



City of Nedlands

# ***Agenda***

## ***Special Council Meeting 1 July 2021***

Dear Council member

A Special Meeting of the City of Nedlands is to be held on Thursday 1 July 2021 in the Council Chamber, 71 Stirling Highway, Nedlands commencing at 5.30pm for the purpose of considering the following items:

1. Consideration of Responsible Authority Report for a 19 Multiple Dwellings & Office at 105 Broadway, Nedlands
2. Development Assessment Panels – City of Nedlands Nomination of Replacement Alternate Members

Please be aware COVID-19 2m<sup>2</sup> restrictions with 1.5m social distancing rules apply and mask are mandatory. Once the venue is at capacity no further admission into the room will be permitted. Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

The public can continue to participate by submitting questions and addresses via the required online submission forms at:

<http://www.nedlands.wa.gov.au/intention-address-council-or-council-committee-form>  
<http://www.nedlands.wa.gov.au/public-question-time>

Ed Herne  
Acting Chief Executive Officer  
28 June 2021

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Declaration of Opening .....3  
Present and Apologies and Leave of Absence (Previously Approved) .....3  
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Nomination of Replacement Alternate Members.....18  
Declaration of Closure .....21

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**8 YWUfU]cb`cZCdYb]b[ `**

The Presiding Member will declare the meeting open at 8.00 pm and will draw attention to the disclaimer below.

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<b>@Uj Y`cZ5 VgYbW`</b>	Councillor R A Coghlan	Melvista Ward
<b>fDfYj ]ci g`m5 ddfcj YX`</b>	Councillor J D Wetherall	Hollywood Ward

**5 dc`c[ ]Yg** None as at distribution of this agenda.

**8 ]gWU]a Yf`**

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

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A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

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Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

**' " 8 ]gWcgi fYg`cZ: ]bUbWU`-bHfYgh`**

The Presiding Member to remind Council Members and Employees of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

**( " 8 ]gWcgi fYg`cZ-bHfYgfg`5 Z`W]b[ `a dUf]U]mi**

The Presiding Member to remind Council Members and Employees of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Council Members and employees are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x ..... I disclose that I have an association with the applicant (or person seeking a decision). This association is ..... (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

) " 8 YWUfUjcbg' Vmi 7 ci bWV' A Ya VYfg' H Uhi H Ymi <Uj Y' Bch ; Jj Yb' 8 i Y  
7 cbgJXYfUjcb'hc'DUdYfg'

Council Members who have not read the business papers to make declarations at this point.

\* " 7 cbg]XYfUjcb'cZF Ygdcbg]V'Y'5 i h cf]miFYdcfh'Zcf'% 'Ai`hd`Y'8 k Y`]b[ g / 'CZ]W' Uhi%) '6 fcUXk Unz'BYX'UbXg'

7 ci bWj'	1 July 2021 – Special Council Meeting
5 dd`jWUbh	Planning Solutions
9a d`cnYY' 8 ]gWcgi fY'i bXYf' gYWjcb') '+\$`@WU` ; cj Yfba Ybh5 W'i % -) 'UbX'gYWjcb'%'\$` cZH Y7 ]hmcZ BYX'UbXg'7 cXY'cZ 7 cbXi WiZcf` =a dUfhU]mi	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
8 ]fYWcf'	Tony Free
5 Wj]b[ '79C'	Ed Herne
5 HLUW a Ybhg'	1. Responsible Authority Report and Attachments 2. Alternate Recommendation for Approval with Conditions

**%'\$'9I YW hj Y'Gi a a Ufm**

The purpose of this report is for Council to consider the Development Assessment Panel application that proposes a Mixed-Use development comprising of 19 Multiple Dwellings and Office at 105 Broadway, Nedlands and make its recommendation to the Joint Development Assessment Panel (JDAP) as the Responsible Authority. Council's recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 5 July 2021.

This application was previously determined by the JDAP on 17 March 2021. The JDAP resolved to defer the application to allow the applicant to consider and address the design of the development focusing on:

1. Plot ratio and interface to the lower zoned property to the west;
2. Interface and design of the proposal to Broadway; and
3. To consider universal access to the lift lobby

Despite several improvements, there remains deficient design elements that Administration considers will negatively impact the streetscape and locality. The recommendation of this report is for refusal.

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## &`\$`6 UW`[ fci bX`"

On 17 March 2021 the Metro Inner-North JDAP considered a 6 storey Mixed Use development comprising of 22 Multiple Dwellings and Office tenancy located on the site.

The City recommended that JDAP refuse the application for the following key reasons:

- The height did not respond appropriately to the changes in topography, as it presented with a five-storey interface to the adjoining R60 lot to the west;
- The reduced street setbacks were inconsistent with expectations under the R-AC3 code and did not mitigate perceived bulk and scale. This is further exacerbated by the absence of landscaping that is visible from the public realm and that is consistent with the area that would enhance the streetscape;
- The proposed plot ratio of 2.6 did not reflect the expectation for an R-AC3 'Mid-rise urban centre' which has a default plot ratio of 2.0. The development was more representative of a R-AC2 or R-AC1 'High density urban centre' which has a default plot ratio of 2.5 and 3.0 respectively;
- The reduced building separation from Levels 4 & 5 did not provide for adequate separation between the site and neighbouring properties. The reduced setbacks exacerbated building bulk as viewed from all boundaries and compromised extent of shadow cast and internal and external amenity;
- The façade design did not address Broadway and the parking design from Elizabeth Street was considered to negatively impact the streetscape;
- The composition of colours and materials were not considered to resonate with the character of the locality;
- The absence of landscaping that was visible to the streetscape;

- The design of the office at ground level was not considered to enhance the streetscape or appropriately activate the street; and
- Window openings from the units to open access walkways and communal open space would cause unreasonable internal amenity impacts.

The JDAP determined to defer the application for a period of 120 days to allow the applicant to consider and address the design of the development focusing on:

1. Plot ratio and interface to the lower zoned property to the west;
2. Interface and design of the proposal to Broadway; and
3. To consider universal access to the lift lobby

Amended plans and technical reports were submitted to the City on 19 May 2021, 26 May 2021 and 18 June 2021. A summary of the revised changes include:

- The number of storeys has reduced from 6 to 5;
- Increased setbacks to the western interface;
- The number of apartments has reduced from 22 to 19;
- Plot ratio has reduced from 2.6 to 2.0;
- A ground floor office area only at 63m<sup>2</sup>;
- Increase in landscaping from 173m<sup>2</sup> to 232m<sup>2</sup>;
- The balconies to Units 3, 8 13 & 17 have increased in area and now wrap around the corner of the building, addressing both Elizabeth Street and Broadway; and
- The reduction of resident car parking bays from 30 to 28 bays. The basement area has been expanded to accommodate resident parking. The 2 on-site resident visitor bays and 4 commercial bays are unchanged.

An overview of the amended application against the JDAP deferral reasons and the City's original refusal recommendation is tabled below. The City's assessment is summarised in these sections.

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An overview of the amended application against the JDAP deferral reasons and the City's original refusal recommendation is tabled below. Administration's assessment is summarised in these sections.

JDAP's Reason for Deferral

8 YZffU`FYUgcb	AcXjZjWUjcb`A UXY	5 ggYgga Ybh GUh g
1. <i>Plot ratio and interface to the lower zoned</i>	The number of apartments has been reduced from 22 to 19 and the plot ratio decreased from	



<p><i>property to the West</i></p>	<p>2.6 (2,328m<sup>2</sup>) to 2.0 (1,777m<sup>2</sup>). This is now in line with the 2.0 plot ratio for R-AC3.</p> <p>The design has been reduced by a storey to have a maximum of 5-storeys by definition, where up to 6 storeys could be considered by R-AC3. The development is now viewed as a 3-4 storey interface to the adjoining R60 coded lot to the west and presents as 5-6 storeys to Broadway and Elizabeth Street. This has been achieved by reducing the number of storeys, removing the second storey office and increasing the setbacks to the west.</p>	<p>✓</p>
<p>2. <i>Interface and design of the proposal to Broadway</i></p>	<p>The balconies to Units 3, 8 13 &amp; 17 have increased in area and now wrap around the corner of the building, addressing both Elizabeth Street and Broadway.</p> <p>The revised design has reduced the area of the office from 126m<sup>2</sup> to 63m<sup>2</sup> and to ground floor only. This now addresses the interface with Broadway. This aspect is supported by the City.</p>	<p>• ✓</p>
<p>3. <i>To consider universal access to the lift lobby</i></p>	<p>The parking areas have been modified to provide for universal access to the site for residents, visitors and commercial staff/visitors. At lower ground level, these include an increase of the corridor width from 1.2m to 1.3m and the entry of the lift has been reorientated from north to west. On the upper ground floor, the stairs have been replaced with a ramp to the internal accessways and a lift has been included at the southern side of the building. This aspect is supported by the City.</p>	<p>✓</p>

City's Reason for Refusal

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<p>2.2 – Building Height</p> <p><i>The building height creates a bulk and scale that adversely affects the amenity of the property to the west and south</i></p>	<p>The design has been reduced by a storey to have a maximum of 5-storeys. The development is viewed as a 3-4 storey interface to the adjoining R60 coded lot. The bulk and scale is now considered to appropriately transition to the adjoining lower coding interface to the west. With the removal of the 6th storey, the development is now viewed as 4-5 storeys to the south.</p>	<p>✓</p>
<p>1.3 – Street Setbacks</p> <p><i>The building is not consistent with the landscape character of Broadway</i></p>	<p>Minor modifications have been made to the design which now removes the 6m<sup>2</sup> deep soil area facing Elizabeth Street. The landscape design is now completely reliant on planting on structure.</p> <p>Administration considers additional modifications are required to ensure the landscape character of Broadway is maintained. The landscaping</p>	<p>• • • • •</p>

	<p>provided at ground level is minimal and most planter areas are not wide enough to provide meaningful planting and may struggle to survive. The only deep soil area has removed the ability to provide for a larger tree at the corner of Elizabeth Street and Broadway. Overall, it is considered the pedestrian amenity is not improved.</p> <p>Although additional landscaping has been proposed in the revised design, it is not visible from the public realm and has generally been limited to communal areas. The modification to the balconies to Units 3, 8, 13 &amp; 17 provide opportunity for additional planting on structure at the edges to enhance outlook and further connect to the context and character of Broadway.</p>	<p>I</p>
<p>2.4 – Side &amp; Rear Setbacks</p> <p><i>Insufficient side boundary setbacks to the south and western boundaries at the 4<sup>th</sup> and 5<sup>th</sup> floor. The insufficient side and rear boundary setbacks are not supported given they do not provide for adequate separation or transition between the site and neighbouring properties which are affected by different density codes and development intensity.</i></p>	<p>The revised plans have removed Level 5 (6th storey).</p> <p>The revised plans have also provided for an increased setback to the top storey to the western elevation. It now proposes an increase to the setback from 5.1m to 8.8m. These setbacks are supported by Administration as it provides an adequate transition between the site and the neighbouring R60 property located to the west.</p> <p>Minor modifications are proposed to the southern elevation. Bedroom 3 has been removed in the previous Unit 20 (now Unit 18) and has been replaced with a planter box. This is accepted by Administration, noting the removal of the 6th storey has further reduced the bulk and enabled an appropriate transition.</p>	<p>✓</p>
<p>2.5 Plot Ratio</p> <p><i>The plot ratio exceeds the bulk and scale of a building coded R-AC3 and its massing will unreasonably impact the Residential (R60) single house to the west (No. 36 (Lot 571) Kingsway) and the grouped dwelling development to the south (No. 109 Broadway)</i></p>	<p>The number of apartments have been reduced from 22 to 19 and the plot ratio decreased from 2.64 (2,328m<sup>2</sup>) to 2.02 (1,777m<sup>2</sup>). This is in line with the 2.0 plot ratio for R-AC3 and intended built form. The overall massing is considered to now appropriately address the adjoining properties as outlined in Elements 2.2 &amp; 2.4 of the R-Codes. The interface design is now consistent with previous approvals on Broadway.</p>	<p>✓</p>
<p>2.7 - Building Separation</p> <p><i>There is insufficient separation at the 4th</i></p>	<p>The building is predominately proportionate to its height and focuses on reducing bulk to the western R60 coded lots. This aspect is supported by Administration.</p>	

<p>and 5th floor, to provide for reasonable internal external residential amenity. The number of dwellings and form has resulted in design deficiencies that will negatively impact internal amenity</p>		<p>✓</p>
<p>3.2 - Orientation</p> <p><i>Insufficient evidence that the building form minimises shadow impacts on the adjoining property (No. 109 Broadway) in mid-winter</i></p>	<p>The extent of overshadowing at 12pm winter solstice directly adjoining southern landowner at No.103 Broadway (at 33%). This meets the acceptable outcomes.</p>	<p>✓</p>
<p>3.6 - Public domain interface</p> <p><i>The Broadway frontage is not appropriately activated and has a poor landscape response.</i></p>	<p>Administration considers that there is still a lack of landscaping addressing the public realm which could otherwise provide a green presence and address the context and character of Broadway. There is no longer any true deep soil area (previously 6m<sup>2</sup>) along Elizabeth Street and further, there are no mature plant species proposed at ground level. The new wrap around balconies do not contain any additional landscaping.</p>	<p>· · · L</p>
<p>3.7 - Pedestrian access and entries</p> <p><i>The internal layout of the ground floor office results that does not adequately address the public domain.</i></p>	<p>The removal of the 1<sup>st</sup> floor office is an improvement and will deliver a more useful commercial space. The layout of the office can accommodate a wide range of future uses and has a minimum depth of 10m.</p>	<p>✓</p>
<p>3.9 - Car and bicycle parking</p> <p><i>The oversupply of car parking at levels 1 and 2 diminishes the development's opportunity to provide an appropriate pedestrian-scale, activated streetscape interface and results in negative visual amenity and streetscape impacts</i></p>	<p>10 car parking bays have been relocated to the basement level. However, no change has been made to the car parking design, as viewed from Elizabeth Street. The unsleeved parking maintains a negative interface with the street.</p>	<p>L</p>
<p>4.5 - Circulation and common spaces</p>	<p>Additional internal landscaping has been proposed to address previous internal amenity concerns. The design continues to have windows fronting the internal walkways which remains a</p>	<p>· · ✓</p>

<p><i>The open access walkways will cause unreasonable internal and external amenity impacts</i></p>	<p>suboptimal design due to the associated nuisance with light, noise, and natural ventilation. A condition could via a revised acoustic report and lighting plan.</p>	
<p>4.10 - Façade design</p> <p><i>The development does not provide a resolved façade treatment that aesthetically aligns with the quality and character of the area. It does not incorporate a sophisticated composition of materials and finishes to define the 'top' of the building, articulate the side facades or reduce the dominance of the upper levels.</i></p>	<p>The reduction in height has helped create a better aesthetic outcome. This has been further enhanced by the removal of the second level of commercial offices. The increase in setbacks have enabled a clear 'base, middle &amp; top'. This aspect is supported.</p> <p>The overall façade design with open walkways to the south, the materials, openings and colours have not been addressed. Administration considers that the overall design does not aesthetically align with the quality and context of the area. There has been no clear demonstration of the context and place that would enhance the distinctive character of the area.</p>	<p>· · · L</p>
<p>4.11 - Roof design</p> <p><i>The roof form has not been appropriately defined to reduce perceived bulk and scale and does not therefore positively to the street.</i></p>	<p>The design of the building has reduced and minor modifications to the roof design have been made. With the removal of the 6th storey, it now appropriately responds to R-AC3.</p>	<p>✓</p>
<p>4.12 – Landscaping</p> <p><i>The development has failed to provide landscaping that integrated into the overall design.</i></p>	<p>Although additional landscaping has been provided, it has not addressed the City &amp; Design Reviewers previous comments and concerns as identified in the original design.</p> <p>Landscaping is generally limited to communal areas. There is limited landscaping provided at balcony edges facing Elizabeth Street or Broadway. There is still an absence of at grade landscaping along Elizabeth Street which would contribute to the existing character of Broadway. This is particularly due to the removal of the existing trees at 4m height which contribute to the leafy green character of the street.</p>	<p>L</p>
<p>4.14 - Mixed use</p> <p><i>The ground floor office does not enhance the streetscape or appropriately activate the street.</i></p>	<p>The revised design has reduced the area of office area from 126m<sup>2</sup> to 63m<sup>2</sup> and to the ground level only. The area is now considered adaptable for future uses as it located on ground level only and provides a 10m depth.</p>	<p>✓</p>

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Original

In accordance with the City’s Local Planning Policy – Consultation of Planning Proposals, the development was advertised for a period of 21 days, commencing 31 October 2020 and concluding 21 November 2020. Public consultation consisted of:

- Letters sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the site (letters);
- A sign on site was installed at the site’s frontage for the duration of the advertising period;
- An advertisement was published on the City’s website with all documents relevant to the application made available for viewing during the advertising period;
- An advertisement was placed in The Post newspaper published on 31 October 2020;
- A Social media post was made on one of the City’s Social Media platforms;
- A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
- A community information session was held by City Officers on 11 November 2020, where approximately 30 residents and elected members were present.

At the close of the advertising period, the City received a total of 103 submissions, of which 2 submissions were in support of the application, and the remaining 101 submissions objected to the proposal. A summary of the key issues raised in public consultation are tabled below.

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6 i ]X]b[ ' <Y[ \ h	The design has been reduced by a storey to have maximum height of 5-storeys by definition, where up to 6 storeys could be considered by R-AC3. The development is now viewed as a 3-4 storey interface to the adjoining R60 coded lot to the west and presents as 5-6 storeys to Broadway and Elizabeth Street.	. . ✓.
D`chfUjcz Vi ` _UbX' gWUY'	The number of apartments has been reduced from 22 to 19 and the plot ratio decreased from 2.64 (2,328m <sup>2</sup> ) to 2.02 (1,777m <sup>2</sup> ). This is in line with the 2.0 plot ratio for R-AC3.	. ✓.

=ggi Y' F UjgYX'	CZQWf 'Wca a Ybfg'	GUhgZ'YX'
gjXY#YUf' gYHUV'	The proposed setbacks are now considered acceptable due to the building articulation provided along the respective elevations and increased setbacks.	✓
Cj Yfg\ UXck ] b[	The extent of overshadowing is at 12pm winter solstice has been is at 33% to the directly adjoining southern landowner at No.103 Broadway.	✓
J]gi U' Df]j UWri	The development features appropriate screening / setback to mitigate visual privacy impacts. Minor modifications are needed to the 1 <sup>st</sup> floor open access walkway.	✓
JY ]WY' UWWgg'	The Elizabeth Street & Broadway is supported as it provides a safe access and egress point for vehicles.	✓
HfUZZW	The Applicant's Transport Impact Statement concludes that the development does not adversely affect the surrounding road network capacity and the findings are supported.	✓
DUf_]b[	The minimum number of parking bays have now been provided as a result of the reduced floor area of the office.	✓
5 a Yb]mi	The proposal's character & design has remained largely unchanged as is considered to adversely affect the amenity of the adjoining properties and streetscape.	L
8 Yg][ b'	The design review has not addressed the City's previous concerns.	L
@bX'i gY'	The modified office layout addresses this issue.	✓
8 Yj Ycda Ybhi Vcbi g'	A common objection raised by residents related to the application of the Acceptable Outcomes. The basis of the objection was that neither City nor the decision-maker should allow any development to exceed the Acceptable Outcome as there is no planning instrument that sets out the desired metrics for development bonus. While the City acknowledges there is no such adopted policy, the R-Codes Vol. 2 is a performance-based policy, the intent of which is to promote good design over rigid development controls.	✓

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HfYYWUbcdrn# 8 Yyd'Gc]'# @UbXgWUd]b[	The proposal does not currently meet Element 4.12 – Landscaping. Although some objectives (impact on neighbouring trees) could be achieved through conditions, there are fundamental concerns with the landscape response. Further discussion of Design Elements 3.3 and 4.12 of the R-Codes Vo. 2 are provided in the Officer Comments of the RAR.	L

Amended Application

Due to the timing of the amended plans being received, the City was unable to undertake formal advertising for a minimum period of 28 days. The amended plans were made available for public inspection on the City’s Your Voice website with a summary of changes proposed and email notification to all previous submitters.

Overall, Administration consider that the amendment seeks to reduce the height, plot ratio, number of dwellings and increase setbacks to the west. It is considered the revised plans have largely reduced the impact of the development on neighbouring properties when compared to the original proposal considered. All previous submissions on this proposal have been given due regard in this assessment in accordance with clause 67(y) of *Planning and Development (Local Planning Schemes) Regulations 2015*.

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The application was referred back to the original Architect and Landscape Architect. Below is a table which shows how the development has progressed during design review. It is noted that a key positive aspect of the development was the reduction in height that has made a considerable positive change in such a high-profile location.

3	<i>Supported</i>		
2	<i>Supported with conditions / Further Information required</i>		
1	<i>Not supported</i>		
	<u>Original Plans</u> 14 October 2020	<u>Plans previously considered by JDAP</u> 27 November 2020	<u>Amended Plans</u> 19 May 2021 & 18 June 2021
Principle 1 – Context & Character			
Principle 2 – Landscape Quality			
Principle 3 – Built Form & Scale			
Principle 4 – Functionality & Built Quality			
Principle 5 - Sustainability			

Principle 6 – Amenity			
Principle 7 - Legibility			
Principle 8 – Safety			
Principle 9 – Community			
Principle 10 – Aesthetics			

In summary, the main concerns continue to be re-iterated which include:

- No additional information was provided that helped demonstrate a clear interpretation of context and place that would enhance the distinctive character of the area; and
- Limited landscaping provided that addresses the street. More landscaping elements to address the corner. Greater setbacks will offer more deep soil that could also be utilised for a more generous interface with the street and provision of elements for community benefit;

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Despite several improvements, particularly to bulk and scale, there remains deficient design elements that Administration considers will negatively impact the streetscape and locality.

It is recommended that the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **F Y Z g Y** DAP Application reference DAP/20/01871 and accompanying plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, subject to the following reasons:
  1. The development is inconsistent with the existing and emerging character. The façade design, landscaping and location of circulation areas along the south boundary and does not accord with the following:
    - a. Clause 67(2)(a)(b)(m)(p) of the *Planning and Development (Local Planning Scheme) Regulations 2015*; and
    - b. Aims of the Scheme under Clause 9(a) of the City of Nedlands Local Planning Scheme No.3.
    - c. State Planning Policy 7.0 (Principle 1 – Context & Character, Principle 2 – Landscape Quality, Principle 9 – Community & Principle 10 - Aesthetics)
  2. Having regard to State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments, the façade design and landscape response of the proposed development is inappropriate to the context and local



character and will result in unreasonable adverse external amenity impacts given that:

- a. Elements 2.3 (Street Setbacks), 3.6 (Public Domain Interface) & 3.9 (Car Parking) - The reduced street setbacks from Elizabeth Street and the design of the car parking as viewed from Elizabeth Street diminishes the development's opportunity to provide an appropriate pedestrian-scale, landscape interface that is consistent with the 'leafy green' character of the locality;
- b. Element 4.10 (Façade Design) - The façade design on all elevations (windows, materials and colours) and in particular, the location of circulation areas (open-access walkways on the southern elevation) does not align with the quality and character of the area; and
- c. Element 4.12 (Landscape Design) - The development does not provide landscaping that is integrated into the overall design across all levels, that is visible from the public realm (Elizabeth Street and Broadway) that is consistent with the landscape character of the locality.

Council's recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 5 July 2021. In the event the JDAP approve this application, Administration have prepared an alternate recommendation for approval, with conditions. This is contained in **5 HJW a Ybh &"**.

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Administration acknowledges the modifications made by the applicant in response to two preliminary reviews, the architectural and landscape architect reviews, and the City's assessment as part of the application. However, the changes made continue not to materially address the concerns relating to façade design & landscaping, all of which have an impact on the character of the locality and streetscape. For the reasons cited in the report and Attachment 1, Administration recommends the application be refused.

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 (Regulation 12)

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Ck bYf.'	J M Hall and E A Hall	
JUi YcZ8 Yj Ycda Ybh'	\$6.85 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
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5 i h cf]gjb[ 'CZjWf.'	Tony Free – Director Planning & Development	
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5 dd'jWUjcb GUi hcfm DfcWgg' Hja YZ Ua Y.	210 days (52 additional days including extension of time requests [Reg 12(4)] and deferral for an additional 120 days)	
5 HUU a Ybfbgk.'	1. Development Plans - 26 May 2021 2. Location & Zoning Plan 3. Summary of Submissions 4. Revised Consultant Design Review 5. Applicant's Justification Report 6. Statutory Assessment – Regulation, Schemes & R-Codes Volume 2 – Apartments Assessment 7. Revised Landscape Plan – 21 May 2021 8. Revised Acoustic Statement - 27 May 2021 9. Revised Waste Management Statement - 19 May 2021 10. Revised Transport Impact Statement - 19 May 2021	
=g' h Y FYgdcbgjVY 5 i h cf]mi FYWta a YbXUjcb'h YgUa YUg'h Y CZjWf'FYWta a YbXUjcb3'	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
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That the Insert DAP Name resolves to:

1. 7\ ccgY 5 VVWdh#FYZ gY that the DAP Application reference Insert DAP reference number is appropriate for consideration as a "insert use type" land use and compatible with the objectives of the zoning table in accordance with Clause no. of the LG Name Choose scheme details Planning Scheme No. no.; Delete this point unless the application is for a 'use not listed' in the zoning table.
2. 7\ ccgY 5 ddfcj Y#FYZ gY DAP Application reference Insert DAP reference number and accompanying plans (Plan No, Rev No - if applicable) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (delete for WAPC applications), and the provisions of Clause no. of the LG Name Choose scheme details Planning Scheme No. no., Choose Conditions/Reasons details:

7\ ccgY7 cbX]h]cbg#FYUgcbg`If a refusal, please delete points 1 and 2 below.'

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme. Include for LG RARs where land is zoned 'Urban' under the MRS and the conditional Clause 26 of the MRS apply. Delete if a separate decision of the WAPC is needed.
2. This decision constitutes planning approval only and is valid for a period of Number years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

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Please consider carefully the need for advice notes and ensure that they are relevant to and amplify the recommended approval. Where advice notes are used, please do not refer to specific condition numbers unless absolutely necessary.

- 1.
- 2.

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Complete this section where the Council resolution differs from the Officer Recommendation and provide the reasons as shown in the Council minutes here. The Officer Recommendation section below, including reasons, will also need to be completed.

Include a brief summary of key issues and provide clear and succinct reason/s for the recommendation. If the recommendation is for a refusal, this section may be used to emphasise the reasons in the recommendation if required.

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Region Scheme	Metropolitan Region Scheme
Region Scheme Zone	Urban
Local Planning Scheme	City of Nedlands Local Planning Scheme No. 3
Local Planning Scheme Zone	Mixed Use (R-AC3)
Structure Plan/Precinct Plan	The site is located within an identified Specialised Activity Centre (UWA /QEII)
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Residential (P) Office (P)
Lot Size:	880m <sup>2</sup>
Existing Land Use:	Office
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A
Design Review	<input checked="" type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

## DfcdcgU.:

Proposed Land Use	Residential (Multiple Dwelling) and Office
Proposed Plot Ratio	2.02
Proposed Net Lettable Area Office	63m <sup>2</sup>
Proposed No. Storeys	5
Proposed No. Dwellings	19

## Site Description

The site is located at No. 105 Broadway, Nedlands at the north-west corner of the street block bounded by Elizabeth Street, Broadway, Princess Road and Kingsway. On the eastern side of Broadway lies the City of Perth.

The site is 880m<sup>2</sup> in area, is oriented east-west, and has dual street frontage. Broadway serves as its primary street and Elizabeth Street as the secondary street. The site experiences a fall in natural ground level of approximately 5m from the rear boundary down to the Broadway frontage.

Located on the western side of Broadway, the site is currently occupied by a two-storey office building. To the south-west, the site adjoins a Place of Worship, zoned Private Community Purpose. On the western side of Kingsway lies Nedlands Primary School. To the south, the site abuts a two-storey grouped dwelling development comprising 16 dwellings with individual strata titles. Directly opposite the site on the eastern side of Broadway lies the Broadway Fair shopping centre. A location plan, aerial and contour map are contained in Attachment 2.

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### History

On 17 March 2021 the Metro Inner-North Joint Development Assessment Panel (JDAP) considered a six (6) storey mixed use development comprising of 22 Multiple Dwellings and Office tenancy located on the site.

The City recommended that JDAP refuse the application for the following key reasons:

- The height did not respond appropriately to the changes in topography, as it presented with a five-storey interface to the adjoining R60 lot to the west;
- The reduced street setbacks were inconsistent with expectations under the R-AC3 code and did not mitigate perceived bulk and scale. This is further exacerbated by the absence of landscaping that is visible from the public realm and that is consistent with the area that would enhance the streetscape;
- The proposed plot ratio of 2.6 did not reflect the expectation for an R-AC3 'Mid-rise urban centre' which has a default plot ratio of 2.0. The development was more representative of a R-AC2 or R-AC1 'High density urban centre' which has a default plot ratio of 2.5 and 3.0 respectively;
- The reduced building separation from Levels 4 & 5 did not provide for adequate separation between the site and neighbouring properties. The reduced setbacks exacerbated building bulk as viewed from all boundaries and compromised extent of shadow cast and internal and external amenity;
- The façade design did not address Broadway and the parking design from Elizabeth Street was considered to negatively impact the streetscape;
- The composition of colours and materials were not considered to resonate with the character of the locality;
- The absence of landscaping that was visible to the streetscape;
- The design of the office at ground level was not considered to enhance the streetscape or appropriately activate the street; and
- Window openings from the units to open access walkways and communal open space would cause unreasonable internal amenity impacts.

The JDAP determined to defer the application for a period of 120 days to allow the applicant to consider and address the design of the development focusing on:

1. Plot ratio and interface to the lower zoned property to the west;
2. Interface and design of the proposal to Broadway; and
3. To consider universal access to the lift lobby

Amended plans and technical reports were submitted to the City on 19 May 2021, 26 May 2021 and 18 June 2021. A summary of the revised changes include:

- The number of storeys has reduced from 6 to 5;

- Increased setbacks to the western interface;
- The number of apartments has reduced from 22 to 19;
- Plot ratio has reduced from 2.6 to 2.0;
- A ground floor office area only at 63m<sup>2</sup>;
- Increase in landscaping from 173m<sup>2</sup> to 232m<sup>2</sup>;
- The balconies to Units 3, 8 13 & 17 have increased in area and now wrap around the corner of the building, addressing both Elizabeth Street and Broadway; and
- The reduction of resident car parking bays from 30 to 28 bays. The basement area has been expanded to accommodate resident parking. The 2 on-site resident visitor bays and 4 commercial bays are unchanged.

An overview of the amended application against the JDAP deferral reasons and the City’s original refusal recommendation is tabled below. The City’s assessment is summarised in these sections.

JDAP’s Reason for Deferral

Deferral Reason	Modification Made	Assessment Status
1. <i>Plot ratio and interface to the lower zoned property to the West</i>	<p>The number of apartments has been reduced from 22 to 19 and the plot ratio decreased from 2.6 (2,328m<sup>2</sup>) to 2.0 (1,777m<sup>2</sup>). This is now in line with the 2.0 plot ratio for R-AC3.</p> <p>The design has been reduced by a storey to have a maximum of 5-storeys by definition, where up to 6 storeys could be considered by R-AC3. The development is now viewed as a 3-4 storey interface to the adjoining R60 coded lot to the west and presents as 5-6 storeys to Broadway and Elizabeth Street. This has been achieved by reducing the number of storeys, removing the second storey office and increasing the setbacks to the west.</p>	✓
2. <i>Interface design of the proposal to Broadway</i>	<p>The balconies to Units 3, 8 13 &amp; 17 have increased in area and now wrap around the corner of the building, addressing both Elizabeth Street and Broadway.</p> <p>The revised design has reduced the area of the office from 126m<sup>2</sup> to 63m<sup>2</sup> and to ground floor only. This now addresses the interface with Broadway. This aspect is supported by the City.</p>	✓
3. <i>To consider universal access to the lift lobby</i>	<p>The parking areas have been modified to provide for universal access to the site for residents, visitors and commercial staff/visitors. At lower ground level, these include an increase of the corridor width from 1.2m to 1.3m and the entry of the lift has been reorientated from north to west. On the upper ground floor, the stairs have been replaced with a ramp to the internal accessways and a lift has been included at the southern side</p>	✓

	of the building. This aspect is supported by the City.	
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City's Reason for Refusal

Refusal Reason	Modification Made	Assessment Status
<p>2.2 – Building Height</p> <p><i>The building height creates a bulk and scale that adversely affects the amenity of the property to the west and south</i></p>	<p>The design has been reduced by a storey to have a maximum of 5-storeys. The development is viewed as a 3-4 storey interface to the adjoining R60 coded lot. The bulk and scale is now considered to appropriately transition to the adjoining lower coding interface to the west. With the removal of the 6th storey, the development is now viewed as 4-5 storeys to the south.</p>	✓
<p>2.3 – Street Setbacks</p> <p><i>The building is not consistent with the landscape character of Broadway</i></p>	<p>Minor modifications have been made to the design which now removes the 6m<sup>2</sup> deep soil area facing Elizabeth Street. The landscape design is now completely reliant on planting on structure.</p> <p>The City considers additional modifications are required to ensure the landscape character of Broadway is maintained. The landscaping provided at ground level is minimal and most planter areas are not wide enough to provide meaningful planting and may struggle to survive. The only deep soil area has removed the ability to provide for a larger tree at the corner of Elizabeth Street and Broadway. Overall, it is considered the pedestrian amenity is not improved.</p> <p>Although additional landscaping has been proposed in the revised design, it is not visible from the public realm and has generally been limited to communal areas. The modification to the balconies to Units 3, 8, 13 &amp; 17 provide opportunity for additional planting on structure at the edges to enhance outlook and further connect to the context and character of Broadway.</p>	X
<p>2.4 – Side &amp; Rear Setbacks</p> <p><i>Insufficient side boundary setbacks to the south and western boundaries at the 4<sup>th</sup> and 5<sup>th</sup> floor. The insufficient side and rear boundary setbacks are not supported given they do not provide for adequate separation or transition between the</i></p>	<p>The revised plans have removed Level 5 (6th storey).</p> <p>The revised plans have also provided for an increased setback to the top storey to the western elevation. It now proposes an increase to the setback from 5.1m to 8.8m. These setbacks are supported by the City as it provides an adequate transition between the site and the neighbouring R60 property located to the west.</p> <p>Minor modifications are proposed to the southern elevation. Bedroom 3 has been removed in the previous Unit 20 (now Unit 18) and has been</p>	✓

<p><i>site and neighbouring properties which are affected by different density codes and development intensity.</i></p>	<p>replaced with a planter box. This is accepted by City, noting the removal of the 6th storey has further reduced the bulk and enabled an appropriate transition.</p>	
<p>2.5 Plot Ratio</p> <p><i>The plot ratio exceeds the bulk and scale of a building coded R-AC3 and its massing will unreasonably impact the Residential (R60) single house to the west (No. 36 (Lot 571) Kingsway) and the grouped dwelling development to the south (No. 109 Broadway)</i></p>	<p>The number of apartments have been reduced from 22 to 19 and the plot ratio decreased from 2.64 (2,328m<sup>2</sup>) to 2.02 (1,777m<sup>2</sup>). This is in line with the 2.0 plot ratio for R-AC3 and intended built form.</p> <p>The overall massing is considered to now appropriately address the adjoining properties as outlined in Elements 2.2 &amp; 2.4 of the R-Codes. The interface design is now consistent with previous approvals on Broadway.</p>	<p>✓</p>
<p>2.7 - Building Separation</p> <p><i>There is insufficient separation at the 4th and 5th floor, to provide for reasonable internal external residential amenity. The number of dwellings and form has resulted in design deficiencies that will negatively impact internal amenity</i></p>	<p>The building is predominately proportionate to its height and focuses on reducing bulk to the western R60 coded lots. This aspect is supported by the City.</p>	<p>✓</p>
<p>3.2 - Orientation</p> <p><i>Insufficient evidence that the building form minimises shadow impacts on the adjoining property (No. 109 Broadway) in mid-winter</i></p>	<p>The extent of overshadowing at 12pm winter solstice directly adjoining southern landowner at No.103 Broadway (at 33%). This meets the acceptable outcomes.</p>	<p>✓</p>
<p>3.6 - Public domain interface</p> <p><i>The Broadway frontage is not appropriately activated and has a poor landscape response.</i></p>	<p>The City considers that there is still a lack of landscaping addressing the public realm which could otherwise provide a green presence and address the context and character of Broadway. There is no longer any true deep soil area (previously 6m<sup>2</sup>) along Elizabeth Street and further, there are no mature plant species proposed at ground level. The new wrap around balconies do not contain any additional landscaping.</p>	<p>X</p>



<p>3.7 - Pedestrian access and entries</p> <p><i>The internal layout of the ground floor office results that does not adequately address the public domain.</i></p>	<p>The removal of the 1<sup>st</sup> floor office is an improvement and will deliver a more useful commercial space. The layout of the office can accommodate a wide range of future uses and has a minimum depth of 10m.</p>	<p>✓</p>
<p>3.9 - Car and bicycle parking</p> <p><i>The oversupply of car parking at levels 1 and 2 diminishes the development's opportunity to provide an appropriate pedestrian-scale, activated streetscape interface and results in negative visual amenity and streetscape impacts</i></p>	<p>10 car parking bays have been relocated to the basement level. However, no change has been made to the car parking design, as viewed from Elizabeth Street. The unsleeved parking maintains a negative interface with the street.</p>	<p>X</p>
<p>4.5 - Circulation and common spaces</p> <p><i>The open access walkways will cause unreasonable internal and external amenity impacts</i></p>	<p>Additional internal landscaping has been proposed to address previous internal amenity concerns. The design continues to have windows fronting the internal walkways which remains a suboptimal design due to the associated nuisance with light, noise, and natural ventilation. A condition could via a revised acoustic report and lighting plan.</p>	<p>✓</p>
<p>4.10 - Façade design</p> <p><i>The development does not provide a resolved façade treatment that aesthetically aligns with the quality and character of the area. It does not incorporate a sophisticated composition of materials and finishes to define the 'top' of the building, articulate the side facades or reduce the dominance of the upper levels.</i></p>	<p>The reduction in height has helped create a better aesthetic outcome. This has been further enhanced by the removal of the second level of commercial offices. The increase in setbacks have enabled a clear 'base, middle &amp; top'. This aspect is supported.</p> <p>The overall façade design with open walkways to the south, the materials, openings and colours have not been addressed. Administration considers that the overall design does not aesthetically align with the quality and context of the area. There has been no clear demonstration of the context and place that would enhance the distinctive character of the area.</p>	<p>X</p>
<p>4.11 - Roof design</p> <p><i>The roof form has not been appropriately defined to reduce perceived bulk and</i></p>	<p>The design of the building has reduced and minor modifications to the roof design have been made. With the removal of the 6th storey, it now appropriately responds to R-AC3.</p>	<p>✓</p>

<p><i>scale and does not therefore positively to the street.</i></p>		
<p>4.12 – Landscaping</p> <p><i>The development has failed to provide landscaping that integrated into the overall design.</i></p>	<p>Although additional landscaping has been provided, it has not addressed the City &amp; Design Reviewers previous comments and concerns as identified in the original design.</p> <p>Landscaping is generally limited to communal areas. There is limited landscaping provided at balcony edges facing Elizabeth Street or Broadway. There is still an absence of at grade landscaping along Elizabeth Street which would contribute to the existing character of Broadway. This is particularly due to the removal of the existing trees at 4m height which contribute to the leafy green character of the street.</p>	<p><b>X</b></p>
<p>4.14 - Mixed use</p> <p><i>The ground floor office does not enhance the streetscape or appropriately activate the street.</i></p>	<p>The revised design has reduced the area of office area from 126m<sup>2</sup> to 63m<sup>2</sup> and to the ground level only. The area is now considered adaptable for future uses as it located on ground level only and provides a 10m depth.</p>	<p>✓</p>

Existing Character

The existing neighbourhood character is varied. This locality has a mix of housing typologies (single, grouped and multiple dwellings) as well as land use (commercial and civic buildings). The site to the south of the site, is a grouped dwelling development comprising 16 dwellings. The properties to the north and immediate west are single houses, although three are the result of subdivision. Although the area is mixed, the existing character features significant separation between buildings, high amenity, generous landscaped streetscape character. The properties located on the eastern side of Broadway, proximate to the site have been redeveloped with multiple dwellings and grouped dwellings.

Future Character

At the time of finalising this report, policy work is still underway to define the desired future character. In the interim, Council adopted Local Planning Policy Interim Built Form Guidelines for Broadway Mixed Use Zone (Interim Guidelines). This policy is discussed later in this report.

