multiple dwellings 5 or more grouped dwellings



	5 or more aged or dependant persons dwellings/beds
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22.0 APPENDIX

22.1 Waste Management Plan Template

22.1.1 Land Use Type

22.1.2 Waste Collection method

22.1.3 Bin enclosure/storage area;

22.1.4 Proposed waste system;

22.1.5 Collection frequency;

22.1.6 Waste truck manoeuvring and accessibility;

22.1.7 Waste capacity;

22.1.8 Waste presentation location;

22.1.9 Signage;

22.1.10 Bulk waste placement arrangements;

22.1.11 Waste management drawings/figures; and

22.1.12 Any additional waste requirements (e.g. bulk waste or charity bins).



22.2 Collection Vehicle Specifications based on Rear loader waste truck

(a) Standard Truck Dimensions

Parameter	Vehicle Dimension (m)
Overall length	8.5
Overall width	3.0
Overall height (travel)	3.5
Height when lifting bins	3.8

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Commented [RC10]: Specifications clarified now there are two types of trucks and different specifications for each.

(a)(b) Smaller Truck Dimensions

Parameter	Vehicle Dimension (m)
Overall length	7.5
Overall width	3.0
Overall height (travel)	2.8
Height when lifting bins	2.8

Note: Note: Small waste truck specifications are based on approximately 3 tonne truck. WMP requires to demonstrate all waste streams (Waste and Recycling) collection can service the development in one single collection. This vehicle can service bins only ranging from 120L -660L.

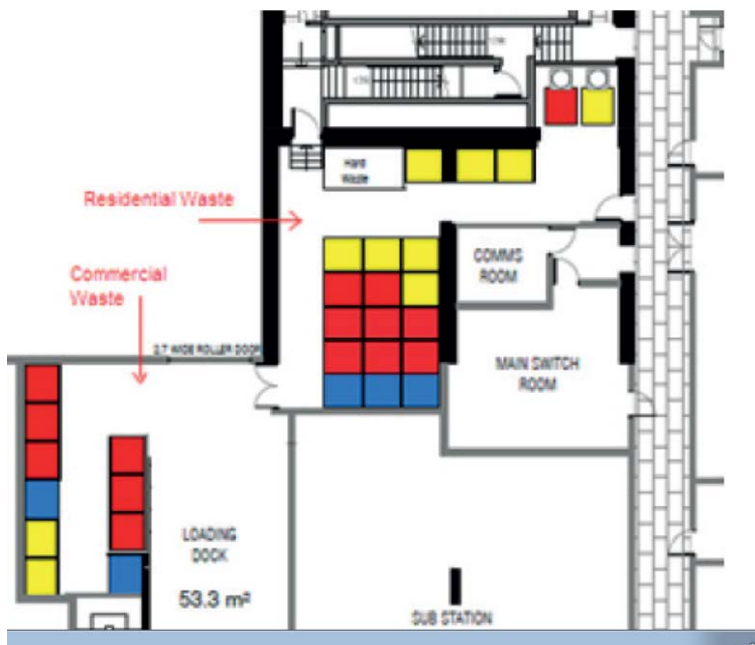
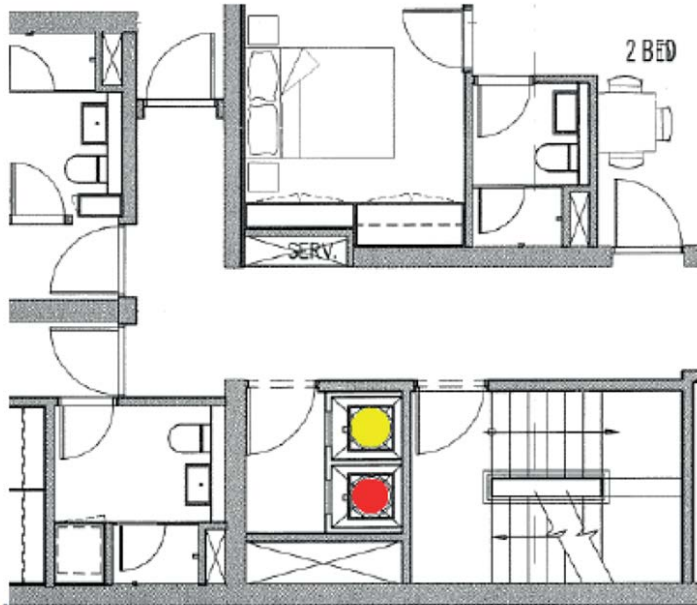
Commented [RC11]: Smaller truck dimensions have been added to allow for another option in relation to inside service. The smaller trucks will allow for medium size developments to also utilise inside servicing without being at the detriment of their design.



22.3 Example of waste bin and recycling bin layout at bin storage area levels

Commented [RJ12]: Are we going to have diagrams of the Truck Size and Dimensions?

Commented [RC13R12]: They dimensions are shown above in section 22.2





LOCAL PLANNING POLICY – WASTE MANAGEMENT

1.0 PURPOSE

- 1.1 This policy details the requirements relating to waste management and minimisation to be considered in the design of any proposed development as per the City's Waste Management Guidelines.

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- 3.1 Provide for waste management and minimisation in a manner that protects the environment, with a greater emphasis on higher levels of resource recovery and increased recycling.
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4.1 Waste Management Plans

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(b) Mixed Use Developments

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(c) Commercial, Industrial and Other Non-Residential Development

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5.0 RELATED LEGISLATION

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- 5.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:

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(b) State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments

- 5.3 This policy should be read in conjunction with the City of Nedlands Waste Management Guidelines.

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

Council Resolution Number	PDX.XX
Implementation Date	Date and Item Number of Council Meeting
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WASTE MANAGEMENT LOCAL PLANNING POLICY

APPENDIX ONE WASTE MANAGEMENT GUIDELINES

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- 1.1 The guidelines are for developers, architects, waste consultants in their preparation of development applications to comply with the Waste Management Local Planning Policy.

2.0 PURPOSE

- 2.1 All aspects of waste management should be considered in the initial design phase of a development, to ensure effective integration of waste facilities into the design where visual amenity is maintained to a high standard, improves convenience, efficiency and protects the health and safety of all stakeholders.
- 2.2 A Waste Management Plan shall be submitted as per the Waste Management Local Planning Policy.

3.0 WASTE AND RECYCLING GENERATION

3.1 Residential

- 3.1.1 The City's collection service operates 7am-7pm on any day that is not a Public Holiday or Sunday (generally Monday to Saturday); and 9am – 7pm a Public Holiday or Sunday.
- 3.1.2 The City's minimum residential waste and recycling allocation per rateable property is 1 x 120 litres per week for waste and 1 x 240 litres per fortnight for recycling. The waste and recycling requirements for residents in multi-unit dwellings are as shown in Table 1 below.

Table 1

Dwelling size	Waste (litres per /week)	Recycling (litres per fortnight)
Studio/One bedroom	80	240
Two Bedroom	120	240
Three plus bedrooms	120	240

- 3.1.3 The City provides second recycling bins to residents free of charge. Therefore, developers should consider extra space for storage of additional recycling bins. Also, green waste will also need to be catered for onsite, depending on the scale and nature of the development. The Waste Management Plan will also need to take this into consideration.
- 3.1.4 The City may introduce Food organic and Garden organic (FOGO) bin in the future. Bin allocation for (FOGO) 240L bin will also needs to be catered for



onsite. The minimum of 40L waste generation rate allocation per property per week is acceptable.

- 3.1.5 The City will allow for a maximum of 4 x 240L waste bins and 4 x 240L recycle bins to be placed on the verge for kerbside collection. More than 8 bins will require internal service arrangements.

3.2 Commercial

- 3.2.1 Waste and recycling generation for commercial developments are expected to be developed by the applicant and supported by waste generated modelling by a qualified waste consultant.
- 3.2.2 Commercial properties are not required to utilise the City's waste services and can seek private commercial waste collection arrangements.
- 3.2.3 Should the owner/s wish to utilise the City's commercial waste service, a written request is required, and approval will be considered at the sole discretion of the City.
- 3.2.4 However, commercial developments are encouraged to adhere to the residential waste management requirements to allow flexibility of choice to use the City's service.

Note- The City's residential collection service timelines must not be disrupted and take precedence over any other collection and deliveries. e.g. commercial waste collection and delivery collections.

4.0 BIN SIZE AND COLOUR

- 4.1 The Waste Management Plan must provide details on the proposed bin sizes. The City's available bin sizes and dimensions are shown in Table 2 and 3 below.

Notes: Please refer to the City's waste generation rates (table 1) to finalise bin numbers and the total bin area.

Table 2

Waste Stream	Colour
Residential Waste	Dark green body with dark green/white lid
Commercial Waste	Dark green body with red lid
Recycling	Dark green body with yellow lid
Green Waste (Optional Service)	Dark green body with lime green lid

Table 3

Size (Litres)	Width (m)	Depth (m)	Height (m)
120	0.5	0.6	1.0
240	0.6	0.8	1.1
360	0.7	0.9	1.1
660	1.3	0.8	1.2
1,100	1.4	1.3	1.5



Notes- The City encourages large multi-unit developments (10 or more dwellings) to utilise larger bin option (660L or 1100L).

5.0 COLLECTION FREQUENCY

5.1 The City currently offers weekly waste collection and fortnightly recycling collections to residential properties. The City can provide residential waste and recycling collections up to 2 times per week depending on the density of the development.

5.2 City of Nedlands collects residential waste at the following frequencies:

- (a) 1 to 55 apartments = 1 collection per week
- (b) 56 to 250 apartments = 2 collections per week

Note: Additional collection frequency approval is at the City 's discretion and will incur additional fees and charges for residents.