The City engaged consultants at Hassell to complete a local distinctiveness study, context analysis and built form modelling to inform built form controls for Broadway. The focus has been to identify elements that make a positive contribution to local distinctiveness and the opportunities for enhancement. Hassell’s study informs LPP – Context and Character, which was adopted by Council at the February 2021 Ordinary Council Meeting. The study also informs the built form modelling work completed by Hassell, which will test different development scenarios for the precinct. Once these development scenarios are reviewed through community engagement, a

policy will be drafted for the precinct, which will define appropriate built form controls and may form the basis of an amendment to the Scheme.

It is expected that built form controls will seek to ameliorate the impacts of abrupt density transitions on sites such as the subject development site. The site is coded R-AC3 and interfaces with R60 to the west, equating to a default height control interface of 6 storey down to 3 storey height. It is noted that the local planning framework is currently unresolved, and that minimal weight should be afforded to a Council-adopted local planning policy which either seeks to vary built form provisions contrary to the Local Planning Scheme 3 and/or requires Western Australian Planning Commission (WAPC) approval.

In the absence of a fully resolved policy position, reference can be made to the desired streetscape character outlined and illustrated in Appendix 2 of the Residential Design Codes Volume 2 – Apartments (R-Codes Vol. 2). Being Mixed Use R-AC3 adjacent to Residential R60, the streetscape character is designated as a ‘mid-rise urban centre’, that transitions to a ‘medium-rise residential setting’ at the rear. Proposed buildings are to reflect the prevailing or planned pattern of side and street setbacks and take advantage of the location, aspect and orientation of the site. For this site, pedestrianised street frontages are encouraged to achieve a pedestrian scale at the street frontage. Reference can also be made to the Local Planning Strategy provisions, which identifies this site as a commercial node within a low to medium rise Urban Growth Area.

### **Legislation and Policy:**

#### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- Metropolitan Region Scheme
- Local Planning Scheme No.3

#### State Government Policies

- State Planning Policy 7.0 – Design of the Built Environment
- State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (R-Codes Volume 2)

#### Local Policies

- Local Planning Policy – Consultation of Planning Proposals
- Local Planning Policy – Parking
- Local Planning Policy – Waste Management (Council adopted – subject to WAPC final endorsement)
- Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone (Council adopted – subject to WAPC final endorsement)

#### Strategies

- City of Nedlands Local Planning Strategy

#### Scheme Amendments

- Scheme Amendment No.7 – South Broadway (Council adopted – subject to WAPC final endorsement)

## **Consultation:**

### Public Consultation

In accordance with the City's Local Planning Policy – Consultation of Planning Proposals, the originally development was advertised for a period of 21 days, from 31 October 2020 until 21 November 2020. Public consultation consisted of:

- Letters sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the site (letters);
- A sign on site was installed at the site's street frontage for the duration of the advertising period;
- An advertisement was published on the City's website with all documents relevant to the application made available for viewing during the advertising period;
- An advertisement was placed in The Post newspaper published on 31 October 2020;
- A Social media post was made on one of the City's Social Media platforms;
- A notice was affixed to the City's Noticeboard at the City's Administration Offices; and
- A community information session was held by City Officers on 11 November 2020, where approximately 30 residents and elected members were present.

The City received a total of 103 submissions at the close of the advertising period, with 2 submissions received in support of the application, and the remaining 101 submissions objecting to the proposal.

Due to the timing of the amended plans being received, the City was unable to undertake formal advertising for a minimum period of 28 days. The amended plans were made available for public inspection on the City's Your Voice website with a summary of changes proposed and email notification to all previous submitters.

Overall, the amendment seeks to reduce the height, plot ratio, number of dwellings and includes additional screening measures. It is considered the revised plans have largely reduced the impact of the development on neighbouring properties when compared to the original proposal considered. All previous submissions on this proposal have been given due regard in this assessment in accordance with clause 67(y) of *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Officer's comments have been revised to reflect the amended plans.

### Design Review Panel Advice

For this application, an architectural and landscape architectural design review was undertaken. The full comments from the independent review are contained in Attachment 4 and was undertaken by the previous reviewers. In summary, the main concerns were re-iterated, except for Built Form & Scale and Amenity which was supported.

3	Supported		
2	Supported with conditions / Further Information required		
1	Not supported		
	Original Plans 14 October 2020	Plans previously considered by JDAP 27 November 2020	Amended Plans 19 May 2021 & 18 June 2021
Principle 1 – Context & Character			
Principle 2 – Landscape Quality			
Principle 3 – Built Form & Scale			
Principle 4 – Functionality & Built Quality			
Principle 5 - Sustainability			
Principle 6 – Amenity			
Principle 7 - Legibility			
Principle 8 – Safety			
Principle 9 – Community			
Principle 10 – Aesthetics			

**Planning Assessment:**

The proposal has been assessed against all the relevant legislative requirements of the Scheme, State and Local Planning Policies outlined in the Legislation and Policy section of this report. A full assessment of the proposal against the Residential Design Codes Volume 2 (R-Codes) Local Planning Scheme No.3, Clause 67(2) Local Planning Scheme Regulations and City of Nedlands Local Planning Strategy are contained in Attachment 6.

Planning and Development (Local Planning Schemes) Regulations 2015

The City has assessed the application in accordance with clause 67(2) of *Planning and Development (Local Planning Schemes) Regulations 2015*. The provisions which are not satisfied are addressed below:

Provision	Assessment
(a) <i>The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area</i>	<b>Not satisfied</b>  Refer to assessment of clause 9 of LPS – Aims of Scheme and objectives of the Mixed- Use Zone.
(c) <i>Any approved State Planning Policy</i>	<b>Not satisfied</b>  There are various Principles and Elements which have not been achieved in SPP7.0 and R-Codes Vol 2.
(l) <i>the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i>	<b>Not satisfied</b>  The massing, bulk and scale of the building is now considered compatible with its setting. However, the aesthetics of the building have not been resolved. The development is considered to have a detrimental impact on the streetscape of the locality given the lack of landscaping and connection with the street.

<p>(m) the amenity of the locality including the following —</p> <p>(i) environmental impacts of the development;</p> <p>(ii) the character of the locality;</p> <p>(iii) social impacts of the development;</p>	<p><b>Not satisfied</b></p> <p>The City is of the view that the proposed façade design (in particular the open access walkways) and the landscape treatment will adversely impact the character of this locality and streetscape.</p>
<p>(p) whether adequate provision has been made for landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p>	<p><b>Not satisfied</b></p> <p>The development is provided with adequate on-structure planting and soil volume. However, the landscape plan itself is deficient and does not add to the internal or external amenity to the extent expected in this locality.</p>

Local Planning Scheme No. 3

The City provides the following assessment of the application in accordance with relevant LPS 3 provisions. The provisions which are not satisfied are addressed below:

Provision	Clause	Assessment
9 – Aims of Scheme	<i>Achieve quality residential built form outcomes for the growing population;</i>	<p><b>Not satisfied</b></p> <p>Based on the findings of the design review, the development is not considered to appropriately respond to the objectives of SPP 7.0. There are unresolved areas that cannot be dealt with via a condition.</p>

State Planning Policy 7.0

The City’s appointed architect and landscape architect have undertaken a revised design review is based on the amended plans. A full copy of the review is contained in Attachments 4 along with the applicant’s revised justification in Attachment 5.


State Planning Policy 7.3

The proposal has been assessed against all relevant Design Elements of the Residential Design Codes Volume 2 – Apartments (R-Codes) which provides a comprehensive basis for the control of residential development. A copy of the full assessment is included in Attachment 6.

Following assessment, the proposed development is found to be deficient in meeting several objectives of the Design Elements of the R-Codes in Volume 2. In some instances, the relevant Element Objectives can be adequately satisfied by imposing conditions to manage minor design changes.

However, several other instances remain where a redesign is required to demonstrate the Element Objectives can be appropriately satisfied. These instances extend beyond the usual confines and reasonable expectations of a condition as they will have implications for the appearance and function of the development as currently proposed.

Element 2.2 – Building Height

Element Objectives	Assessment
<p><b>O2.2.1</b> – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change</p>	<p><b>Objective Met</b></p> <p>The default Acceptable Outcomes under Table 2.1 of the R-Codes for an R-AC3 site is 6 storeys and a 21m indicative building height inclusive of any roof top articulation.</p> <p><u>Original</u></p> <p>The original development proposed 6 storeys with a 6 and half storey interface to the southern adjoining site that has existing grouped dwellings, and a 6-5 storey interface with the lower coding R60 site to the west that contains a single residence. Although the number of storeys met the Acceptable Outcomes, it was the City’s view that the bulk and scale would adversely affect the amenity of these adjoining properties as the built form did not appropriately transition to the lower coding interface. This transition has been recognised and considered in all approvals along Broadway, thereby guiding the desired character of the area.</p> <p><i>Image: Original view from Elizabeth Street</i></p>  <p><u>Revised</u></p> <p>The revised design is now considered to provide an adequate local character response as set out Table 2.1. The building has been reduced by a storey and therefore proposes a maximum of 5 storeys, inside the designated building envelope. As viewed from the west abutting the R60 coded property, the building presents as a 3-4 storey interface and to the south at 5 storeys. This is now considered to appropriately respond to the future scale and character of the street.</p>





The revised elevations of the proposed development as viewed from the adjoining properties R60 coded properties at No.36 Kingsway, further indicate that the proposal will now appear as a 3-4 storey building element. This is now considered to be an appropriate interface to the R60 coded properties to the rear and further aligns with more recent approvals on Broadway.

**Image:** Revised Elevation Plan view from No.36 Kingsway, Nedlands (west)



**Image:** Revised Elevation Plan from Elizabeth Street next to No.36 Kingsway, Nedlands.



**O2.2.3** – Development incorporates articulated roof design and/or roof top communal open space where appropriate

**Objective Met**

The original design proposed a roof top terrace incorporated into the 6<sup>th</sup> storey. The City did not raise a concern with this aspect as

	<p>it was concealed from direct view. The revised design continues to have a roof top communal space and plant equipment which is concealed from direct view from all angles. This is due to its centralised location, setbacks, materials, and landscaping treatments which soften the overall bulk. These structures are contained within the building envelope.</p>
<p><b>O2.2.4</b> – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>The original design was not considered to meet this objective due to the cumulative impacts of plot ratio and insufficient boundary setbacks. It was the view that the extent of shadow could be minimised.</p> <p><u>Revised</u></p> <p>As the adjoining site to the south is also coded RAC3, there is no minimum requirements with solar orientation. However, the extent of overshadowing is at 12pm winter solstice has generally remained unchanged. It is now considered acceptable due to the removal of the 6<sup>th</sup> storey and increased setbacks afforded to the west. The rear setback area (open space) of the adjoining southern property will still preserve solar access. It is noted that there is no direct shadow onto the adjoining western properties due to the orientation of the site.</p>

Element 2.3 – Street Setbacks

Element Objectives	Assessment
<p><b>O2.3.1</b> – <i>The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.</i></p>	<p><b>Not Achieved</b></p> <p>Table 2.1 identifies a minimum 2m primary street setback to the ground floor, with the exception that a nil setback applies to any commercial tenancy.</p> <p><u>Original</u></p> <p>The original design proposed a 1.3m setback to the ground floor office tenancy to both Elizabeth Street and Broadway. The setback was proposed to incorporate 6m<sup>2</sup> of deep soil planting within this location.</p> <p>The original setbacks were not supported as there was limited landscaping within the setback area which could positively contribute to the existing ‘leafy green’ character of Broadway and Elizabeth Street. This was further attributed by the unsleeved parking and high retaining walls at ground level. The increased setback to the office tenancy across two levels was further not supported due to a poorer pedestrian experience.</p> <p><u>Revised</u></p> <p>No change is proposed to the setback noting the removal of the top storey and graduated setbacks have reduced the perception of bulk and scale to the street.</p>

A new pedestrian entry point has been established on Elizabeth Street. This includes stairs leading up to the building and additional planting on structure at ground floor– upper. Units 1 - 3 have been relocated to this area which have balconies facing and addressing Elizabeth Street.

**Image:** Revised landscaping treatments to Elizabeth Street



However, the two areas which the City have concern with include:

- a. The removal of the deep soil area located at the corner of Elizabeth Street and Broadway. This removes the ability to have a mature tree in this location; and
- b. The absence of at grade landscaping along Elizabeth Street which would contribute to the existing character of Broadway. This is particularly due to the removal of the existing trees at 4m height which contribute to the leafy green character of the street.

Similar proposals on Broadway have proposed planting on structure planting or mature trees within the front setback area that complements the existing and proposed leafy green character of the street and area.

**Element 2.3 – Side and Rear Setbacks**

Element Objectives	Assessment
<p><b>O2.4.1</b> – Building boundary setbacks provide for adequate separation between neighbouring properties</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>Levels 4 &amp; 5 (5<sup>th</sup> and 6<sup>th</sup> storey) were not set back 9m from major openings to habitable rooms and private outdoor living areas. The City previously considered the western interface being problematic as the proposal was rather reliant on screening and high sill heights as a means to reduce physical separation to adjoining properties. The reduced building separation was considered discernible from each elevation. In particular, to the southern and western elevation. The reliance on screening was further considered to impact future residential amenity to both internal (on the development site) and external (adjoining the development site).</p>

	<p><u>Revised</u></p> <p>The revised plans have removed Level 5 (6<sup>th</sup> storey) and therefore a building separation of 9m is only applicable to Levels 4 for major openings to habitable rooms and balconies.</p> <p><i>West</i></p> <ul style="list-style-type: none"> <li>• Level 4 setbacks increased from 5.1m to 8.8m</li> <li>• Level 5 = <b>deleted</b></li> </ul> <p><i>South</i></p> <ul style="list-style-type: none"> <li>• Level 4 setbacks remained relatively unchanged; however, the removal of Unit 21 and previous bedroom 2 have assisted with building separation</li> <li>• Level 5 = <b>deleted</b></li> </ul> <p>Across both levels, fixed directional screens to habitable rooms, window hoods and fixed screening to terraces have been proposed, or, have been set back to meet the Acceptable Outcomes. The proposed setbacks are now considered acceptable as a result of increased setbacks and removal of the 6<sup>th</sup> storey.</p>
<p><b>O2.4.3</b> – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management</p>	<p><b>Objective Met</b></p> <p>The original landscape design in the rear setback area was supported by the City as adequate tree canopy and vegetation was proposed within this area which is broadly consistent with other approvals. No modifications were made in the revised design.</p>
<p><b>O2.4.4</b> –The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>The original plans were not supported due to the 6 storey interface that was proposed to the west and it was not considered to adequately be set back to reduce its visual prominence. It was also noted that increased setbacks to the southern interface should also be achieved to increase light and solar access.</p> <p><u>Revised</u></p> <p>The revised plans propose a removal of the 6<sup>th</sup> storey. As shown on the updated renders, the development is viewed as 3-4 storeys to the west which is considered an appropriate transition. The materiality has been modified to adjust the perception of bulk. Although minor modifications have been made to the southern setbacks, the removal of the top storey has improved the building separation. This is now considered more appropriate.</p>

Element 2.5 – Plot Ratio

Element Objectives	Assessment
<p><b>O2.5.1</b> – The overall bulk and scale of development is appropriate for the existing or planned character of the area</p>	<p><b>Objective Met</b></p> <p>The Acceptable Outcome for plot ratio is 2.0.</p> <p><u>Original</u></p> <p>The original plot ratio was 2.6, which is equivalent to approximately 568m<sup>2</sup> of additional floor area. This was largely contributed by reduced setbacks and the number of units proposed on a singular lot. The City did not support the plot ratio as it was more representative of an R-AC2 or R-AC1 or ‘High density urban centre’ which does allow for a plot ratio of 2.5 – 3.0.</p> <p><u>Revised</u></p> <p>The revised plans now propose a plot ratio of 2.0, which equates to approximately 17m<sup>2</sup> or 1% of additional floor space. On the merits of the revised plans, it is considered to meet O2.5.1 as -</p> <ul style="list-style-type: none"> <li>• The building is wholly located within the 21m indicative building envelope in accordance with Table 2.2.</li> <li>• Due to the cutting into the topography of the site, the development presents as predominately 5-6 storeys from Broadway and proposes a graduated built form to 4-5 storeys as viewed from the side and 3-4 storeys to the rear boundary.</li> <li>• The side and rear setbacks to the building are otherwise generally consistent with the acceptable outcomes</li> <li>• It is considered that an adequate degree of building articulation is provided to each elevation. This articulation is located centrally with each elevation to reduce the impact of the overall volume of the building. Furthermore, the City has engaged an Gresley Abas Architect to review the proposed development which has supported the revised massing.</li> <li>• Overshadowing to the abutting southern lot is considered acceptable.</li> <li>• The plot ratio is now more aligned with an R-AC3 ‘Mid-rise urban centre’ which is the intended future scale for this site.</li> </ul>

Element 2.7 – Building Separation

Element Objectives	Assessment
<p><b>O2.7.1</b> – New development supports the desired future streetscape character with spaces between buildings.</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>Levels 4 &amp; 5 were not set back a minimum of 9m, or an adequate distance to major openings in order to provide for a reasonable break between building mass and protect the amenity of future residents. The reduced building separation was considered discernible for each elevation and inconsistent built form outcomes.</p> <p><u>Revised</u></p>

	<p>The revised plans have removed Level 5 (6<sup>th</sup> storey) and therefore a building separation of 9m is only applicable to Levels 4 for major openings to habitable rooms and balconies.</p> <p>The revised plans are considered to support the future streetscape character with an appropriate building separation. The R-AC3 coding for Broadway allows for nil setbacks to both the northern, southern and western lot boundaries and to the street. The graduated building separation, particularly to the west facilitate a graduated built form that is in line with other approvals.</p>
<p><b>O2.7.2</b> – Building separation is in proportion to building height.</p>	<p><b>Objective Met</b></p> <p>The building is predominately proportionate to its height and focuses on reducing bulk to the western R60 coded lots. The screening provides for sufficient measures to reduce visual privacy concerns, whilst maintaining ventilation, sunlight and daylight access and outlook. On balance it is supported.</p>
<p><b>O2.7.3</b> – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>The original design proposed openings to open access walkways and the reduced building separation setbacks to the south and west.</p> <p><u>Revised</u></p> <p>The building is predominately proportionate to its height and focuses on reducing bulk to the western R60 coded lots. This aspect is supported by the City. The open access walkways are a suboptimal design. However, should the JDAP approve this development, a lighting plan could be provided to address amenity concerns.</p>

Element 3.2 – Orientation

Element Objectives	Assessment
<p><b>O3.2.1</b> – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>All apartments were oriented towards Elizabeth Street instead of Broadway. The Broadway frontage had smaller windows, and the design of the balconies demonstrates that Broadway was treated as the secondary street. In terms of site attributes, the design was not considered to take advantage of the prominent corner site located within an identified commercial node on Broadway. The design has missed an opportunity to appropriately address both frontages and provide a landmark building. It was the City’s view that the building needs to be redesigned to respond to the streetscape and site attributes.</p>

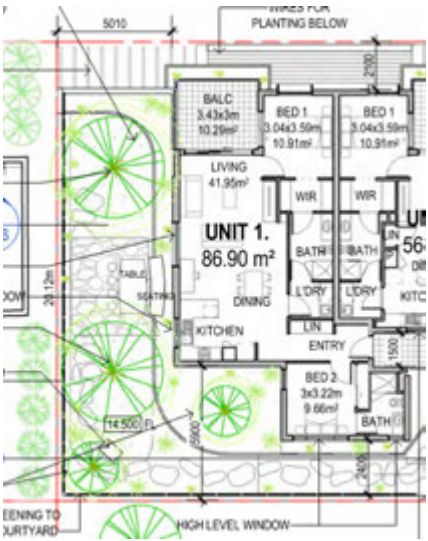
	<p><u>Revised</u></p> <p>The proposal is now considered to meet the Acceptable Outcomes A3.2.1 as the development faces both Elizabeth Street and Broadway. Larger windows and balconies are proposed to both frontages which maximises solar and daylight access within the development.</p>
<p><b>O3.2.2</b> – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter</p>	<p><b>Objective Met</b></p> <p>As the adjoining site to the south is also coded RAC3, there is no minimum requirements with solar orientation. The extent of overshadowing is at 12pm winter solstice is 33%. This is consistent with the R-AC3 coding. It is noted that the rear setback area will still preserve solar access to the existing private open space and any future communal open space, if developed.</p>

**Element 3.3 – Tree canopy and deep soil areas**

<b>Element Objectives</b>	<b>Assessment</b>
<p><b>O3.3.1</b> – <i>Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.</i></p>	<p><b>Objective Met</b></p> <p>The site's only building onsite is a commercial premises. The parking area takes up a large proportion of the site area and as a result the site is not afforded existing significant tree canopy. There are 3 larger trees onsite. The City's concern are largely related to the landscape design – refer to section 4.12. An opportunity to design around the existing trees would have been encouraged.</p>
<p><b>O3.3.2</b> – <i>Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.</i></p>	<p><b>Objective Met</b></p> <p>The site feature survey provided identifies three (3) existing trees that face Elizabeth Street. Based on a site visit, these trees provide for a larger canopy coverage (approximately being approximately 4m x 4m) than what is identified on the plan (being approximately 1m x 1m).</p> <p>The two (2) medium trees ('Tuckeroo' trees) are proposed to replace the current on-site trees. These are to be located within the rear setback area. The canopy at maturity is approximately 8m x 6m. An additional five (5) 'Sioux' trees are located along the roof top and communal ground floor.</p> <p>In the original application, it was considered that these trees an additional landscaping will provide adequate measures to improve tree canopy in the long term. The amount of planting on structure proposed is 231.5m<sup>2</sup>. This is more than double the minimum requirements by the acceptable outcomes.</p>
<p><b>O3.3.3</b> – <i>Development includes deep soil areas, or other infrastructure to support planting on structures, with</i></p>	<p><b>Objective Met, subject to condition</b></p> <p>The revised Landscaping Plan which outlines the suitability of the selected species and the soil volume proposed for the</p>

<p>sufficient area and volume to sustain healthy plant and tree growth.</p>	<p>trees. This report has been reviewed by the City’s independent landscape architect consultant. Although there are some deficiencies, on balance, it is supported.</p> <p>Subject to a modification to some of the communal areas, there is sufficient area and volume available to sustain healthy plant growth to the extent anticipated by the concept landscape plan. A condition on the management of landscaping is to be included should the JDAP approve the application.</p>
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**Element 3.4 – Communal Open Space**

Element Objectives	Assessment
<p><b>O3.4.3</b> – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.</p>	<p><b>Objective Met, subject to condition</b></p> <p>No changes have been made in the revised design. The City’s original concern relates to the location of the communal open space being on the first floor and its impact to Unit 1’s amenity.</p> <p>It has not been demonstrated through noise modelling and or noise attenuation measures that the location of the communal space on the First Floor has been designed and orientated to minimise acoustic impacts on habitable rooms (within the site) and private open spaces at the communal garden. This particularly relates to the location of Unit 1 which have openings abutting this area.</p> <p><i>Image: Location of Unit 1 abutting the private open space. Openings are used for natural ventilation.</i></p>  <p>It was previously recommended that this area be for the sole use of the previous Unit 1 (Unit 4) to prevent privacy and acoustic issues. Alternatively, it is considered that a revised Acoustic Report could be provided demonstrating specific acoustic measures to reduce this nuisance and maximise the amenity for this unit and could be imposed as a condition. It is further recommended that these windows are modified to highlight windows to minimise the impact.</p>



Element 3.5 – Visual Privacy

Element Objectives	Assessment
<p><b>O3.5.1</b> – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, whilst maintaining daylight and solar access, ventilation and the external outlook of habitable rooms</p>	<p><b>Objective Met, subject to condition</b></p> <p><u>Original</u></p> <p>The south facing major openings are screened or are high-light windows, most habitable rooms that address the side boundary and rely on some form of privacy screening, have a second window for outlook, ventilation and light. The western edge of the balconies, located on the western side of the building (Units 1,6,11,16 &amp; 20) are screened to prevent direct overlooking to the west or are setback in accordance with Table 3.5.</p> <p><u>Revised</u></p> <p>Visual privacy is materially unchanged in the revised design. Additional setbacks to the western elevation have further reduced perceived impacts of overlooking, noting the setbacks meet the minimum recommended under the Acceptable Outcomes.</p> <p>However, should the JDAP approve this application, it is recommended that with the exception of one window, all windows on the western elevation shall be designed have fixed obscured glazing or a minimum sill height of 1.6m above finished floor level. This is to further assist in concerns raised regarding visual privacy.</p> <p>It is recommended that one window to Bedroom 3 (Unit 18) on the western elevation is removed and relocated to the eastern wall. This is recommended to assist in the future amenity of this resident as there is already a highlighted window proposed.</p>

Element 3.6 – Public Domain Interface

Element Objectives	Assessment
<p><b>O3.6.2</b> – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.</p>	<p><b>Not Achieved</b></p> <p>The landscaping as viewed from Broadway is minimal and does not enhance the amenity or streetscape quality in this locality. Further design improvements are recommended to improve the public realm interface.</p> <p>The ground floor level of the building and the street level are greater than 1.2m as a result of the new changes from the stairs to Elizabeth Street. Limited landscaping as viewed both from Broadway and Elizabeth is proposed with solid walls and continues to provide for a poor landscape response. The landscaping design is not considered to enhance the amenity of the locality which is characteristic of being “leafy green”.</p>

Element 3.7 – Pedestrian Access & Entries

Element Objectives	Assessment
<p><b>O3.7.1</b> – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.</p>	<p><b>Objective Met</b></p> <p>The original design was not supported as there was no universal access provided in the car parking area. The parking areas have been modified to provide for universal access throughout the site for residents, visitors and commercial staff/visitors. At lower ground level, these include an increase of the corridor width to 1.2m to 1.3m and the entry of the lift has been reorientated from north to west. On the upper ground floor the stairs have been replaced with a ramp to the internal accessways and a lift has been included at the southern side of the building.</p>
<p><b>O3.7.2</b> – Entries to the development connect to and address the public domain with an attractive street presence.</p>	<p><b>Objective Met</b></p> <p>The City raised concern with the office entry design and external façade treatments. Modifications have included the removal of the top storey office which is a supported improvement and addresses this objective.</p>

Element 3.8 – Vehicle Access

Element Objectives	Assessment
<p><b>O3.8.1</b> – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.</p>	<p><b>Objective Met, subject to condition</b></p> <p><u>Original</u></p> <p>Both vehicle access points have been designed for two-way access and are provided with appropriate sightlines. The City did not support the location of the two visitor bays via Elizabeth Street, due to the potential conflict between unfamiliar drivers and the Safe Active Street. It was recommended that this could be addressed by way of condition, limiting these bays to employees only.</p> <p><u>Revised</u></p> <p>No modifications have been proposed. However, due to the lower volume of traffic accessing Elizabeth Street, it is considered that it has been designed to provide safe access and egress for vehicles, including visitors.</p>

Element 3.9 – Car Parking

Element Objectives	Assessment
<p><b>O3.9.2</b> – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>The original proposal had approximately 126m<sup>2</sup> of office area and 3 office bays and one ACROD bay. Due to the size of the office area, it was considered that 4 bays were insufficient to address the demand for this type of use.</p>

<p>and/or are close to employment centres.</p>	<p><u>Revised</u></p> <p>The revised design has an office space of approximately 63m<sup>2</sup> and a total of 6 visitor bays, including one ACROD. This is proposed to be shared with the residential visitor bays. According to the City's LPP, 4 bays are to be provided for the commercial use with an additional 2 to be provided for residential visitor bays. As there are 6 bays in total, there is therefore appropriate parking available. It is further noted that there are an additional two (2) on-street parking bays. With the exception of one bus service, all buses come every 15 minutes within the peak times allowing for additional avenues to travel to the site without relying on cars. On this basis, it is now been met.</p>
<p><b>O3.9.4</b> – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.</p>	<p><b>Not Achieved</b></p> <p>Minor overall modifications have been made which includes providing additional parking at basement level. Previously this floor was designated for service equipment only.</p> <p>The City acknowledges the modifications made to reduce the impact of above-ground parking area. However, on balance, it the car parking area at the Ground Floor Plan – Upper still has a negative visual impact as viewed from Elizabeth Street. This is because it presents as an additional storey and results in greater bulk and scale than if located below ground. It further removes the ability to have at grade landscaping of an appropriate pedestrian scale which could provide an activated streetscape interface, consistent with the area and intent of the zone.</p> <p>The emerging character of Broadway has included basement parking, which reduces the overall height, bulk and scale of development as viewed from the street and adjoining sites. Locating car parking areas below ground also ensures the rear interface is lowered creating a more comfortable built form transition. The current design continues to be beyond the confines of a condition to achieve this outcome. As such it is not supported.</p>

Element 4.4 - Private Open Space

Element Objectives	Assessment
<p><b>O4.4.3</b> – Private open space and balconies are integrated into the overall architectural form and detail of the building.</p>	<p><b>Not Achieved</b></p> <p><u>Original</u></p> <p>The City had concern with the lack of landscaping on private open space &amp; balconies that is visible to the public realm. It was considered additional landscaping could assist with softening the bulk and scale of the building and to be in line with other approved developments on Broadway.</p> <p><u>Revised</u></p> <p>Additional planting on structure has increased. However, a significant amount of this is located internally and on the</p>

	southern side and not visible from the street. From a landscape perspective, there have only been minor changes and they are largely as a result of changes to the architectural form rather than direct responses to any shortcomings of the landscape design. This position has further been supported from the Design Review. The City considers that the development does not adequately provide landscaping that is consistent with the leafy green area and that enhances the streetscape.
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Element 4.5 – Circulation and Common Spaces

Element Objectives	Assessment
<p><b>O4.5.2</b> – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.</p>	<p><b>Objective Met</b></p> <p><u>Original</u></p> <p>The open access walkways located on the southern elevation were considered to have unreasonable adverse impact on the internal and external amenity of proposed dwellings. In particular to light and noise. The design of the open accessway is not supported, however, this is addressed in Element 4.10 – Façade Design. In the event JDAP approves the subject application, a condition requiring a lighting plan addressing light spill is recommended and a revised acoustic report to address noise.</p>

Element 4.9 – Universal Design

Element Objectives	Assessment
<p><b>O4.9.1</b> – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.</p>	<p><b>Objective Met, subject to condition</b></p> <p><u>Original</u></p> <p>The original plans have not included which 20% of dwellings (or minimum of 4 dwellings) are to be designed to achieve the Silver Level requirements as defined in the Liveable Housing Design Guidelines.</p> <p><u>Revised</u></p> <p>This has not been addressed. However, a condition to achieve Silver Level requirements could be included as a recommended condition, should the JDAP approve the development.</p>

Element 4.10 – Façade Design

Element Objectives	Assessment
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**O4.10.1** – Building facades incorporate proportions, materials, and design elements that respect and reference the character of the local area.

**Not Achieved**

Original

The City’s design review did not support the design, colours and materials as there was not a clear context and character study analysis provided. In addition, the overall proportions and bulk and scale were not supported. The key issues relevant to the design included:

- The placement and design of the windows to the east and western elevations placed randomly;
- Highlight windows, small windows and boundary walls to the south;
- The diverse palette of materials and colours which contributed to an overall ‘heavy and imposing appearance’;
- Open access walkway on the southern elevation contributing to a commercial and date apartment design that is out of context;
- Ground floor office not provided as an activated frontage consistent with the expectations of the scheme and that would create a positive pedestrian experience;
- The façade design not interacting with Broadway; and
- The bulk and scale and no clear base, middle and top.

*Image: Original View from Broadway*





Revised

Improvements to the design have been made, particularly as viewed from Broadway. The wrap around balcony has provided a positive connection to the street. A revised Design Strategy has since been provided by MacKay Urban Design (June 2021) however, the areas of concern that continue to be re-iterated via the independent design review:

	<ul style="list-style-type: none"> <li>• No additional information was provided that helped demonstrate a clear interpretation of context and place that would enhance the distinctive character of the area;</li> <li>• The southern elevation has remained unchanged. The open access walkways are not supported as it presents as a dated and commercial design. Open access walkways are a common feature of apartment buildings built in the 1960s and 1970s. The current aspect of the design continues to be beyond the confines of a condition to achieve this outcome;</li> <li>• The colours &amp; materials palette are diverse and continue to include a heavy and imposing appearance; and</li> <li>• The random placement and design of the windows</li> </ul> <p><i>Image: Revised Elevation from Broadway</i></p> 
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Element 4.12 – Landscape Design

Element Objectives	Assessment
<p><b>O4.12.1</b> – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.</p>	<p><b>Objective Not Achieved</b></p> <p>The original Landscape Plan was not supported as:</p> <ul style="list-style-type: none"> <li>• The siting of the landscaping was not visible from the streetscape;</li> <li>• The landscaping provided at ground level was considered minimal. Some of the planter areas are not wide enough to provide for meaningful planting and may struggle to survive;</li> <li>• The overall landscaping plan was not considered to improve pedestrian amenity as at grade planting was not proposed, and was predominately dominated by solid 1-2m retaining walls and planter boxes facing Elizabeth Street;</li> </ul>

	<ul style="list-style-type: none"> <li>Landscaping is generally limited to communal areas. There is no landscaping provided at balcony edges to enhance outlook.</li> </ul> <p>The revised Landscape Plan proposes an increase 172.5m<sup>2</sup> to 231.5m<sup>2</sup> and removes the only deep soil area (at 6m<sup>2</sup>) facing Elizabeth Street. Although additional landscaping has been provided, it has not addressed the City &amp; Design Reviewers previous comments and concerns as identified in the original design.</p>
<p><b>O4.12.2</b> – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses</p>	<p><b>Objective Met, subject to condition</b></p> <p>Minor improvements to the width and dimensions of the planter boxes outlined in red below was identified in the original. A greater width was recommended to sustain long-term planting.</p> <p><i>Image: First Floor Plan landscaping area (in red) which requires an increased planter box dimension</i></p>  <p><i>Image: Second to Fifth Floor landscaping area (in red) which requires an increased planter box dimension.</i></p>  <p>The revised Landscaping Plan has not addressed this, however, should the JDAP approve this development, a condition requiring either a revised Landscaping Plan or Management Plan is recommended.</p>
<p><b>O4.12.3</b> – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.</p>	<p><b>Objective Met, subject to condition</b></p> <p>Irrigation is provided to all landscaped areas. The development also provides:</p> <ul style="list-style-type: none"> <li>moisture sensors throughout, to ensure water use is minimised</li> <li>low water use emitters to ensure only sufficient water is provided to irrigate planting areas</li> </ul>

	<ul style="list-style-type: none"> <li>• in-line fertilisation unit to ensure fertilising and moisture retention is controlled</li> <li>• use of pop - up flood bubblers to suit size of garden beds to ensure any over-spray and wastage is mitigated, and;</li> <li>• a detailed design and specification will be provided at building license application stage.</li> </ul> <p>Should the JDAP approve this development, a standard condition will be imposed to ensure the above features are installed prior to occupation.</p>
<p><b>O4.12.4</b> – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.</p>	<p><b>Not Achieved</b></p> <p>It is the City's view that despite improvements to the landscaping design, it does not integrate with the overall design intent. There are opportunities for landscaped areas to reduce the bulk of the development such as including additional planters on balconies facing Broadway &amp; Elizabeth Street. The reduced street setbacks, high retaining wall/planters and lack of mature trees on Elizabeth have further impacted meeting this objective. The application does not provide a landscape plan that is consistent with previous approvals on Broadway.</p>

Element 4.14 – Mixed Use

Element Objectives	Assessment
<p><b>O4.14.1</b> – Mixed use development enhances the streetscape and activates the street.</p>	<p><b>Objective Met</b></p> <p>The revised design has reduced the area of office area from 126m<sup>2</sup> to 63m<sup>2</sup> and to the ground level only. The area is now considered adaptable for future uses as it located on ground level only and provides a 10m depth.</p>

Local Planning Policies

*Draft Local Planning Policy – Interim Built Form Design Guidelines*

At its January meeting, Council adopted the Draft Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone for the purpose of advertising, with consultation occurring between 15 February and 7 March 2020. The Draft LPP provisions include the following modifications to the Acceptable Outcomes in R-Codes Vol 2:

- A maximum Building height of 12.5m above the road level to significant planning proposals within the policy area.
- 2m primary street setback
- 2m side setback (north)
- 4.5m setback (south)
- 6m rear setback
- 7-8m visual privacy setbacks for living rooms and private open space
- 6m visual privacy setback for habitable rooms (bedrooms)



- At least 50% of the required deep soil area being located in the rear setback where abutting an R60 property
- Adding an objective to the policy regarding visual privacy

Clause 67(2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the matters the local authority is to have due regard to when considering an application, including paragraph (g) any local planning policy for the Scheme area. Although a seriously entertained planning proposal by virtue of its advertising status, Administration has afforded limited weight to this LPP for the following reasons:

1. Legal advice has been received that casts significant doubt over the validity of the policy in its current form and its ability to stand up at SAT.
2. The policy was considered by the State Design Review Panel, which noted that the policy provisions required further work and recommended the policy be informed by built form modelling.
3. The policy amends the R-Codes definition of building height, by relating the permitted height to the site's frontage, instead of natural ground level. This amendment is likely to be invalid.
4. As a consequence of the altered building height definition, the policy limits development to three-four storeys, depending if there is a commercial ground floor with greater ceiling height.
5. Due to the 7m natural ground level differential, the policy limits development within a Mid-Rise Urban Centre to a single storey at the rear of the site, 5m below the permitted building height of a single house in Residential R10.
6. As per Section 1 of the R-Codes Vol. 2, any policy seeking to augment the Acceptable Outcomes must be consistent with the provisions of the R-Codes Vol 2 and is encouraged to be consistent with the local planning framework. Administration is of the view that the policy undermines the intent of the R-AC3 density code, which contemplates development 21m above natural ground level.
7. The objective for the residential floor space is not articulated within the policy properly for it to be considered.
8. There is significant doubt as to whether the built form standards of Draft LPP – Interim Built Form Design Guidelines – Broadway Mixed Use Zone satisfy sub-clause 3(3) of the deemed provisions, which requires all local planning policies to be based on sound town planning principles, for the reasons cited above.

In making a determination under the Scheme, the decision-maker should only have regard to the local planning policy, to the extent that the policy is consistent with the Scheme. Clearly, Draft LPP – Interim Built Form Design Guidelines – Broadway Mixed Use Zone, is inconsistent with the Scheme, as it fundamentally undermines the intent of the Mixed-Use Zone and is inconsistent with Scheme provisions.

*Local Planning Policy – Parking*

Land Use	Car parking Ratio	Required	Provided	Difference
Office	4.75 per 100m <sup>2</sup> of net lettable area. 2 spaces in every 3 to be set aside for employees.	4	4	0

The City has undertaken an assessment of the Office land use in accordance with the City's Local Planning Policy – Parking which now meets the minimum car parking bays and is therefore supported. Should the JDAP approve this development, it is recommended to have the commercial bays marked, prior to occupation.

#### *Local Planning Policy – Waste Management*

The City's Policy and accompanying Guidelines provide criteria for bin access and storage as well as specifying waste generation rates, number of bins required to service the development and the resultant frequency of waste collection. Based on the revised number of units and modification to the internal bin store, the development is now compliant with this Policy.

#### **Conclusion:**

The City acknowledges the modifications made in response to two preliminary reviews, the architectural and landscape architect reviews, the City's assessment and the JDAPs reason for deferral. These particularly relate to height, plot ratio & side setbacks and are supported.

It is the City's view that the development continues to be inconsistent with the character (both emerging and future) due to the:

- Façade design;
- The absence of landscaping that is visible from the street and is consistent with the leafy green landscape character of the locality; and
- The reduced street setbacks from Elizabeth Street and unsleeved car parking diminishes the development's opportunity to provide an appropriate pedestrian-scale, landscape interface.

For the reasons cited in the report the City recommends the application to be refused.

#### **Officer Recommendation**

It is recommended that the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Refuse** DAP Application reference DAP/20/01871 and accompanying plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, subject to the following reasons:
  1. The development is inconsistent with the existing and emerging character. The façade design, landscaping and location of circulation areas along the south boundary and does not accord with the following:
    - a. Clause 67(2)(a)(b)(m)(p) of the *Planning and Development (Local Planning Scheme) Regulations 2015*; and
    - b. Aims of the Scheme under Clause 9(a) of the City of Nedlands Local Planning Scheme No.3.

- c. State Planning Policy 7.0 (Principle 1 – Context & Character, Principle 2 – Landscape Quality, Principle 9 – Community & Principle 10 - Aesthetics)
2. Having regard to State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments, the façade design and landscape response of the proposed development is inappropriate to the context and local character and will result in unreasonable adverse external amenity impacts given that:
  - a. Elements 2.3 (Street Setbacks), 3.6 (Public Domain Interface) & 3.9 (Car Parking) - The reduced street setbacks from Elizabeth Street and the design of the car parking as viewed from Elizabeth Street diminishes the development's opportunity to provide an appropriate pedestrian-scale, landscape interface that is consistent with the 'leafy green' character of the locality;
  - b. Element 4.10 (Façade Design) - The façade design on all elevations (windows, materials and colours) and in particular, the location of circulation areas (open-access walkways on the southern elevation) does not align with the quality and character of the area; and
  - c. Element 4.12 (Landscape Design) - The development does not provide landscaping that is integrated into the overall design across all levels, that is visible from the public realm (Elizabeth Street and Broadway) that is consistent with the landscape character of the locality.



RENDERED IMAGE FROM CORNER OF BRAODWAY AND ELIZABETH ST.

### DRAWING SCHEDULE

DWG No.	DRAWING NAME
SK00	EXISTING SITE INFORMATION
SK01	SURVEY
SK02	CONTEXT PLAN
SK02.1	SITE PLAN
SK02.2	SITE SECTION
SK02.3	BUILDING ENVELOPE PLAN
SK02.4	3D CUT AND FILL DRAWINGS
SK03.1	BASEMENT/SERVICES PLAN
SK03.2	GROUND FLOOR PLAN - LOWER
SK04	GROUND FLOOR PLAN - UPPER
SK05	FIRST FLOOR PLAN
SK06	SECOND FLOOR PLAN
SK08	THIRD FLOOR PLAN
SK09	FOURTH FLOOR PLAN
SK10	ROOF PLAN
SK11	NORTHERN ELEVATION
SK12	EAST ELEVATION
SK13	SOUTH ELEVATION
SK15	SHADOW DIAGRAMS
SK16	SECTION
SK16.1	SECTION
SK17	PERSPECTIVE 1
SK18	PERSPECTIVE 2 & 3
SK19	PERSPECTIVES 4 & 5
SK20	SOLAR STUDIES
SK21	VENTILATION STUDIES
SK22	PLOT RATIO - LOWER GROUND FLOOR
SK23	PLOT RATIO - UPPER GROUND
SK24	PLOT RATIO - FIRST FLOOR
SK25	PLOT RATIO - SECOND FLOOR
SK26	PLOT RATIO - THIRD FLOOR
SK27	PLOT RATIO - FOURTH FLOOR
SK28	DIRECT SUNLIGHT STUDIES - FIRST FLOOR
SK29	DIRECT SUNLIGHT STUDIES - SECOND FLOOR
SK31	DIRECT SUNLIGHT STUDIES - THIRD FLOOR
SK32	DIRECT SUNLIGHT STUDIES - FOURTH FLOOR
SK33	LANDSCAPING PLANS - UPPER AND LOWER GROUND FLOORS
SK34	LANDSCAPING PLANS - APARTMENTS

This survey has been completed to CLASS 2 Accuracy  
Horizontal Accuracy ± 20mm  
Vertical Accuracy ± 20mm  
This note is an integral part of this plan.

Existing boundaries have been extracted from Landgate's Spatial Cadastral Database, which is only a model of the cadastre. The depicted boundary locations are a graphical representation only and as they have not been re-established by survey. MNG does not guarantee the position unless stated otherwise. Re-establishment of lot boundaries by a Licensed Surveyor is recommended for any works on or about a boundary. This note is an integral part of this plan.

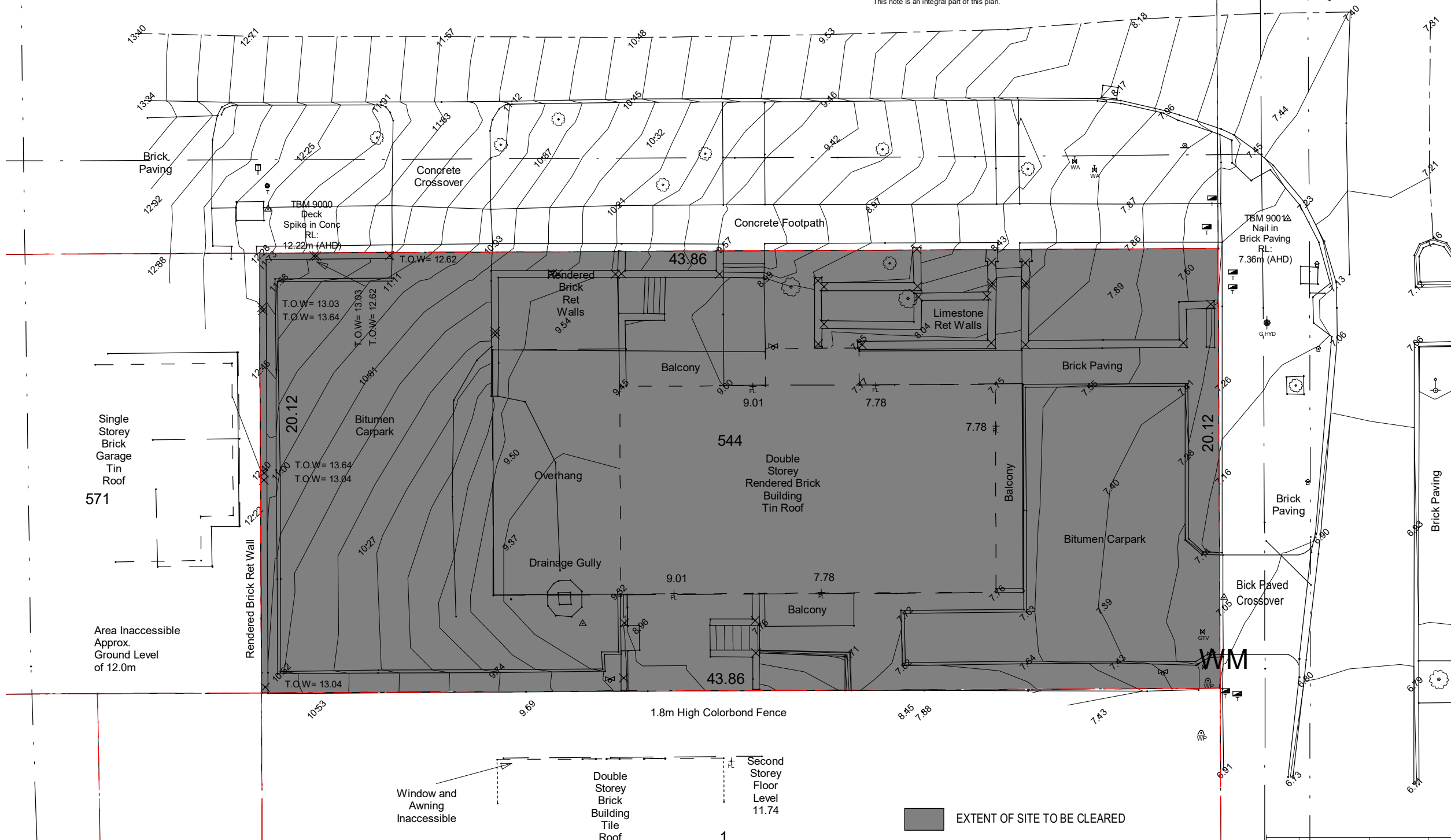
# ELIZABETH STREET

Underground services have been compiled from information obtained from a Dial-Before-You-Dig search. Service locations have not been verified by MNG. Alignments have been adjusted to coincide with located surface features such as manholes, valves or markers but are considered indicative only. Prior to demolition, excavation or construction, users should satisfy themselves to the currency of services, which may have been altered or new services installed on or near the subject site. Refer to the date and method of acquisition. This note is an integral part of this plan.

Surface features and levels have been surveyed to meet the requested scope of works accuracy. The surface may be contoured to depict topography or defined only by spot heights. For clarity on hard copy some level information is not shown, refer to 3D digital file. Above ground indicators (markers) of underground services are located where visible. Third parties utilising this information should confirm the capture accuracies meet requirements prior to use. This note is an integral part of this plan.

Approx. Position of Water Main (DBYD)

Approx. Position of Sewer Main (DBYD)



# BROADWAY

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RF1
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**EXISTING SITE INFORMATION**

Project Number  
**18020**

Drawing No.  
**SK00**

Rev.  
**O**

Reduction 25mm on A3 | Scale

1 : 200 | Date

OCT 2019 | Drawn **JR** | Checked **FI**

This survey has been completed to CLASS 2 Accuracy  
Horizontal Accuracy ± 20mm  
Vertical Accuracy ± 20mm  
This note is an integral part of this plan.

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Approx. Position of Sewer Main (DBYD)

Approx. Position of Water Main (DBYD)

Approx. Position of Sewer Main (DBYD)

# ELIZABETH STREET

# BROADWAY



Single Storey Brick Garage  
Tin Roof

571

Area Inaccessible  
Approx. Ground Level of 12.0m

1.8m High Colorbond Fence

Window and Awning Inaccessible

Double Storey Brick Building  
Tile Roof

Second Storey Floor Level  
11.74



Brick Paved Crossover



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Project Number: 18020 Rev: O Drawing No: SK01

105 BROADWAY, NEDLANDS  
Lot 544 on Plan 2948 / CT 1461-700  
Feature and Contour Survey

CLIENT:  
**OLDFIELD KNOTT ARCHITECTS PTY LTD**

Project Mgr: Mark Dobson Datum: PG54 / AHD  
**102511 - DE - 001 - A**  
Job Number: Plan Number: Revision:

Rev.	Description	Drawn	Date	Checked
A	PRELIMINARY PLANNING APPROVAL APPLICATION	PLJ	03/09/2019	MD
A	Initial Issue			

SCALE 1200 @ A3  
0 2 4 6 8 10  
ALL DISTANCES ARE IN METRES  
For a true to scale reproduction of this plan, plot it to A3 with the Paging Scaling set to None.

The contents of this plan are current and correct as of the date stated within the revision 03/10/19. Users are advised to verify the currency of this data should they wish to utilise this data should they be themselves or if the plans currency by contacting the MCGM Nolan Group.

Surveyor: PLJ  
Survey Date: 30/08/2019  
Precal/Cad: SCDB

AS/NZS 4801:2012  
Occupational Health and Safety Management System

FS 565311 OSH 591267



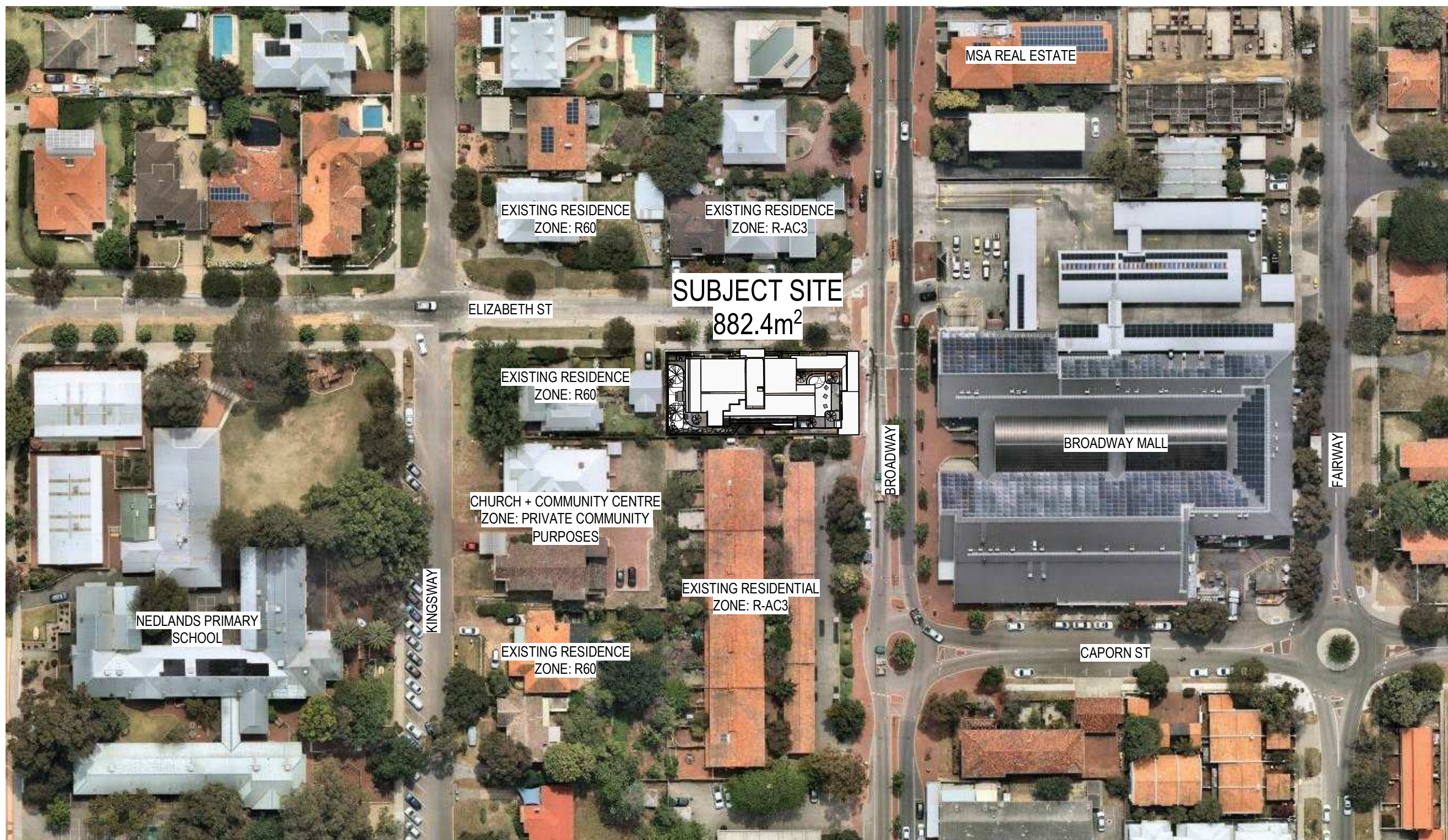
The boundaries shown on this plan were not re-established as part of this survey, therefore this plan does not guarantee their accuracy. Existing easements, encumbrance or interest are not depicted and a title search is recommended to obtain this information. Re-establishment of the cadastral boundaries is recommended for any proposed works on or near existing boundaries.

**MNG**

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ABN 90 009 363 313

Project Mgr: Mark Dobson Datum: PG54 / AHD  
**102511 - DE - 001 - A**  
Job Number: Plan Number: Revision:



# CONTEXT PLAN

SCALE: 1 : 1000

O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT
Rev.	Date	Issued By	Revision Description



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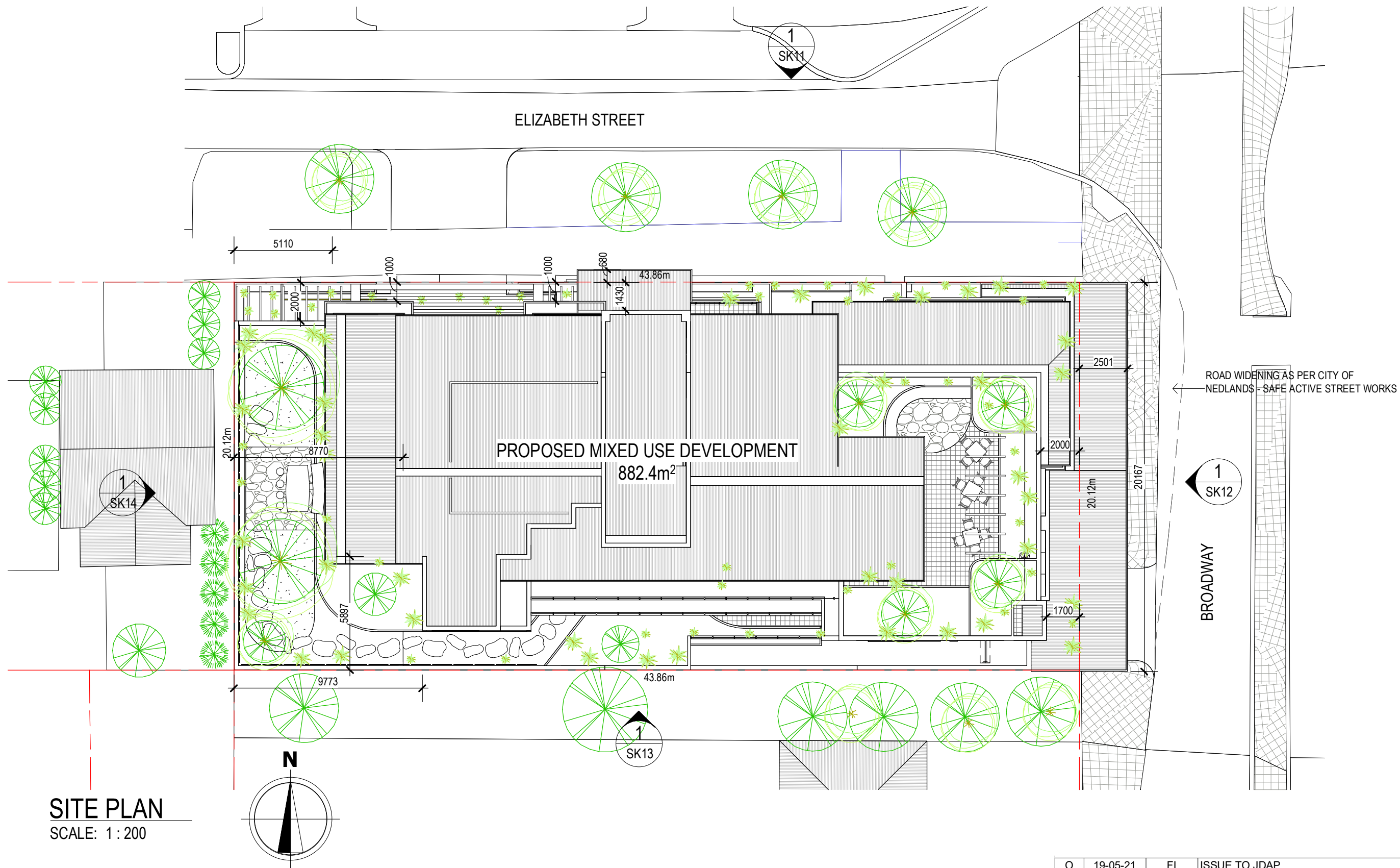
Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**CONTEXT PLAN**

Project Number  
**18020**

Drawing No.  
**SK02**

Rev.  
**O**

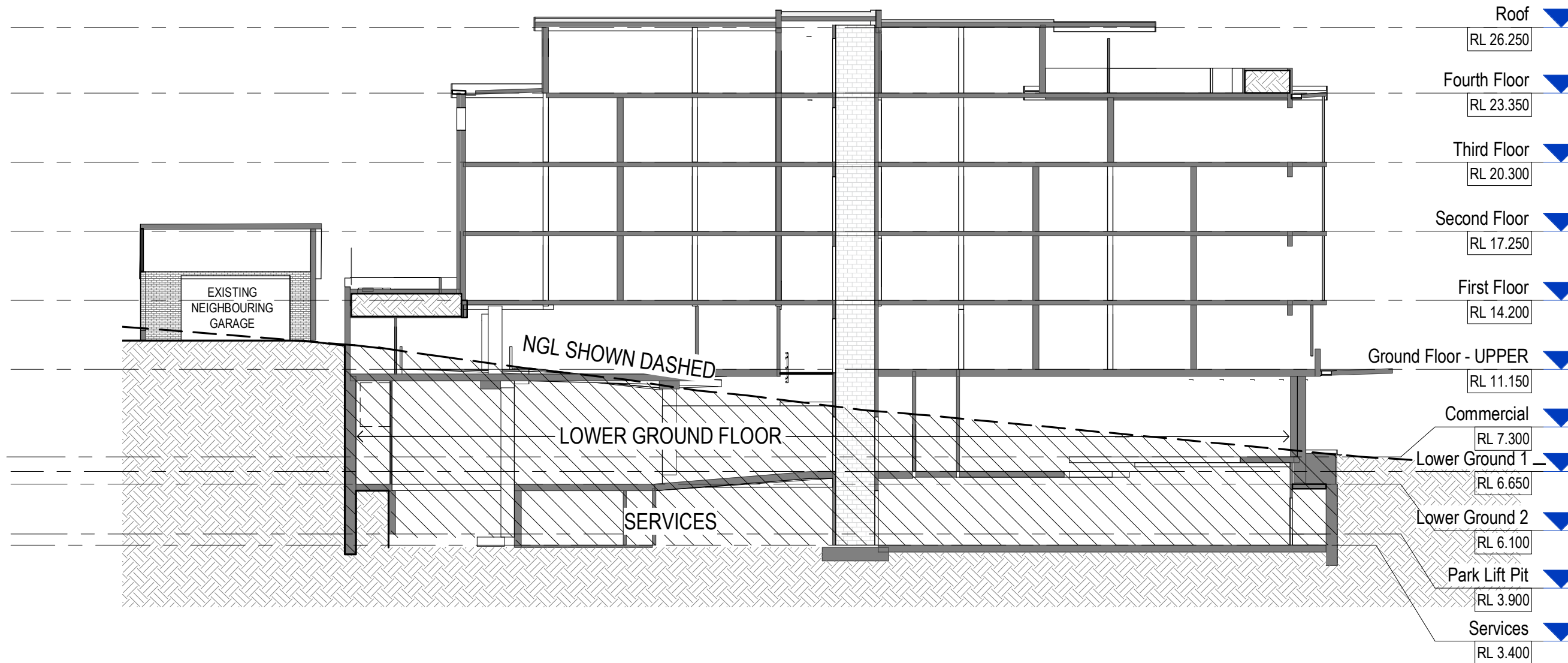


**SITE PLAN**  
SCALE: 1 : 200

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT







**A SECTION A**  
SCALE: 1 : 200

VOLUME CALCULATION - LOWER GROUND FLOOR	
m <sup>3</sup> BELOW NGL:	2680.033m <sup>3</sup>
m <sup>3</sup> TOTAL:	3982.873m <sup>3</sup>
% OF VOLUME BELOW NGL	67.29%

>50% OF VOLUME REQUIRED TO BE BELOW NGL FOR STOREY TO BE DEEMED A BASEMENT AS PER SPP 7.3

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

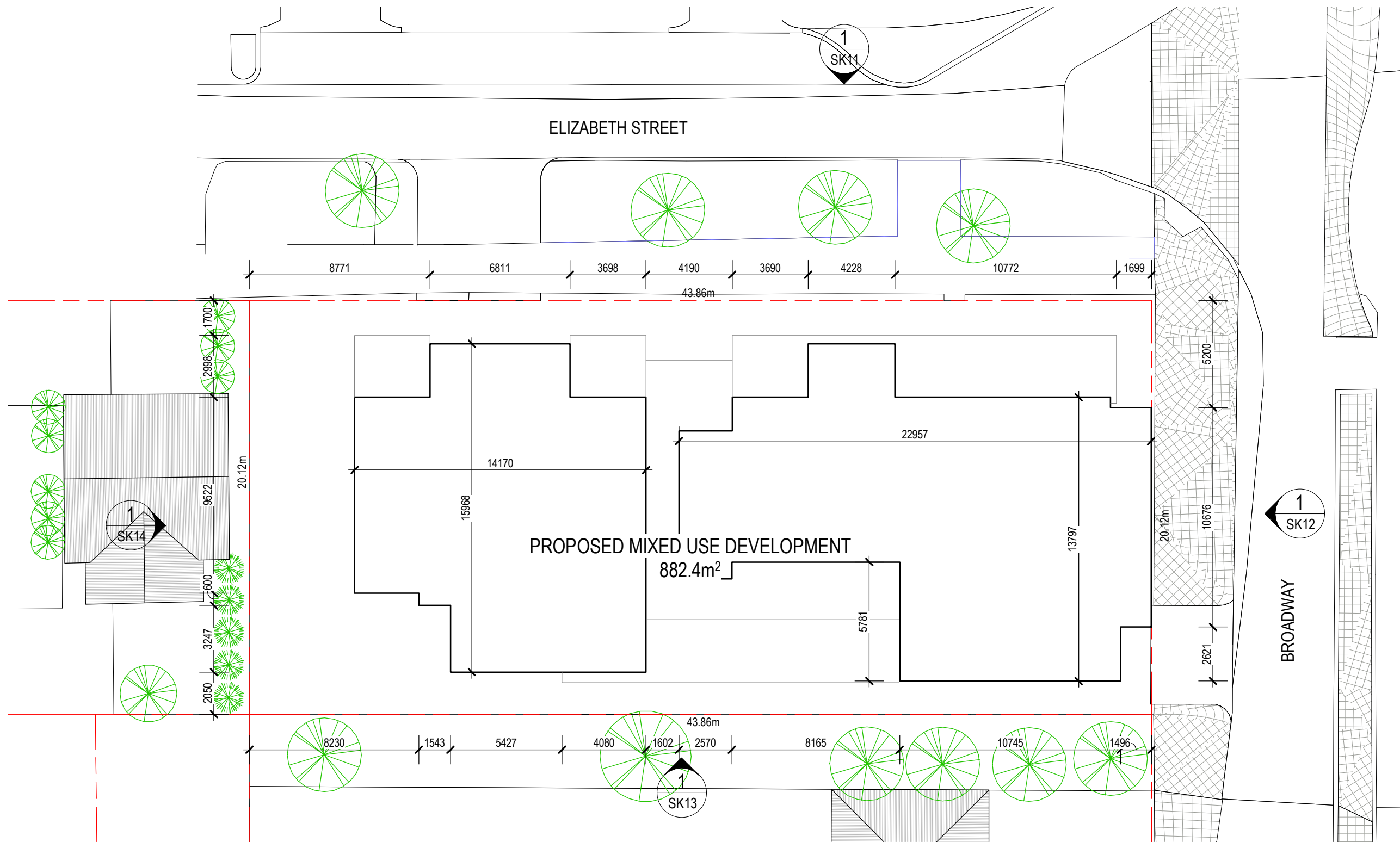
Drawing Name  
**SITE SECTION**

Project Number  
**18020**

Drawing No. **SK02.2** Rev. **O**

Reduction 25mm on A3 | Scale **1 : 200** | Date **OCT 2019**

Drawn **JR** | Checked **FI**



**BUILDING ENVELOPE PLAN**  
SCALE: 1 : 200

O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**BUILDING ENVELOPE PLAN**

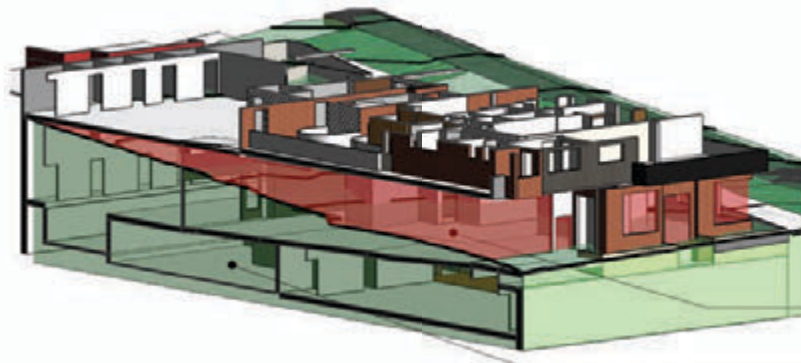
Project Number  
**18020**

Drawing No. **SK02.3** Rev. **O**

Reduction 25mm on A3 | Scale 1 : 200 | Date

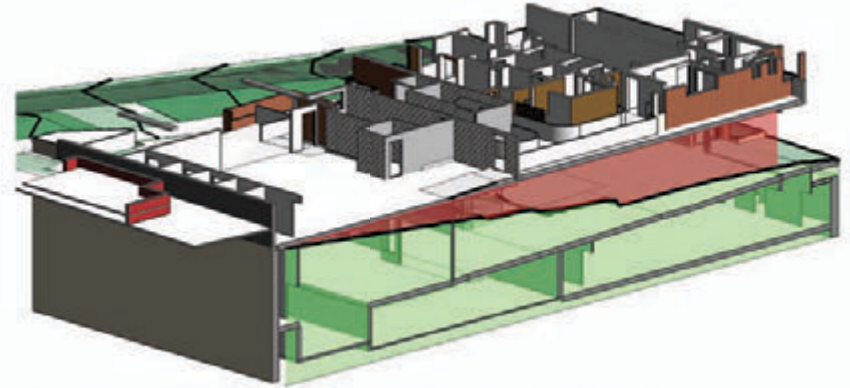
OCT 2019 | Drawn JR | Checked FI

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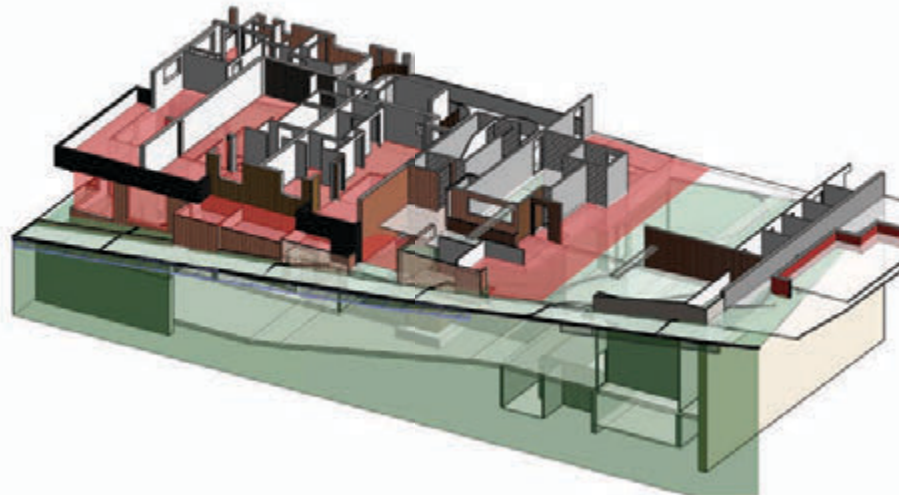
PERCENTAGE OF BASEMENT ABOVE NATURAL GROUND LEVEL: 32.71%

PERCENTAGE OF BASEMENT BELOW NATURAL GROUND LEVEL: 67.29%

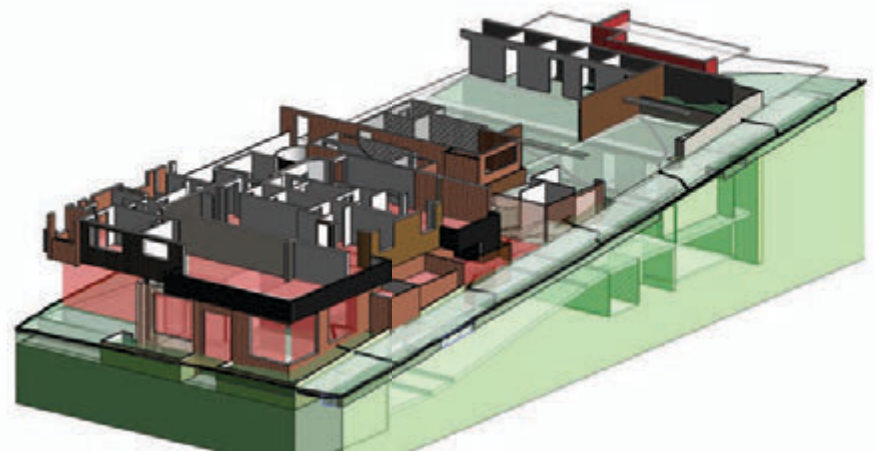


1 3D CUT AND FILL - SOUTH EAST CORNER  
NTS

2 3D CUT AND FILL - SOUTH WEST CORNER  
NTS



3 3D CUT AND FILL - NORTH WEST CORNER  
SCALE:



4 3D CUT AND FILL - NORTH EAST CORNER  
SCALE:

VOLUME CALCULATION - LOWER GROUND FLOOR	
m <sup>3</sup> BELOW NGL:	2680.033m <sup>3</sup>
m <sup>3</sup> TOTAL:	3982.873m <sup>3</sup>
% OF VOLUME BELOW NGL	67.29%

>50% OF VOLUME REQUIRED TO BE BELOW NGL FOR STOREY TO BE DEEMED A BASEMENT AS PER SPP 7.3

Rev.	Date	Issued By	Revision Description
O	20-04-21	FI	RESPONSE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**3D CUT AND FILL DRAWINGS**

Reduction 25mm on A3 | Scale

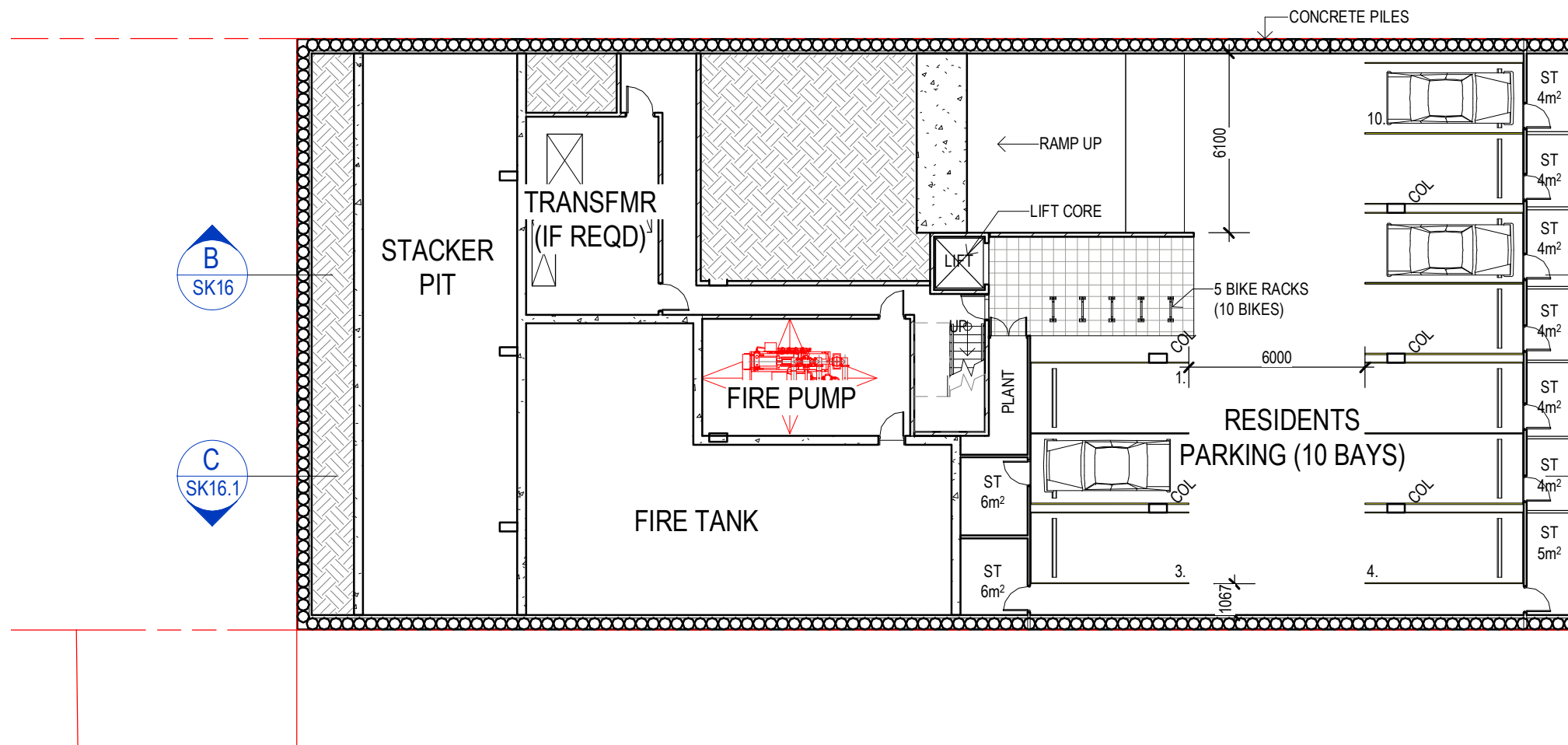
Project Number  
**18020**

Date

Drawing No. **SK02.4** Rev. **O**

OCT 2019 Drawn **JR** Checked **FI**

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**SERVICES PLAN**  
SCALE: 1 : 200

O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**BASEMENT/SERVICES PLAN**

Project Number  
**18020**

Drawing No. **SK03.1** Rev. **O**

Reduction 25mm on A3 | Scale **1 : 200** | Date

**OCT 2019** | Drawn **JR** | Checked **FI**

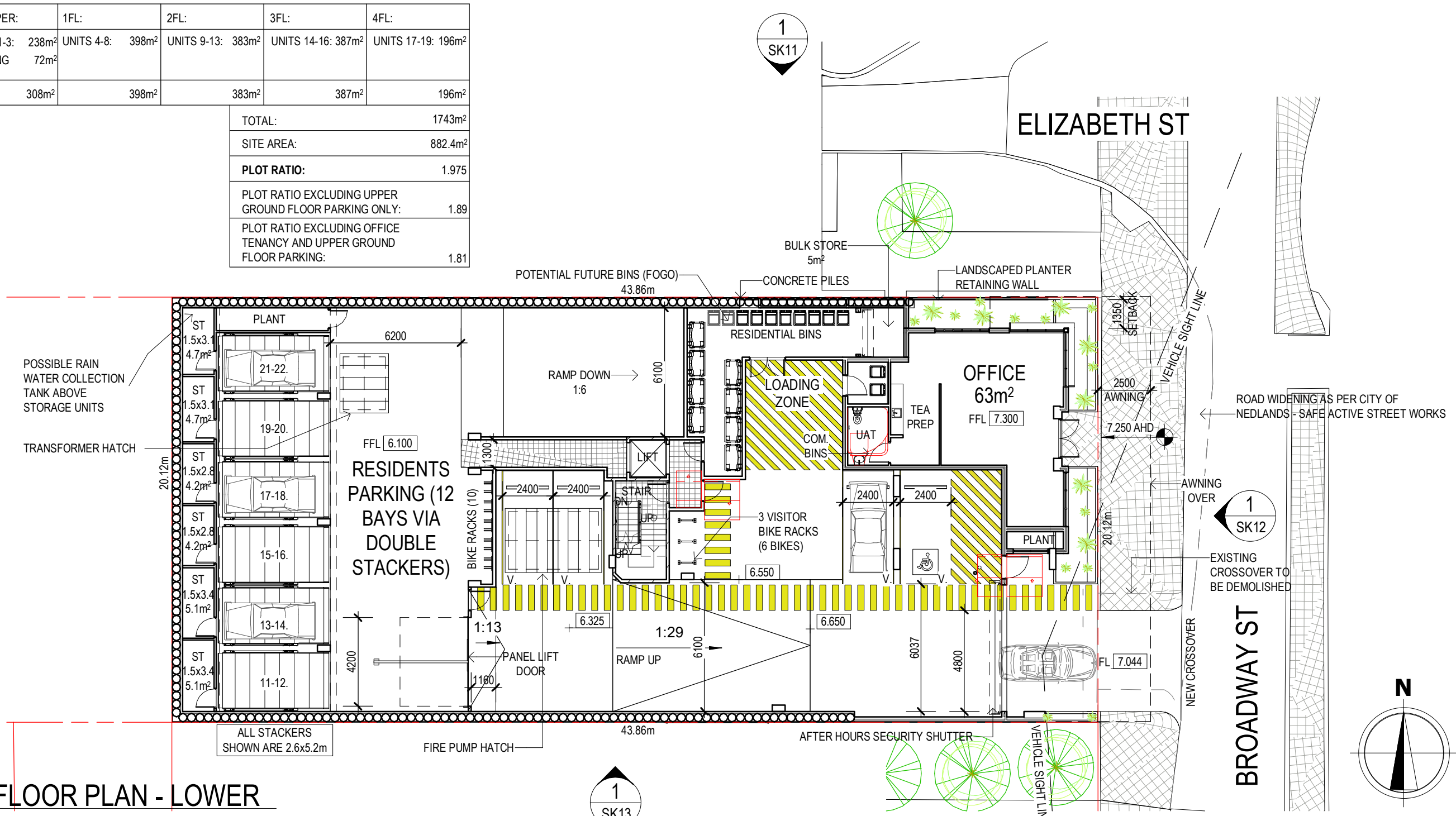
C:\Revit Temp\18020 Mixed Use\_bltjens.rvt

PLOT RATIO: AREA CALCULATION

G - LOWER:	G - UPPER:	1FL:	2FL:	3FL:	4FL:
OFFICE 71m <sup>2</sup>	UNITS 1-3: 238m <sup>2</sup> PARKING 72m <sup>2</sup>	UNITS 4-8: 398m <sup>2</sup>	UNITS 9-13: 383m <sup>2</sup>	UNITS 14-16: 387m <sup>2</sup>	UNITS 17-19: 196m <sup>2</sup>
71m <sup>2</sup>	308m <sup>2</sup>	398m <sup>2</sup>	383m <sup>2</sup>	387m <sup>2</sup>	196m <sup>2</sup>

\*SEE SK22-SK27 FOR PLOT RATIO DRAWINGS

TOTAL:	1743m <sup>2</sup>
SITE AREA:	882.4m <sup>2</sup>
<b>PLOT RATIO:</b>	<b>1.975</b>
PLOT RATIO EXCLUDING UPPER GROUND FLOOR PARKING ONLY:	1.89
PLOT RATIO EXCLUDING OFFICE TENANCY AND UPPER GROUND FLOOR PARKING:	1.81