6.0 INTERNAL SERVICE COLLECTION

6.1 Internal service collection performed only by rear loader waste truck with the ability to service 240L, 360L, 660L and 1100L bins only.

6.2 Internal service collections should be provided for 5 or more multiple and grouped dwellings, all mixed-use developments, all commercial developments and any other proposals where there is insufficient lot, road or verge frontage for collection or vehicle access as determined by the City. Transfer of bins within the bin location and to the waste presentation point should only be undertaken by the City's waste contractor.

6.3 The City may consider on-street collection where it is impractical or unsafe to collect within the property. Progress of a design not taking into consideration inside service requirements is not considered an acceptable reason.

6.4 Internal service collection should follow the below:

- (a) The waste presentation point shall be within the private property as verge presentation is not permitted.
- (b) The bin storage area shall be located in a position that is easy access for users and collection staff. The path for wheeling bins between the waste presentation point and the waste collection truck must be a flat surface (≤ 1.20 , no steps or dock levellers) free of obstacles and a safe distance from parking bays and vehicle ramps.
- (c) The maximum walking distance between the last bin (furthest) at the bin's presentation point and the waste truck for all bin sizes and waste type shall not exceed 10 metres.
- (d) Access to the collection point must be available from 7am-4pm.



Note -All residential developments requiring an annual internal service collection will attract a fee in addition to annual waste charges. Residents and/or caretakers will not be responsible for the presentation and removal of the bins from/to bin storage/collection location.

7.0 WASTE TRUCK ACCESSIBILITY AND MANOEUVRING-

7.1 Any development of 5 or more dwellings shall require waste trucks to service all waste from within the property as verge presentation is not permitted. The design shall demonstrate the City's minimum compliance requirement of: -

- (a) Waste trucks must enter and exit the site in a forward gear, with all manoeuvring carried out on site. Submission of swept path analysis to demonstrate this is required using a waste truck length as specified in 22.2;
- (b) Rear lifts waste trucks will need a clearance height in line with 22.2 and shall be clear of awnings, upper floors etc;
- (c) Both the driver and passenger should be able to safely enter and exit the vehicle before and after collection, allowing both doors to fully open; and
- (d) To allow safe operating conditions of the rear loader waste truck, there should be practical and convenient access for both the driver and passenger to access the rear of the vehicle with a minimum 800mm and a 2m operating space at the rear of the vehicle.

7.2 Smaller trucks as specified under Clause 22.2 may be considered by the City in the following circumstances: -

- (a) Where a development poses 40 dwellings or less; or
- (b) Otherwise approved by the City.

8.0 EMBAYMENT OPTIONS

8.1 Embayment options within the private property may be considered subject to approval from the City in special circumstances.

9.0 BIN STORAGE AREA

9.1 Depending on the number of dwellings residents may have individual bin areas or shared communal bin areas shown in Table 4 below.

Table 4

Development Type	Bin area	Bin Size (litres)		
		Waste	Recycling	Green waste
1-5 dwellings	Individual	120L/240L	240L	240L
6-9 dwellings Shared	Shared Communal	240L	240L	240L
10 or more dwellings Shared	Shared Communal	660L/1100L	660L/1100L	240L



9.2 Developments with shared bins must include an easily accessible communal bin storage area within the development. In the case of mixed-use developments separate residential and commercial bin storage areas are required.

9.3 A bin storage area (or enclosure) must be provided on the premises where bins are stored and collected from as per the following requirements:

- (a) Easily accessible to allow for the removal of the receptacles;
- (b) Adequate circulation space for manoeuvring bins within the storage area must be allowed;
- (c) Provide for collection that limits pedestrian and vehicle disruption;
- (d) The bin storage area is to be provided with a permanent water supply and drainage facility; for washdown. The bin area is to be screened by a gate, brick walls or other suitable materials to a height not less than 1.8m;

Note-for further clarification, please refer to the City's Environmental Health Services.

- (e) Each waste stream must be separated and clearly labelled;
- (f) Residential waste needs to have a separate area from commercial waste;
- (g) Developments that include residential dwellings shall include a dedicated area for the temporary storage of large bulky items awaiting disposal
- (h) Design should not encourage the emission of odour outside the bin enclosure area;
- (i) Bin storage areas shall be located within the building (not on the verge), so they are not visible from the public realm, or screened from public view with a quality material compatible with the building design
- (j) The bin area is to be accessible via a suitably constructed service road that will allow waste truck vehicle movement;
- (k) Provided with a ramp into the bin storage area having a gradient of no steeper than 1:8 unless otherwise approved by the City; and
- (l) Where a mixed-use development is proposed (residential and any other use), the residential waste and recycling bin storage areas are to be self-contained and separate from commercial bin storage areas.
- (m) For all properties that have lockable waste presentation point, the City requires relevant access i.e. key or remote device.

10.0 COLLECTION OF BINS

10.1 Bins, ready for collection, shall be presented in a manner that has minimal impact on the public realm.



10.2 Where it cannot be demonstrated that the required number of bins for 4 dwellings or less can be practically accommodated on the verge for collection, bin storage areas shall be designed to allow for collection of waste from within the private site.

10.3 Any development of 5 or more dwellings, a bin storage area shall be designed to allow collection of all waste bins from within the site. All waste bins shall not be placed on the verge area for collection.

Notes; The City's waste contractor will only collect allocated "City of Nedlands" bins from the Centralised Residential bin storage as inside service.

11.0 WASTE SYSTEMS FOR MULTI-UNIT DWELLINGS

11.1 A detailed description of the waste system proposed must be provided, which shall include in-apartment source separation systems, chutes, carousels, in chute compaction equipment, transportable compactors, bin lifters and tugs or towing devices.

Developers must ensure that it is as easy to dispose of recyclable materials as a waste stream and that there is an adequate provision for the segregation of waste streams without contamination. Hard waste and charity goods should be taken to an easily accessible, secure and safe drop-off point on-site.

11.2 The following waste options exist for multiunit developments:

- (a) Option 1: Use 660L bins for waste and 660L bins for recycling with bins stored in communal storage area(s). Residents may be required to transfer all waste and recycling from their dwelling direct to the bin storage area(s).
- (b) Option 2: A dual chute system for waste and recycling leading to a central waste and recycling collection area in the basement or ground level.

Notes; All internal bins located at each unit/level to manage the internal waste will be purchased and maintained by the developer by private arrangement.

11.3 Detailed descriptions of the waste systems must be provided, including but not limited to:

- (a) Number of chutes;
- (b) No of bin carousels;
- (c) Compaction equipment; and
- (d) Bin tugs and towing devices.

12.0 WASTE CHUTE

12.1 The minimum waste system requirement based on Multiple Dwelling development size shown on Table 5 below.

**Table 5**

Number of floors/storeys	Preferred Waste System
Less than 6	Resident accessible bin store at ground level or basement level
6 or more	Dual chutes providing for both waste and recycling on each level

- 12.2 Termination of chutes into mobile bins is required to have skirting, or other equivalent system, to reduce any materials leaving the bin on impact. Where chute systems are installed, the City requires bins to have reinforced bases for bin longevity.
- 12.3 Where waste chutes are utilised, the approved waste compacted by a ratio of 2:1.
- 12.4 Chutes must be ventilated to ensure that air does not flow from the chutes through the service openings. All ongoing maintenance of chute systems, including cleaning is the responsibility of the building manager/strata management.
- 12.5 The City is aware of emerging technology regarding organic waste management. Alternate technology for the diversion of organic from landfill will be considered in place of a triple chute system.

13.0 WASTE COMPACTORS

- 13.1 Developments over 250 apartments or a total stream volume of 25,000 litres of waste and/or 25,000 litres of recycling per week are required to provide a compactor. Compactors should be designed to hold at least 1 week's residential waste or multiple thereof. Waste compaction ratio is 2:1. Higher rates can result in Occupational Health and Safety issues and/or mechanical damage.
- 13.2 The compaction systems should compact directly into the receptacle to reduce the requirement to manually handle the waste receptacle. For its operational reliability, compactors require regular maintenance and sufficient space must be allocated to store at least 3 days of uncompacted waste in case the compactor is out of service.
- 13.3 Developer's shall liaise with the City to ensure the City's collection contractor vehicles can collect the compactor proposed for each development. Any compactor proposal will need to be agreed with the City.

Note: The responsible entity (strata/corporate body) shall be liable for all bin replacement costs and/or repair costs relating to damage caused as a result of the bin compaction process.

14.0 SIGNAGE

- 14.1 Signs within the bin storage area must demonstrate correct recycling and reduce contamination.



14.2 Clear signage and coloured bins (red for waste) and (yellow for recycling) to be placed in each bin storage area on each level.

15.0 BULK WASTE (Residential properties only)-

15.1 Development plans shall indicate the allocation of a dedicated area to place bulk bins (twice a year) for bulk rubbish collections. The City offers two hard waste collections and two green waste collections for residents.

15.2 The City's bulk collection contractor will provide a 10m² bulk bin during the bulk collection (twice per annum). Hard waste items from multi-unit developments are not permitted to be placed on the verge area for collection.

15.3 On-site hard waste storage must be provided as follows:

- (a) 1 to 55 apartments = Minimum area of 5m²
- (b) 56 - 200 apartments = Minimum area of 10m²

15.4 A hard waste collection area must be provided for collection contractors that is immediate to the truck collection location.

16.0 COLLECTION AND CONTRACTORS

16.1 All residential properties must utilise the City's waste service. However, commercial properties can engage private contractors for the services.

17.0 COMPLIANCE WITH WASTE MANAGEMENT PLAN

17.1 Responsibility for ensuring compliance with the Waste Management Plan and the cleaning of the bin storage area/s and facilities must be allocated to a person of appropriate authority (i.e. property manager, strata manager, caretaker).

18.0 NOTIFICATION ON TITLE

18.1 Section 70A Notification for Waste (where applicable)

18.1.1 Prior to commencement of development, the owner must register over the Certificate of Title to the land the subject of the proposed development a notification, under section 70A of the *Transfer of Land Act 1893*, notifying prospective purchaser that the refuse charges imposed on lot owners by the City as part of its annual rates and charges will be higher than standard refuse charges, due to the additional services provided by the City or the use of small waste trucks, in respect of the collection of refuse from the development.

18.1.2 The section 70A Notification shall be prepared by the City's solicitors to the satisfaction of the City of Nedlands and all costs of and incidental to the



preparation of any registration of the section 70A Notification including the City's solicitor's costs shall be met by the owner of the land.

18.2 Entry to private property.

18.2.3 The responsible entity (strata/corporate body) is responsible for the maintenance of the common property (including roads) within the development and shall indemnify the Principal and its Contractors against any and all costs, expenses, liability, loss, claims or proceedings whatsoever in respect of personal injury to or the death of any person, and in respect of any injury or damage whatsoever to any property or person, arising out of or in the course of or caused by the carrying out of work.

19.0 ADDITIONAL INFORMATION REQUIRED

19.1 Please ensure that all plans included in the Waste Management Plan are drawn to either a 1:100 or 1:200 to assist with the assessment process with information below:

- (a) Typical commercial floor showing waste and recycling drop-off points;
- (b) Bin rooms including any bins and compactors;
- (c) Bin presentation location (on-site) with bin alignment shown;
- (d) Residential and commercial floor levels illustrating waste and recycling storage;
- (e) Bin storage areas including any chutes, carousels and bins;
- (f) Bin numbers and size of bins;
- (g) Bin presentation location with bin alignment (verge presentation - if applicable) shown;
- (h) Ramp grades;
- (i) Access to bin storage area and/or chutes; and
- (j) Swept path analysis illustrating sufficient access to collect bins.

20.0 DISCLAIMER

20.1 The above information is provided as a guide only and the City of Nedlands disclaims any liability for any damages sustained by any person acting on the basis of this information. It is recommended that initial discussions with the City's Planning and Development Services and Technical Services should be held to address waste management at the early stages of the development proposal.

21.0 DEFINITIONS



Multiple Dwellings	As per Residential Design Codes.
Grouped Dwelling	As per Residential Design Codes.
Multi-unit Dwelling	5 or more multiple dwellings 5 or more grouped dwellings 5 or more aged or dependant persons dwellings/beds

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22.0 APPENDIX

22.1 Waste Management Plan Template

- 22.1.1 Land Use Type
- 22.1.2 Waste Collection method
- 22.1.3 Bin enclosure/storage area;
- 22.1.4 Proposed waste system;
- 22.1.5 Collection frequency;
- 22.1.6 Waste truck manoeuvring and accessibility;
- 22.1.7 Waste capacity;
- 22.1.8 Waste presentation location;
- 22.1.9 Signage;
- 22.1.10 Bulk waste placement arrangements;
- 22.1.11 Waste management drawings/figures; and
- 22.1.12 Any additional waste requirements (e.g. bulk waste or charity bins).



22.2 Collection Vehicle Specifications based on Rear loader waste truck

(a) Standard Truck Dimensions

Parameter	Vehicle Dimension (m)
Overall length	8.5
Overall width	3.0
Overall height (travel)	3.5
Height when lifting bins	3.8

(b) Smaller Truck Dimensions

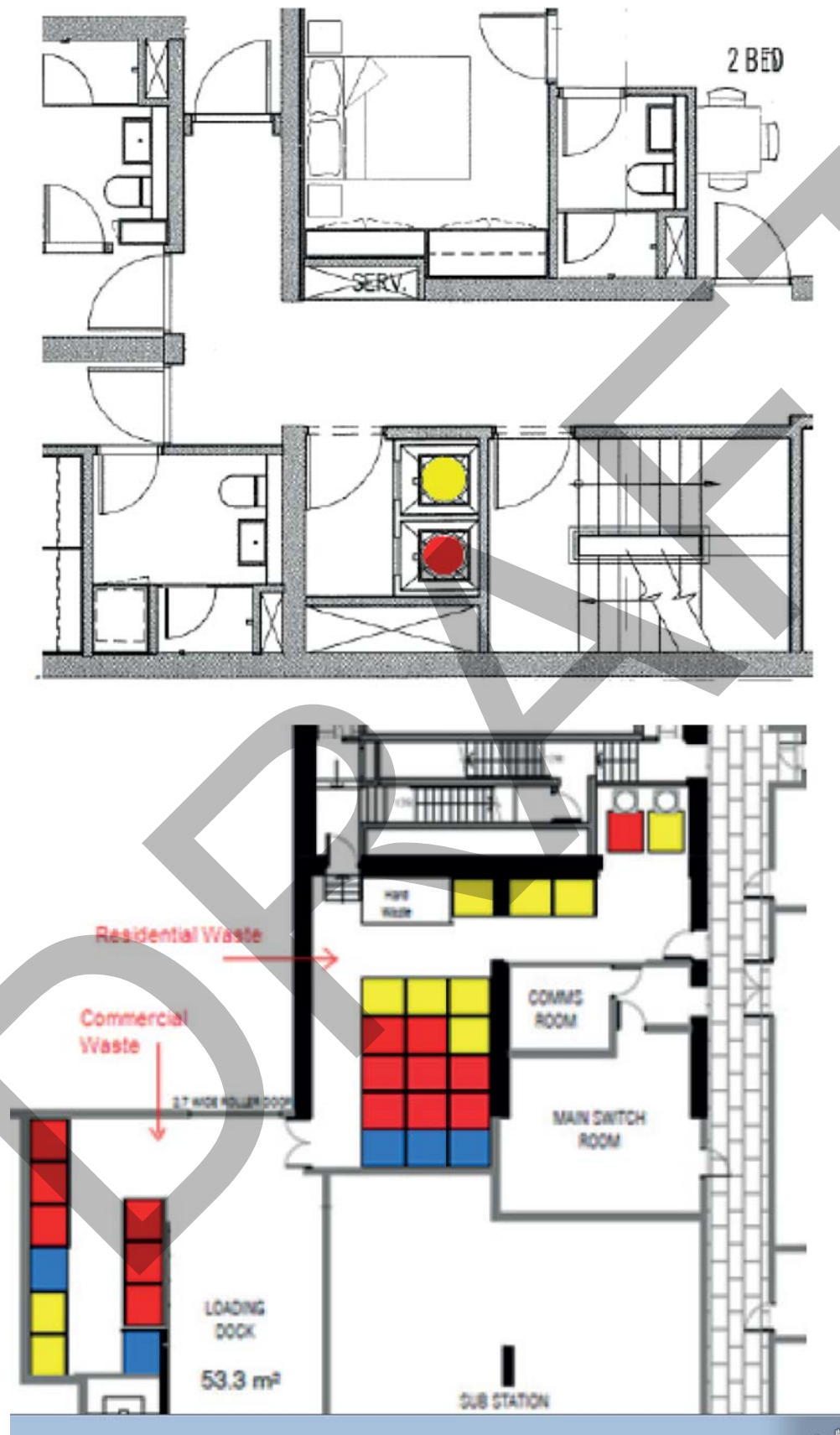
Parameter	Vehicle Dimension (m)
Overall length	7.5
Overall width	3.0
Overall height (travel)	2.8
Height when lifting bins	2.8

Note: Small waste truck specifications are based on approximately 3 tonne truck. WMP requires to demonstrate all waste streams (Waste and Recycling) collection can service the development in one single collection.

This vehicle can service bins only ranging from 120L -660L.



22.3 Example of waste bin and recycling bin layout at bin storage area levels



No.	Name and Address of Submitter	Summary of Submission	Response and recommendation
1	Jake Hickey on behalf of Instant Waste Management	<ul style="list-style-type: none"> a) Intent of the policy is good b) Policy needs to be clearer in relation to section 13 mandated compaction systems for large developments over 25,000L per is this per week, month or year c) I don't agree with are the need to keep three days' worth of m2 space in a bin store for un-compacted waste streams. This additional waste generation requirement for large MUD buildings will create massive bin storerooms with too much surplus space in design, that in turn impact on potential car parking allocation or leased retail or office space on the ground or basement floors. 1 to 2 days compacted waste storage is more reasonable, as most compaction systems that fit onto these carrousel systems; come under warrantee for repairs with emergency call out teams. d) Smaller trucks need to be considered and smaller sweep paths. 	<ul style="list-style-type: none"> a) Noted. b) Policy clarified to show that this is a weekly calculation. c) This requirement will remain the same although open for discussion with the City if required on a case by case basis. d) Smaller trucks are now included in the policy for developments of certain sizes.
2	Andrew Hunt 4 Philip Road Dalkeith	<ul style="list-style-type: none"> a) Consider soft closing lids for industrial waste bins on commercial and mixed-use sites to reduce the spread of disease and litter from the attraction of flies, crows and bin chickens in the City of Nedlands. 	<ul style="list-style-type: none"> a) Noted. The City uses the Australian Standards in relation to bin specifications.
3	Libby Newman 22 Louise Street Nedlands	<ul style="list-style-type: none"> a) Favour on site collection b) Amenity and streetscape issues are created by bins being collected from the verge c) Bins and trucks should be screened from view of residents to protect amenity d) It is the architect's responsibility to ensure the facade of the building suits the character of the street not the council's responsibility to assist the developer to find ways to avoid onsite waste management 	<ul style="list-style-type: none"> a) Noted. b) 8 bins in total will be able to be placed on the verge. An objective of the policy is to protect the amenity and streetscape of the City. c) Bin storage on site will be screened from public view in line with the Waste Local Law. d) Noted.
4	Roger Newman 22 Louise Street Nedlands	<ul style="list-style-type: none"> a) Pressure on the safety of streets and infrastructure is an issue (an example being 17-19 Louise) 	<ul style="list-style-type: none"> a) Safety is an objective of the policy and any proposal for waste management will need to demonstrate safe collection process.