GROUND FLOOR PLAN - LOWER

SCALE: 1 : 200

APARTMENT SCHEDULE	RESIDENT PARKING	RESIDENTIAL VISITOR /COMMERCIAL PARKING	
1 BED 1 BATH: 8 Units	08 Bays	Commercial (Office Use) - 66 sqm requires 04 carbays (under old scheme - 4.75 bays per 100sqm GLA)	
2 BED 1 BATH: 4 Units	06 Bays		
2 BED 2 BATH: 5 Units	10 Bays		
3 BED 3 BATH: 2 Units	04 Bays		
	19 Units	28 Bays Provided	12 Bays Available / Proposed on reciprocal basis: 06 bays on-site (incl. disabled persons & visitor bays, plus 02 Proposed on street Parking Bays on the northern side of Elizabeth Street, as per City of Nedlands - Safe Active Street Proposal). Also available are 03 on-street public parking bays in front of neighbouring property at 109 Broadway - within 20m walking distance. Note: Additional on-street parking available further south along Broadway & in Caporn St.
		03 Motorcycle bays	
		18 Bicycle Racks	04 Visitor Bicycle Racks provided

\*16/19 APARTMENTS MEET SILVER LEVEL REQUIREMENTS AS DEFINED IN THE 'LIVEABLE HOUSING AUSTRALIA' GUIDELINES

Rev.	Date	Issued By	Revision Description
P	05-05-21	FI	OFFICE AREA PLOT RATIO UPDATE
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI



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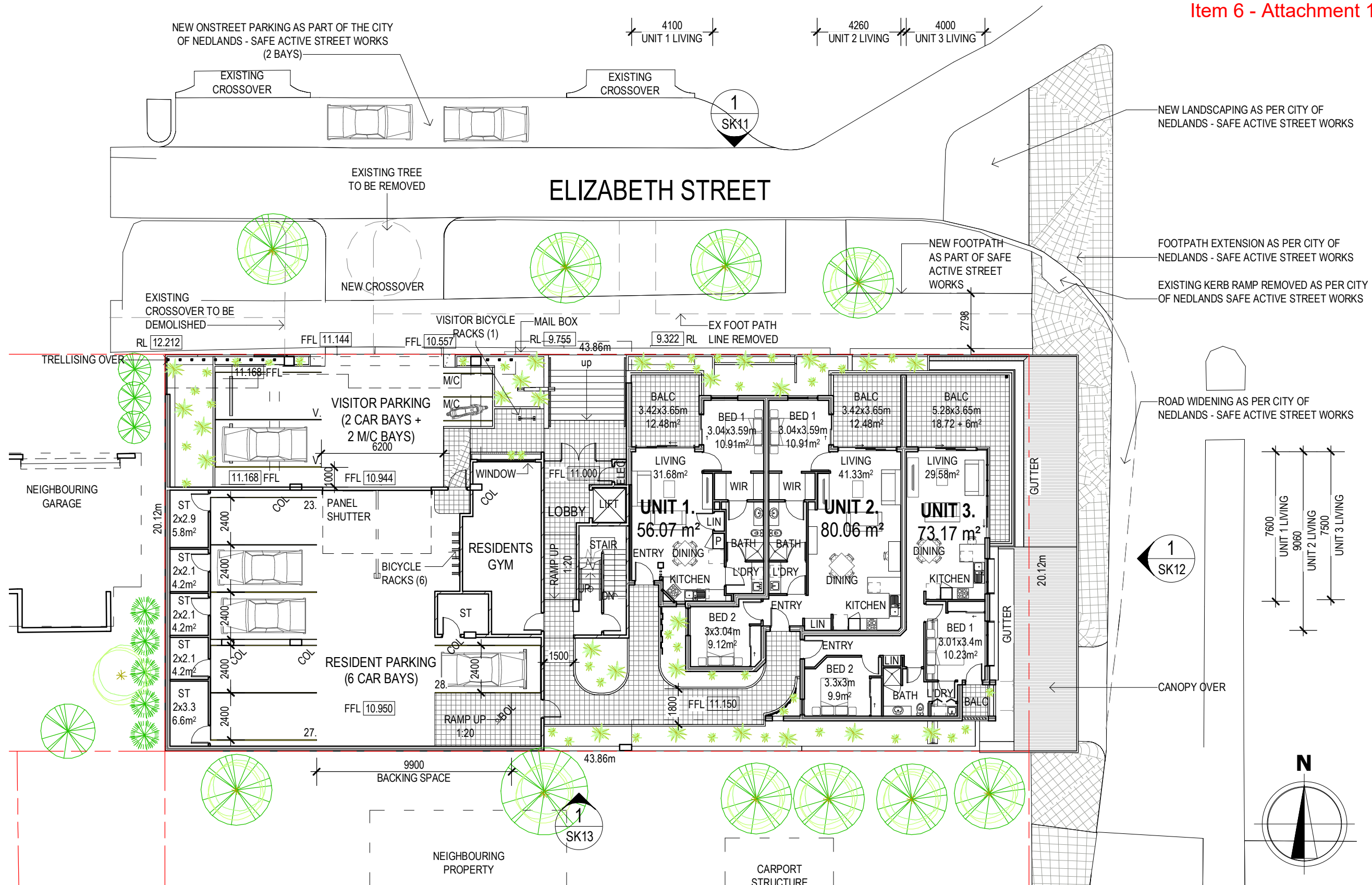
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**GROUND FLOOR PLAN - LOWER**

Project Number  
**18020**

Drawing No. **SK03.2** Rev. **P**



**GROUND FLOOR PLAN - UPPER**

SCALE: 1 : 200

1 <sup>st</sup> FL AREA: STRATA AREA	
*UNIT 1: (1BED / 1BATH)	56.07m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
*UNIT 2: (2BED / 1BATH)	80.06m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
*UNIT 3: (2BED / 1BATH)	72.23m <sup>2</sup> + Balc : 24.72m <sup>2</sup>

LARGE SCALE LANDSCAPING:	
UPPER GROUND FLOOR:	27m <sup>2</sup>
(REFER SK33)	

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RF1
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**GROUND FLOOR PLAN - UPPER**

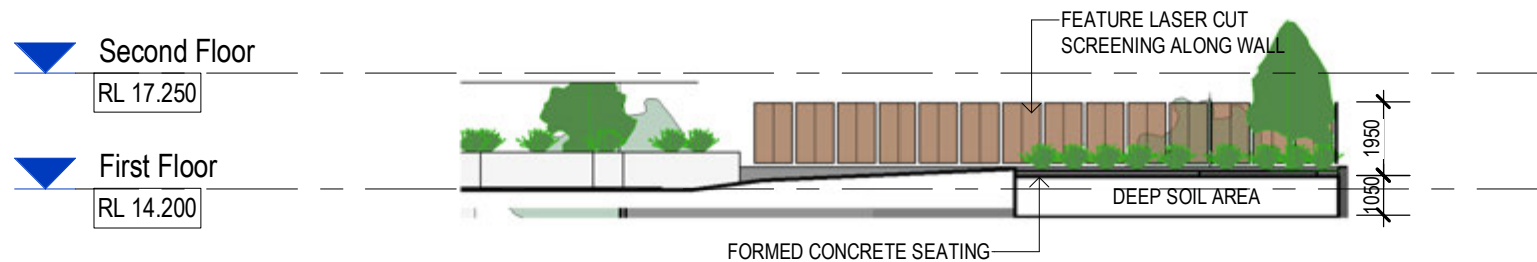
Project Number  
**18020**

Drawing No.  
**SK04**

Rev.  
**O**

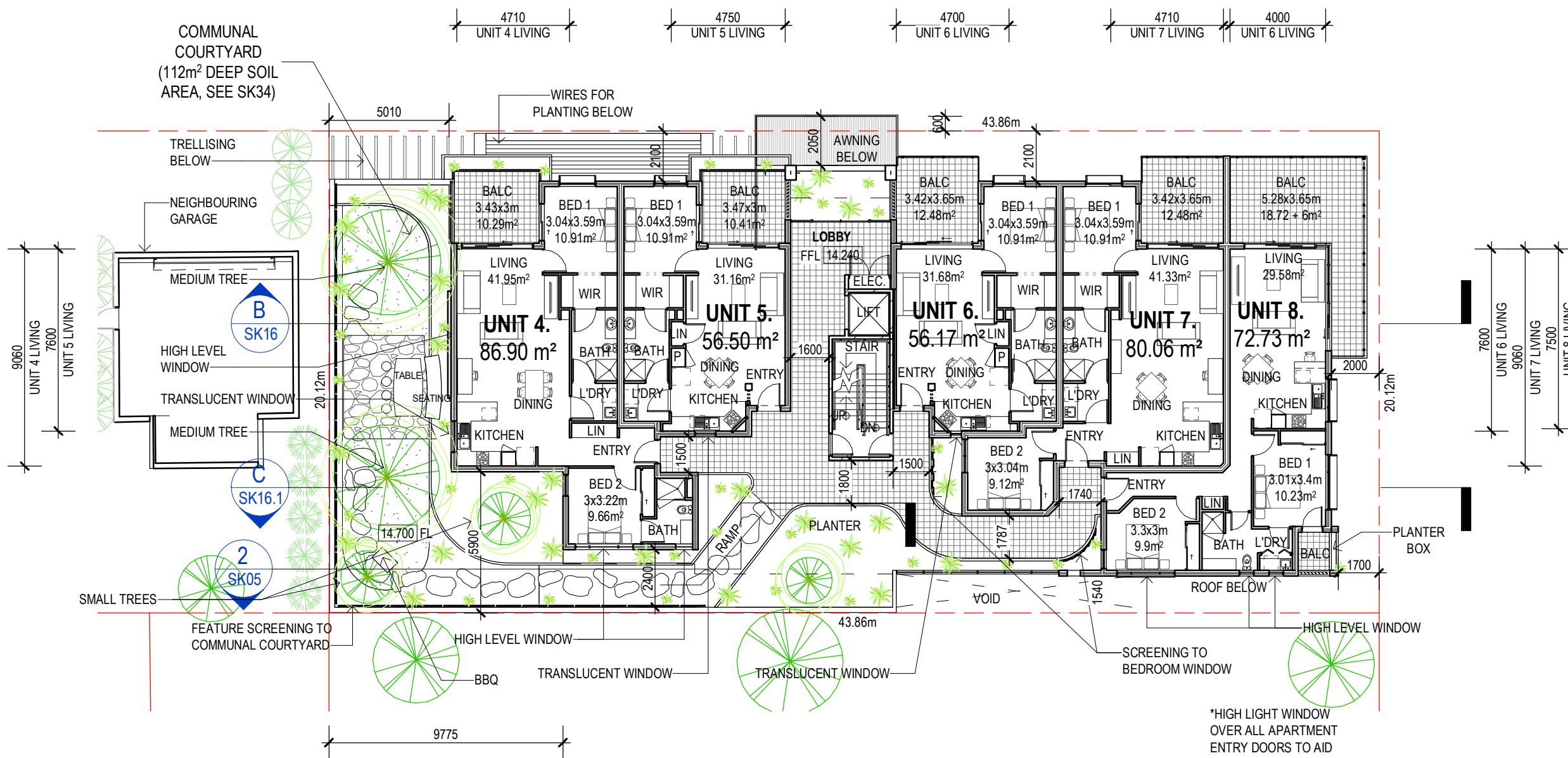
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# FIRST FLOOR COMMUNAL SPACE ENTRY

SCALE: 1 : 200



## FIRST FLOOR

SCALE: 1 : 200

\*ALL HABITABLE ROOMS INCLUDE GLAZING IN AN EXTERNAL WALL WHICH IS >10% OF THE FLOOR AREA.

1st FL AREA: STRATA AREA	
*UNIT 4: (2BED / 2BATH)	86.90m <sup>2</sup> + Balc : 10.29m <sup>2</sup>
*UNIT 5: (1BED / 1BATH)	56.50m <sup>2</sup> + Balc : 10.41m <sup>2</sup>
*UNIT 6: (1BED / 1BATH)	56.17m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
*UNIT 7: (2BED / 1BATH)	80.06m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
UNIT 8: (2BED / 1BATH)	72.24m <sup>2</sup> + Balc : 24.72m <sup>2</sup>

LARGE SCALE LANDSCAPING:	
FIRST FLOOR:	94m <sup>2</sup>
(REFER SK34)	

\*DWELLING MEETS SILVER LEVEL REQUIREMENTS AS DEFINED IN THE 'LIVEABLE HOUSING AUSTRALIA' GUIDELINES

\*HIGH LIGHT WINDOW OVER ALL APARTMENT ENTRY DOORS TO AID CROSS VENTILATION

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
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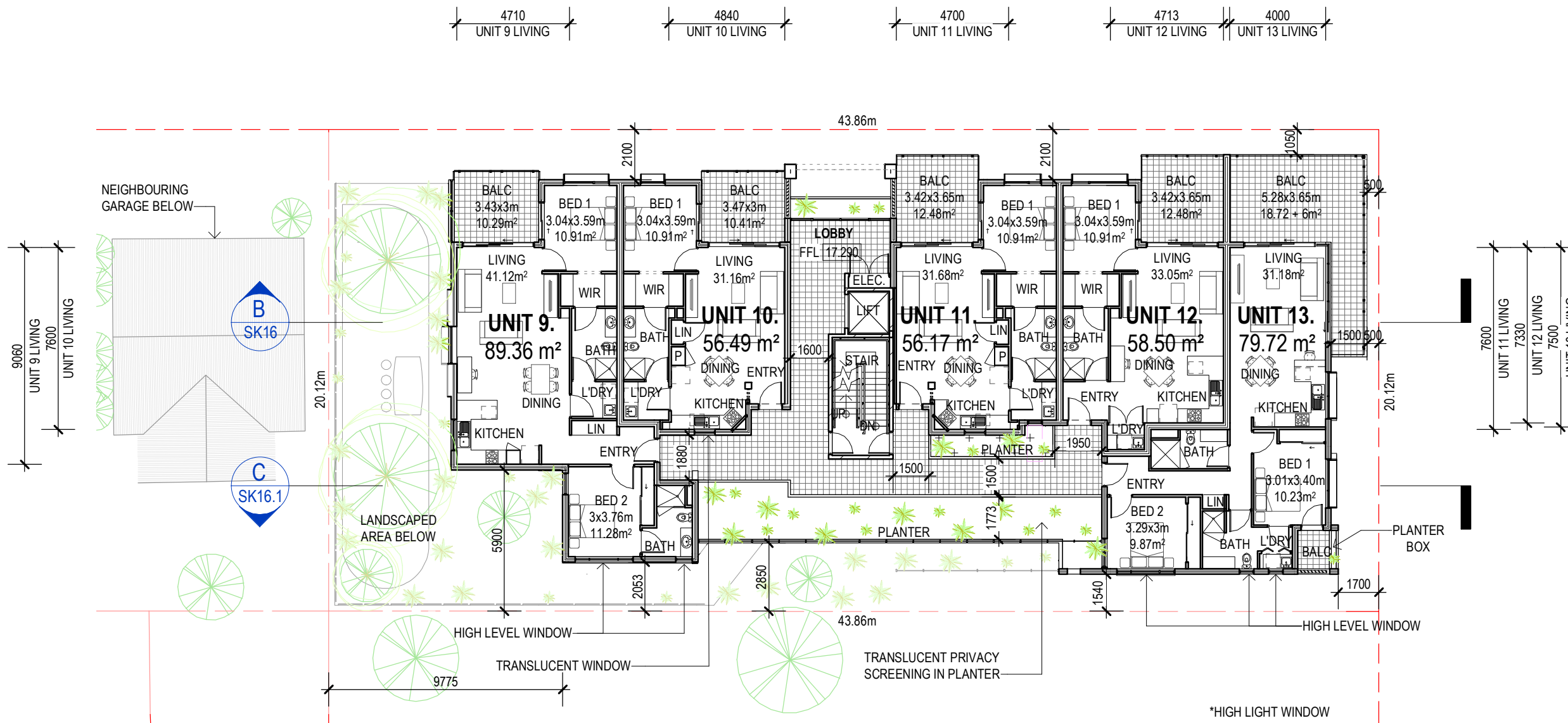
Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**FIRST FLOOR PLAN**

Project Number  
**18020**

Drawing No.  
**SK05**

Rev.  
**O**



**SECOND FLOOR PLAN**  
SCALE: 1 : 200

\*ALL HABITABLE ROOMS INCLUDE GLAZING IN AN EXTERNAL WALL WHICH IS >10% OF THE FLOOR AREA.

2nd FL AREA: STRATA AREA	
*UNIT 9: (2BED / 2BATH)	89.36m <sup>2</sup> + Balc : 10.29m <sup>2</sup>
*UNIT 10: (1BED / 1BATH)	56.49m <sup>2</sup> + Balc : 10.41m <sup>2</sup>
*UNIT 11: (1BED / 1BATH)	56.17m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
*UNIT 12: (1BED / 1BATH)	58.50m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
UNIT 13: (2BED / 2BATH)	79.32m <sup>2</sup> + Balc : 24.72m <sup>2</sup>

LARGE SCALE LANDSCAPING:	
SECOND FLOOR:	0m <sup>2</sup>

(REFER SK34)

\*DWELLING MEETS SILVER LEVEL REQUIREMENTS AS DEFINED IN THE 'LIVEABLE HOUSING AUSTRALIA' GUIDELINES

\*HIGH LIGHT WINDOW OVER ALL APARTMENT ENTRY DOORS TO AID CROSS VENTILATION

Rev.	Date	Issued By	Revision Description
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### THIRD FLOOR PLAN

SCALE: 1 : 200

\*ALL HABITABLE ROOMS INCLUDE GLAZING IN AN EXTERNAL WALL WHICH IS >10% OF THE FLOOR AREA.

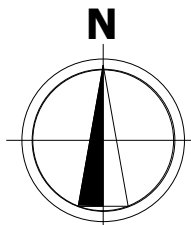
3 <sup>RD</sup> FL AREA: STRATA AREA	
*UNIT 14: (2BED / 2BATH)	89.36m <sup>2</sup> + Balc : 10.29m <sup>2</sup>
*UNIT 15: (1BED / 1BATH)	57.32m <sup>2</sup> + Balc : 10.41m <sup>2</sup>
*UNIT 16: (2BED / 2BATH)	91.73m <sup>2</sup> + Balc : 12.48m <sup>2</sup>
UNIT 17: (3BED / 3BATH)	111.14m <sup>2</sup> + Balc : 36.22m <sup>2</sup>

LARGE SCALE LANDSCAPING:	
FOURTH FLOOR:	0m <sup>2</sup>

(REFER SK34)

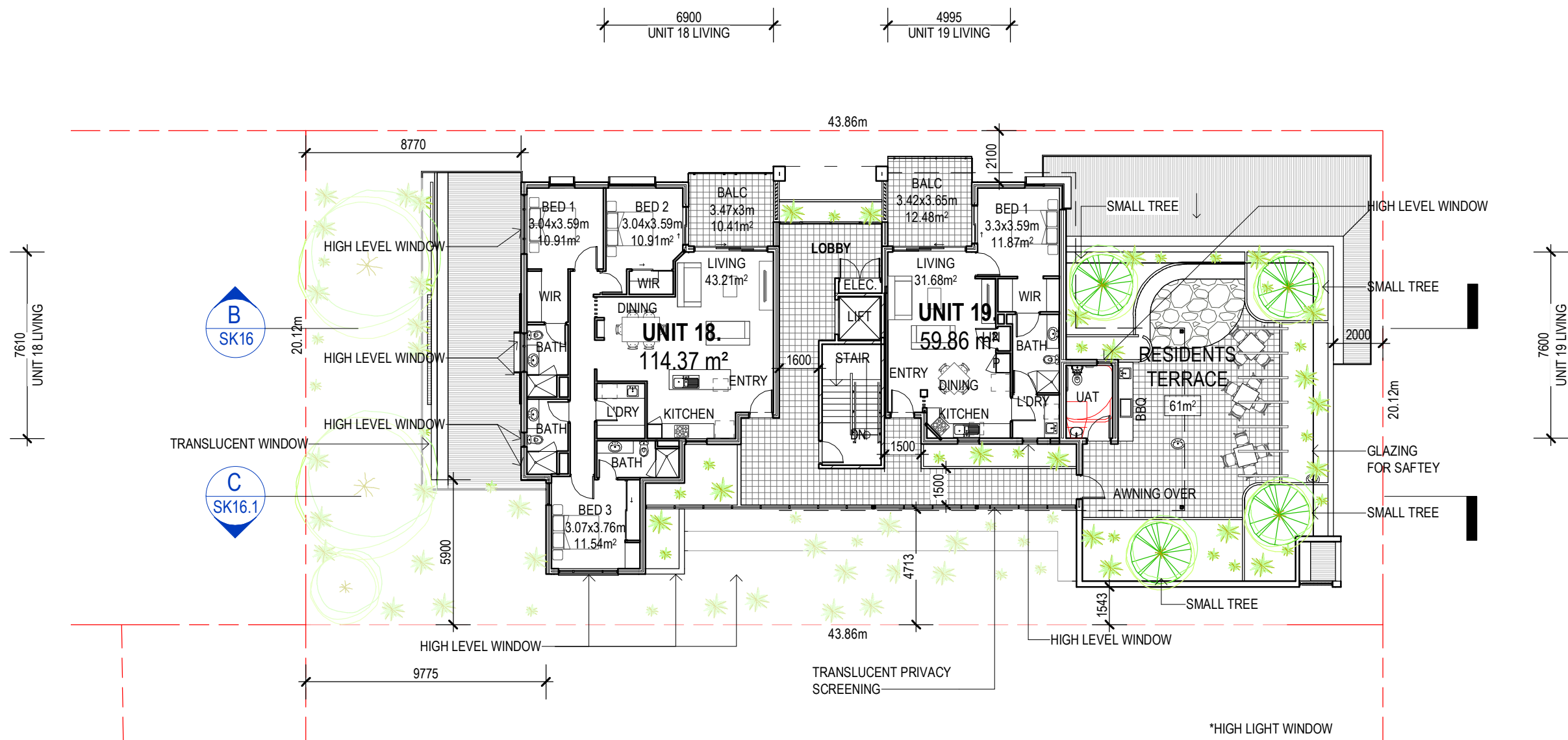
\*DWELLING MEETS SILVER LEVEL REQUIREMENTS AS DEFINED IN THE 'LIVEABLE HOUSING AUSTRALIA' GUIDELINES

\*HIGH LIGHT WINDOW OVER ALL APARTMENT ENTRY DOORS TO AID CROSS VENTILATION



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**FOURTH FLOOR PLAN**  
SCALE: 1 : 200

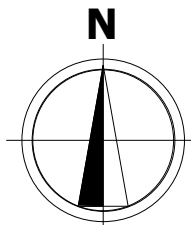
\*ALL HABITABLE ROOMS INCLUDE GLAZING IN AN EXTERNAL WALL WHICH IS >10% OF THE FLOOR AREA.

4 <sup>TH</sup> FL AREA: STRATA AREA
*UNIT 18: (3BED / 3BATH) 114.12m <sup>2</sup> + Balc : 10.41m <sup>2</sup>
*UNIT 19: (1BED / 1BATH) 59.86m <sup>2</sup> + Balc : 12.48m <sup>2</sup>

LARGE SCALE LANDSCAPING:
FOURTH FLOOR: 58.5m <sup>2</sup>
(REFER SK34)

\*DWELLING MEETS SILVER LEVEL REQUIREMENTS AS DEFINED IN THE 'LIVEABLE HOUSING AUSTRALIA' GUIDELINES

\*HIGH LIGHT WINDOW OVER ALL APARTMENT ENTRY DOORS TO AID CROSS VENTILATION



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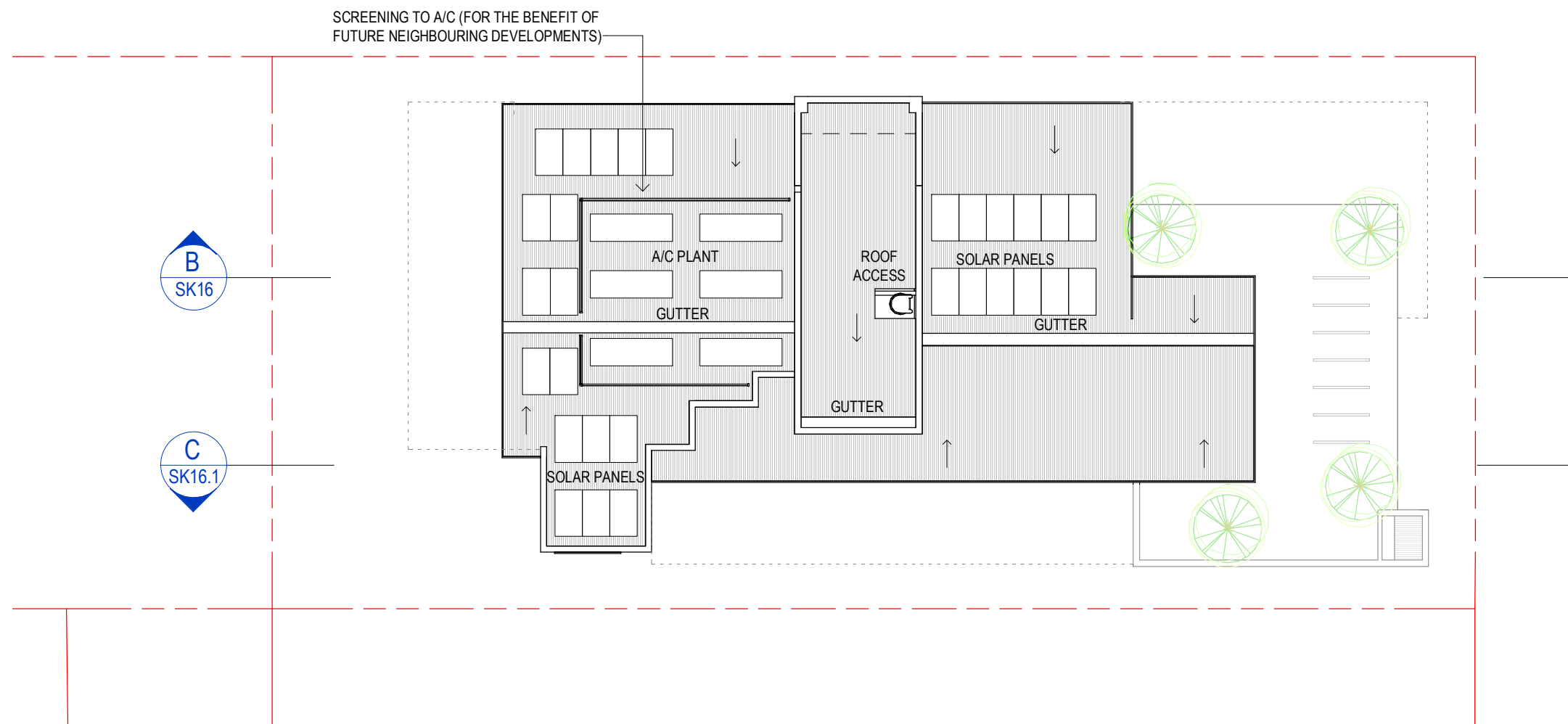
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**FOURTH FLOOR PLAN**

Project Number  
**18020**

Drawing No. **SK09** Rev. **O**



**ROOF PLAN**  
SCALE: 1 : 200

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**ROOF PLAN**

Project Number  
**18020**

Drawing No. **SK10** Rev. **O**

Reduction 25mm on A3 | Scale **1 : 200** | Date

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**NORTH ELEVATION - ELIZABETH ST**

SCALE: 1 : 200

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**NORTHERN ELEVATION**

Project Number  
**18020**

Drawing No.  
**SK11**

Rev.  
**O**

Reduction 25mm on A3 | Scale

1 : 200 | Date

OCT 2019

Drawn **JR** | Checked **FI**

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**EAST ELEVATION - TO BROADWAY**

SCALE: 1 : 200

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**EAST ELEVATION**

Project Number  
**18020**

Drawing No.  
**SK12**

Rev.  
**O**

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# SOUTH ELEVATION

SCALE: 1 : 200

Rev.	Date	Issued By	Revision Description
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**SOUTH ELEVATION**

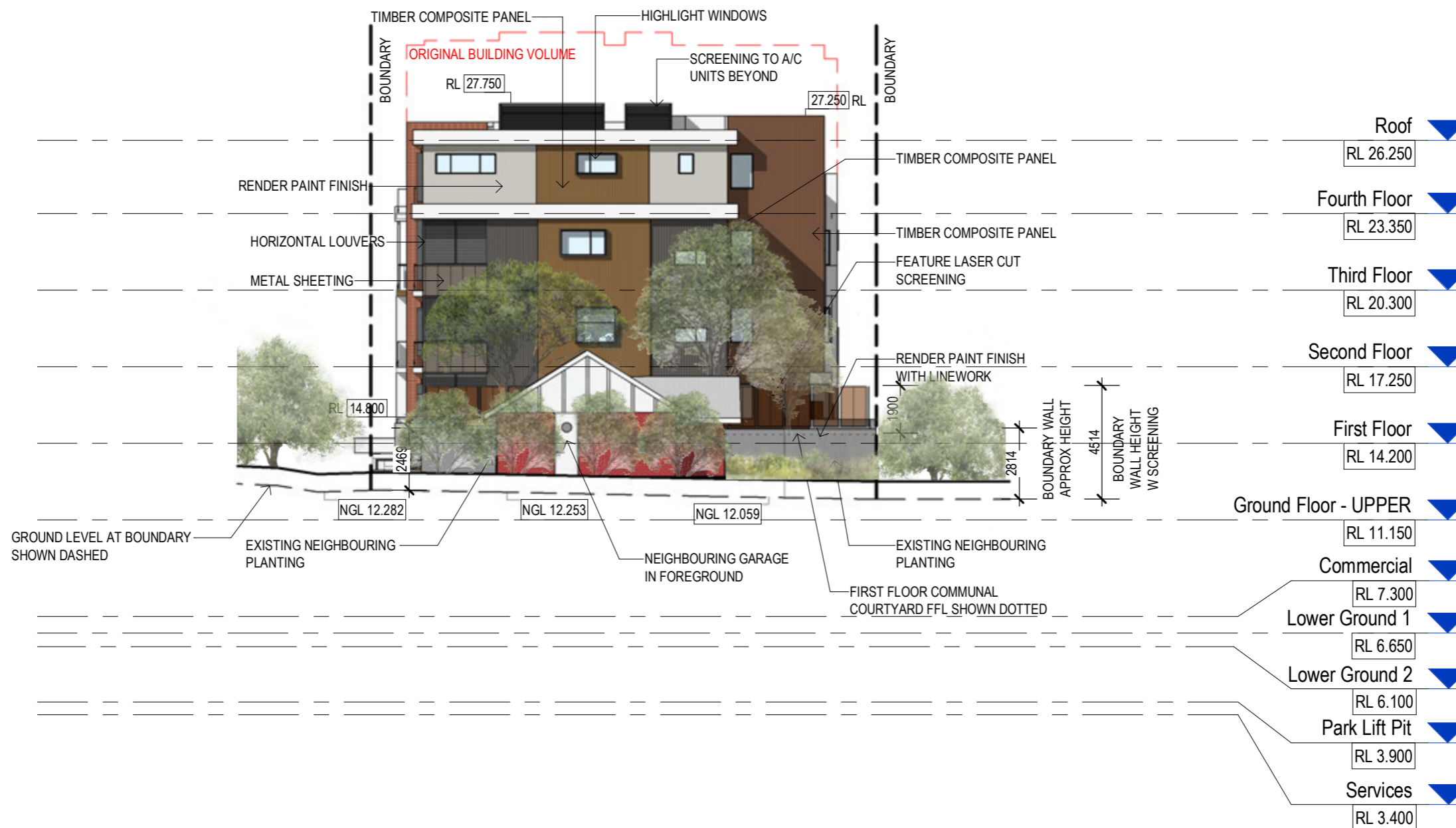
Project Number  
**18020**

Drawing No.  
**SK13**

Rev.  
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**WEST ELEVATION**

Project Number  
**18020**

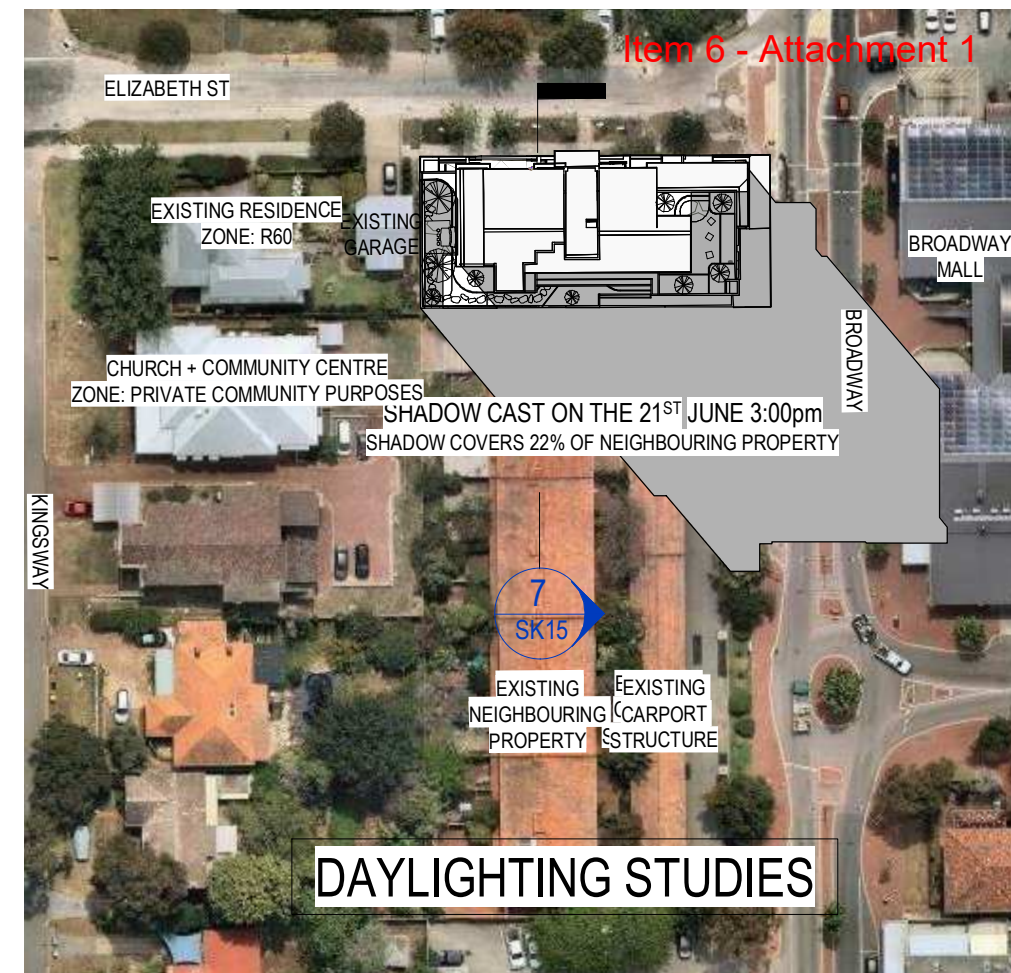
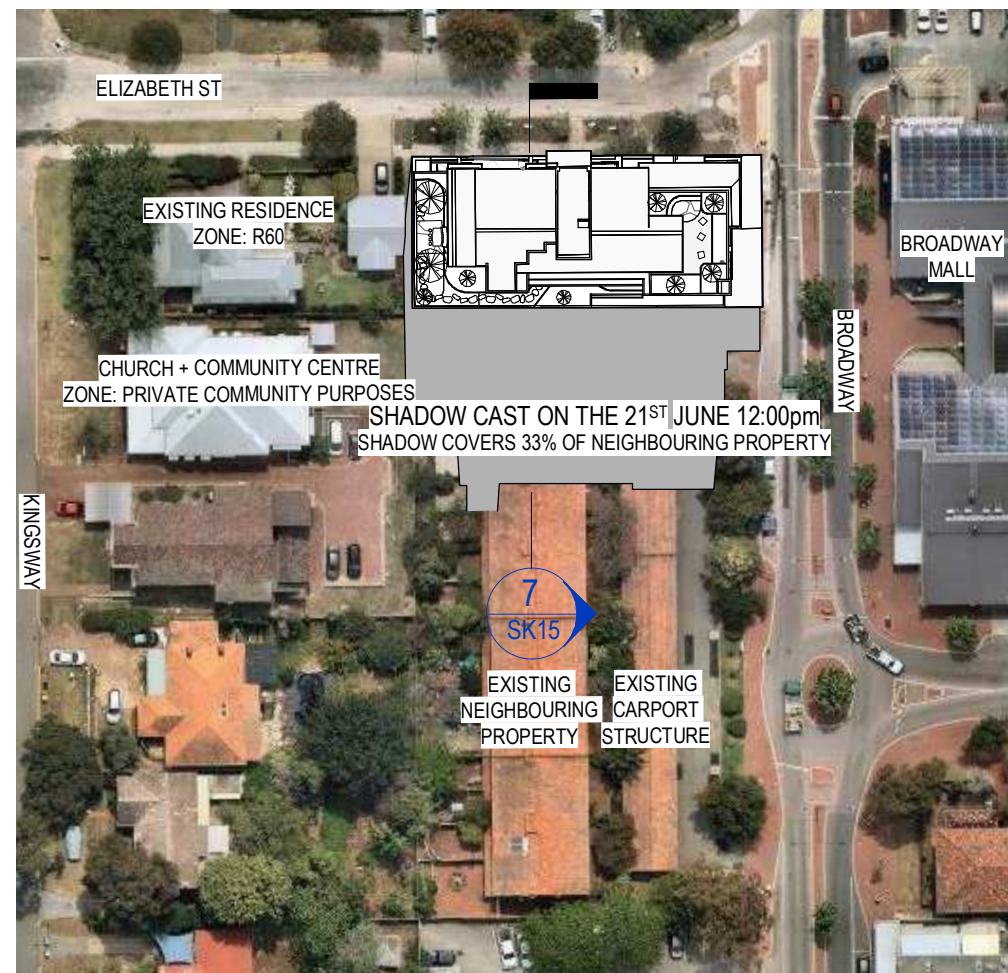
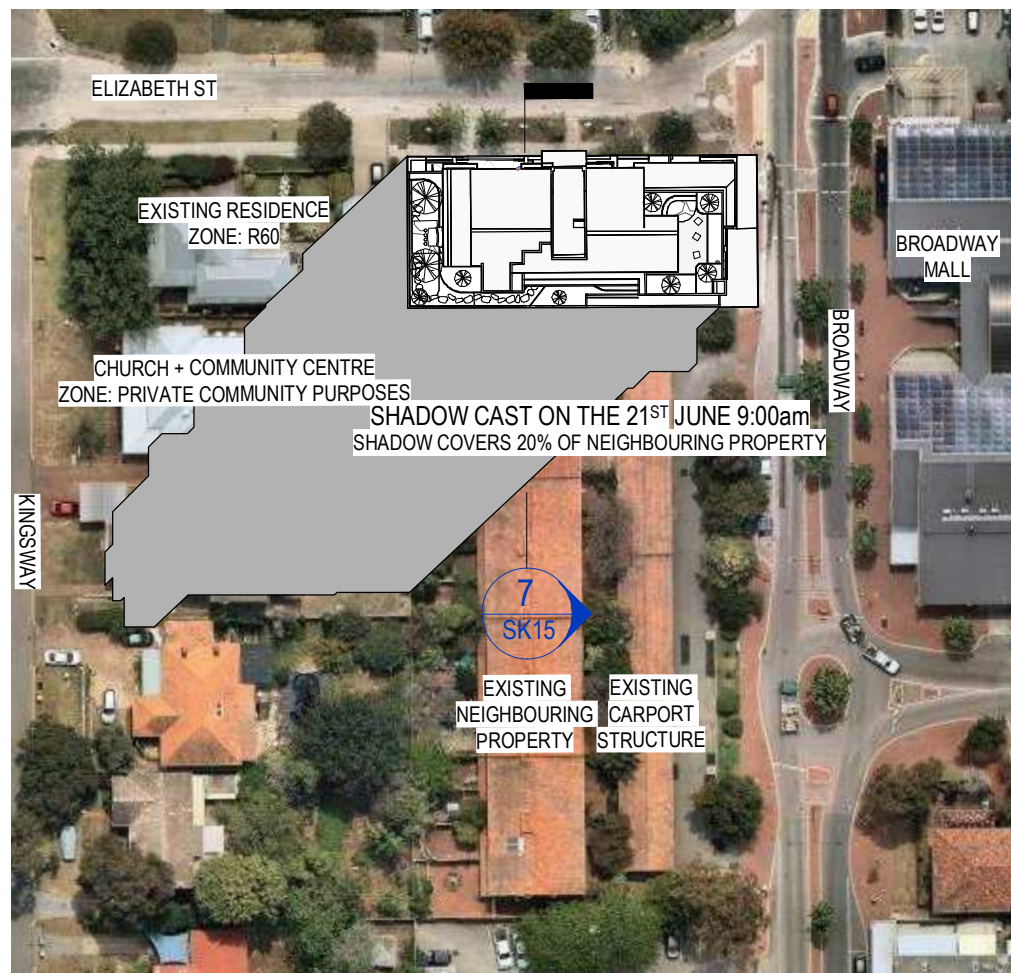
Drawing No.  
**SK14**

Rev.  
**O**

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Reduction 25mm on A3 | Scale 1 : 200 | Date

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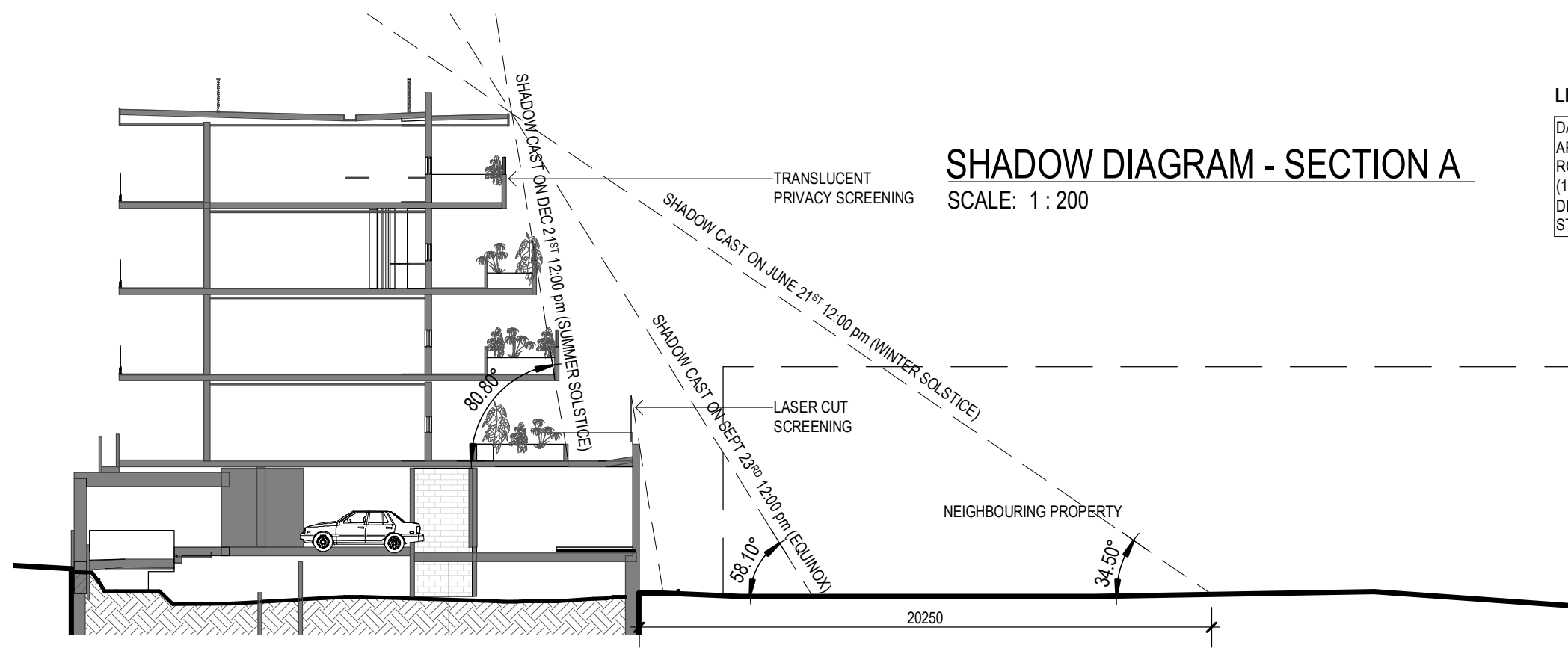


DAYLIGHTING STUDIES

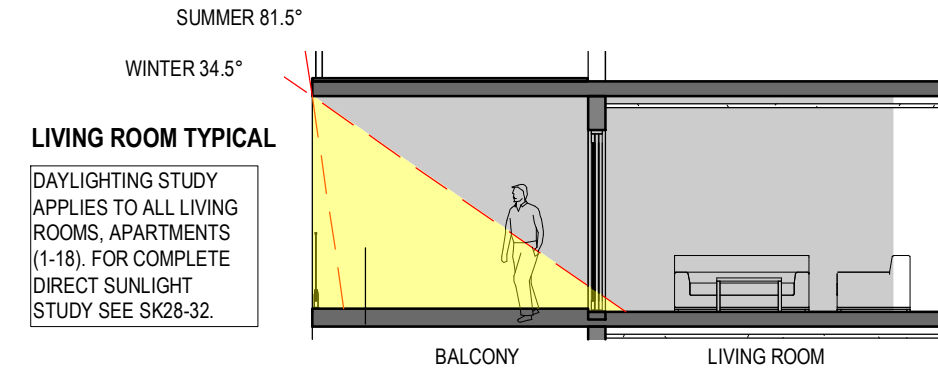
SHADOW DIAGRAM - 9AM

SHADOW DIAGRAM - 12PM

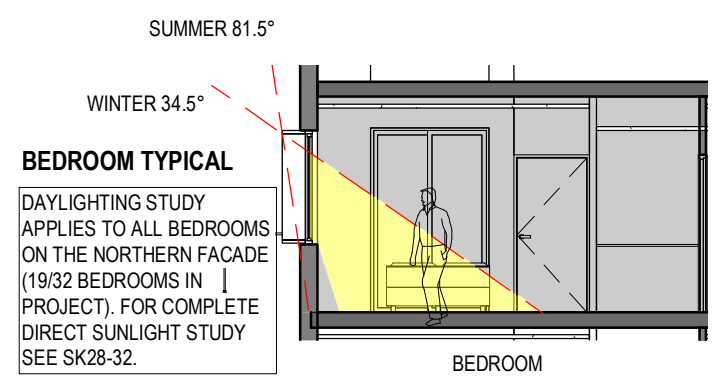
SHADOW DIAGRAM - 3PM



SHADOW DIAGRAM - SECTION A  
SCALE: 1 : 200



**LIVING ROOM TYPICAL**  
DAYLIGHTING STUDY APPLIES TO ALL LIVING ROOMS, APARTMENTS (1-18). FOR COMPLETE DIRECT SUNLIGHT STUDY SEE SK28-32.



**BEDROOM TYPICAL**  
DAYLIGHTING STUDY APPLIES TO ALL BEDROOMS ON THE NORTHERN FACADE (19/32 BEDROOMS IN PROJECT). FOR COMPLETE DIRECT SUNLIGHT STUDY SEE SK28-32.

Rev.	Date	Issued By	Revision Description
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**SHADOW DIAGRAMS**

Project Number  
**18020**

Drawing No.  
**SK15**

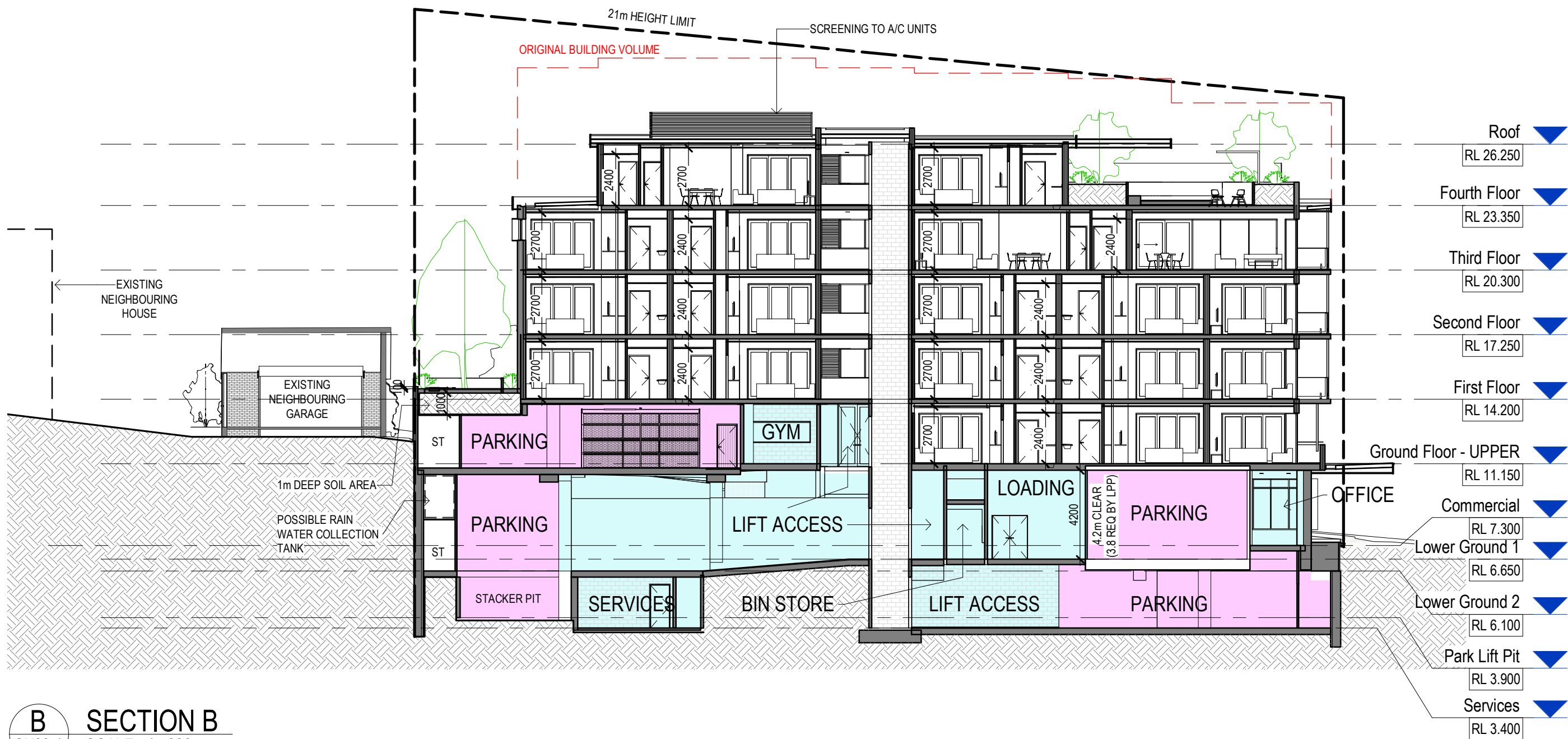
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**B** SECTION B  
SK03.1 SCALE: 1 : 200

O	19-05-21	FI	ISSUE TO JDAP
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**SECTION**

Project Number  
**18020**

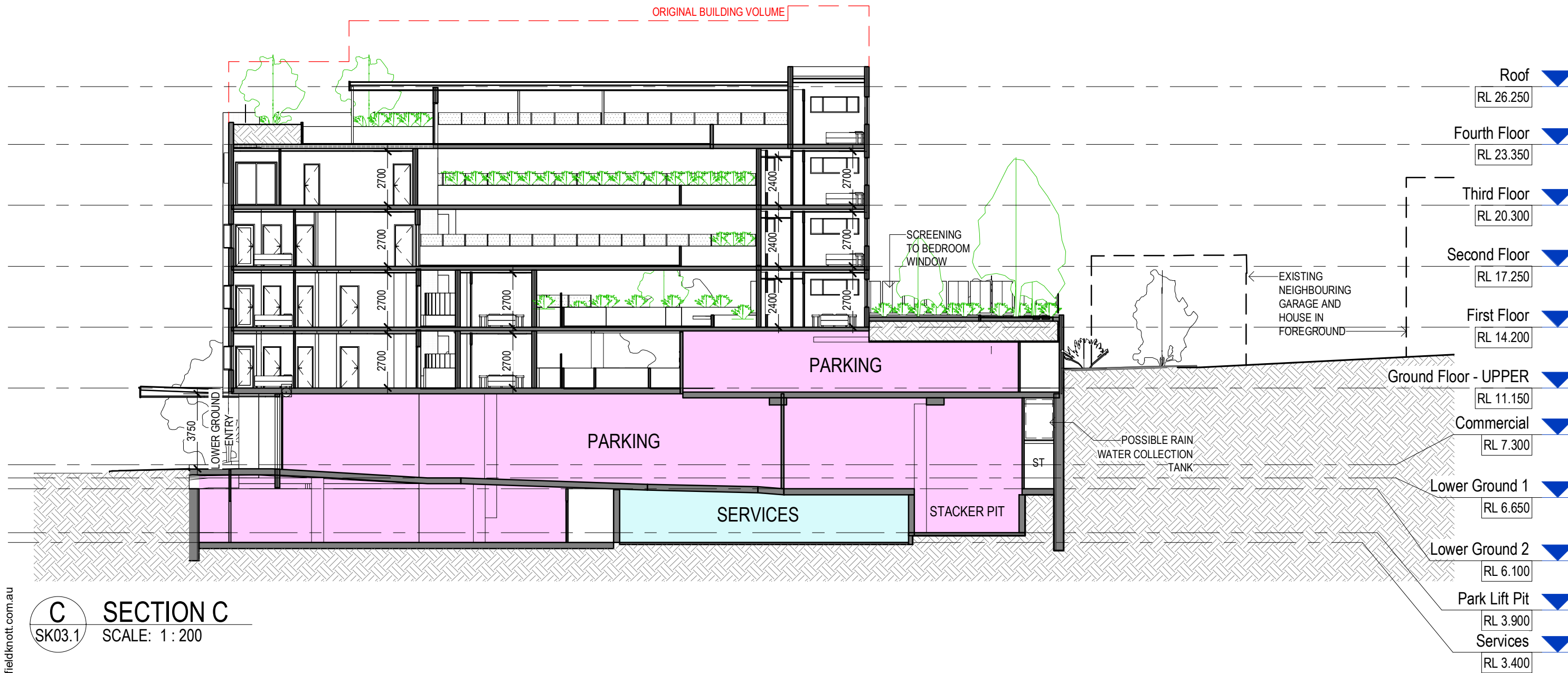
Drawing No.  
**SK16**

Rev.  
**O**

Reduction 25mm on A3 | Scale

1 : 200 | Date

OCT 2019 | Drawn **JR** | Checked **FI**



**C** SECTION C  
SK03.1 SCALE: 1 : 200

Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**SECTION**

Project Number  
**18020**

Drawing No. Rev.  
**SK16.1 O**

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PERSPECTIVE 1**

Project Number  
**18020**

Drawing No. **SK17** Rev. **O**

Reduction 25mm on A3 | Scale

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PERSPECTIVE 2 & 3**

Reduction 25mm on A3 | Scale

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Rev.	Date	Issued By	Revision Description

Project Number  
**18020**

Drawing No. **SK18** Rev. **O**

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PERSPECTIVES 4 & 5**

Reduction  25mm on A3 | Scale

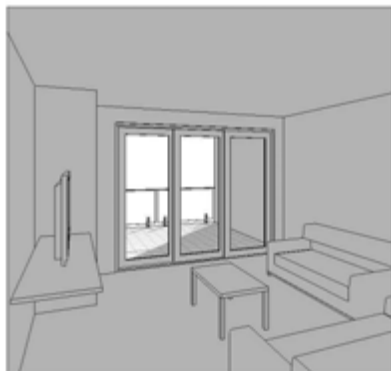
Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT

Project Number <b>18020</b>	Drawing No. <b>SK19</b>	Rev. <b>O</b>
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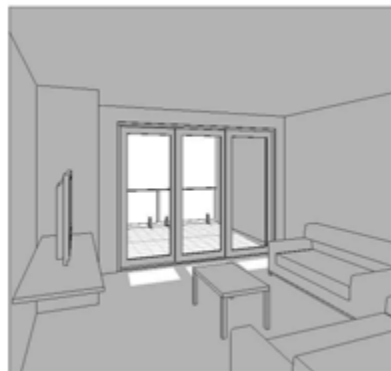
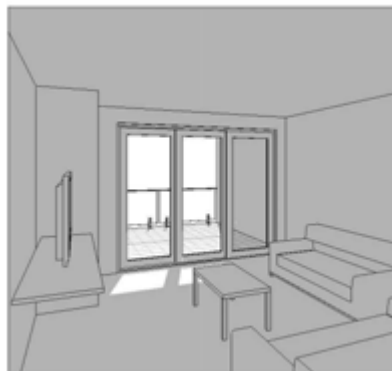
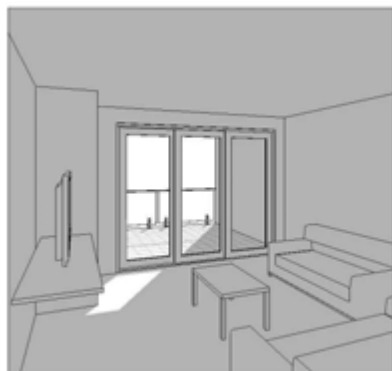
Date **OCT 2019** | Drawn **JR** | Checked **FI**

# SOLAR ACCESS DIAGRAM

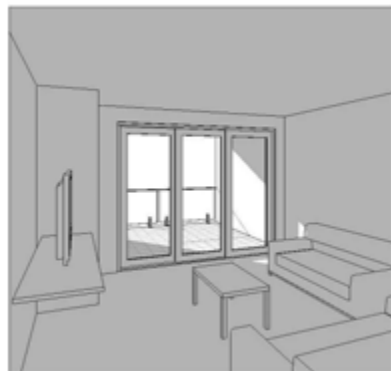
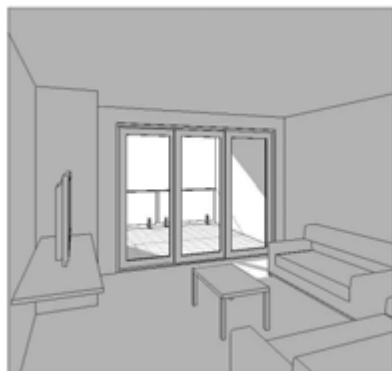
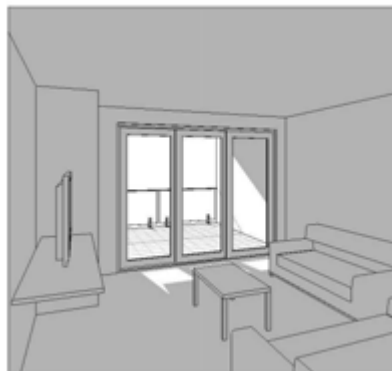
## LIVING ROOM TYPICAL



21<sup>st</sup> JUNE 9am



21<sup>st</sup> JUNE 12pm

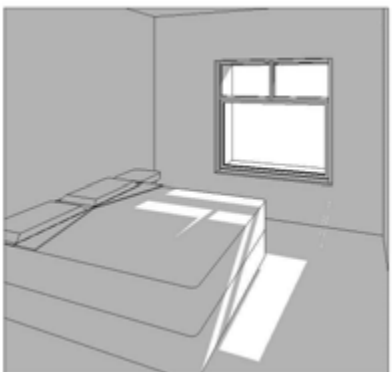
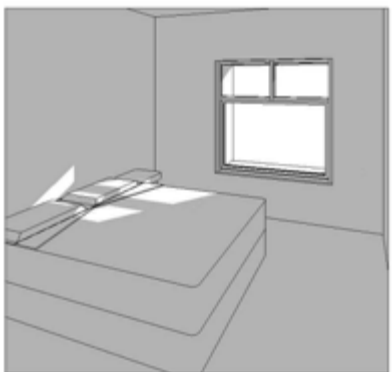


21<sup>st</sup> JUNE 3pm

## BEDROOM TYPICAL



21<sup>st</sup> JUNE 9am



21<sup>st</sup> JUNE 12pm



21<sup>st</sup> JUNE 3pm

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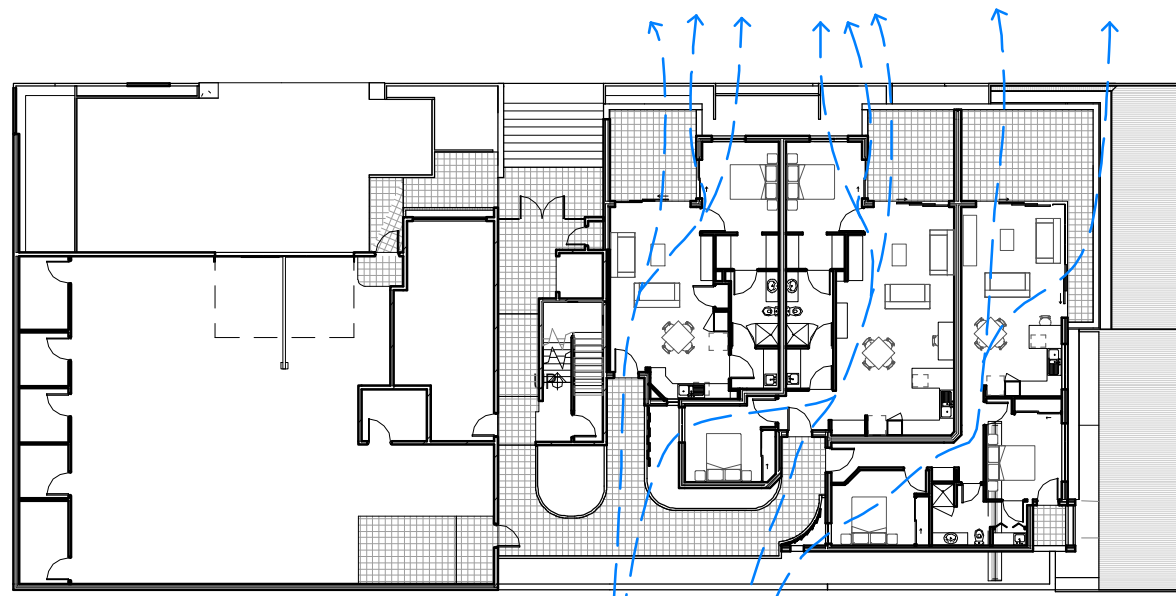
Drawing Name  
**SOLAR STUDIES**

Project Number  
**18020**

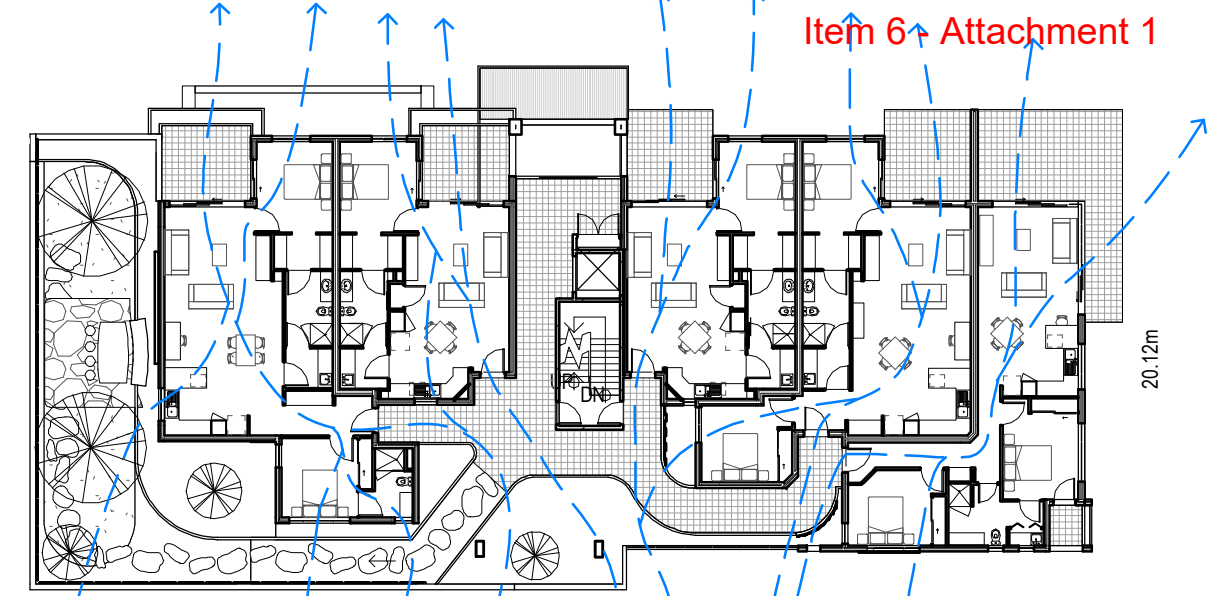
Drawing No. **SK20** Rev. **O**

Reduction 25mm on A3 | Scale

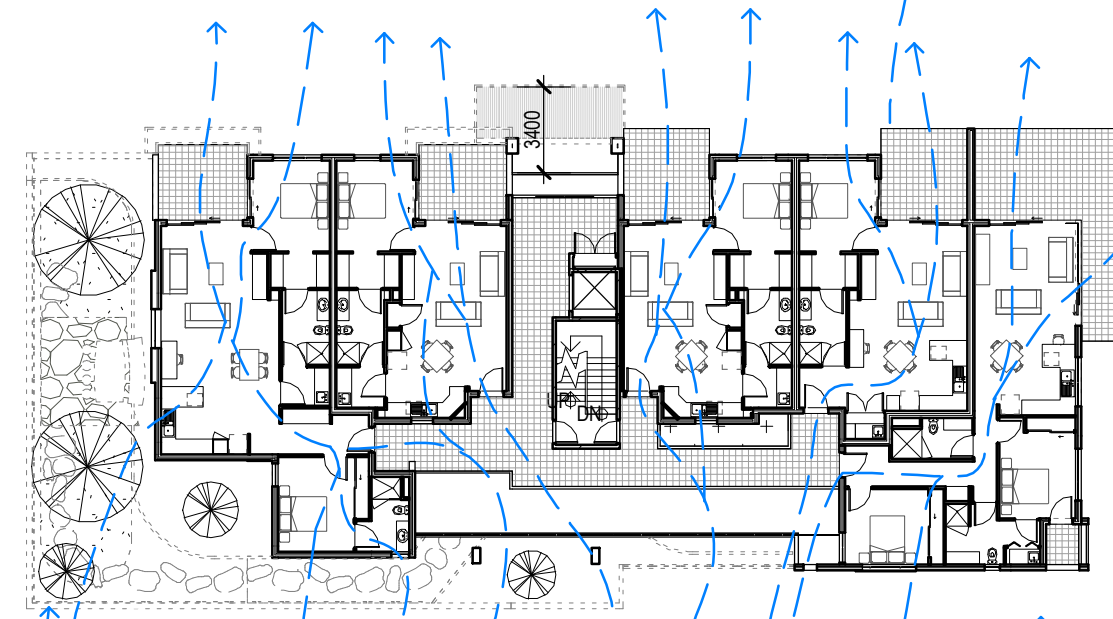
Date **OCT 2019** Drawn **JR** | Checked **FI**



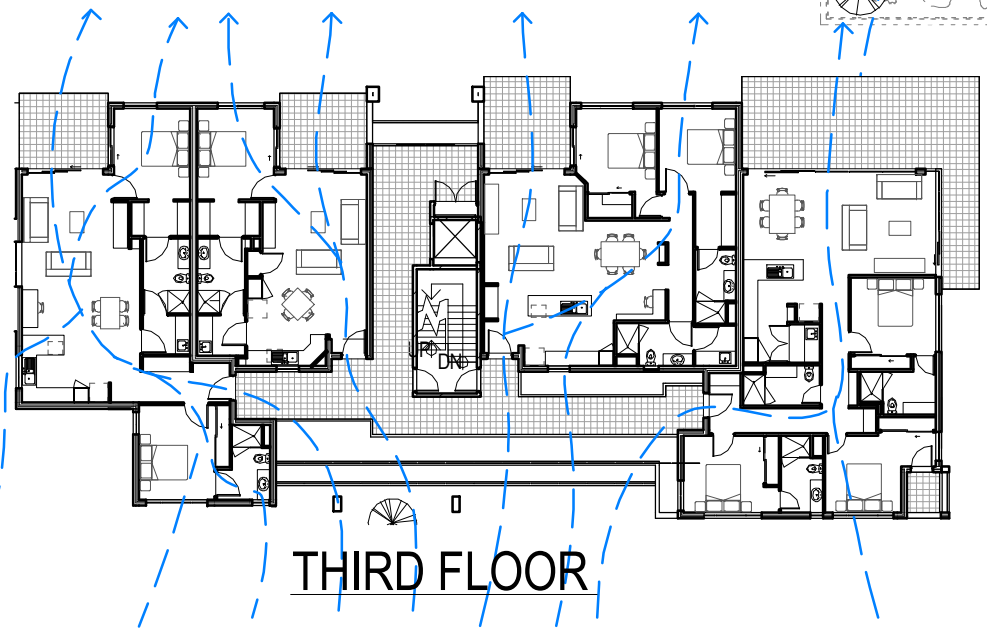
GROUND FLOOR PLAN - UPPER



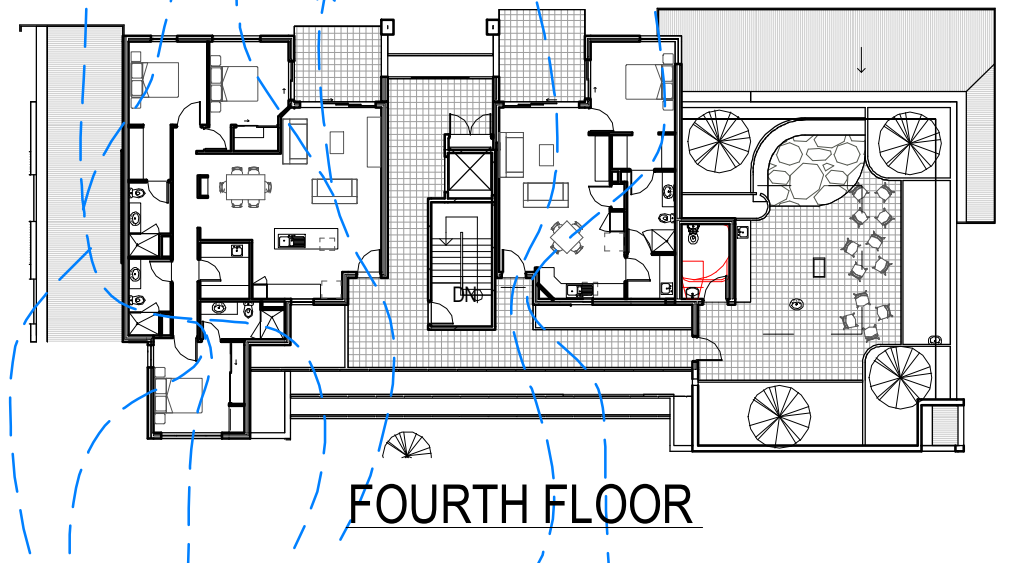
FIRST FLOOR



SECOND FLOOR

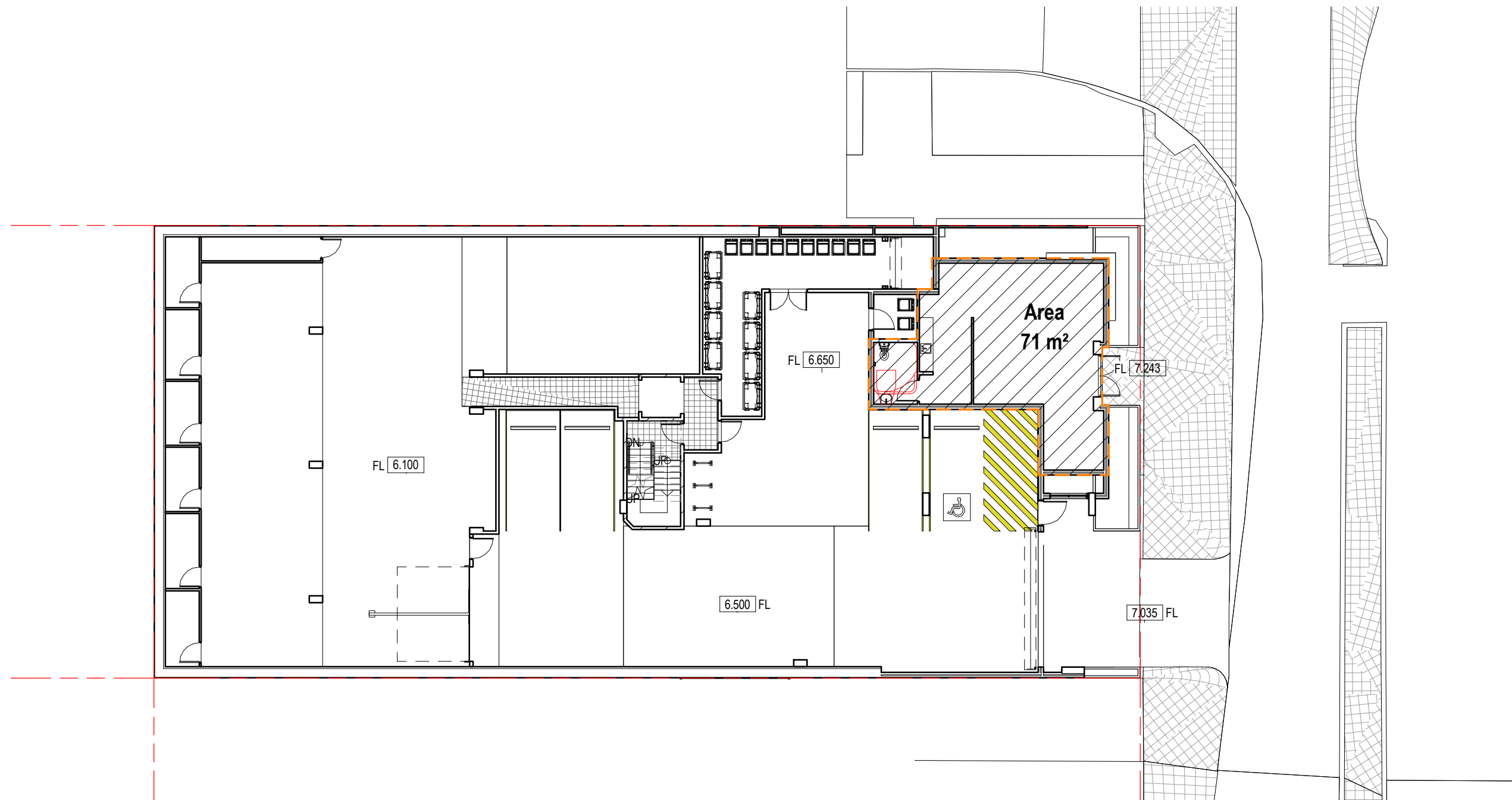


THIRD FLOOR



FOURTH FLOOR

Rev.	Date	Issued By	Revision Description
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**LOWER GROUND FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 76m<sup>2</sup>

Rev.	Date	Issued By	Revision Description
P	05-05-21	FI	OFFICE AREA PLOT RATIO UPDATE
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI



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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PLOT RATIO - LOWER GROUND FLOOR**

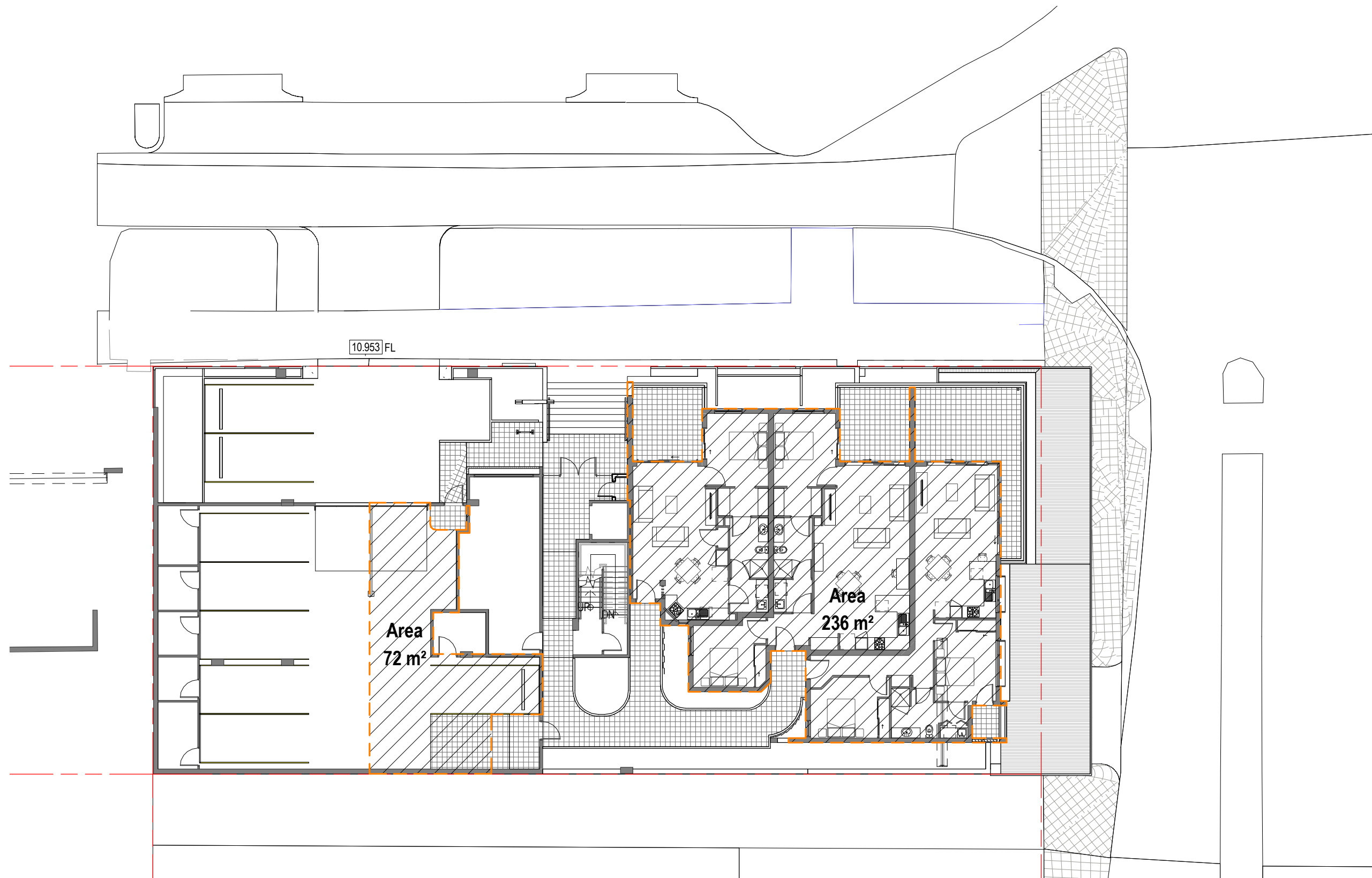
Project Number  
**18020**

Drawing No. **SK22** Rev. **P**

Reduction 25mm on A3 | Scale 1 : 200 | Date

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**UPPER GROUND FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 308m<sup>2</sup>

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Rev.	Date	Issued By	Revision Description

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PLOT RATIO - UPPER GROUND**

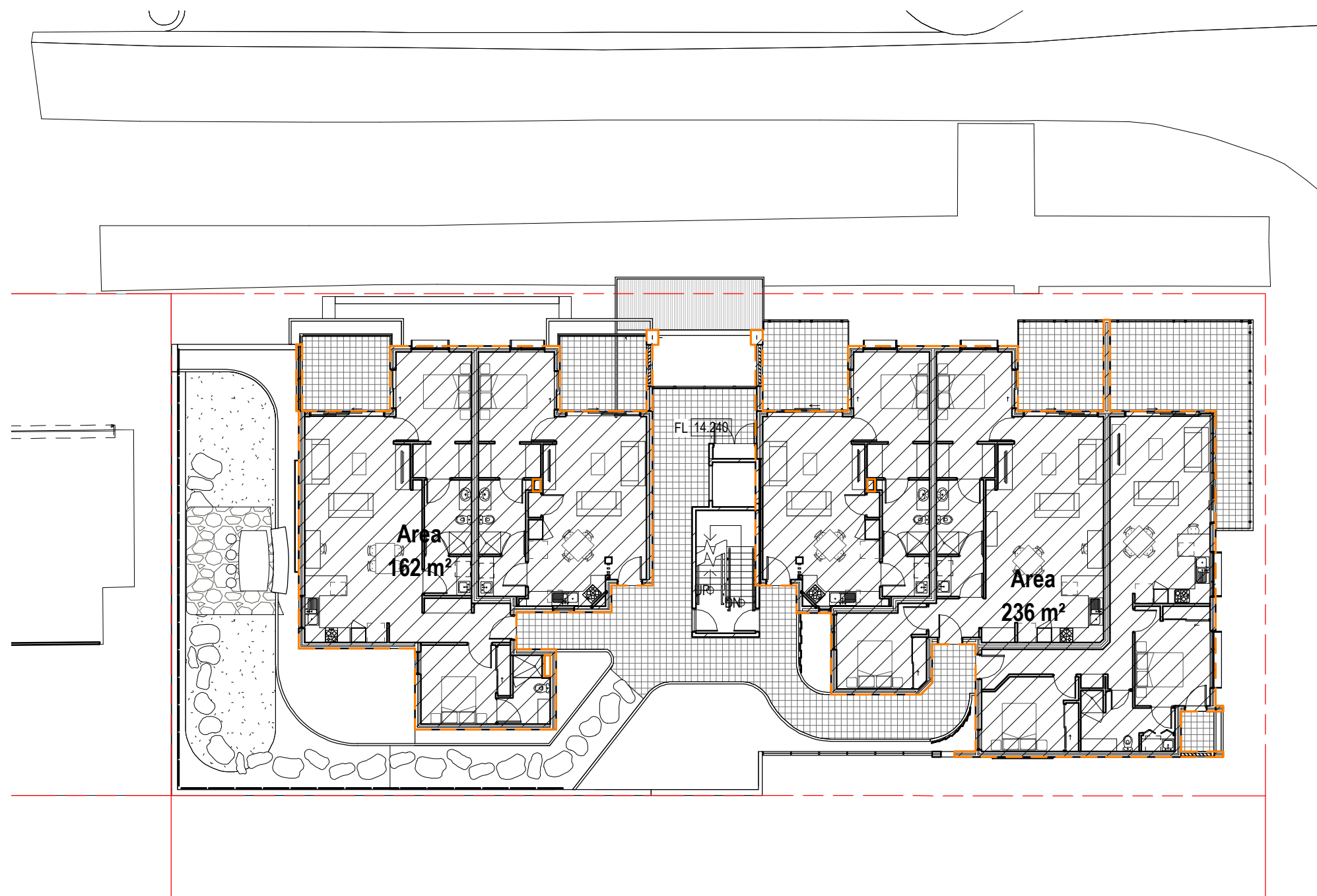
Project Number  
**18020**

Drawing No. **SK23** Rev. **O**

Reduction 25mm on A3 | Scale

1 : 200 | Date

OCT 2019 | Drawn **JR** | Checked **FI**



**FIRST FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 398m<sup>2</sup>

O	19-05-21	FI	ISSUE TO JDAP
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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