		<ul style="list-style-type: none"> b) City should adopt onsite waste collection rather than on verge c) It is the architect's responsibility to ensure the facade of the building suits the character of the street not the council's responsibility to assist the developer to find ways to avoid onsite waste management d) Amenity and streetscape issues are created by bins being collected from the verge e) Bins and trucks should be screened from view of residents to protect amenity. f) Allowing verge collection will increase traffic congestion and jeopardise the new safe street cycleways currently being built. 	<ul style="list-style-type: none"> b) On site waste collection will be required in line with the policy. c) Noted. d) 8 bins in total will be able to be placed on the verge. An objective of the policy is to protect the amenity and streetscape of the City. e) Bin storage on site will be screened from public view in line with the Waste Local Law. f) Overall traffic studies are being undertaken as part of a larger body of work in relation to the up coded areas. Traffic management plans are required at Development Application lodgement for larger developments.
5	Andrew Jackson Unit 3 114 Stirling Hwy	<ul style="list-style-type: none"> a) Support on site collection. b) Objective 3.4 reads: To provide for flexibility for waste management of developments This should be deleted, because it: <ul style="list-style-type: none"> • contradicts the primary aim of on-site collection; • dangerously invites undesirable variations; • is unnecessary as the policy provides for constrained situations; and • policy can have regard to exceptional circumstances c) Collection frequency threshold of up to 55 apartments relying on one collection per week as the norm may be too high. d) Suggested rewording of internal service collection to make more explicit and only would not be considered in exceptional circumstances. e) Suggested rewording of embayment option to make more explicit and only would not be considered in exceptional circumstances and to just be related to verge. f) Signage should be mandatory not encouraged. g) Bulk waste should have a dedicated area on site. 	<ul style="list-style-type: none"> a) Noted. b) Objective 3.4 has been reworded. c) This is a guideline and as stated in the note under clause 5.2 additional collections can be requested at the City's discretion. d) The rewording suggested is too onerous the current clause is clear and concise while still allowing for flexibility in line with the objectives of the policy. e) Embayment's within the verge will rarely be considered by the City, this clause is in relation to embayment's within the property which as stated in the clause will only be considered in special circumstances. Clause has been reworded to reflect this. f) Clause has been changed to reflect that signage must be included rather than encouraged. g) Bulk waste will be required to be collected from an onsite location for multi-unit dwellings in line with clause 15.2.
6	Jane Elizabeth Storey	<ul style="list-style-type: none"> a) Inside service in the carpark of multi storey apartments should be provided for trucks to drive into the site and empty the bins. 	<ul style="list-style-type: none"> a) This is in line with the requirements on the Waste Management LPP.

	104 Thomas Street Nedlands		
7	Emma Rose 21 Mountjoy Road, Nedlands	<ul style="list-style-type: none"> a) I support the policy's approach to having waste managed onsite (within the property) boundary for multiple dwellings (>5). b) I request the policy be amended to include a time restriction to be applied to any private contractors (E.g. 7am-6pm) 	<ul style="list-style-type: none"> a) Noted b) Private contractors are not allowed for residential properties within the City. The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.
8	Bob and Julie Clark 36 Louise St, Nedlands	<ul style="list-style-type: none"> a) Support the policy b) Collections of rubbish and recycling bins would be preferable between the hours 7am to 3pm to avoid after school pedestrian and traffic movement c) Collections should always be inside any multi-unit development and never on the verge. This should be strictly adhered to prevent noise and obstruction to surrounding residents. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) Inside services are applied in line with the policy under special circumstances the City will consider other alternatives that still meet the objectives on the policy which discuss amenity and safety. Only 8 bins will be allowed to be placed on the verge anything over 8 bins will require an inside service.
9	Jane Elizabeth Storey 104 Thomas Street Nedlands	<ul style="list-style-type: none"> a) Pick up of waste from multiple apartment developments must be during 8am - 4pm Mon - Fri only. 	<ul style="list-style-type: none"> a) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.
10	Carmen Tutor 8A Alexander Road, Dalkeith	<ul style="list-style-type: none"> a) Supports internal waste collection for 95A Waratah Avenue. b) Supports proposed laneway to the east of Dalkeith Hall site. c) Comments in relation to the bulk and scale of 95A Waratah Avenue d) Council land should not be used to benefit developments e) Would consider laneway on west side of Dalkeith Hall is 8A Alexander could gain rear access. f) Developers should be charged for waste of resources, time and stress caused to all by not complying with zoning requirements. 	<ul style="list-style-type: none"> a) Noted b) Noted – not part of this policy c) Noted – not part of this policy d) Noted – not part of this policy e) Noted – not part of this policy f) Noted – not part of this policy
11	Andrew and Mandy Edwards	<ul style="list-style-type: none"> a) Strongly support draft policy b) Support internal service requirements under Section 6 Appendix1 	<ul style="list-style-type: none"> a) Noted. b) Noted.

	14 Doonan Road, Nedlands	<ul style="list-style-type: none"> c) Objective (section 3) be expanded to include specific objective on minimising street traffic disruption. d) Footnote at the bottom of 6.4 of the Appendix should read "Residents and/or caretakers will be responsible (currently reads "will not be responsible...")" 	<ul style="list-style-type: none"> c) Overall traffic studies are being undertaken as part of a larger body of work in relation to the up coded areas. Traffic management plans are required at Development Application lodgement for larger developments. d) The clause is worded correctly, residents and caretakers will not be responsible as this is covered by the higher charge and service by the City at the cost to the development's residents.
12	Felix Sommerhalder 15 Vincent Street, Nedlands	<ul style="list-style-type: none"> a) Supports the policy in relation to internal service collection for residential developments greater than 5 dwellings. b) Waste companies should be restricted to waste collection between the hours of 7am and 4pm, this needs to be managed due to noise. 	<ul style="list-style-type: none"> a) Noted, this is for 5 or more dwellings. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.
13	Peter Robins 10 Edward Street, Nedlands	<ul style="list-style-type: none"> a) Support the waste policy, most importantly the internal collection for more than 5 dwellings, this is essential for the streetscape. b) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. c) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. d) Compactors shouldn't be used to reduce the number of bins per dwelling. e) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. 	<ul style="list-style-type: none"> a) Noted, this is for 5 or more dwellings. b) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. c) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. d) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins. e) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.
14	Simon Edis 72 Kingsway, Nedlands	<ul style="list-style-type: none"> a) Support policy and internal collection to protect streetscape. b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations

		<ul style="list-style-type: none"> c) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. d) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. e) Compactors shouldn't be used to reduce the number of bins per dwelling. f) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. 	<p>1997. Collection services are ran between 7am and 7pm.</p> <ul style="list-style-type: none"> c) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. d) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. e) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins. f) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.
15	Element 191 St Georges Terrace	<ul style="list-style-type: none"> a) Private collection should be considered within the City for residential apartments like that of the current arrangement with commercial developments reasons for this include the City's inability to provide alternative options for waste collection. Private waste collection as proposed by this submission does not appear to conflict with the provisions of the City's existing Waste Local Law, or the Waste Avoidance and Recovery Act 2007. b) Current truck sizes will make many developments unfeasible or unattractive with the extra height and bulk required to allow for these size trucks to service internally. c) The awarding of a new waste contract by the end of 2020, and any changes to the conditions and requirements of waste collection would need to be inherently updated as the successful waste contractor's collection limitations change. 	<ul style="list-style-type: none"> a) Currently the Waste Avoidance and Resource Recovery Act Section 50 discuss how the Local Government may provide Waste Services. The City of Nedlands Waste Local Law 2017 Clause 2.1 states that the Local Government is to supply the receptacles and the collection or residential waste. The City does not wish to pursue private collection at this time as having discussed the matter with other Local Governments who offer private collection they are experiencing issues with compliance and looking to move away from the model of allowing developments to have private collection for residential waste. b) Smaller truck sizes have been factored into the Waste Management Guidelines. c) Noted, the condition of DA will remain unchanged. However, regardless of change of contractor, there

		<p>d) The limitations on the number of bins should be per frontage not per property so that sites which amalgamate are not penalised.</p> <p>e) The large floor to ceiling height required for the larger trucks and internal servicing will create poor built form outcomes.</p> <p>f) The space needed for the trucks will impact the amount of car bays that are able to be provided or additional basement space being required.</p> <p>g) City should seek legal advice as to whether they can refuse private collection.</p> <p>h) The amount of litres (of waste) required to be provided per dwelling is considered too high by industry standards. Other local governments have lower litres per dwelling.</p> <p>i) Embayment's within the road reserve can be provided as a safe way for the City's current truck size and contractors to collect waste from a development.</p> <p>j) The argument that waste collection by smaller trucks is not sustainable is incorrect.</p> <p>k) The private sector can provide waste services more efficient and cost effective than the City can.</p> <p>l) Concerns around too many different private waste contractors operating in the City is not valid as this situation already exists with commercial premises being able to utilise private waste contractors.</p>	<p>may be changes to the fees and charges. If this is the case, then the City will apply the necessary amendments to resident's waste charge in accordance with section 70a condition. the City will use the Waste Management LPP and Guidelines to tailor their contract for Waste Services.</p> <p>d) Limitation on the number of the bins is per property. The City does not want a mass of bins on the verge whether that be one of two verges. If two sites amalgamate, they will have a larger site making it easier to accommodate internal servicing arrangements.</p> <p>e) Smaller truck sizes have been factored into the Waste Management Guidelines. Design shall be based on the specifications detailed on the City's waste guidelines.</p> <p>f) Smaller truck sizes have been factored into the Waste Management Guidelines.</p> <p>g) Noted. Please refer to response to a.</p> <p>h) The City has benchmarked its waste generation rates to ensure waste guideline objectives and the City's waste minimisation strategy action plan 2017-2020 are met. Further the City's waste generation rate calculations are less than WALGA waste generation rates.</p> <p>i) Embayment's within the road reserve are not supported by the City as they remove verge and green space from the public realm as well as not being in line with the objectives in relation to streetscape and amenity.</p> <p>j) Smaller truck sizes have been factored into the Waste Management Guidelines. Further the City's records confirm that over 74% of commercial properties are utilising the City's waste service as the services proved to be commercially competitive.</p> <p>k) Please see response to a.</p>
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			l) Noted, please see response to a.
16	Sue Skull Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling. 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
17	Rod White 59 Kingsway, Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and

		<p>render the waste management system useless for varying periods of time.</p> <p>f) Compactors shouldn't be used to reduce the number of bins per dwelling</p>	<p>who is responsible for the compactors. This will be required prior to development approval.</p> <p>e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval.</p> <p>f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.</p>
18	Kate White 59 Kingsway, Nedlands	<p>a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities.</p> <p>b) Support internal collection for greater than 5 dwellings to protect streetscape.</p> <p>c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns.</p> <p>d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc.</p> <p>e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time.</p> <p>f) Compactors shouldn't be used to reduce the number of bins per dwelling</p>	<p>a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.</p> <p>b) Noted.</p> <p>c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.</p> <p>d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval.</p> <p>e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval.</p> <p>f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.</p>
19	Todd Allen 13 Doonan Road, Nedlands	<p>a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities.</p>	<p>a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.</p> <p>b) Noted.</p>

		<ul style="list-style-type: none"> b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
20	Susan Warner 29 Mountjoy Road, Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval.

			f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
21	Tom Warner 29 Mountjoy Road, Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
22	David Lord 21 Alexander Road, Dalkeith	<ul style="list-style-type: none"> a) Support the policy b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. c) For grouped housing of more than 4 rubbish collection should be internal. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) Noted, in line with policy.
23	Julian Goldsworthy 8 Archdeacon Street, Nedlands	<ul style="list-style-type: none"> a) Support internal collection for greater than 5 dwellings to protect streetscape. b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations

		<ul style="list-style-type: none"> c) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. d) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. e) Compactors shouldn't be used to reduce the number of bins per dwelling 	<p>1997. Collection services are ran between 7am and 7pm.</p> <ul style="list-style-type: none"> c) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. d) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. e) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
24	Helen Forbes 36 Langham Street, Nedlands	<ul style="list-style-type: none"> a) Support internal collection for greater than 5 dwellings to protect streetscape. b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. c) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. d) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. e) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. d) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. e) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.

25	Brad Forbes 36 Langham Street, Nedlands	<ul style="list-style-type: none"> a) Support internal collection for greater than 5 dwellings to protect streetscape. b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. c) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. d) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. e) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. d) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. e) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
26	Graeme Hatton 10 Loftus Street, Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for

			<p>compactors. This will be required prior to development approval.</p> <p>f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.</p>
27	Bev Stewart 39 Watkins Road, Dalkeith	<p>a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities.</p> <p>b) Support internal collection for greater than 5 dwellings to protect streetscape.</p> <p>c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns.</p> <p>d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc.</p> <p>e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time.</p> <p>f) Compactors shouldn't be used to reduce the number of bins per dwelling</p>	<p>a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.</p> <p>b) Noted.</p> <p>c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.</p> <p>d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval.</p> <p>e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval.</p> <p>f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.</p>
28	James Stewart 39 Watkins Road, Dalkeith	<p>a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities.</p> <p>b) Support internal collection for greater than 5 dwellings to protect streetscape.</p> <p>c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns.</p>	<p>a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.</p> <p>b) Noted.</p> <p>c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.</p>

		<ul style="list-style-type: none"> d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
29	Stuart Moran 45 Florence Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy and internal collection for dwellings greater than 5. b) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. c) Collection must not impede on the street. d) Policy needs to ensure that there is no discretion for developers. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) There will be no more than 8 bins allowed on the verge per development and any proposal will have to be in line with the objective in the policy relating to amenity and streetscape. d) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.
30	Peter Galvin 10 Doonan Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy and have no objections. 	<ul style="list-style-type: none"> a) Noted.
31	William Kirby 28 Rockton Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy. b) Do not want waste collection before 7:30am due to noise. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.
32	Jason Binns	<ul style="list-style-type: none"> a) Support the policy. 	<ul style="list-style-type: none"> a) Noted.

	12 Baird Avenue, Nedlands		
33	Rachel Galvin 10 Doonan Road, Nedlands	a) Support the policy more than 5 dwellings should not be able to place bins on verge.	a) Noted, in line with policy.
34	Elizabeth McCall 24 Leon Road, Dalkeith	a) Support the policy. b) Time limits on hours of collection. c) Multiple occupiers should be required to consolidate into central bins to avoid streets being overtaken by bins and waste trucks. d) Noise from internal compactors must be monitored and reasonable. e) Policy needs to ensure that there is no discretion for developers.	a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. c) 6 or more dwellings are encouraged through the policy in Table 4 to share communal bins. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.
35	Bronwyn Stuckey 26 Kingsway, Nedlands	a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time.	a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval.

		<ul style="list-style-type: none"> f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
36	Adrienne Dukes 15 Vincent Street, Nedlands	<ul style="list-style-type: none"> a) Support the policy for 5 or more to require internal servicing. b) Trucks must access in forward gear. c) Reversing must not be allowed due to safety of pedestrians and prevent traffic hazards. d) Preserve verges from surplus of bins and trucks. e) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. f) Trucks should not have parking bays on the street. 	<ul style="list-style-type: none"> a) Noted, in line with policy. b) This is a requirement of the policy clause 7.1a. c) When a developer proposes to not enter and exit in forward gear the applicant must demonstrate through a risk assessment that it is safe and feasible to do so. This document must be prepared by a qualified traffic engineer This will have to be approved by the City. d) This is in line with the objectives of the policy in relation to amenity. e) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. f) Trucks are not permitted to park on the streets while collecting bins from a bin enclosure.
37	Dawn Dukes 10 Leura Street, Nedlands	<ul style="list-style-type: none"> a) Support policy. b) Trucks must access in forward gear for safety. c) Grouped dwellings over 5 units must have onsite collection to preserve verges. d) Collection should be between the hours of 7am and 4pm to limit noise issues. e) Onsite internal collection should be fully enclosed to avoid noise and dangerous fumes. 	<ul style="list-style-type: none"> a) Noted. b) When a developer proposes to not enter and exit in forward gear the applicant must demonstrate through a risk assessment that it is safe and feasible to do so. This document must be prepared by a qualified traffic engineer This will have to be approved by the City. c) Noted, in line with the policy. d) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.

			e) Bin storage on site will be screened from public view in line with the Waste Local Law.
38	Arthur Lim 18 Vincent Street, Nedlands	a) Support the policy.	a) Noted.
39	Paulus Dermawan 18 Vincent Street, Nedlands	a) Support the policy.	a) Noted.
40	Andrew Travis 8 Doonan Road, Nedlands	a) Support the policy.	a) Noted.
41	Margaret Hateley Unit 3, 1 Webster Street, Nedlands	a) Support the policy protect the verges. b) On site collection for more than 5 dwellings going forward.	a) Noted. b) Noted.
42	Harvey Stanford Salter 27 Louise Street, Nedlands	a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling	a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid

			in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
43	Jody Leanne Salter 27 Louise Street, Nedlands	<ul style="list-style-type: none"> a) Policy needs to ensure that there is no discretion for developers wanting to avoid their waste management responsibilities. b) Support internal collection for greater than 5 dwellings to protect streetscape. c) Bin collection should only be between the hours of 7am and 4pm to limit traffic and noise concerns. d) Use of compactors should be looked at more closely regarding noise and who is expected to operate them, safety etc. e) Compactors will be subject to mechanical breakdown, power outage wear and tear and other issues that will render the waste management system useless for varying periods of time. f) Compactors shouldn't be used to reduce the number of bins per dwelling 	<ul style="list-style-type: none"> a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Noted. c) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm. d) The operation of compactors on a site will need to be covered within the waste management plan. This will address safety, service agreements and contingency plans, noise, use of compactors and who is responsible for the compactors. This will be required prior to development approval. e) The waste management plan will cover the service agreement and contingency plan required for compactors. This will be required prior to development approval. f) The amount of bins required per dwelling is based on litres and waste generation compactors can aid in allowing for waste to be compacted to allow for more litres to be placed within normal bins.
44	Josephine Ferguson-Allen 13 Doonan Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy. b) Policy needs to ensure that there is no discretion for developers. 	<ul style="list-style-type: none"> a) Noted. b) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances.
45	Katariina Travis 8 Doonan Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy. 	<ul style="list-style-type: none"> a) Noted.
46	Tony Morgan 19 Marita Road, Nedlands	<ul style="list-style-type: none"> a) Support the policy. b) No waste collection before 7am. 	<ul style="list-style-type: none"> a) Noted. b) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm

47	Dirk van der Struyf 34 Marita Road, Nedlands	a) Support the policy.	a) Noted.
48	R and E Gibson 41 Louise Street, Nedlands	a) Policy needs to ensure that there is no discretion. b) Waste removal trucks are required to have full access to sites of more than five dwellings, there should be no alternative. c) Having waste trucks in or half in the street is too dangerous, waste should be completely managed on site. d) Waste collection should be limited to between the hours of 7am and 4pm to alleviate issues with noise.	a) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances. b) Policies allow for variation to be proposed when they are in line with the objectives at the City's discretion in special circumstances e.g. accessibility, site constraints etc. c) The trucks are required to be wholly within the private property including the safe operating space unless verge collection is permitted. d) The time restrictions for collection are guided by the Environmental Protection (Noise) Regulations 1997. Collection services are ran between 7am and 7pm.