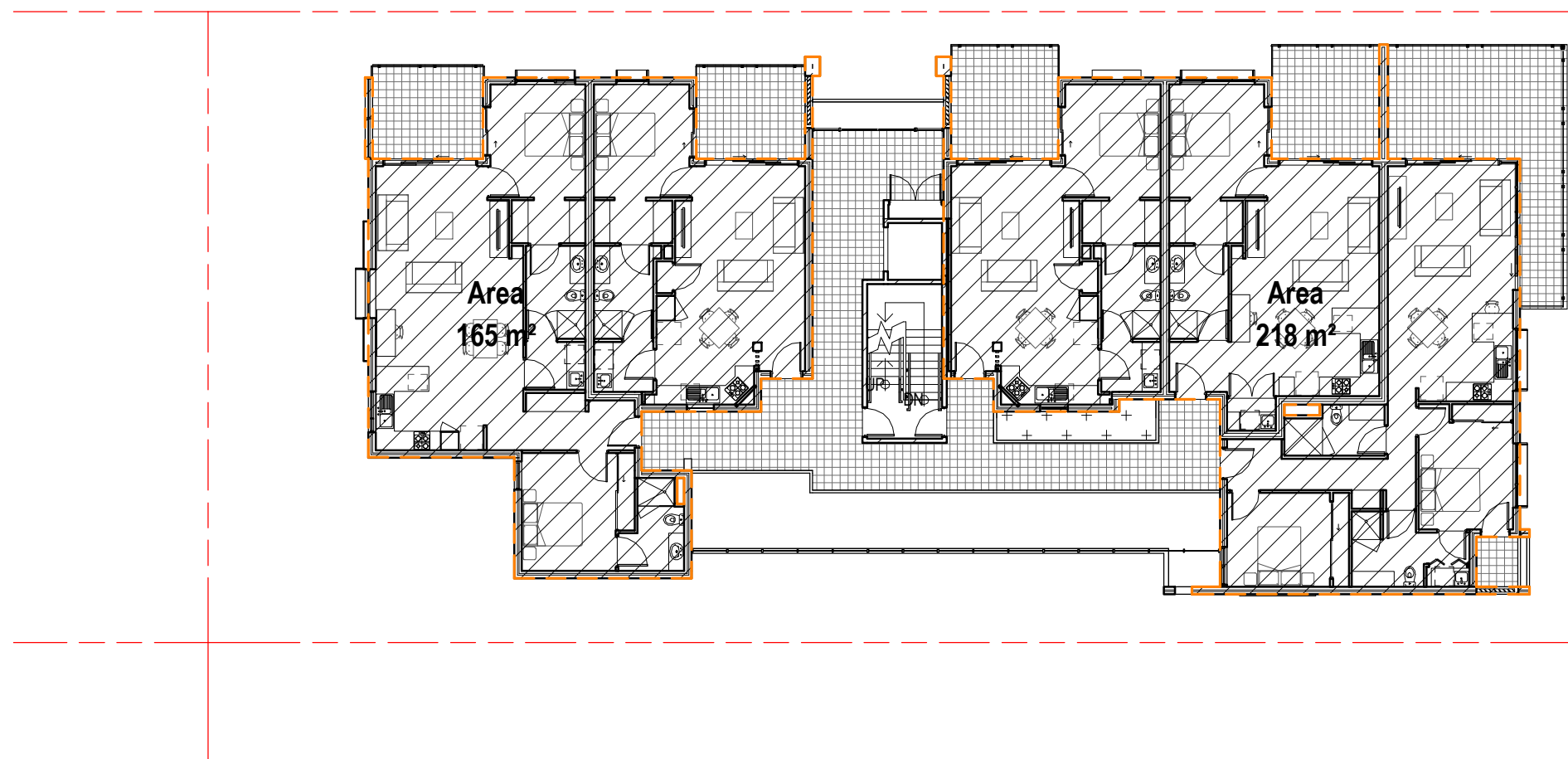
Drawing Name  
**PLOT RATIO - FIRST FLOOR**

Project Number  
**18020**

Drawing No. **SK24** Rev. **O**

Reduction 25mm on A3 | Scale 1 : 200 | Date

OCT 2019 | Drawn **JR** | Checked **FI**



**SECOND FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 383m<sup>2</sup>

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Rev.	Date	Issued By	Revision Description

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**PLOT RATIO - SECOND FLOOR**

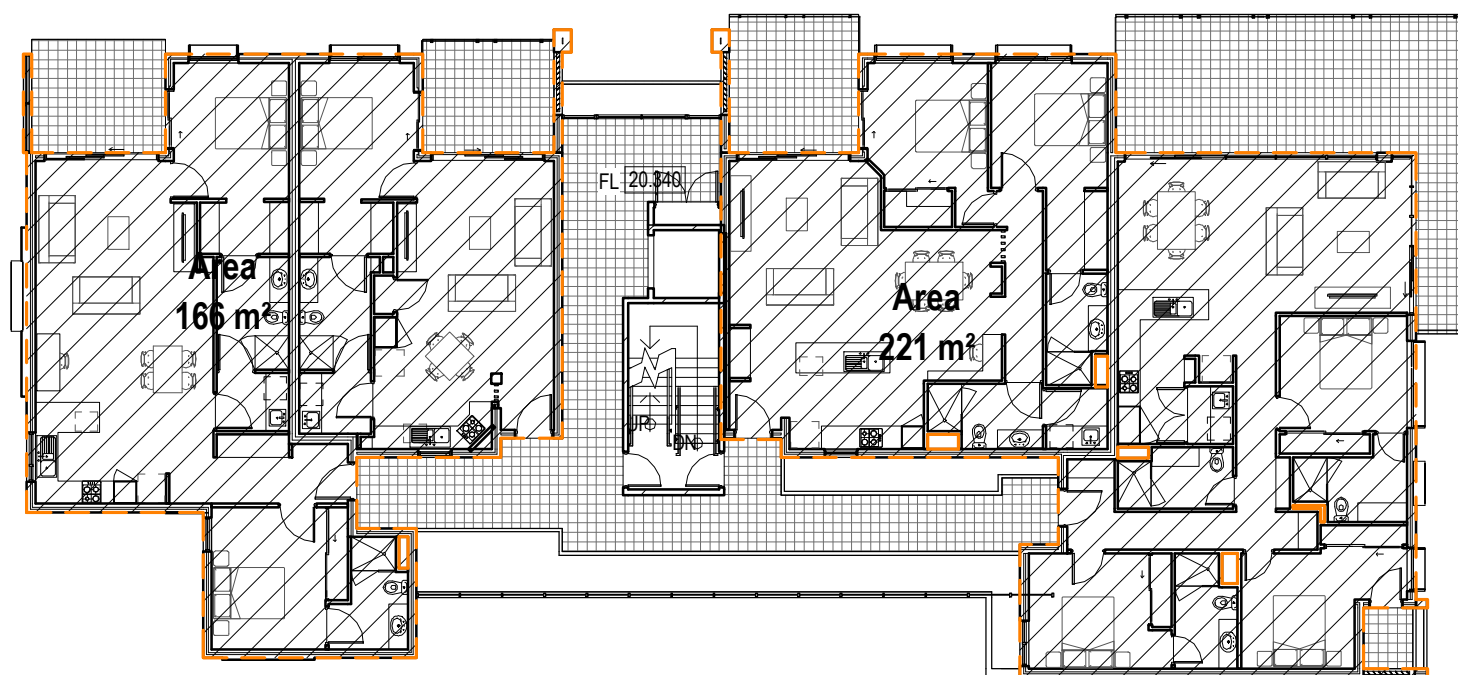
Project Number  
**18020**

Drawing No. **SK25** Rev. **O**

Reduction 25mm on A3 | Scale

1 : 200 | Date

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**THIRD FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 387m<sup>2</sup>

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

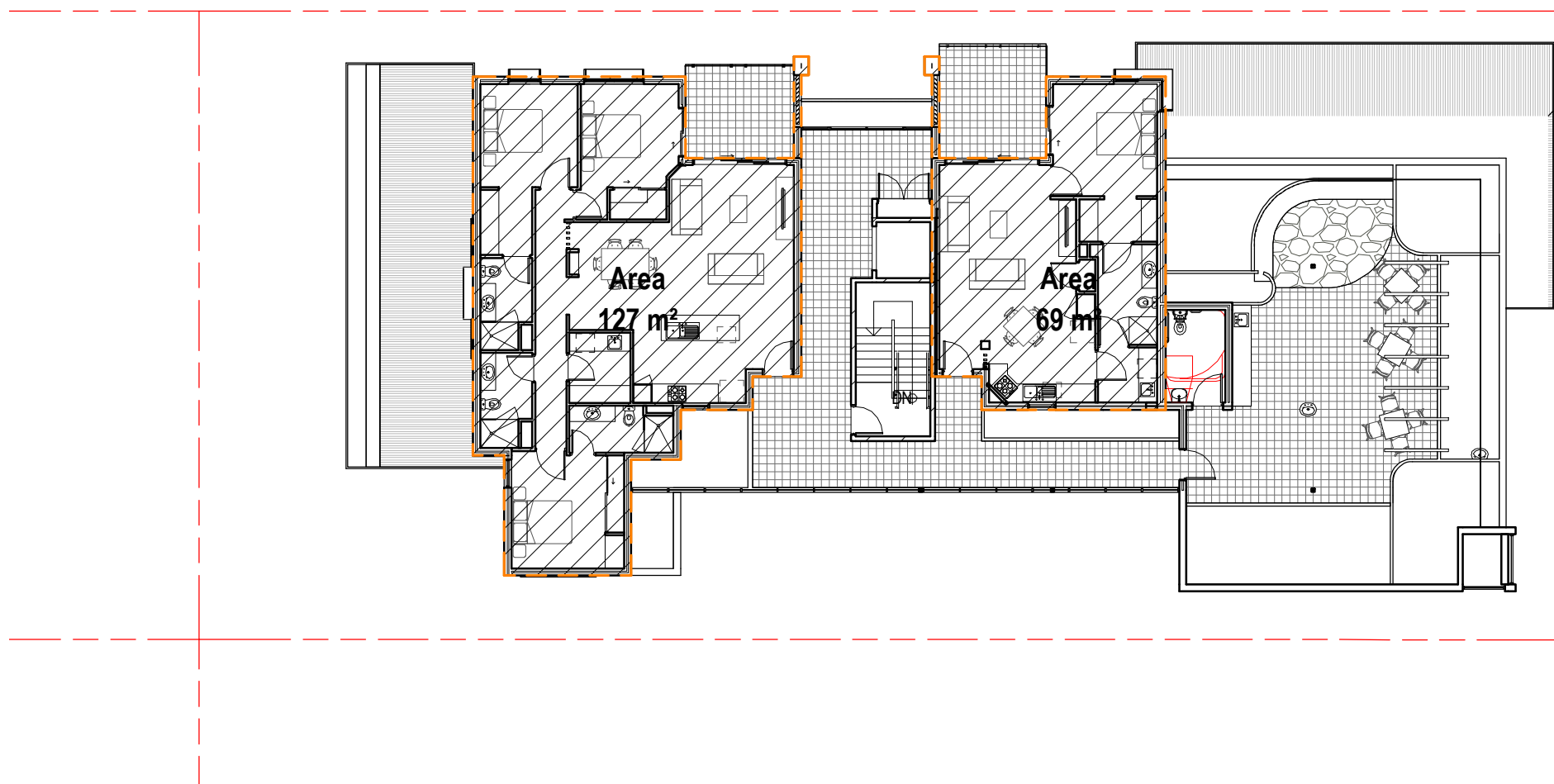
Drawing Name  
**PLOT RATIO - THIRD FLOOR**

Project Number  
**18020**

Drawing No. **SK26** Rev. **O**

Reduction  25mm on A3 | Scale 1 : 200 | Date

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**FOURTH FLOOR**

SCALE: 1 : 200

TOTAL PLOT RATIO = 196m<sup>2</sup>

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

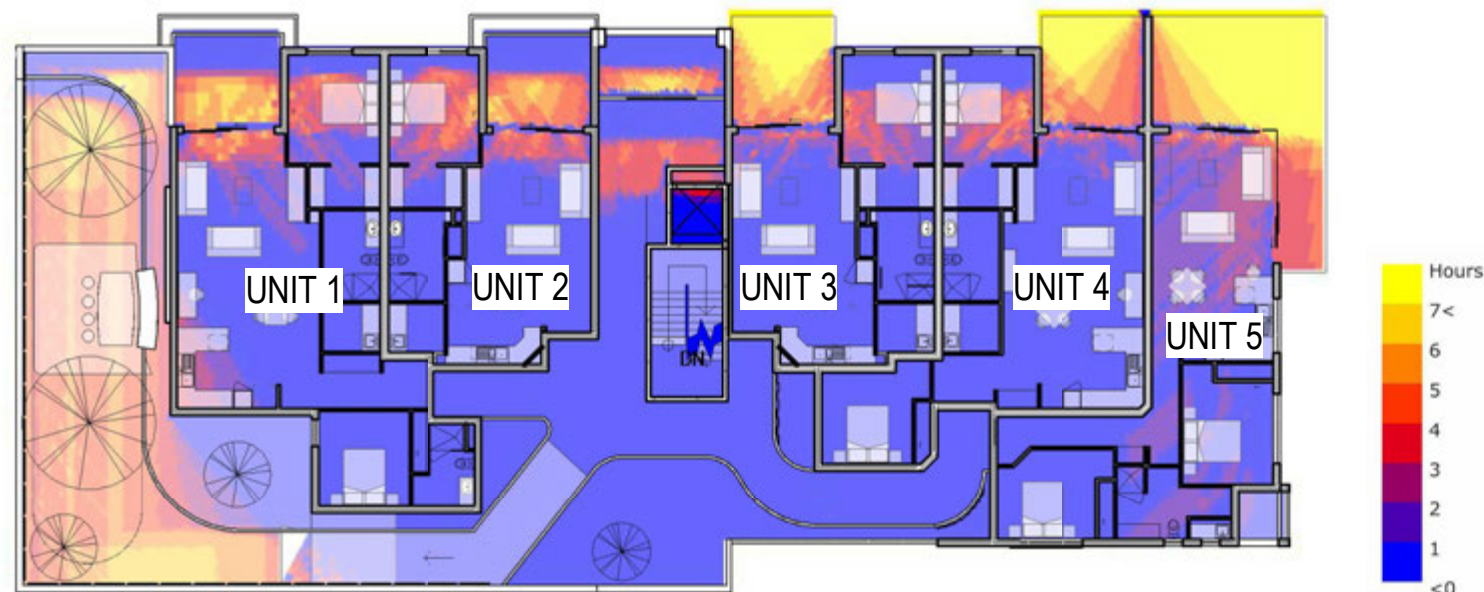
Drawing Name  
**PLOT RATIO - FOURTH FLOOR**

Project Number  
**18020**

Drawing No. **SK27** Rev. **O**

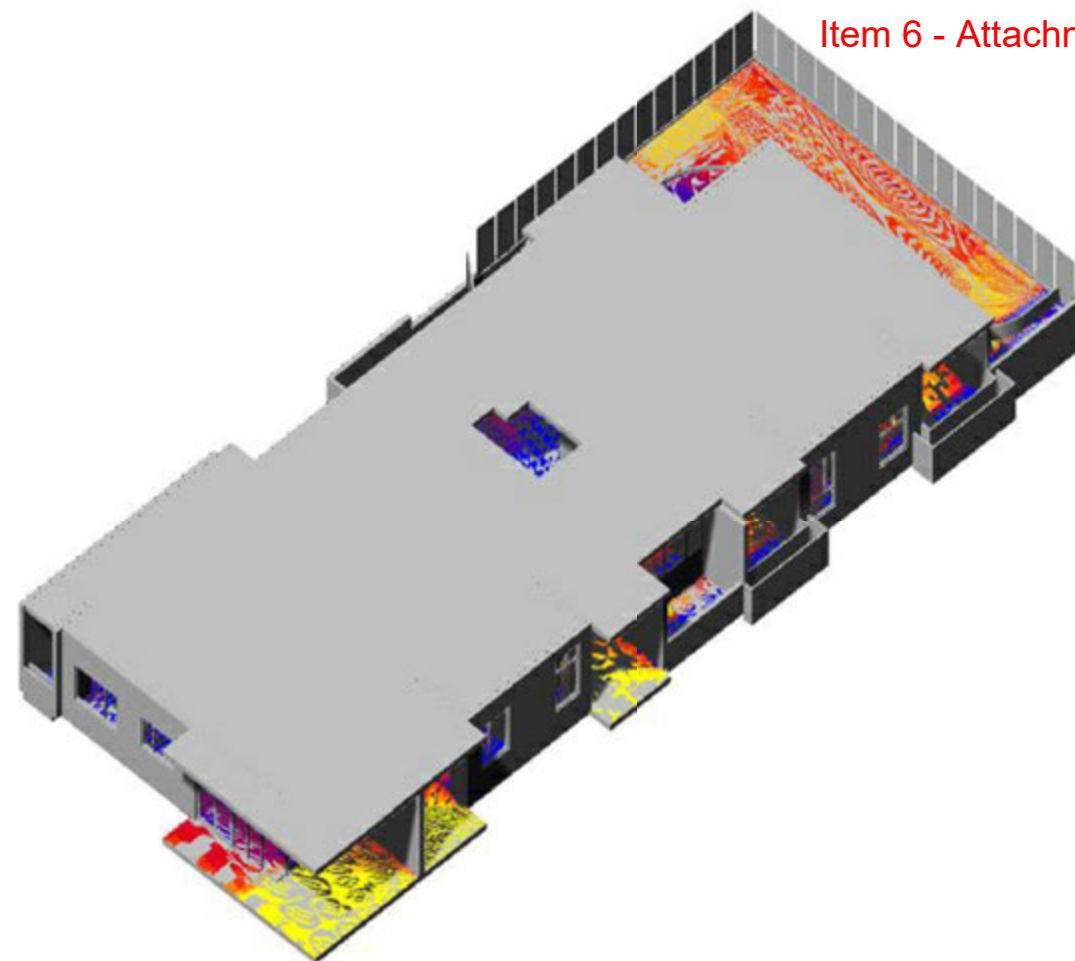
Reduction 25mm on A3 | Scale 1 : 200 | Date

OCT 2019 | Drawn **JR** | Checked **FI**

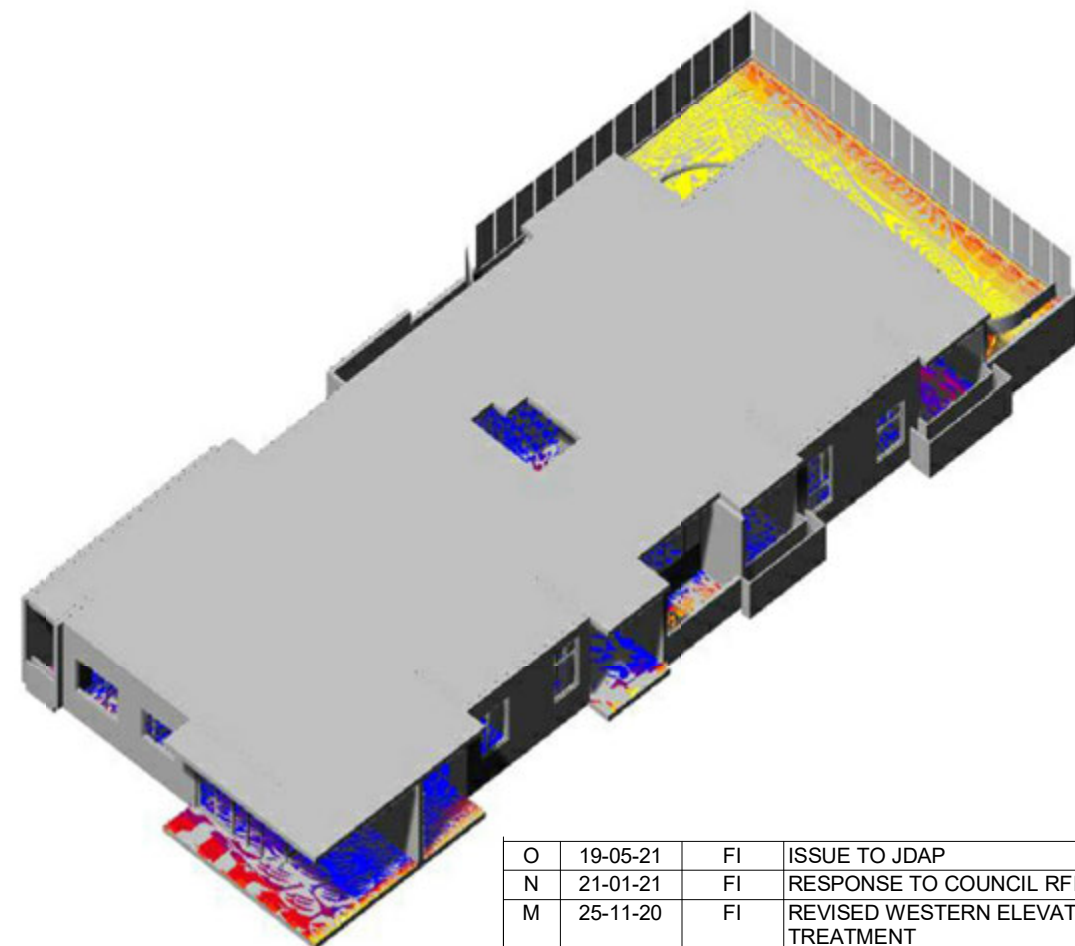


**DIRECT SUNLIGHT FIRST FLOOR**  
21<sup>ST</sup> JUNE: 9AM - 3PM

\*LIVING AREAS AND PRIVATE OPEN SPACES FOR ALL UNITS SHOWN (1-5) RECEIVE >2 HOURS DIRECT SUNLIGHT BETWEEN 9am AND 3pm ON THE 21<sup>ST</sup> JUNE

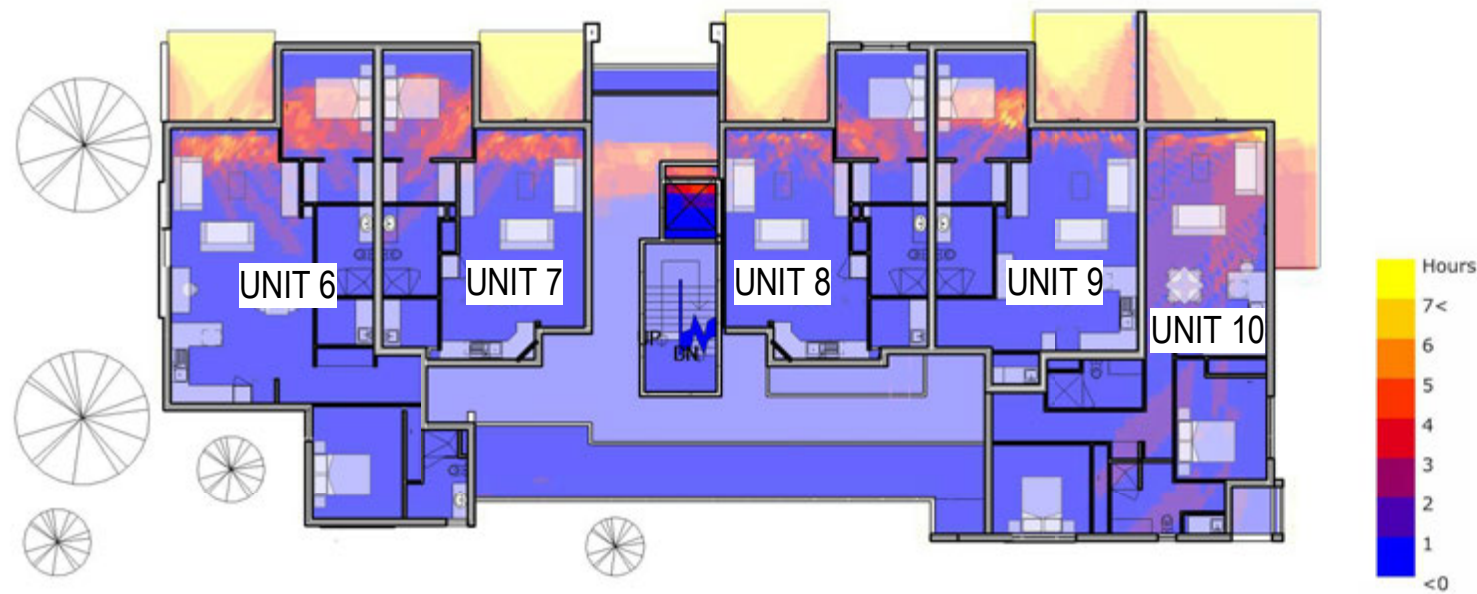


**DIRECT SUNLIGHT FIRST FLOOR**  
21<sup>ST</sup> DECEMBER: 9AM - 3PM



Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
N	21-01-21	FI	RESPONSE TO COUNCIL RFI
M	25-11-20	FI	REVISED WESTERN ELEVATION TREATMENT

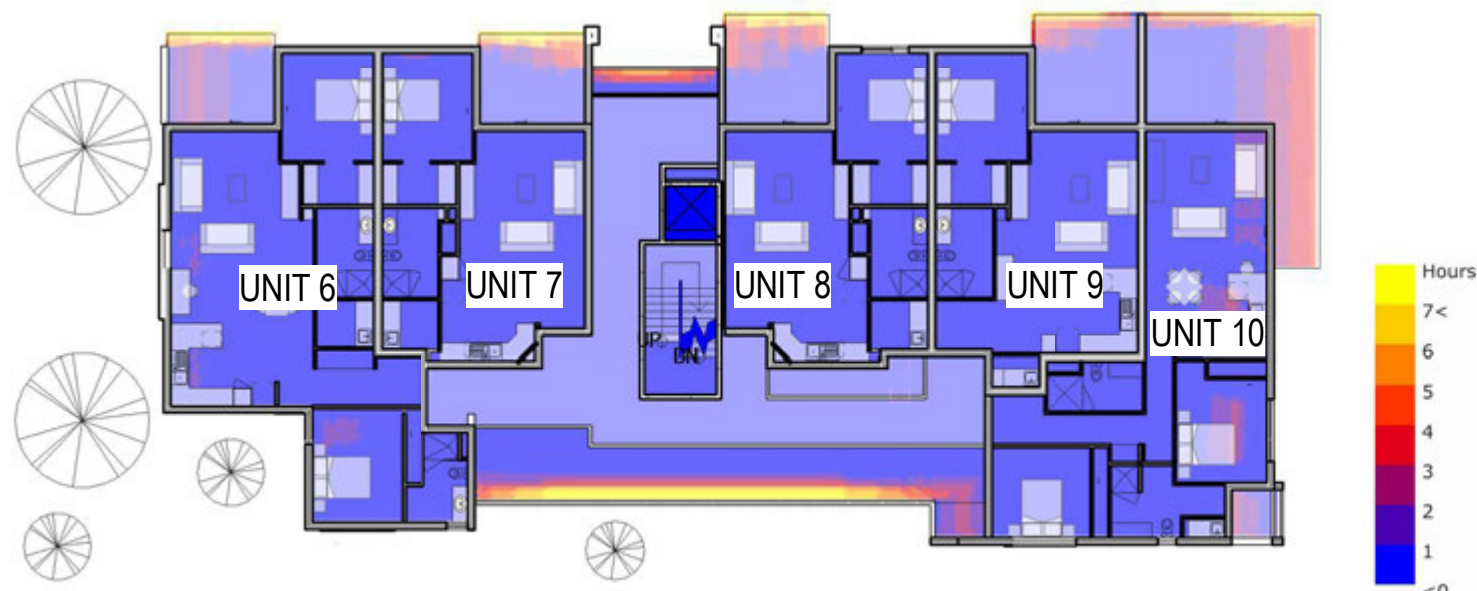
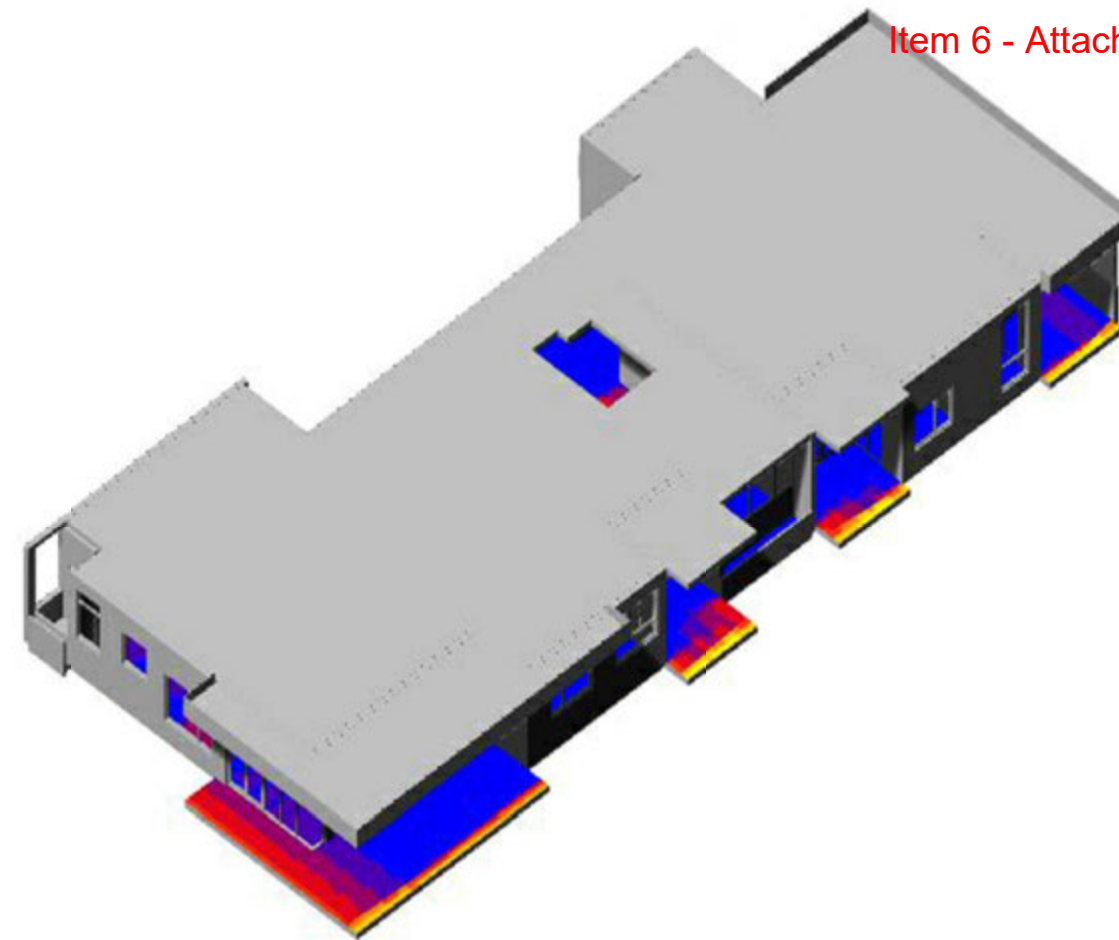




**DIRECT SUNLIGHT - SECOND FLOOR**

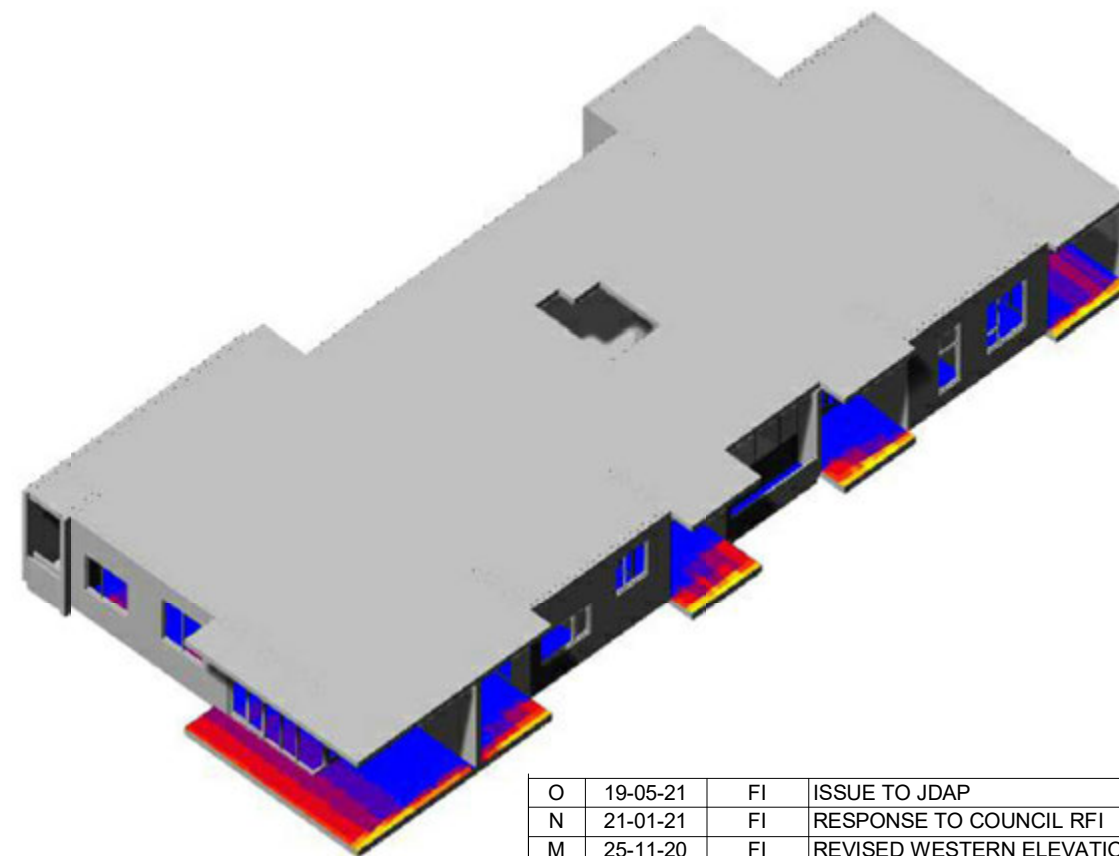
21<sup>ST</sup> JUNE: 9AM - 3PM

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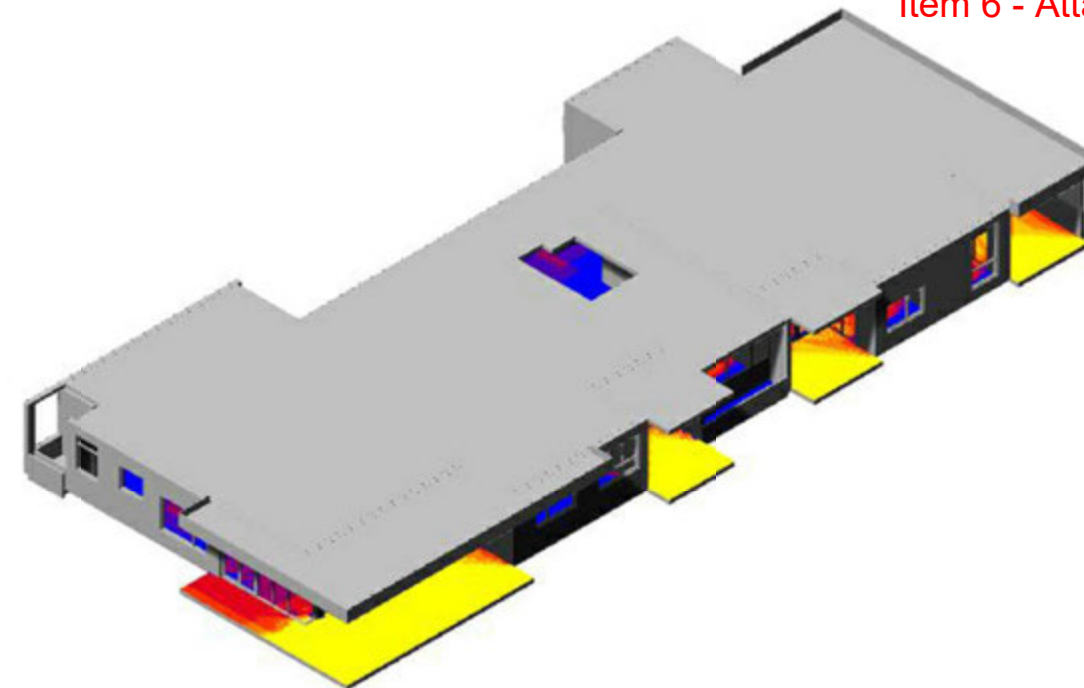
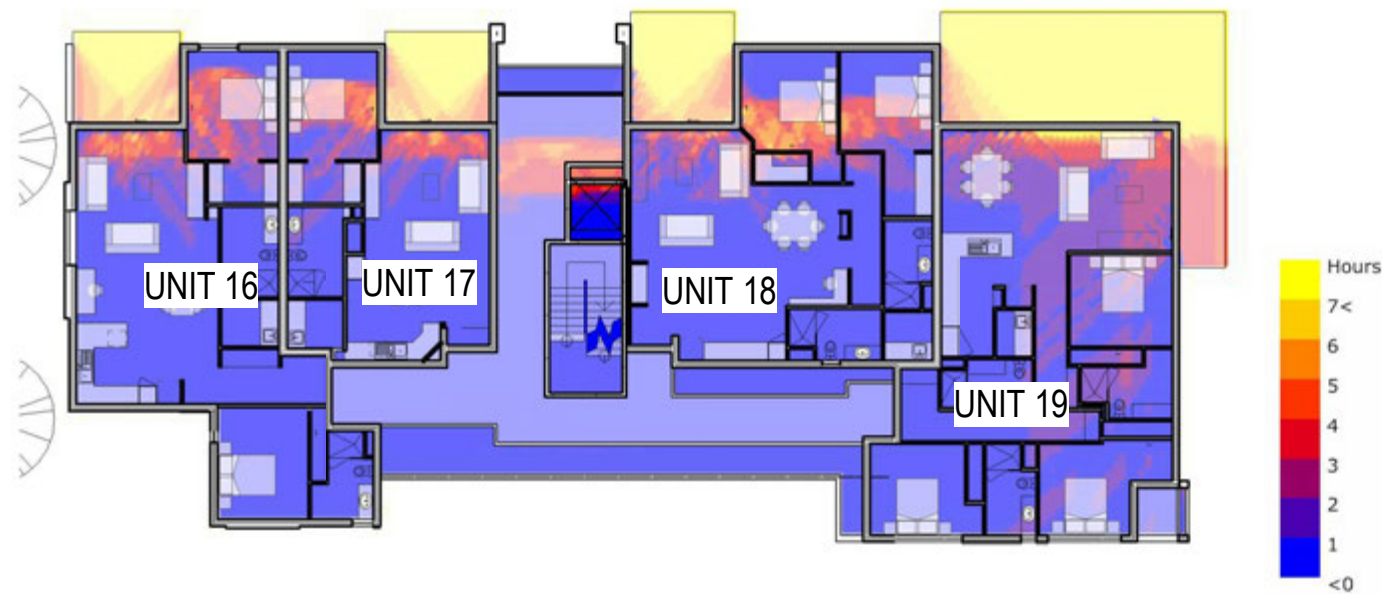
**DIRECT SUNLIGHT - SECOND FLOOR**