PD07.20	Local Planning Scheme 3 – Local Planning Policy Removal of Occupancy Restrictions
Committee	10 March 2020
Council	24 March 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	<ol style="list-style-type: none"> 1. Draft Occupancy Restrictions LPP 2. Draft Planning Information Sheet – Removal of Notifications on Title – Over 55's Accommodation/Ancillary Dwelling

1.0 Executive Summary

The purpose of this report is for Council to prepare (adopt for advertising) the Occupancy Restrictions Local Planning Policy required under Local Planning Scheme 3 (LPS 3).

The purpose of this policy is to provide guidance and provisions for operators seeking to remove occupancy restrictions on residential properties.

2.0 Recommendation to Committee

Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Occupancy Restrictions Local Planning Policy.

3.0 Background

Under Town Planning Scheme No. 2 (TPS2), a number of single residential properties were granted additional land use rights to build two Aged and Dependent Persons Dwellings in place of a single house on a single lot (colloquially known as over 55's accommodation). A condition of the Development Approval for these sites required a notification to be placed on the Certificate of Title for the property, restricting occupation of the dwelling to those aged 55 years and over.

As a result of the gazettal of LPS 3 in April 2019, the additional land use rights allocated for Aged and Dependent Persons Dwellings (Over 55's accommodation) are no longer in effect. However, the restrictions on occupation of the dwelling are still in effect and will be until the process to remove them from the property's Certificate of Title has been completed.

Additionally, under TPS2, a number of single residential properties were granted Development Approval to build an Ancillary Dwelling on the site, with occupation of the Ancillary Dwelling restricted to members of the property owner's family via a condition of Development Approval.

The R-Codes and LPS3 do not provide a definition for Aged and Dependent Persons Dwellings (over 55's accommodation). However, for the purposes of this draft LPP it is considered to be accommodation for those persons aged 55 years and over in accordance with the deemed to comply requirements and design principles of clause 5.2.5 Aged or dependent persons dwellings of the R-Codes Volume 1.

Ancillary Dwellings are defined in State Planning Policy 7.3 – Residential Design Codes Volume 1 as,

'Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.'

In response to LPS3, Administration has resolved to prepare a Local Planning Policy and associated planning information sheet to outline the requirements for amending and/or removing conditions from a development approval, and for removing notifications from Certificates of Title.

4.0 Detail

This policy applies to all occupancy restriction removals related to Aged and Dependent Persons Dwellings (over 55's accommodation) and Ancillary Dwellings within the City of Nedlands.

The purpose of this policy is to provide guidance and development provisions for owners seeking to remove occupancy restrictions from their Certificate of Title and remove or amend conditions of Development Approval in relation to these restrictions. This policy is also intended to provide guidance to assist officers in assessing applications for the removal and amendment of conditions of development approval in line with Council's position.

The draft LPP is accompanied by an attachment, the Planning Information Sheet – Removal of Notifications on Title – Over 55's Accommodation/Ancillary Dwelling. This information sheet provides guidance for property owners on the steps they will be required to undertake to remove notifications from their Certificates of Title. It is noted that these processes are under the jurisdiction of the state agency Landgate, and the City is not permitted to undertake these processes on behalf of the property owner.

5.0 Consultation

If Council resolves to prepare the draft LPP, it will be advertised for 21 days in accordance with Clause 4 of the Planning and Development (Local Planning Schemes) Regulations. This will include a notice being published in the newspaper and details being included on the City's website & the Your Voice engagement portal.

Following the advertising period, the policy will be presented back to Council for it to consider any submissions received and to:

- a) Proceed with the policy without modification; or
- b) Proceed with the policy with modification; or
- c) Not to proceed with the policy.

6.0 Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Under Clause 3(1) of the Regulations the City may prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area.

Once Council resolves to prepare an LPP it must publish a notice of the proposed policy in a newspaper circulating the area for a period not less than 21 days.

7.0 Conclusion

The Occupancy Restrictions LPP is the best mechanism to guide decision making and advise the community of the Council's position in relation to the removal of occupancy restrictions on current Aged and Dependent Persons Dwelling (over 55's accommodation) and Ancillary Dwellings.

As such, it is recommended that Council endorses administration's recommendation to prepare (consent to advertise) the Occupancy Restrictions LPP.



LOCAL PLANNING POLICY – REMOVAL OF OCCUPANCY RESTRICTIONS

1.0 PURPOSE

- 1.1 The purpose of this policy is to provide guidance and provisions relating to the removal of occupancy restrictions on residential properties and ancillary dwellings.

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all applications for the removal of occupancy restrictions related to residential dwellings and ancillary dwellings within all zones in the City of Nedlands.
- 2.2 Where this Policy is inconsistent with a Local Development Plan or Local Planning Policy that applies to a specific site, area or R-Code, the provisions of that specific Local Development Plan or Local Planning Policy shall prevail.

3.0 OBJECTIVES

- 3.1 To ensure the removal of occupancy restrictions results in residential development that is compatible with the surrounding area.
- 3.2 To maintain a high standard of amenity for the surrounding neighbourhood through statutory planning controls.
- 3.3 To establish a clear framework for the assessment and determination of the removal of occupancy restrictions on residential lots.

4.0 POLICY MEASURES

Occupancy Restrictions – Aged and Dependant Persons Dwellings (Over 55's Dwellings)

- 4.1 All properties restricted to Aged and Dependant Persons (over 55's) Dwellings through the provision of an Additional Use and associated Development Approval issued under Town Planning Scheme No 2 (TPS2) shall no longer be required to maintain this occupancy restriction under Local Planning Scheme No 3 (LPS3).
- 4.2 The properties shall remain burdened by the occupancy restriction mechanism imposed over the site via a condition of development approval or notification on the Certificate of Title until the owner of the subject property completes the process for removal of the occupancy restriction mechanism.
- 4.3 In accordance with Clause 77 of the Planning and Development (Local Planning Schemes) Regulations, the owner of the affected property shall submit a Development Application to the City of Nedlands to request the amendment or removal of the condition of Development Approval related to the occupancy restriction of the Aged and Dependent Persons Dwelling (over 55's).



- 4.4 As per the Register of Delegations, if the original decision resulting in Development Approval for the Aged and Dependent Persons Dwelling(s) (over 55's) was made by Council, the application to remove a condition/s of approval shall also be required to be determined by Council.
- 4.5 Where the City approves the removal of the occupancy restriction from an Aged and Dependant Persons Dwelling (over 55's), it is the responsibility of the landowner to have the notification on their Certificate of Title removed. The property shall continue to be burdened by the occupancy restriction until the process for the removal of the notification on the Certificate of Title has been completed.

Occupancy Restrictions - Ancillary Dwellings

- 4.5 All ancillary dwellings that were previously restricted to occupancy by family members through a condition of a Development Approval shall be eligible to apply for the amendment or removal of this occupancy restriction under LPS3. Restrictions relating to occupancy by a family member were removed from the Residential Design Codes in 2013.
- 4.6 In accordance with Clause 77 of the Planning and Development (Local Planning Schemes) Regulations, the owner of the affected property shall be required to submit a Development Application to the City of Nedlands to request the amendment or removal of the condition of Development Approval related to the occupancy restriction of the ancillary dwelling.
- 4.7 As per the Register of Delegations at the City of Nedlands, if the original decision resulting in Development Approval of the ancillary dwelling was made at a Council meeting for the original development / use, then the removal of the subject condition/s of approval shall also require a decision of Council.

Notes: For guidance on the process of removing notification on a Certificate of Title in relation to occupancy restrictions, refer to the Procedure for removing notifications on title – over 55's.

5.0 CAR PARKING

- 5.1 Car parking is to be in accordance with the requirements of the Parking Local Planning Policy.

6.0 CONSULTATION

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

7.0 OTHER CONSIDERATIONS – HEALTH AND BUILDING APPROVAL

- 7.1 The applicant is advised to consult with the City's Building Services & Environmental Health Services to determine if a Building or Health approval is required.

8.0 VARIATIONS TO POLICY

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



9.0 RELATED LEGISLATION

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

10.0 DEFINITIONS

10.1 For this policy the following definitions apply:

Definition	Meaning
Over 55's Dwellings	Residential dwellings where only persons 55 years of age or over are permitted to reside, as per the specifications of clause 5.5.2 of the Residential Design Codes Volume 1. Occupancy restrictions on the Certificate of Title or Strata Plan are often used as mechanisms to enforce this occupancy restriction.
Ancillary Dwelling	Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.
Additional Use	A class of use for specified land that are additional to the classes of use permissible in the zone in which the land is located.
Section 70A	A Section 70A is a section of the Transfer of Land Act 1893 that allows notifications to be placed on a property's Certificate of Title. The notifications advise of potential circumstances that might impact the enjoyment of that property.
Caveat	A caveat is a form of registration which is noted on a property's Certificate of Title for the purpose of providing notification of an interest in that property.
Restrictive Covenant	A restrictive covenant is an agreement between two parties that restricts the use or enjoyment of land owned by one of those parties, for the benefit of another party. A restrictive covenant is noted on a Certificate of Title for the land.
Strata Titles Act	The governing legislation for the operation of strata titles within Western Australia.

Council Resolution Number	PD47.19
Adoption Date	OCM 26 November 2019
Date Reviewed/Modified	

Planning Information Sheet Occupancy Restriction Removal

REMOVAL OF NOTIFICATIONS ON TITLE (OVER 55's ACCOMMODATION / ANCILLARY DWELLINGS)

Development Approval and Additional Use under TPS2

Under Town Planning Scheme No. 2 (TPS2), a number of single residential properties were granted additional land use rights to build two Aged and Dependent Persons Dwellings in place of a single house on a single lot. These dwellings are colloquially known as over 55's accommodation, and are restricted to occupation by people aged 55 years and over. These dwellings are classified as Aged and Dependent Persons Dwellings in accordance with clause 5.5.2 of State Planning Policy 7.3 R Codes Volume 1, and through a condition of development approval and/or a notification on the Certificate of Title.

Under TPS2, a number of single residential properties were granted Development Approval to build an ancillary dwelling on the site, with occupation of this dwelling restricted to members of the property owners family via a condition of Development Approval and/or a notification on the Certificate of Title.

Different forms of restrictions

There are several different ways in which a restriction may have been placed on a property's Certificate of Title to ensure the dwellings were occupied as per the requirements of their development approval. The most common mechanisms are:

- Section 70A notification on the certificate of title;
- Restrictive covenant on the certificate of title; and
- Restriction on the strata plan under the Strata Titles Act.

What will happen to these occupancy restrictions under Local Planning Scheme No. 3?

Under Local Planning Scheme No. 3 (LPS3), the additional uses on these properties are no longer in effect.

However, the properties will still have restrictions on occupancy under the mechanism, which was originally chosen as per the original development approval granted.

Not all properties with the additional use provisions under TPS2 have been upcoded under LPS3, however Council has resolved to remove the occupancy restrictions on all Aged and Dependent Persons (over 55's dwellings) and ancillary accommodation.

How do I remove the restrictions from my property?

Generally, there will be three restrictions in place to manage occupancy for Aged and Dependent Persons accommodation:

- a) TPS 2 Additional Use;

- b) Planning Approval issued by the City will be for a specific land use (i.e. Aged and Dependent Persons dwellings) and will contain specific conditions related to the approval that relates to the land; and
- c) Notification placed on the title and/or strata plan.

Ancillary Dwellings will generally have two restrictions in place to manage occupancy:

- a) Planning Approval issued by the City will be for a specific land use (i.e. Ancillary Dwelling) and will contain specific conditions related to the approval that relates to the land; and
- b) Notification placed on the title and/or strata plan.

The TPS 2 Additional Use

With the gazettal of LPS 3, the TPS 2 Additional Use was automatically removed and the standard zone and land use permissibility in LPS 3 will apply.

The Development Approval

As per Clause 77 of the Planning and Development (Local Planning Schemes) Regulations, a new development approval will need to be applied for and granted to remove or amend any conditions restricting the dwellings use.

Aged and Dependent Persons (Over 55's) accommodation owners will need to apply for a Change of Use and receive Development Approval for the dwelling/s to be 'Residential land use' without age restriction conditions. It is important to note that in order to receive development approval, the dwellings will need to comply with all of the built form requirements for a single house, grouped dwelling or multiple dwelling as per the State Planning Policy 7.3 – Residential Design Codes Volume 1.

Ancillary Dwellings owners will need to apply for an amendment to their conditions of approval, removing the condition requiring the occupants of the ancillary dwelling to be family members of the landowners.

1) Notification on Certificate of Title

The Notification will need to be removed from the Certificate of Title.

This process will require landowners to liaise with the City and Landgate in order to remove the notification from the title.

The process to be followed is dependant upon the type of notification on the Certificate of Title:

Section 70A Notification

- a) The owner is to print, complete and sign Landgate *Form N2: Removal or Modification of Notification under Section 70A*.
- b) The completed form is to be sent or delivered to the City of Nedlands for the CEO's signature and for completion of the Local Government/Public Authority Attestation. Please allow at least 5 business days for this section to be completed.
- c) The owner then collects the completed *Form N2: Removal or Modification of Notification under Section 70A* from the City of Nedlands and posts or delivers the



Form to Landgate. Landgate will then liaise with the owner as required to complete the removal of the Section 70A from the Certificate of Title.

Caveat

- a) The owner is to print, complete and sign Landgate *Form W1: Withdrawal of Caveat*.
- b) The completed form is to be sent or delivered to the City of Nedlands for the CEO's signature and for completion of the Local Government/Public Authority Attestation. Please allow at least 5 business days for this section to be completed.
- c) The owner then collects the completed *Form W1: Withdrawal of Caveat* from the City of Nedlands and posts or delivers the Form to Landgate. Landgate will then liaise with the owner as required to complete the removal of the caveat from the Certificate of Title.

Restriction on the strata plan under the Strata Titles Act

- a) The removal of a restriction on a strata plan requires a resolution without dissent (or a unanimous resolution in the case of a two-lot scheme) from the Strata Company and it will take effect from the date of registration of the resolution at Landgate.

Registration is achieved through the following process:

The owner must print and complete a Landgate *Application Form* that is accompanied by:

- a certificate from the Strata Company in the manner of Form 19 from the Strata Titles General Regulations (with a sketch attached, if necessary, to define the portion of the parcel affected by the addition or variation of a restriction as to use);
- the written consent of the Local Government to the resolution (not required for survey-strata plans);
- the written consent of the Western Australian Planning Commission to the resolution.

Need guidance on how to complete and lodge Landgate forms?

Landgate is the government body responsible for removing notifications from Certificates of Title and Strata Plans. All forms can be downloaded from their website, www.landgate.wa.gov.au and all fees must be paid directly to Landgate.

For further information, please contact Landgate:

T: (08) 9273 7373

E: customerservice@landgate.wa.gov.au

Or visit their office at 1 Midland Square, Midland

Please note that the property owner must lodge the original copy of Landgate documents, signed by themselves and the Local Government, at Landgate. The Local Government is not permitted to do this on behalf of the property owner.

All forms can be lodged in person at 1 Midland Square, Midland, or via post to: P.O Box 2222, MIDLAND WA 6936

PD08.20	Local Planning Scheme 3 – Local Planning Policy Parking
Committee	10 March 2020
Council	24 March 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Item 6 – 2 May 2019 - Special Council Meeting PD25.19 – 23 July 2019 – Ordinary Council Meeting PD39.19 – 24 September 2019 - Ordinary Council Meeting
Attachments	1. Draft Amended Parking Local Planning Policy 2. Draft Amended Parking Local Planning Policy – Tracked Changes

1.0 Executive Summary

The purpose of this report is for Council to adopt Amendment 1 to the Parking Local Planning Policy (LPP), as set out in Attachment 1, which removes parking standards for Residential land uses.

Attachment 2 includes the tracked changes version of the Parking LPP, which removes reference to Residential parking standards.

2.0 Recommendation to Committee

Council

1. Resolves that advertising of Amendment 1 to the Parking Local Planning Policy is not required in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 5 (2); and
2. Proceeds to adopt Amendment 1 to the Parking Local Planning Policy, as set out in Attachment 1, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4 (3)(b)(i).

3.0 Background

Council resolved to adopt the Parking LPP at the 24 September 2019 Council Meeting, subject to several modifications. One of these modifications was the addition of parking standards for the Residential land use. No written justification was provided by Council for this modification.

In accordance with Clause 7.3.2 of the Residential Design Codes Volume 1 (R-Codes Volume 1) and Clause 1.2.3 of the Residential Design Codes Volume 2 – Apartments (R-Codes Volume 2), amending the parking standards for the Residential land use through a local planning policy requires the approval of the Western Australian Planning Commission (WAPC). On 18 October 2019, the City referred the Parking LPP to the WAPC for approval of the Residential parking standards, as well as other parts of the LPP which required WAPC approval. These are discussed in further detail in the Discussion section below. The WAPC has since requested that the City provide sufficient planning justification for the inclusion of Residential parking standards in the Parking LPP. As discussed below, Administration considers that these standards are inconsistent with the City's Local Planning Strategy and are not based on sound planning principles.

4.0 Discussion

The Residential land use in the City's Local Planning Scheme No. 3 (LPS 3) encompasses ancillary accommodations (granny flats), aged persons' dwellings, single houses, grouped dwellings and multiple dwellings (apartments). Parking standards for these developments are contained in the R-Codes Volumes 1 and 2.