21<sup>ST</sup> DECEMBER: 9AM - 3PM



Rev.	Date	Issued By	Revision Description
O	19-05-21	FI	ISSUE TO JDAP
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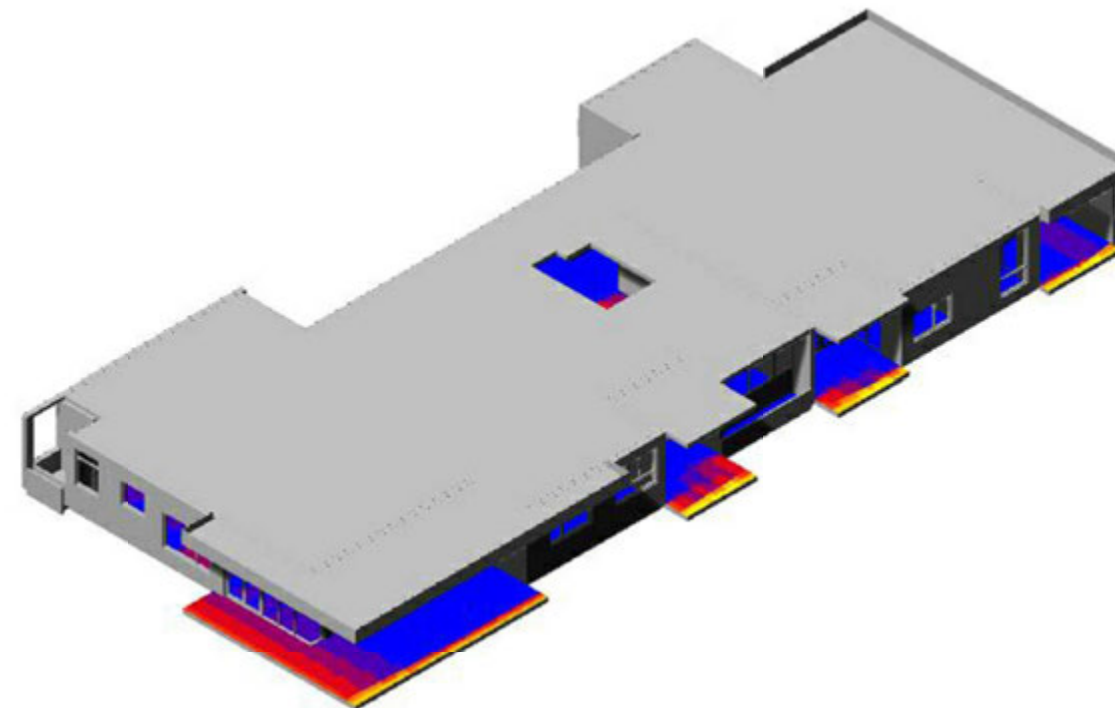
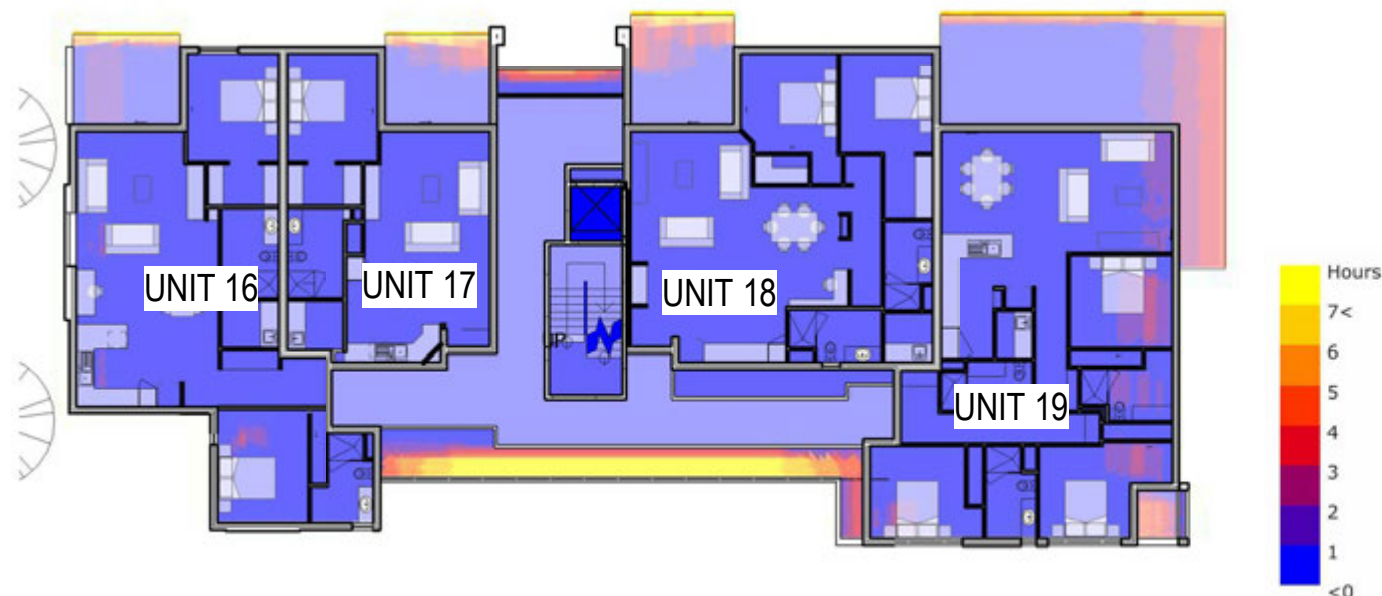




**DIRECT SUNLIGHT - THIRD FLOOR**

21<sup>ST</sup> JUNE: 9AM - 3PM

\*LIVING AREAS AND PRIVATE OPEN SPACES FOR ALL UNITS SHOWN (16-19) RECEIVE >2 HOURS DIRECT SUNLIGHT BETWEEN 9am AND 3pm ON THE 21<sup>ST</sup> JUNE



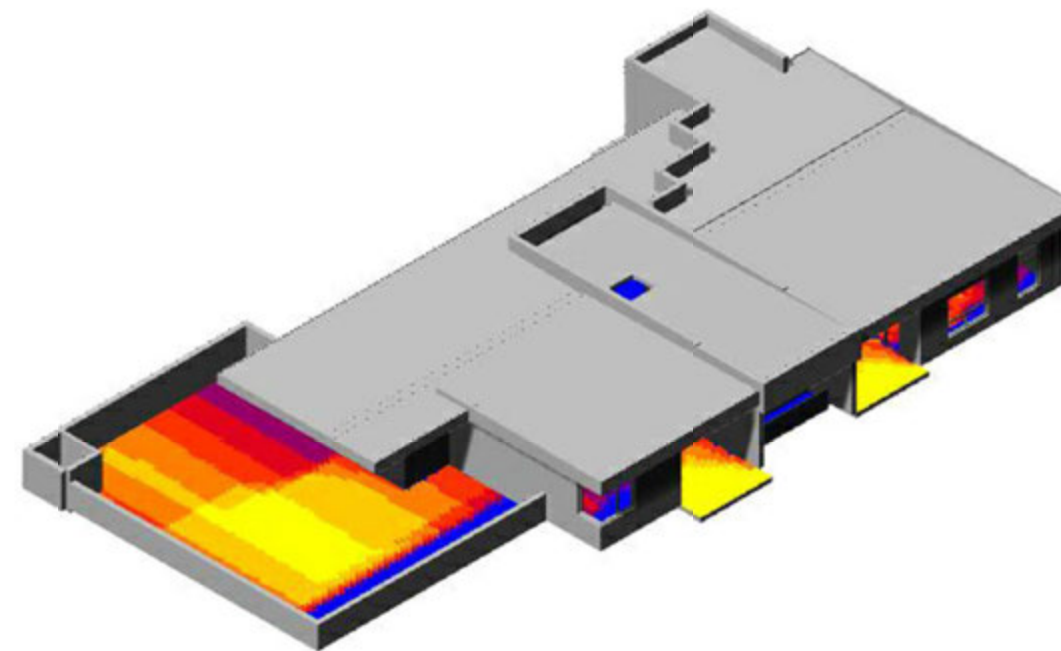
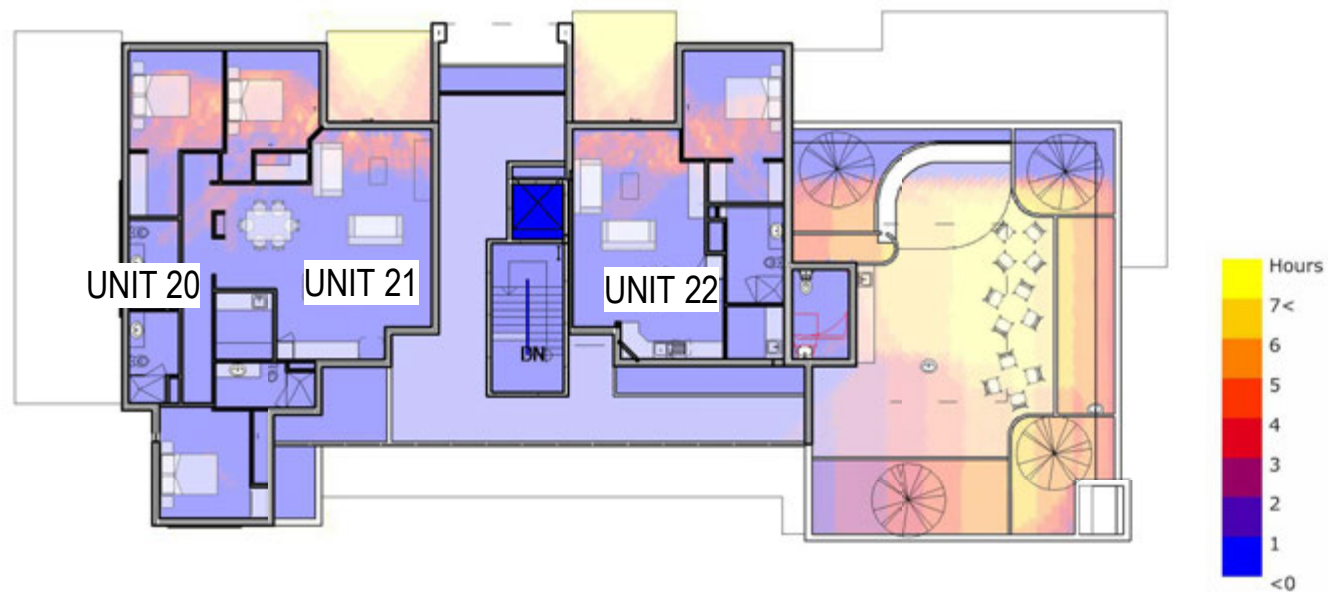
**DIRECT SUNLIGHT - THIRD FLOOR**

21<sup>ST</sup> DECEMBER: 9AM - 3PM

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O	19-05-21	FI	ISSUE TO JDAP
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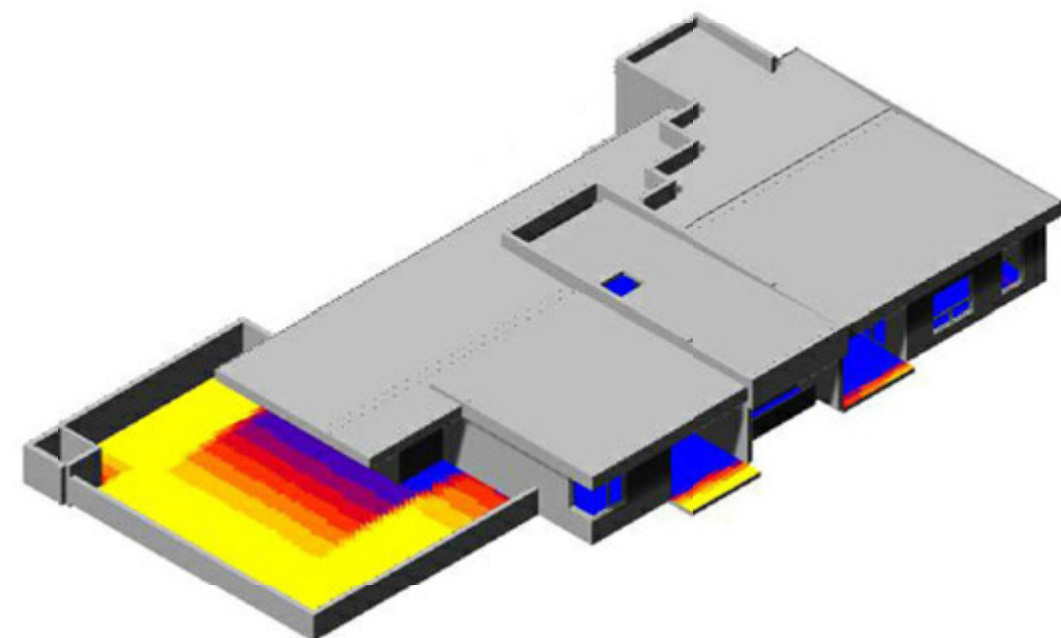
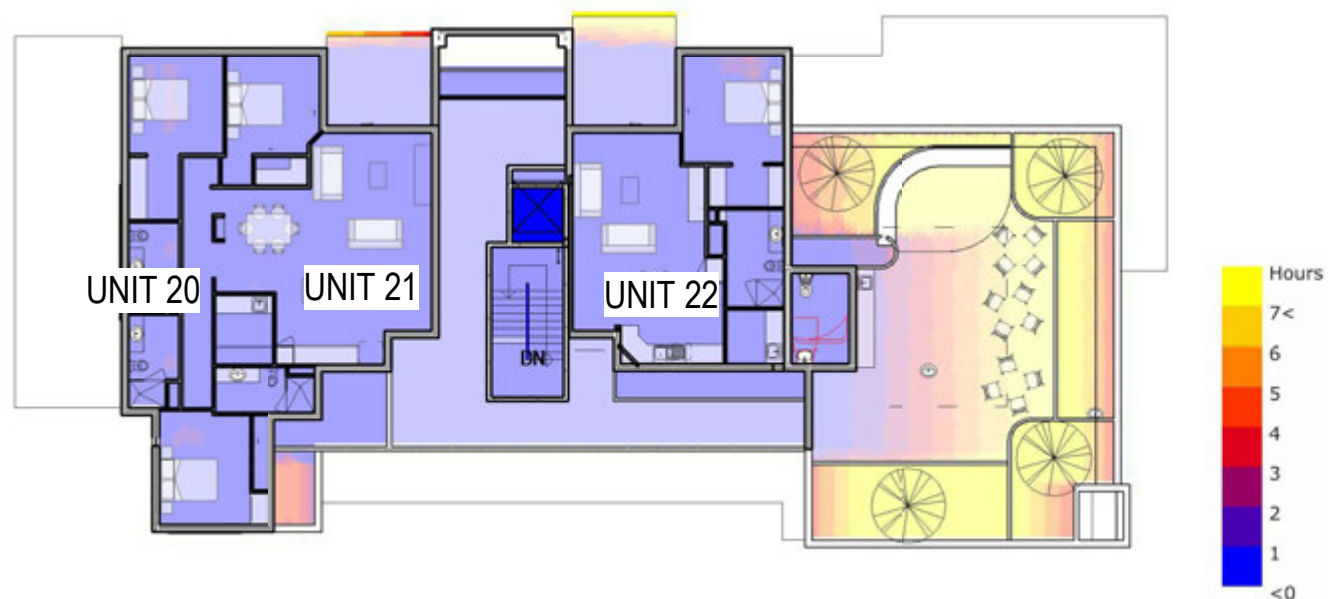






**DIRECT SUNLIGHT - FOURTH FLOOR**  
21<sup>ST</sup> JUNE: 9AM - 3PM

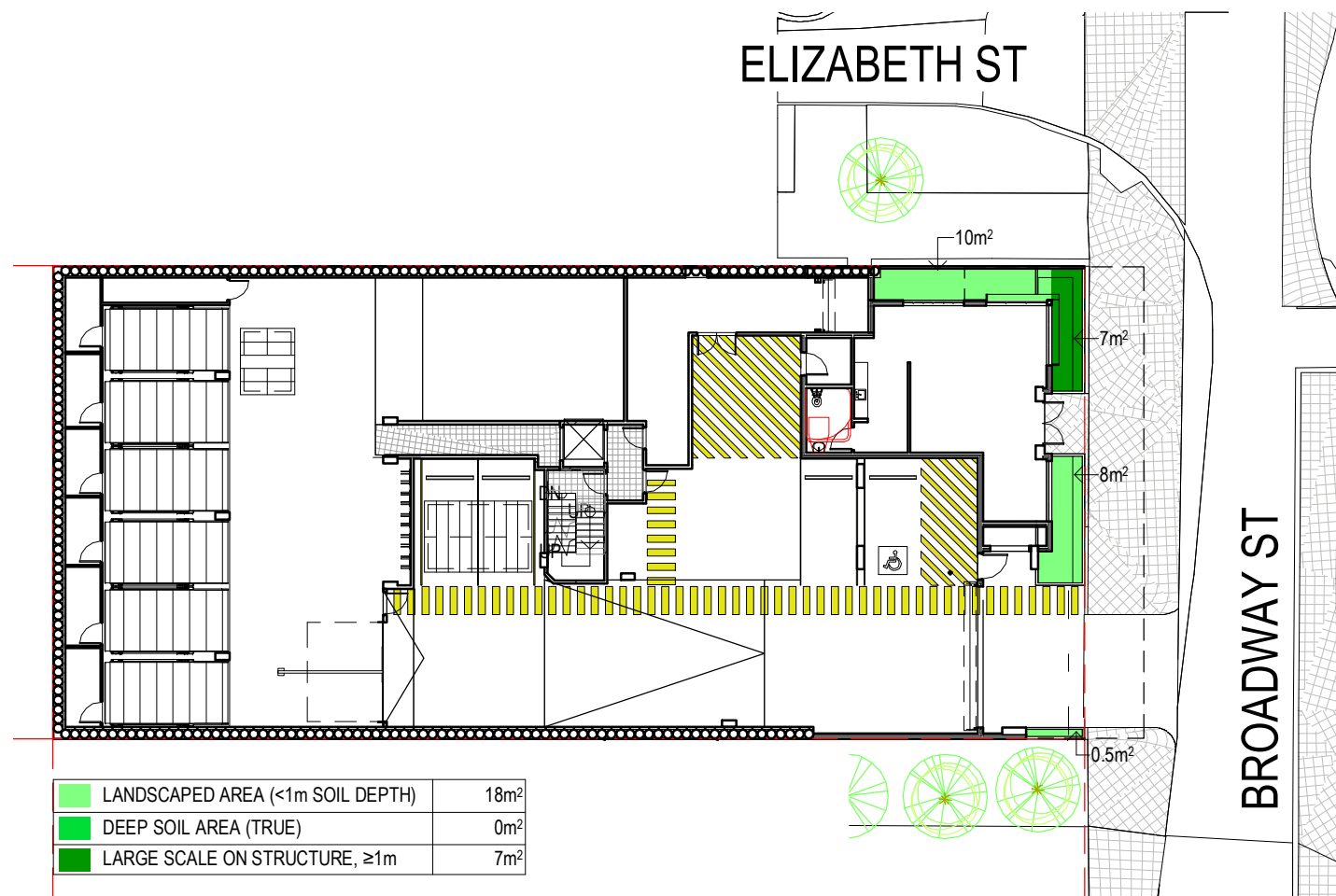
\*LIVING AREAS AND PRIVATE OPEN SPACES FOR ALL UNITS SHOWN (20-22) RECEIVE >2 HOURS DIRECT SUNLIGHT BETWEEN 9am AND 3pm ON THE 21<sup>ST</sup> JUNE



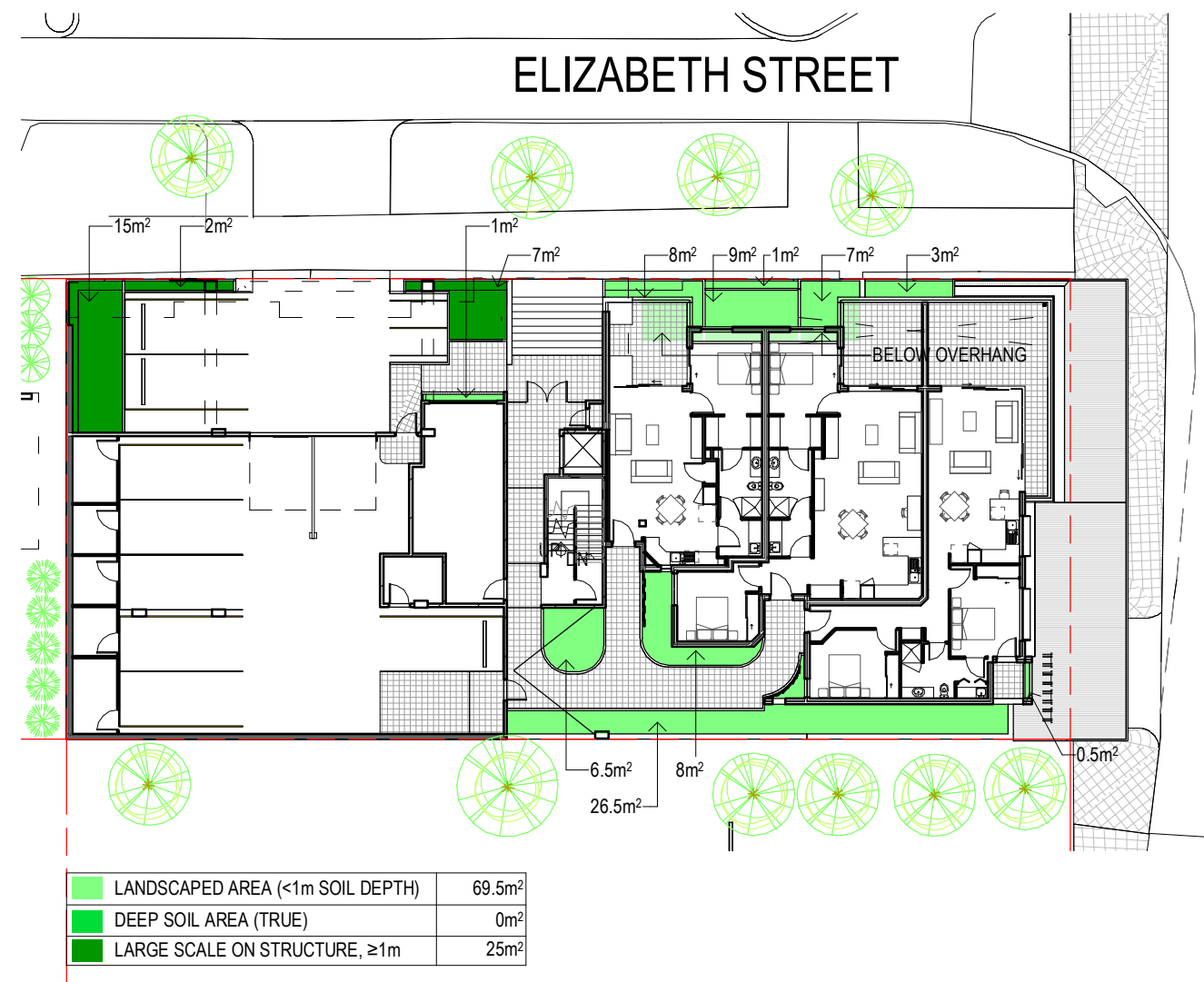
**DIRECT SUNLIGHT - FOURTH FLOOR**  
21<sup>ST</sup> DECEMBER: 9AM - 3PM

O	19-05-21	FI	ISSUE TO JDAP
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GROUND FLOOR PLAN - LOWER



GROUND FLOOR PLAN - UPPER

DEEP SOIL CALCULATION

TRUE DEEP SOIL AREA	
TOTAL:	0m <sup>2</sup>

LARGE SCALE ON STRUCTURE	
LOWER GROUND FLOOR:	7m <sup>2</sup>
UPPER GROUND FLOOR:	25m <sup>2</sup>
FIRST FLOOR:	94m <sup>2</sup>
FOURTH FLOOR:	58.5m <sup>2</sup>
TOTAL:	184.5m <sup>2</sup>

LANDSCAPED AREA	
LOWER GROUND FLOOR:	18m <sup>2</sup>
UPPER GROUND FLOOR:	69.5m <sup>2</sup>
FIRST FLOOR:	88.5m <sup>2</sup>
SECOND FLOOR:	43.5m <sup>2</sup>
THIRD FLOOR:	29.5m <sup>2</sup>
FOURTH FLOOR:	24m <sup>2</sup>
TOTAL:	273m <sup>2</sup>

88.2m<sup>2</sup> REQUIRED (10% OF SITE AREA)  
 SHORT FALL = 88.2m<sup>2</sup>  
 THEREFORE 2 x 88.2m<sup>2</sup> (176.4m<sup>2</sup>) REQ ON STRUCTURE

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Project Name  
**Proposed Mixed Use Development, 105 Broadway, Nedlands 6009**

Drawing Name  
**LANDSCAPING PLANS - UPPER AND LOWER GROUND FLOORS**

Project Number  
**18020**

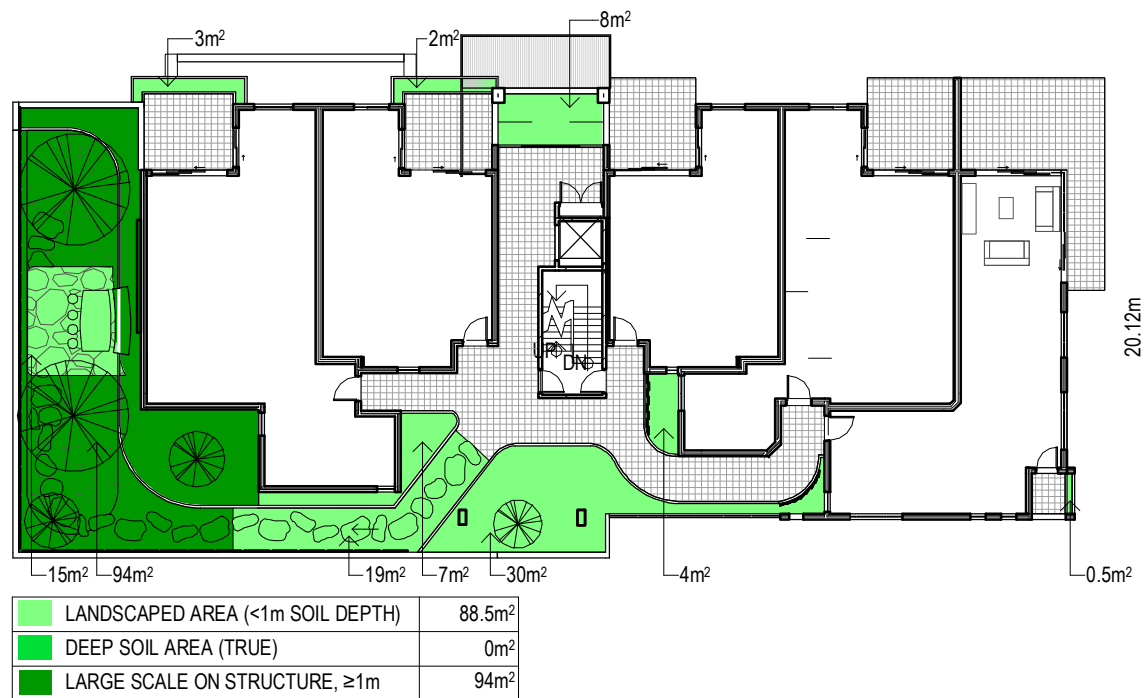
Drawing No.  
**SK33**

Rev.  
**O**

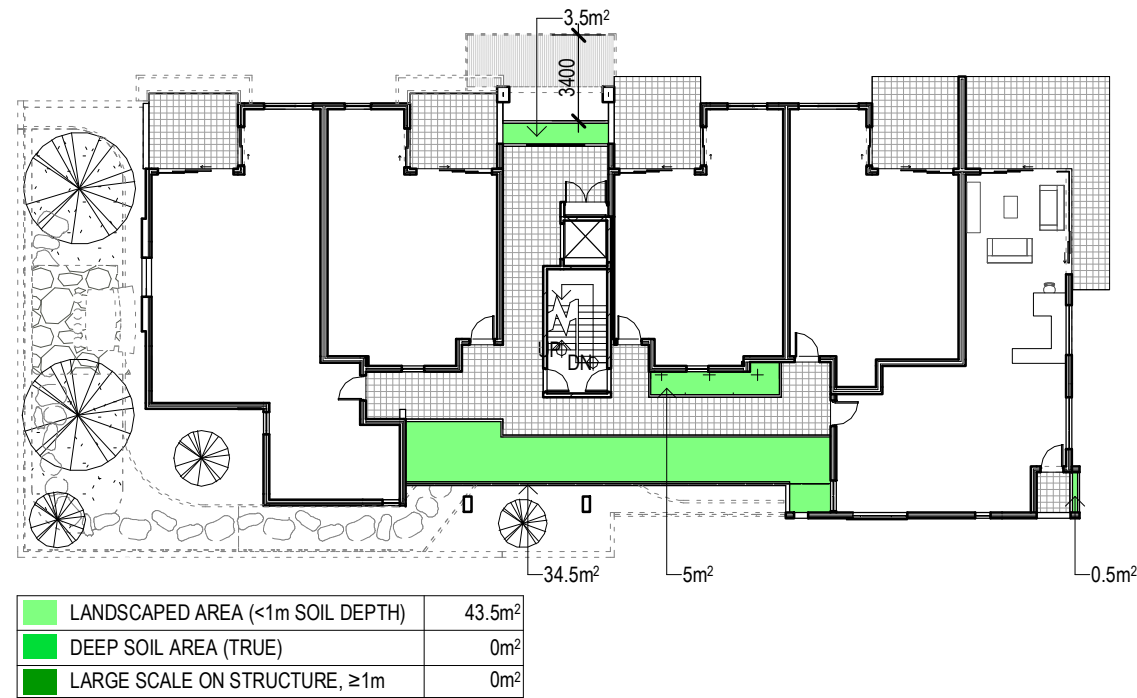
Reduction 25mm on A3 | Scale 1 : 300 | Date

OCT 2019 | Drawn JR | Checked FI

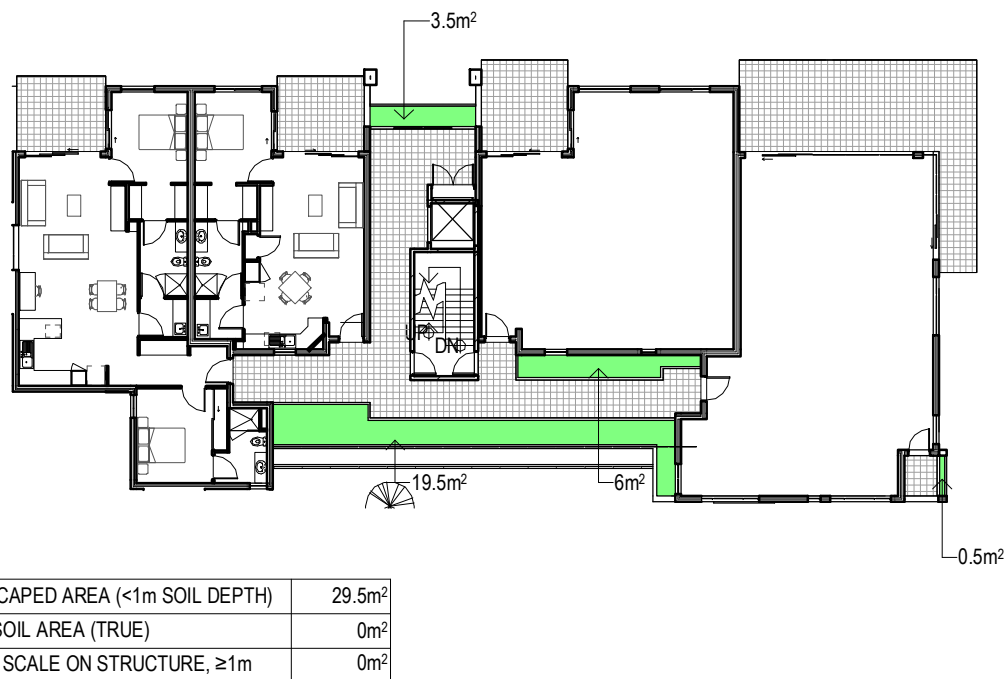
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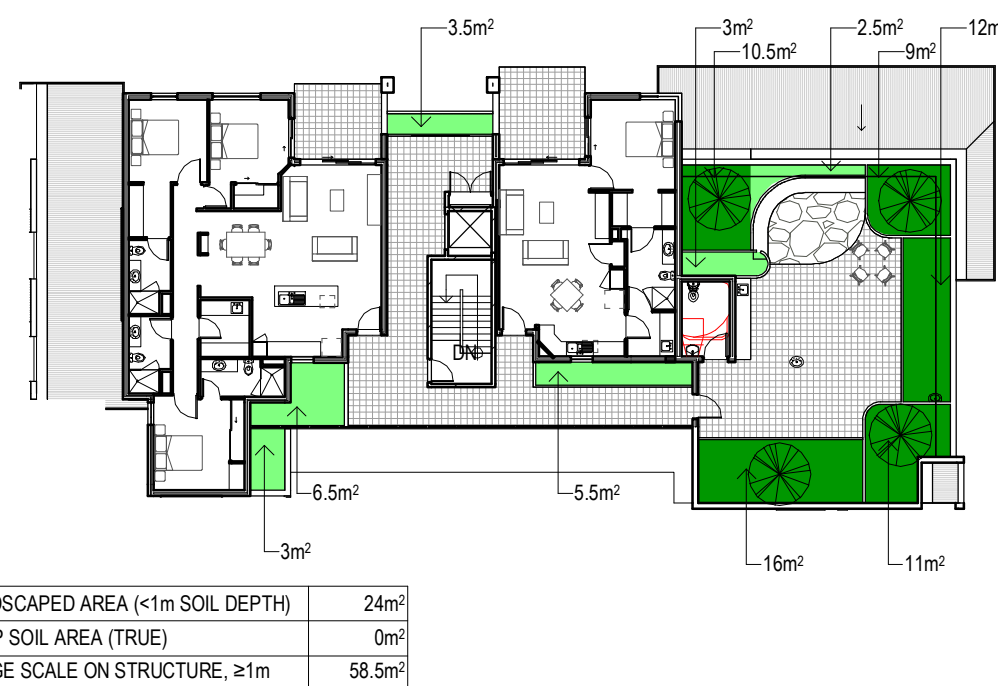
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR

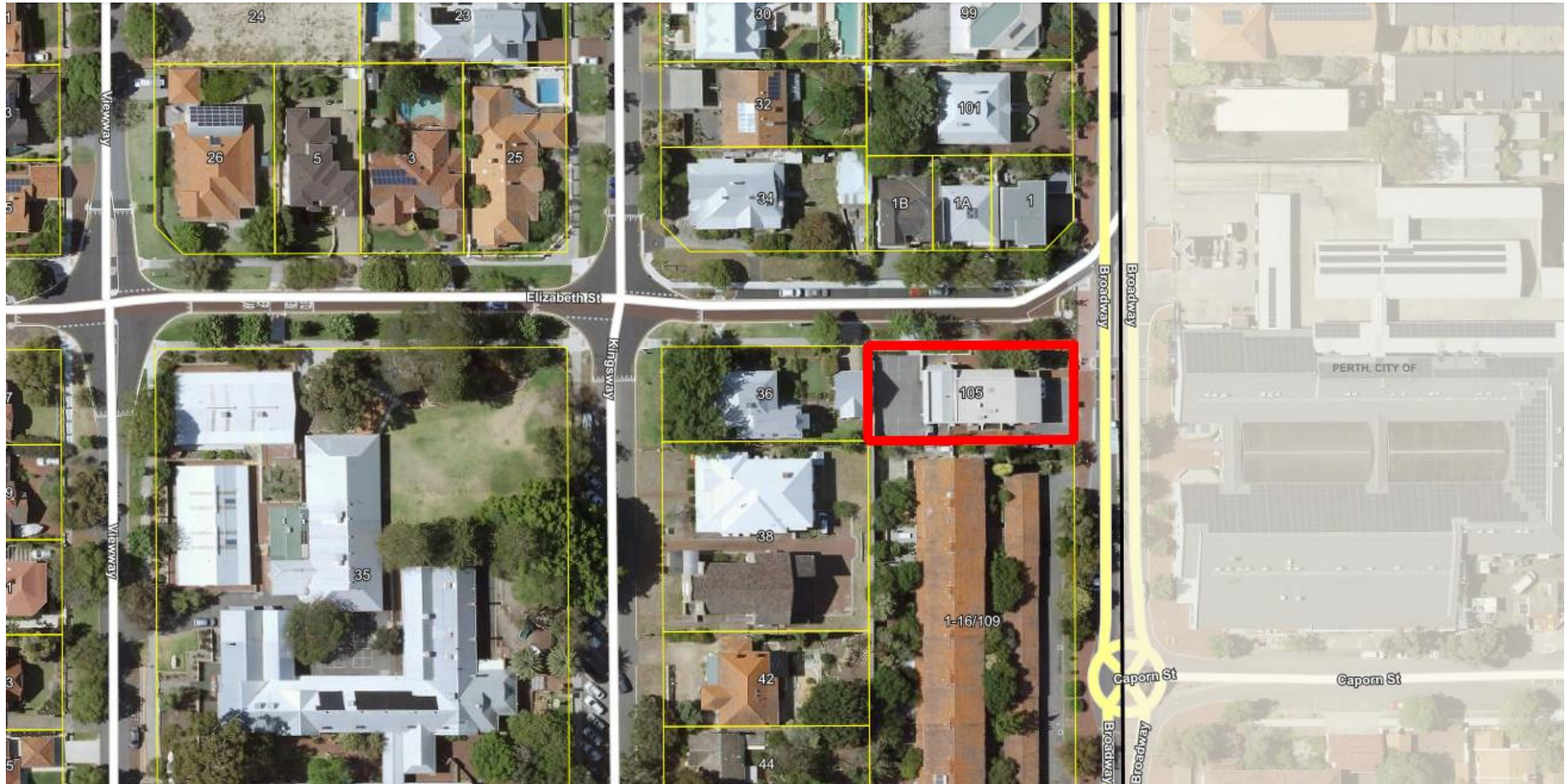


FOURTH FLOOR

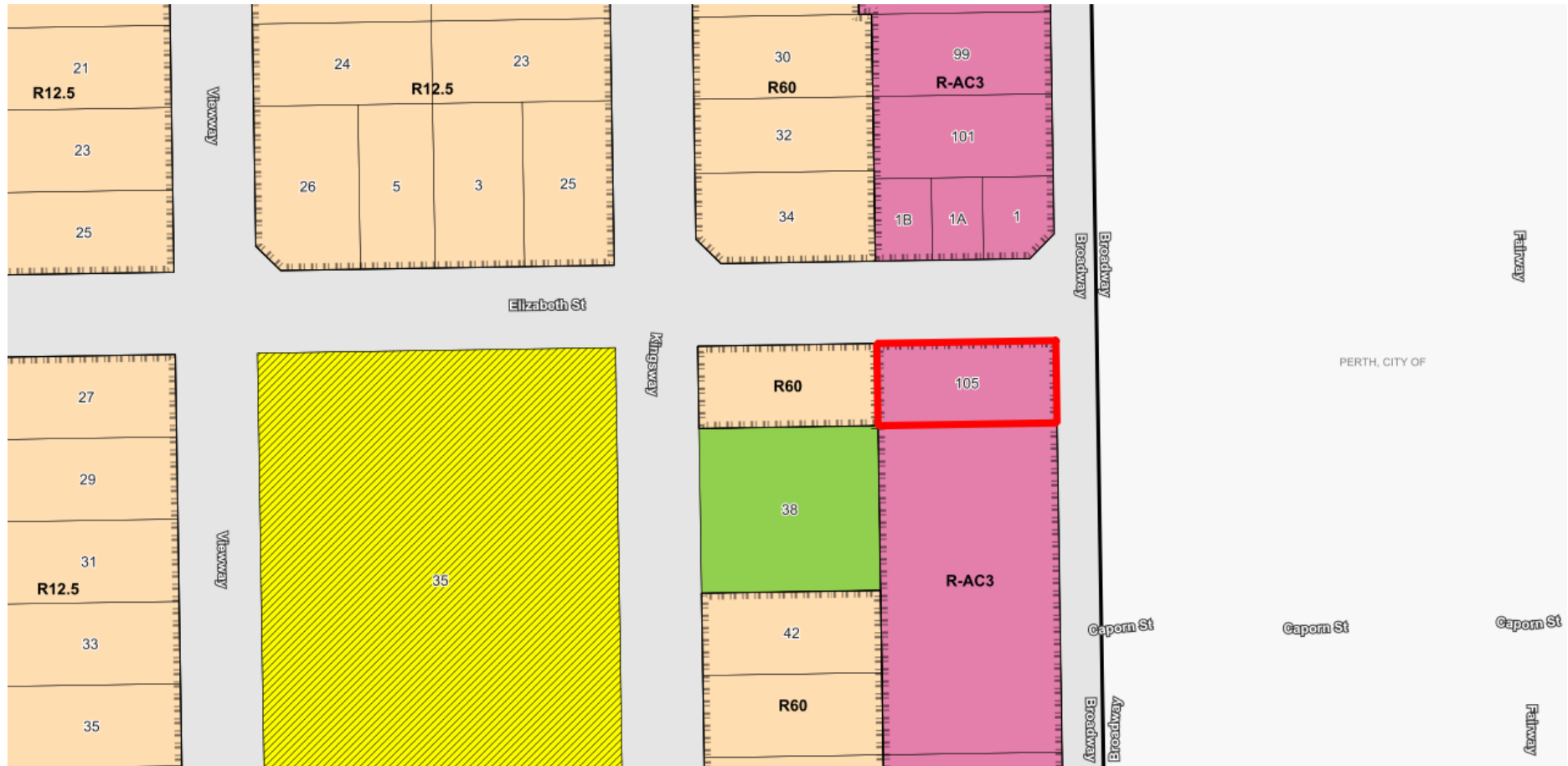
O	19-05-21	FI	ISSUE TO JDAP
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### Attachment 2 – Location Plan



### Attachment 2 – Zoning Plan



**Attachment 3 – Summary of Submissions**

Reason for support	Submitter	City Response
<b>Dwelling diversity</b>		
<ul style="list-style-type: none"> <li>The development provides much needed housing.</li> </ul>	36	Noted
<b>Design</b>		
<ul style="list-style-type: none"> <li>The building is well presented and modern</li> </ul>	36	Noted

Reason for objection	Submitter	City Response
<b>Building Height</b>		
<ul style="list-style-type: none"> <li>The development is too tall</li> </ul>	3, 4, 7, 43, 70, 71, 78, 91	Refer to the assessment of Building Height & Side & Rear Setbacks in the RAR.
<ul style="list-style-type: none"> <li>The development will block the outlook of the property to the rear</li> </ul>	7	
<ul style="list-style-type: none"> <li>The scale of the development is not consistent with the surrounding area</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 33, 37, 38, 39, 40, 41, 42, 44, 48, 49, 52, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>The proposed development is over-height by 16% or one storey per the primary controls of the R-codes.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 34, 35, 37, 38, 39, 40, 41, 42, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	

## Attachment 3 – Summary of Submissions

<ul style="list-style-type: none"> <li>The proposed development does not take account of adjacent buildings that will not be replaced (objective 2.2.4)</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 37, 38, 40, 53, 55, 56, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 73, 74, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>Due to its corner location the additional storey will be seen from both the rear and from Elizabeth Street.</li> </ul>		
<ul style="list-style-type: none"> <li>Refutes the notion of the lower ground being a basement.</li> </ul>	55, 56, 62, 63, 64, 65, 66	
<ul style="list-style-type: none"> <li>The overall bulk and scale of development is not appropriate for the existing or planned character of the area.</li> </ul>	61	
<ul style="list-style-type: none"> <li>building height does not meet intent of SPP 7.3 – Vol 2 Section 2.2.</li> </ul>	61	
<b>Plot ratio</b>		Refer to the assessment of Plot Ratio assessment in the RAR.