R-Codes Volume 1

The R-Codes Volume 1 contains Deemed-to-Comply parking standards for ancillary accommodations (granny flats), aged persons' dwellings, single houses and grouped dwellings in all areas, and multiple dwellings in areas coded less than R40. Parking standards for these developments range from nil to two car parking bays, depending on the type and size of the dwelling and the proximity to public transport. Where a proposed development does not meet the Deemed-to-Comply parking standards, sufficient justification is to be provided by the applicant against the Design Principles of Clause 5.3.3 Parking of the R-Codes Volume 1.

R-Codes Volume 2

The R-Codes Volume 2 contains Acceptable Outcome parking standards for multiple dwellings (apartments), which range from 0.75 bays per dwelling to 1.25 bays per dwelling, depending on the size of the dwellings and proximity to public transport. While Acceptable Outcomes are provided, the R-Codes Volume 2 is a performance-based policy. This means that while addressing the Acceptable Outcomes is likely to achieve the Objectives of Clause 3.9 Car and Bicycle Parking of the R-Codes Volume 2, they are not a Deemed-to-Comply pathway. A development proposal will be assessed in the context of the entire design solution to ensure that the Objectives are achieved.

Residential Parking Standards in Parking LPP

The Residential parking standards which Council resolved to include in the Parking LPP are as follows:

- 2 spaces per dwelling unit; and
- 3 spaces per dwelling unit on lots greater than 1000m².

It is noted that these parking standards do not distinguish between the different forms of developments which fall under the Residential land use and are not proportional

to dwelling size. For example, a one-bedroom apartment unit or an ancillary accommodation would require three parking bays each if located on a lot greater than 1000m². Such parking requirements for smaller residential developments are considered excessive and may act as a disincentive for the development of smaller housing options for the community. The provision of housing diversity, namely through development of smaller housing products, is a key intention outlined in the 'Population and Housing' section of the City's Local Planning Strategy.

The City's Local Planning Strategy also seeks to minimise the negative impacts of parking and congestion and encourages the use of non-car modes of transport. Given that the Residential parking standards in the Parking LPP do not consider proximity to public transport and are higher than those in the R-Codes, they may encourage car ownership and use over that of other transport options, compounding traffic management issues particularly along Stirling Highway and the surrounding network.

As discussed above, the Residential parking standards in the Parking LPP are inconsistent with the housing and transport intentions of the City's Local Planning Strategy and are not considered to be based on sound planning principles. Administration considers the parking standards provided under the R-Codes Volumes 1 and 2 to be appropriate for all forms of Residential development. Therefore, Administration recommends that the Residential parking standards in the Parking LPP are removed, allowing for parking standards for Residential development to only be guided by the R-Codes Volumes 1 and 2.

WAPC Approval

Parking Standards in Mixed Use, Local Centre and Neighbourhood Centre Zones

As outlined in the report to Council dated 24 September 2019, it was noted that WAPC approval would be required for all proposed parking standards in the Mixed Use, Local Centre and Neighbourhood Centre zones. This was due to Clause 32.4(5) of LPS 3 which, at the time, stated that, where standards are not contained within a Structure Plan, Activity Centre Plan or Local Development Plan, all non-residential developments within Mixed Use, Neighbourhood Centre and Local Centre zones are subject to the standards of the R-Codes. Given that the policy sought to vary these standards, approval from the WAPC was required in accordance with Clause 1.2.3 of the R-Codes Volume 2.

Since Council's adoption of the Parking LPP at the 24 September 2019 Council Meeting, Amendment 1 to LPS 3 was gazetted on 17 January 2020. Amendment 1 to LPS 3 added 'local planning policies' to the list of planning instruments which can provide development standards for non-residential developments, in lieu of the R-Codes. This means that parking standards for the Mixed Use, Local Centre and Neighbourhood Centre zones can now be included in the Parking LPP without the approval of the WAPC.

Parking Standards for Residential Land Use

The R-Codes Volume 1 contains Deemed-to-Comply parking standards for single houses and grouped dwellings. Varying these standards through a local planning policy requires the approval of the WAPC in accordance with Clause 7.3.2 of the R-Codes Volume 1.

The R-Codes Volume 2 contains Acceptable Outcome parking standards for multiple dwellings (apartments). Varying these standards through a local planning policy requires the approval of the WAPC in accordance with Clause 1.2.3 of the R-Codes Volume 2.

If Council resolves to adopt Amendment 1 to the Parking LPP and remove the parking standards for the Residential land use, then WAPC approval would not be required under the R-Codes Volume 1 and 2. Noting that the Parking LPP's parking standards for the Mixed Use, Local Centre and Neighbourhood Centre zones no longer require WAPC approval, removing the parking standards for the Residential land use would mean that WAPC approval is no longer required for any part of the Parking LPP. The policy would then be fully operational without the need for WAPC approval.

5.0 Consultation

The Parking LPP was advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4 from 18 May 2019 until 8 June 2019. It is noted that the advertised version of the Parking LPP did not contain parking standards for the Residential land use. One submission was received in relation to the Parking LPP during the advertising period, which was considered in the previous report presented to Council on 23 July 2019.

The Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 5(2) sets out that a local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is minor in nature. Administration considers that Amendment 1 to the Parking LPP is minor in nature, given that it proposes to remove a provision which was not previously advertised to the public. Administration therefore considers that advertising of Amendment 1 to the Parking LPP is not required.

6.0 Budget/Financial Implications

Nil.

7.0 Statutory Provisions

Schedule 2, Part 2, Clause 4(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, sets out the options for the local government in considering an amendment to a local planning policy:

- i) Proceed with the amended policy without modification;
- ii) Proceed with the amended policy with modification; or
- iii) Not to proceed with the amended policy.

If Council resolves not to proceed with the amended policy, the Parking LPP adopted at the 24 September 2019 Council Meeting will remain in effect and WAPC approval will be sought for the Residential parking standards.

8.0 Conclusion

Administration recommends that Council resolves to adopt Amendment 1 to the Parking LPP, which seeks to remove the Residential parking standards from the policy. Doing so would mean that the Parking LPP no longer needs approval from the WAPC.

If Council resolves not to adopt Amendment 1 to the Parking LPP, sufficient planning justification should be provided for the retention of the Residential parking standards which Administration can then provide to the WAPC for their approval of these parking standards.



LOCAL PLANNING POLICY – PARKING

1.0 PURPOSE

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

2.0 APPLICATION OF POLICY

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

3.0 OBJECTIVES

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

4.0 POLICY MEASURES

4.1 Minimum parking requirements

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

Table 1: Parking Requirements

Land Use	Minimum no. of Car Parking Bays Required
Amusement parlour Art gallery Betting agency Cinema/theatre Club premises Exhibition centre Recreation – private	1 per 2 persons.
Animal Establishment	1 per employee; and 1 drop off/pick up bay per 6 animals.
Bed and breakfast Holiday accommodation Holiday house	1 per guest bedroom, in addition to any bays required under the R-Codes for the dwelling (if applicable).
Hotel Motel	2 spaces per 5 guest rooms.



Bulky goods showroom Garden centre Motor vehicle, boat or caravan sales Trade display Trade supplies Warehouse/storage	2.2 per 100m ² net lettable area or 1 per employee (whichever is greater). 1 space in every 3 to be set aside for employees.
Child care premises	1 per employee; 1 per every 6 children in attendance; and 1 drop off/pick up bay per 30 children (or part thereof).
Civic use Community purpose Funeral parlour Place of worship Reception centre	1 per 4 persons.
Consulting rooms Hospital Veterinary centre Medical centre	12 or 1 per every 4 beds (whichever is greater).
Convenience store Liquor store – small Market Shop	8.3 per 100m ² of net lettable area. 1 space in every 5 to be set aside for employees.
Lunch bar Restaurant/café Fast food outlet	1 per 2.6m ² of restaurant seating area or 1 per 2 persons (whichever is greater).
Educational establishment - Pre-primary/ Primary - Secondary/ Tertiary/ Technical	1.2 per employee. 2 of every 10 spaces (or part thereof) to be set aside for visitors. 2 per employee; 1 per rostered canteen worker and an additional 2 for each 10 provided (or part thereof). Additional spaces to be set aside for visitors.
Family day care	1 bay in addition to the requirements of the R-Codes for the dwelling.
Home business	Additional spaces as required by the number of staff and customers coming to the property, in addition to the requirements of the R-Codes (where applicable).
Industry - light	2.2 per 100m ² of net lettable area or 1 per employee (whichever is greater). 1 space in every 3 to be set aside for employees.
Motor vehicle repair Motor vehicle wash Service station	5 per working bay and 1 per employee.
Office	4.75 per 100m ² of net lettable area. 2 spaces in every 3 to be set aside for employees.



Residential aged care facility	12 or 1 per every 4 beds (whichever is greater).
Serviced apartment	1 per unit and 1 per 2 employees.
Small bar Tavern	1 per 1.3m ² of bar and public areas (excluding toilets); and 1 per employee.

Notes:

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

4.2 Land uses which are not listed within Table 1

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

5.0 VARIATIONS TO THIS POLICY

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

6.0 RELATED LEGISLATION

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

Council Resolution Number	PD39.19
Adoption Date	OCM 24 September 2019
Date Reviewed/Modified	



LOCAL PLANNING POLICY – PARKING

1.0 PURPOSE

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

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to all ~~residential and~~ non-residential development on land that is reserved or zoned under Local Planning Scheme 3 (LPS 3), within the City of Nedlands.
- 2.2 This policy is to be read in conjunction with LPS 3 and State Planning Policy 7.3 – Residential Design Codes Volumes 1 & 2 (R-Codes).
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Hotel Motel	2 spaces per 5 guest rooms.
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Motor vehicle repair Motor vehicle wash Service station	5 per working bay <u>and</u> 1 per employee.



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

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