**Attachment 3 – Summary of Submissions**

<ul style="list-style-type: none"> <li>The development is too large</li> </ul>	3, 44, 54, 81,	
<ul style="list-style-type: none"> <li>The bulk and scale of the development will visually overwhelm and overshadow the adjoining properties</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 22, 24, 25, 27, 28, 29, 30, 33, 35, 37, 38, 39, 40, 41, 42, 44, 48, 49, 51, 53, 54, 55, 56, 58, 59, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 77, 78, 79, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>The development is well above (30% over) the intended plot ratio, and closer to R-AC2</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<b>Vehicle Access</b>		
<ul style="list-style-type: none"> <li>The development conflicts with Safe Active Streets Initiative and poses a safety risk</li> </ul>	2, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 38, 41, 42, 44, 48, 49, 52, 53, 54, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101,	Refer to Car and Bicycle Parking assessment in RAR
<ul style="list-style-type: none"> <li>Only one crossover should be allowed.</li> </ul>	62, 63, 64, 65, 66	



## Attachment 3 – Summary of Submissions

<b>Parking</b>		
<ul style="list-style-type: none"> <li>The development relies on on-street parking, which if approved will further exacerbate parking shortages in this locality.</li> </ul>	3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 24, 25, 29, 61, 62, 63, 64, 65, 66	Refer to Car & Bicycle Parking assessment in RAR
<ul style="list-style-type: none"> <li>The development is not provided with sufficient parking.</li> </ul>	3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 24, 25, 29, 61, 62, 63, 64, 65, 66	
<ul style="list-style-type: none"> <li>The development does not include any provision for electric vehicles.</li> </ul>		
<b>Traffic</b>		
<ul style="list-style-type: none"> <li>Development should not take place until the City's traffic study has been completed.</li> </ul>	2, 26, 54	The Traffic Impact Statement was reviewed by the City which predominately accepts the findings of the report. It is noted that the aspect that is not supported is the location of the visitor bays accessed via Elizabeth Street as visitors may be unfamiliar with the Safe Active Street. Should the JDAP approve this application, a condition is recommended to be imposed for these bays to be only for employees.
<ul style="list-style-type: none"> <li>There are errors in the applicant's TIS (speed limit on Elizabeth Street)</li> </ul>	2	
<ul style="list-style-type: none"> <li>The development will exacerbate traffic congestion in the locality</li> </ul>	3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 22, 23, 24, 25, 26, 28, 29, 30, 31, 34, 38, 40, 41, 42, 44, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101,	
<ul style="list-style-type: none"> <li>Vehicles accessing and egressing the development will adversely affect safety of and could pose safety issues for pedestrians / cyclists / vehicles in this sensitive locality (Nedlands Primary School and UWA).</li> </ul>	3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 22, 23, 24, 25, 26, 28, 29, 30, 31, 34, 38, 40, 41, 42, 44, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 73, 74, 75, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92,	

## Attachment 3 – Summary of Submissions

	93, 94, 95, 96, 97, 99, 100, 101	
<b>Side and rear setbacks / Separation</b>		
<ul style="list-style-type: none"> <li>The development is not provided with sufficient setback at the side and rear to maintain solar access, light and ventilation.</li> </ul>	6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24, 25, 27, 28, 29, 30, 33, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60	Refer to Side & Rear Setbacks assessment in the RAR
<ul style="list-style-type: none"> <li>The development does not meet the primary control for rear setback (5.1m in lieu of 6m / 15% less than prescribed)</li> </ul>	6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24, 25, 27, 28, 29, 30, 33, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 70, 72, 73, 74, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101,	
<ul style="list-style-type: none"> <li>Nil/Minimal side setbacks do not support large mature tree canopy / adversely affects adjoining trees</li> </ul>	54, 62, 63, 64, 65, 66	
<ul style="list-style-type: none"> <li>The intended separation is not provided. For floors above 15m (and less than 28m) the setback to adjoining boundaries is required to be a minimum of 9m</li> </ul>	61	
<ul style="list-style-type: none"> <li>The proposed setbacks are unacceptable and if approved will have a detrimental effect on the residential amenity of the adjoining properties with respect to visual privacy, sunlight and daylight access and outlook</li> </ul>	61	
<b>Amenity</b>		
<ul style="list-style-type: none"> <li>The development does not contribute to / detracts from the</li> </ul>	6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24,	Refer to Public Realm & Façade Design assessment in the RAR

Attachment 3 – Summary of Submissions

amenity of the area/ or an enlivened neighbourhood.	25, 27, 28, 29, 30, 33, 37, 38, 48, 49, 53, 54, 56, 59, 60, 62, 63, 64, 65, 66, 67, 68, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>The development relies on the setback of the development of the south, in lieu of providing adequate setback on its own property.</li> </ul>	38	
<ul style="list-style-type: none"> <li>The colour and material palette is not sympathetic to the surrounding area</li> </ul>		
<ul style="list-style-type: none"> <li>The development will adversely affect the amenity of adjacent and surrounding properties as defined by the R-Codes.</li> </ul>	61	
<b>Communal open space</b>		
<ul style="list-style-type: none"> <li>The development is not afforded with appropriate communal open space</li> </ul>	54	Objection not supported. The development provides adequate communal open space by the Acceptable Outcomes.
<b>Dwelling mix / layout</b>		
<ul style="list-style-type: none"> <li>There are too many small / 1-bedroom apartments</li> </ul>	1, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 22, 23, 24, 25, 28, 29, 30, 33, 41, 42, 44, 48, 49, 53, 54, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	The development provides for a diverse range of dwelling types. The areas of the rooms meet the minimum provisions.
<ul style="list-style-type: none"> <li>1 bedroom apartments are more likely to be rented out or used as short term accommodation.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 23, 24, 25, 28, 29, 30, 33, 41, 42, 44, 48, 49, 53, 54, 56, 58, 59, 60, 62, 67, 68, 69, 72, 73, 74,	

## Attachment 3 – Summary of Submissions

	76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>The apartment layout and design is poor especially with respect to the room size and layout</li> </ul>	62, 63, 64, 65, 66	
<b>Streetscape</b>		
<ul style="list-style-type: none"> <li>The building is too large for a narrow street characterised by low rise buildings.</li> </ul>	4, 70	Refer to the planning assessment in the RAR and R-Codes Vol. 2 assessment.
<b>Noise</b>		
<ul style="list-style-type: none"> <li>The development will exacerbate noise on Broadway</li> </ul>	3,	An Acoustic Report has been prepared by Lloyd George Acoustics. The findings of the report have been accepted and the development has met the relevant element objectives of the R-Codes.
<ul style="list-style-type: none"> <li>The acoustic impact of the car stackers will negatively impact the area.</li> </ul>	31	
<ul style="list-style-type: none"> <li>Questions the ability of the development to direct noise and fumes to Broadway</li> </ul>	61	
<ul style="list-style-type: none"> <li>The acoustic report is incomplete / Concerned that the development does not detail the mechanical equipment associated with the development.</li> </ul>	61	
<b>Visual Privacy</b>		
<ul style="list-style-type: none"> <li>The development will overlook the adjoining properties</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 22, 24, 25, 27, 28, 29, 30, 33, 35, 37, 38, 39, 40, 41, 42, 44, 48, 49, 51, 53, 54, 55, 56, 58, 59, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	The development has met the relevant objectives of R-Codes Vol. 2. However, additional measures are proposed to the western elevation to further reduce any perceived overlooking. Refer to the Visual Privacy assessment in the RAR.

## Attachment 3 – Summary of Submissions

<ul style="list-style-type: none"> <li>The development's balconies are oriented north, overlooking the properties on the northern side of Elizabeth Street.</li> </ul>	61	
<b>Solar access</b>		
<ul style="list-style-type: none"> <li>The development will cast shadow onto the properties located directly east, southern and western side of Broadway</li> </ul>	3	Refer to Orientation assessment in the RAR
<ul style="list-style-type: none"> <li>The development will block light to the properties to the rear</li> </ul>	3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 24, 25, 26, 30	
<ul style="list-style-type: none"> <li>The development will cast shadow on the units to the south of the site.</li> </ul>	11, 23, 31, 55, 56, 59, 60	
<ul style="list-style-type: none"> <li>Refutes the shadow %, as nearly 5 dwellings are totally overshadowed</li> </ul>	55	
<b>Crime</b>		
<ul style="list-style-type: none"> <li>The development will add to crime</li> </ul>	3	Noted, however, this is not a valid planning consideration.
<ul style="list-style-type: none"> <li>The development will attract diverse demographics to the area</li> </ul>	3	Noted, however, this is not a valid planning consideration.
<b>Design</b>		
<ul style="list-style-type: none"> <li>Any new building on Broadway should reference the character of that street or precinct, not the adjacent residential area.</li> </ul>	3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 24, 25, 28, 30, 37, 38, 39, 40, 41, 42, 44, 48, 49, 53, 59, 60, 62, 63, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	Refer to Façade Design assessment in the RAR
<ul style="list-style-type: none"> <li>The material palette (brick and timber) is not consistent with landmark buildings on Broadway.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 28, 30, 37, 38, 39, 40, 41, 42, 44, 48, 49, 53, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92,	

## Attachment 3 – Summary of Submissions

	93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>The development does not represent good design.</li> </ul>	22, 29, 47, 75, 78, 79, 98	
<ul style="list-style-type: none"> <li>The rectangular development looks like a much older design/ is not contemporary/ detracts from the predominant character of the surrounding area</li> </ul>	23, 29, 47, 62, 63, 75, 78	
<b>Future Planning of Broadway</b>		
<ul style="list-style-type: none"> <li>The City of Perth should contribute to the development of Broadway</li> </ul>	3	Noted
<ul style="list-style-type: none"> <li>The City of Nedlands should work with the City of Perth to plan for the future of Broadway</li> </ul>	3	
<b>Local Planning Strategy</b>		
<ul style="list-style-type: none"> <li>The development is not consistent with the LPS, which provides for Hampden/Broadway to be planned as a medium intensity, low to medium rise Urban Growth Area.</li> </ul>	26	Refer to Building Height & Plot Ratio assessment in the RAR
<b>Land Use</b>		
<ul style="list-style-type: none"> <li>The proposed development does not contribute to the development of an enlivened neighbourhood centre on Broadway. Two small commercial tenancies will not increase connectivity with the life of the street.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 22, 23, 24, 25, 27, 28, 29, 30, 31, 38, 41, 42, 44, 48, 49, 53, 57, 59, 60, 62, 63, 64, 65, 66, 67, 68, 72, 73, 74, 76, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	Refer to the Mixed Use assessment in the RAR and original RAR objectives of the zone.
<b>Development Bonus</b>		
<ul style="list-style-type: none"> <li>The development should strictly adhere to the Primary Controls in R-Codes Volume 2. The decision maker should not award any</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 33, 37, 38, 41, 42, 44, 48, 49, 52, 53, 54, 55, 56, 58, 59, 60,	Noted. The City does not currently have a development bonus policy. It therefore relies on the objectives of the R-Codes.

## Attachment 3 – Summary of Submissions

development bonuses as there is not a policy/scheme amendment in place to define good design.	62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	
<ul style="list-style-type: none"> <li>Good design should be determined using rigid, defined measurements.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 33, 37, 38, 41, 42, 44, 48, 49, 52, 53, 54, 55, 56, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	Noted. The City does not currently have an adopted local planning policy for this area. It therefore relies on the provisions of the R-Codes.
<ul style="list-style-type: none"> <li>The City's Administration does not have authority to award design bonus as good design has not been defined.</li> </ul>	7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 38, 41, 42, 44, 48, 49, 50, 52, 53, 55, 56, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 72, 73, 74, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 99, 100, 101	The City does not currently have a development bonus policy. The City assesses each application on its merits, taking into account architectural and landscape advice from its independent consultants.
<b>LPP – Broadway Interim Policy</b>		
<ul style="list-style-type: none"> <li>The development does not comply with the LPP</li> </ul>	7, 40, 54	Objection Not supported  Refer to planning assessment in the RAR.
<b>Scheme Amendment 7</b>		
<ul style="list-style-type: none"> <li>No development should take place until Scheme amendment 7 is in place</li> </ul>	57, 92, 93, 94	Objection Not supported  Refer to planning assessment in the RAR.
<b>Landscaping</b>		
<ul style="list-style-type: none"> <li>Landscaping is inadequate.</li> </ul>	38, 47, 50, 58, 62, 63, 64, 65, 66, 75, 98	Objection Supported  Refer to planning assessment in the RAR.

## Attachment 3 – Summary of Submissions

<ul style="list-style-type: none"> <li>• Deep soil is inadequate</li> </ul>	38, 47, 50, 54, 58, 62, 63, 64, 65, 75	Refer to Tree Canopy & Deep Soil Areas assessment in the RAR
<ul style="list-style-type: none"> <li>• Tree canopy / Tree species / Tree size is inadequate</li> </ul>	38, 47, 50, 58, 62, 63, 64, 65, 66, 75, 98	
<ul style="list-style-type: none"> <li>• No retention of trees onsite</li> </ul>	62, 63, 64, 65, 66, 75	
<b>Waste</b>		
<ul style="list-style-type: none"> <li>• The waste report does not seem to be factually based.</li> </ul>	61	Refer to the Waste assessment in the RAR
<ul style="list-style-type: none"> <li>• The bulk waste is too low for a development of this size</li> </ul>	61	
<ul style="list-style-type: none"> <li>• No details of the use are given, therefore the waste estimates are not able to be estimated.</li> </ul>	61	
<ul style="list-style-type: none"> <li>• The waste truck poses a safety issue as it enters and egresses the building.</li> </ul>	61	
<b>Miscellaneous</b>		
<ul style="list-style-type: none"> <li>• Concerned about the loss in property values in close proximity of the site.</li> </ul>	61	Noted, however, this is not a planning consideration. The City supports the tree removal to accommodate vehicle access from Elizabeth Street.
<ul style="list-style-type: none"> <li>• The car stacker is impractical</li> </ul>	62, 63, 64, 65, 66	
<ul style="list-style-type: none"> <li>• Objects to the street tree being removed.</li> </ul>	61	



105 Broadway Architectural Peer Review Rev B – June 19 2021  
 (State Planning Policy 7.0 Design of the Built Environment; Schedule 1 - Design Principles)

**Design quality evaluation**

Apply the applicable rating to each Design Principle	3	<i>Supported</i>
	2	<i>Supported with conditions</i>
	1	<i>Further information required</i>
	0	<i>Not supported</i>
Principle 1 - <b>Context and character</b>	0	<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>  <i>As informed by SPP7.3 Element Objectives 3.2, 3.3, 3.4, 3.6, 3.9, 4.10, 4.11, 4.12 as relevant.</i>
	0	1a. The amended application has not provided any additional information or material that has addressed any of the previously raised concerns.  0 1b. Application is not supported. No additional information was provided that helped demonstrate a clear interpretation of context and place that would enhance the distinctive character of the area.
Principle 2 - <b>Landscape quality</b>	1	<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>  It is noted that many of the previous points in the original report remain relevant, where not over-ridden by the updated comments as below:  Overall, it would appear that, from a landscape point of view, there have only been minor changes and they are largely as a result of changes to the architectural form rather than direct responses to any shortcomings of the landscape design. Many of these changes have involved reducing the amount of landscape in one place in order to add new areas in another. Such changes are most visible on both of the ground floor levels i.e. upper and lower.  The figures provided on the landscape plans indicate that there has been a substantial increase to the area of landscaping on the ground floor, in the order of 2 ½ times more planting. However, a significant amount of this is located internally, ie within the building, i.e. on the south side and not visible from the street. As such these areas will not have access to any sunlight or rain. Possibly of greater concern is the fact that this landscape appears to be intended to provide privacy to bedrooms which are on route to various other apartments. This situation has arisen through the rearrangement/addition of the apartments on this floor. The landscape plans also indicate up-lighting in these planter boxes which could cause night-time light-spill, or glare, issues for those people trying to sleep in the adjacent bedrooms, especially if the timing of these lights was under strata management control, or worse still motion-triggered for anyone that walks by.  Two planters, either remain, or have of been introduced on the ground floor upper level which appear to be of inadequate width to sustain long-term planting. These are now marked by the numerals 07 on the respective landscape plan.  Also on the ground floor - the new landscape strip proposed for the east end of the southern side of the building on the ground floor upper level could be problematic from

		<p>a maintenance access point of view, especially where it sits behind bedrooms and bathrooms.</p> <p>In some cases, the information provided in the current architectural set is less-legible, or useful (from an assessment point of view), ie as compared the information on the plans as previously submitted. For example, on Dwg SK04 what was previously referred to as 'deep soil area' is now called 'large scale landscaping', thus drawing into question whether this is actually compliant deep soil or not. As a result all of my comments are based upon the figures provided on the landscape drawings.</p> <p>Whilst a little more depth of planting has been provided on Broadway the extent of landscape on Elizabeth Street has been cut back, i.e. shortened. Notably there is now zero true deep soil area in the whole plan, whereas previously there was 6.0m<sup>2</sup>.</p> <p>From my calculations it would appear that they have provided a total of 184.5m<sup>2</sup> of deep soil on slab, which technically exceeds the requirements of R-Codes Vol 2. However, whether or not it has been used to its best effect is somewhat questionable. The strongest element of the whole landscape offering is still the roof deck.</p> <p>Very few changes have been made with regard to the landscape on the first, second or third storeys. There have been a few minor juggles to the layout of the landscape on the third floor. Whilst appearing to be a more practical outcome, this has not resulted in any changes to the deep soil area.</p> <p>On the positive side some of the formally very narrow planter beds on the Elizabeth Street frontage have been increased to now look like reasonably dimensioned planter boxes.</p> <p>The reduction in height of the building has resulted in a bit of a hybrid on the fourth floor, ie combining what was previously the roof deck on the fifth floor, now shifted to the fourth floor, with the former west end of the fourth floor. It could probably be argued that there has been an overall proportional net gain in terms of landscape as a result of this change.</p> <p>There doesn't appear to have been any changes to the verge landscape on Elizabeth Street, though scant information has been provided in this regard.</p>
	<p>1</p> <p>1</p>	<p>2a. There has been an improvement in the amount of space given over to landscape within the development. This is acknowledged that it will contribute to the quality of experience for the residents. Very little landscape is provided that addresses the street</p> <p>2b. It is recommend that further work be considered to provide more landscape elements to address the corner. Consider greater setbacks will offer up more deep soil are that could also be utilised for a more generous interface with the street and provision of elements for community benefit.</p>
<p>Principle 3 - <b>Built form and scale</b></p>	<p>3</p>	<p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p> <p><i>As informed by SPP7.3Element Objectives 3.2, 3.3, 4.10 and 4.11 as relevant.</i></p>

	3	3a. The applicants have made a significant adjustment to the overall height and scale of the development. This has had a positive impact.
	3	3b. Application is supported.
Principle 4 - <b>Functionality and build quality</b>	3	<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>  <i>As informed by SPP7.3 Element Objectives 4.3, 4.4, 4.6, 4.7, 4.12, 4.15, 4.17, 4.18 as relevant.</i>
	3	4a. The applicant has addressed a number of the key concerns with the previous submission. The adjustment to just ground level offices is an improvement and will deliver a more useful commercial space. The functionality of the floor plans is still of concern. Access to light and ventilation for a number of units is still very poor. General circulation and movement is inefficient.
	3	4b. The applicatni is supported
Principle 5 - <b>Sustainability</b>	3	<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>  <i>As informed by SPP7.3 Element Objectives 3.2, 3.3, 3.9, 4.1, 4.2, 4.3, 4.11, 4.12, 4.15, 4.16, 4.17 as relevant.</i>
	3	5a. The overall design has achieved the minimum requirements for sustainable design. The applicant has address the areas of most concern.
	3	5b The application is supported
Principle 6 - <b>Amenity</b>	3	<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>  <i>As informed by SPP7.3 Element Objectives 3.2, 3.3, 3.4, 3.5, 4.1, 4.2, 4.3,4.4, 4.5, ,4.7, 4.9, 4.11, 4.12, 4.15, 4.16, 4.17,4.18 as relevant.</i>
	3	6a. The height of the development has been significantly reduced. Further to this the design has introduced greater setback to top floor from the western boundary. The result of this changes will reduce the impacts on the amenity on the neighbouring properties
	3	6b Application is supported.
Principle 7 - <b>Legibility</b>	1	<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>  <i>As informed bySPP7.3 Element Objectives 3.1, 3.4,3.6, 3.7, 3.8, 3.9, 4.5 as relevant.</i>
	1	7a. Circulation width to a number of the apartments do not meet the minimum standards of SPP7.3. There are also some units that have openings to bedrooms and kitchen spaces facing onto common circulation spaces.
	1	7b. Additional information required to demonstrate how the requirements of SPP 7.3 have been met. Consider the redesign of the units to create better separation of common areas and private spaces
Principle 8 - <b>Safety</b>	3	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>

		<i>As informed by SPP7.3 Element Objectives 3.1,3.4, 3.6, 3.7, 3.8,3.9, 4.5 as relevant.</i>
	3	8a. No comments
		8b. Application is supported
Principle 9 - <b>Community</b>	0	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>  <i>As informed by SPP7.3 Element Objectives 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.5, 4.9,4.18 as relevant.</i>
	0	9a. The development still fills the site and creates little space at street level for public engagement. Given the prominent location the development has not maximised the design opportunity provided by its corner location. There is no space for public engagement on either street at ground level.
	0	9b. The application is not supported.
Principle 10 <b>Aesthetics</b>	1	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>  <i>As informed by SPP7.3 Element Objectives 3.1, 3.4, 4.8 as relevant.</i>
	1	10a The reduction in height has helped create a better aesthetic outcome. This has been further enhanced by the removal of the second level of commercial offices. This creates a more balanced and comfortable interface with the ground plane. However the design still needs considerable work in order to create an elegant composition. The comments in the previous reviews are still relevant and need to be addresses.
	1	10b. Application still needs further development. As per the previous comments the applicants are encouraged to study the local area to understand pre-existing formal, material and spatial patterns. Other creative opportunities should also be considered such as public art.

The reduction in height has made a considerable positive change to the impact this project will have in such a high profile location.

PS ref: 6434

14 May 2021

City of Nedlands  
PO Box 9  
NEDLANDS WA 6909

Attention: Joshua Scrutton, Senior Planning Officer

Dear Joshua,

**LOT 544 (105) BROADWAY, NEDLANDS  
DEVELOPMENT APPLICATION – PROPOSED MIXED USE DEVELOPMENT  
RESPONSE TO REASONS FOR DEFERRAL**

Planning Solutions acts on behalf of James Mackenzie Hall and Evelyn Ann Hall, the registered proprietors of Lot 544 (105) Broadway, Nedlands (**subject site**) in support of an Application for Approval to Commence Development.

We refer to the Metro Inner North Joint Development Assessment Panel (**JDAP**) meeting held on 17 March 2021 at which the above application was considered. The JDAP resolved to defer the application to allow time for the applicant to address specific information identified by JDAP in relation to the proposed development. Specifically, the JDAP requested the applicant submit revised development plans which consider the following:

1. *“plot ratio and interface to the lower zoned property to the west,*
2. *interface and design of the proposal to Broadway, and*
3. *To consider universal access to lift lobby.”*

In response to each of the above matters raised by the JDAP, please find attached:

- **Appendix 1:** Updated development plans prepared by Oldfield Knott Architects.

In addition to this letter and the updated development plans included in Appendix 1, further updated plans and technical notes will be provided under separate cover, in response to the above matters raised by the JDAP.

## UPDATED DEVELOPMENT PLANS

Following the JDAP meeting and in response to the abovementioned reasons for deferral, the architect has prepared a revised set of plans (refer **Appendix 1**). The modifications between these plans and the deferred plans are summarised in the following list. A comparison of the key development standards between each set of plans is provided in **Table 1** below.

### Basement/Services Level

1. Inclusion of basement level, comprising 10 resident car parking bays, nine storerooms and services.

### Ground Floor Lower

2. Ground floor lower office area reduced from 71m<sup>2</sup> to 63m<sup>2</sup>.
3. 16 resident car parking bays (double stackers) reduced to 12 bays.
4. The pedestrian accessway from the residents parking area to the lift has been increased from 1.18m in width to 1.3m and the entry to the lift has been orientated from north to west, providing universal access for residents.

### Ground Floor Upper

5. Ground floor upper office space removed, replaced with three units (1 x 1 bedroom/1 bathroom and 2 x 2 bedroom/1 bathroom), 56m<sup>2</sup>, 80m<sup>2</sup>, 73m<sup>2</sup> in area.
6. 14 resident car bays reduced to six bays (total 28 residents car parking bays provided).
7. Inclusion of resident gym (32m<sup>2</sup>).
8. A ramp from the residents parking area to the internal accessways and lift has been included at the southern side of the building, providing universal access for residents.

### Third Floor

9. The third floor has been modified from 5 to 4 dwellings. The third floor now comprises 2 x 2 bed/2-bathroom dwellings, 1 x 1 bed/1 bathroom dwelling and 1 x 3 bed/3 bathroom dwelling.

### Fourth Floor

10. The fourth floor has been modified from 4 to 2 dwellings. The fourth floor now comprises 1 x 1bed/1bathroom dwellings, 1 x 3 bed/3 bathroom dwelling, and the resident terrace.

### General

11. Removal of the sixth storey, reducing the number of units from 22 to 19.
12. The top floor (fifth storey) fronting the western adjoining neighbour has been set back 8.77m, softening the interface.
13. The balconies of units 3, 8, 13, and 17 have been increased in area and wrapped around the Broadway / Elizabeth Street corner. The modifications have resulted in a much greater proportion of the Broadway interface being occupied by balconies (approximately 50% of the façade) and the setback of the east facing balconies being reduced from 1.7m to 0.5m, with the building line setback remaining at 2m.
14. The building height has been reduced from 20.2m to 17.4m at the Broadway frontage and from 18.7m to 12.9m at the rear.
15. The plot ratio for the proposed development has been reduced from 2.67 to 1.98.
16. Various changes to the windows, colours and materials on all interfaces.

Table 1 – Comparison of deferred plans and revised plans (key development standards)

Design Element	Deferred Plans	Revised Plans
Number of Dwellings	22	19
Plot Ratio	2.64 (2,328m <sup>2</sup> )	1.98 (1,743m <sup>2</sup> )
Building Height	18.7m – 20.2m	12.9m – 17.4m
Rear (Western) Setback	5.11m	5.11m – 8.77m
Car Parking	30 residents' bays 2 on-site resident's visitor bays 4 commercial visitor bays	28 residents' bays 2 on-site residents' visitor bays 4 commercial visitor bays
Landscaping	172.5m <sup>2</sup>	231.5m <sup>2</sup>

## RESPONSE TO JDAP DEFERRAL

### Plot ratio and interface to the western property

The JDAP and the City were concerned with the transition between the R-AC3 zoned subject site and western adjoining R60 zoned site. The perceived bulk and scale of the 6-storey development which was set back 5.11m from the western boundary was considered 'excessive' bulk and scale to the rear property.

To address the JDAPs and City's concerns, the bulk and scale of the western building interface has been reduced through a combination of design modifications. These include a reduction in building height through the removal of a storey, the setting back of the top floor by 8.77m and the use of dark timber composite panels to reduce the perceived bulk of the building closest to the boundary whilst still maintaining an attractive contemporary design.

The JDAP also raised concerns with the plot ratio and the function it had on the site. Through the overall modifications to the design, the plot ratio has been reduced from 2.64 to 1.98. This has been achieved through the creation of a basement car park and reduction in the number of units from 22 to 19 (reducing the building from 6 storeys to 5 storeys). Table 2.1 of the R-Codes Volume 2 (**R-Codes**) stipulates a plot ratio of 2.0 for R-AC3 coded sites. The development now proposes a plot ratio of 1.98, therefore the plot ratio now **meets the primary controls of the R-Codes**.

The proposed changes to the height and setbacks of the building, particularly to the western boundary improves the overall development. The mass, bulk and scale of the proposed development is now considered appropriate and is sympathetic to the adjoining properties.

### Interface and design of the proposal to Broadway

The second reason for deferral was the design of the Broadway interface. It was noted that the corner aspect of the development was not being utilised for activation and there were concerns around the lack of articulation and interaction at the Broadway interface.

The proposed office has been reduced to one storey which is located at the lower ground level and occupies 66m<sup>2</sup>. The office floorplate is a more orthodox shape than the original application, creating a more robust and functional space. This has allowed room on the upper ground floor level to incorporate three dwellings (1 x 1 bed/1 bath and 2 x 2 bed/1 bath). The balconies of units 3, 8, 13 and 17 have been increased in area and wrapped around the corner of Elizabeth Street and Broadway. The balconies of these units are now proposed to occupy approximately 50% of the Broadway interface, creating visual articulation and increasing activation and passive surveillance.

### **Universal access to the lift lobby**

The third consideration raised by the JDAP was universal access, in particular access to the lift and lobby from the residential parking areas. The updates to the plans now ensure universal access throughout the site for residents and include:

- On the lower ground floor, the accessway from the residents parking area to the lift has been increased from 1.18m in width to 1.3m and the entry to the lift has been orientated from north to west;
- On the upper ground floor, a ramp from the residents parking area to the internal accessways and lift has been included at the southern side of the building.

Both modifications ensure that visitors, residents, and commercial staff/visitors can access the site easily and safely.

### **Other design modifications**

During the design review process following the JDAP meeting, two other key positive changes/additions have occurred. Due to the reduction in the size of the office, the number of car parking bays required for the office use has been reduced from 7 bays to 3 bays. In accordance with the City's Local Planning Policy – Parking, parking is to be provided at a rate of 4.75 bays per 100m<sup>2</sup> net lettable area (NLA). The NLA for the revised office use is 61m<sup>2</sup>, requiring a total of 3 bays. A total of 4 bays is being proposed, resulting in a surplus of 1 bay.

Due to the addition of the basement parking, the upper ground floor has been repurposed, allowing for a resident gym. The gym is 32m<sup>2</sup> in area and accessible to all residents. The resident gym will increase the amenity of the development and is a welcome addition.

### **CONCLUSION**

The amended development plans, technical notes, amended landscaping plans, and responses contained within this letter address the JDAP deferral comments. We respectfully request the City proceed to finalise its assessment with a favourable recommendation of the application to the Development Assessment Panel.

Should you have any queries, please do not hesitate to contact the undersigned on (08) 9227 7970.

Yours sincerely,



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**ABBEY GOODALL**  
**PLANNING CONSULTANT**



PS Ref: 6434  
 City Ref: DA19/0544

18 June 2021

City of Nedlands  
 PO Box 9  
 Nedlands WA 6909

Attention: Aviva Micevski – Acting Principal Planner

Dear Aviva,

**LOT 544 (105) BROADWAY, NEDLANDS  
 DEVELOPMENT APPLICATION – PROPOSED MIXED USE DEVELOPMENT  
 RESPONSE TO REQUEST FOR FURTHER INFORMATION**

Planning Solutions acts on behalf of James Mackenzie Hall and Evelyn Ann Hall, the registered proprietors of Lot 544 (105) Broadway, Nedlands (**subject site**) in support of an Application for Approval to Commence Development.

We refer to correspondence from the City of Nedlands (**City**) on 8 June 2021 (via email) requesting an re-assessment of the proposed development against *State Planning Policy 7.0 Design of the Built Environment (SPP7.0)*, as well as *State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (SPP7.3)*.

**Table 1** below provides a revised assessment against each of the ten (10) design principles of SPP7.0, and a revised assessment against SPP7.3 is **enclosed** in this letter.

**STATE PLANNING POLICY 7.0 ASSESSMENT**

**Table 1: SPP7.0 Design Principles Statement**

Design Principle	Proposed Development Response
<p><b>1. Context and character</b>  <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p>	<p>A review of the local area has been undertaken. It is early days with respect to identifying distinct character or being sympathetic to local building forms, particularly along Broadway (the new town planning scheme will greatly transform the street – height being the major transformation - changing from existing one/two/three storey residential/commercial development to six/seven storey residential/commercial).</p> <p>A Context and Character Analysis has been undertaken by Mackay Urban Design, and previously provided. The analysis demonstrates how the design responds to the distinctive characteristics of the locality, particularly the Broadway context.</p>
<p><b>2. Landscape quality</b>  <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p>	<p>Landscape quality and layout is materially unchanged from previous design.</p>

Design Principle	Proposed Development Response
<p><b>3. Built form and scale</b>  <i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p>	<p>The amended design has reduced the plot ratio to 1.98, achieving the Acceptable Outcome plot ratio of 2.0 for R-AC3 coded sites.</p> <p>The building height is 1 storey (3.6m) below the permitted height limit, and is below the permitted plot ratio. Setbacks are generally consistent with the development standards for the locality. Accordingly, the overall bulk and scale is clearly consistent with the planned character of the area.</p>
<p><b>4. Functionality and build quality</b>  <i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i></p>	<p>Build quality is materially unchanged from the previous design.</p> <p>The amended plans have improved functionality of internal spaces, including:</p> <ul style="list-style-type: none"> <li>• More robust commercial space, with more orthodox internal layout.</li> <li>• Improved accessibility within car park and ground level entrance and communal facilities.</li> </ul>
<p><b>5. Sustainability</b>  <i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>Sustainability is materially unchanged from previous design.</p>
<p><b>6. Amenity</b>  <i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>Internal amenity is materially unchanged from previous design.</p>
<p><b>7. Legibility</b>  <i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>	<p>Modifications to the design has improved legibility and accessibility within the car park and ground level entrance and communal facilities. Legibility of other areas is materially unchanged.</p>
<p><b>8. Safety</b>  <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>Modifications to the plans, introducing outdoor living areas to the northern and eastern facades, have significantly enhanced passive surveillance of the public realm, particularly Broadway and Elizabeth Street.</p>
<p><b>9. Community</b>  <i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>	<p>Response to community needs is materially unchanged from previous design. The proposal will deliver a mix of dwelling types, with resident facilities to enhance liveability and communal spaces to encourage interaction.</p>
<p><b>10. Aesthetics</b>  <i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i></p>	<p>The development is designed by experienced, respected architects, and has been subject to independent review by acknowledged experts. While aesthetics is inevitably a subjective matter, the design of the building is considered to present an attractive contribution to the locality. The modifications to the plans, in particular the wrapping of the balconies around the eastern façade, improve the integration between the frontages and provide a strong corner presence.</p>

Having regard to the above, the proposal is consistent with the ten principles of SPP7.0.

**STATE PLANNING POLICY 7.3 VOLUME 2 ASSESSMENT**

**Table 2: SPP7.3 Assessment**

To address the City's request for additional information, a revised assessment of the amended development plans against SPP7.3 element objectives has been provided previously.

**CONCLUSION**

The JDAP deferred consideration of the item, for the applicant to address 3 issues:

1. Plot ratio and interface to the lower zoned property to the west,
2. Interface and design of the proposal to Broadway, and
3. To consider universal access to lift lobby.

As detailed in the submission dated 14 May 2021, the JDAP's reasons for deferral are addressed by the amended plans. The SPP7.0 statement above details how the modifications responding to the JDAP's instructions are consistent with the principles of good design.

Given the modified proposal is now clearly of a form and scale consistent with the desired future character of the locality, we trust the revised proposal will now be supported by the City and recommended for approval.

Should you have any queries or require further clarification in regard to the proposal, please do not hesitate to contact the writer.

Yours faithfully,

p.p 

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**BEN DOYLE**  
**DIRECTOR**

210618 6434 RFI Response

ELEMENT 2.2		BUILDING HEIGHT	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Alternative design solution sought</b>		<b>Acceptable outcome – 6 storeys</b> <b>Proposed – 5 storeys</b>	
<b>O2.2.1</b> – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	The subject site and adjoining land fronting Broadway is designated an R-AC3 density code. Table 2.1. Primary controls table of the R-Codes contemplates a building height of 6 storeys (21 metres) in this area. The adjoining sites to the west are coded R60, where a building height of 3 storeys is contemplated to facilitate a transition. The maximum building height has been reduced to 17.4m (5 storeys), therefore the development meets the acceptable outcome. The height at the rear has been reduced to 12.9m, further reducing the impact of building bulk on the property to the west.	<b>O2.2.1– Achieved</b> Refer RAR	
<b>O2.2.2</b> – The height of buildings within a development responds to changes in topography.	In terms of topography, the subject site has an upward slope east to west of approximately 5.5 metres (from Broadway to Kingsway). The design has been modified to reduce the building height at the western boundary. Refer drawing SK12 depicting the stepping down of the building as viewed from Elizabeth Street.	<b>O2.2.2 – Achieved</b> Refer RAR	
<b>O2.2.3</b> – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	The top storey of the proposed development provides an articulated roof design which varies in height and form along the entire frontage (refer to Figure 3 below). The roof form is comprised of various building elements of differing materials and assorted styles. A resident's terrace (communal open space) is provided at the top level, suitably positioned to allow comfortable social interaction and eastward views of the river, whilst being suitably segregated from other areas of the complex. The communal open space contains a number of trees and landscaping with seating and barbeque facilities	<b>O2.2.3 – Achieved</b> Refer RAR	
<b>O2.2.4</b> – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.	The two storey unit complex to the south is overshadowed in the order of 33% at midday on June 21. This level of overshadowing is considered reasonable within the R-AC3 coding, noting there must be an expectation of some overshadowing in medium density areas and noting such overshadowing would be	<b>O2.2.4 – Achieved</b> Refer RAR	

consistent with the Acceptable Outcome in an R30 or R40 coded area.

The overshadowing diagram demonstrates the backyards of the affected dwellings at 109 Broadway, still have approximately 50% of the outdoor area open to direct sunlight. Aerial photography indicates the shadow cast by the proposed development will not extend more than 50% into the rear outdoor areas of these dwellings.

**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A2.2.1** – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument.

*(Excerpt from table 2.1)*

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Building height (storeys) <i>refer 2.2</i>	2	3	3	4	4	5	3	6	7	9	

<b>ELEMENT 2.3</b>		<b>STREET SETBACKS</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>		<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<b>Alternative design solution sought</b>		<b>Acceptable outcome – 2m for residential with nil to commercial at ground level</b>	

<p><b>O2.3.1</b> – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.</p>	<p>The subject site is zoned 'Mixed Use' under the City's LPS3, with an applicable density coding of R-AC3. The primary controls of Table 2.1 contemplate a nil setback for developments with a commercial use at the ground floor. Ground floor setbacks to Broadway are unchanged. The City's interim built form local planning policy prescribes a minimum setback of 2 metres to the primary street. The first to fifth floors fronting Broadway are set back a minimum of 1.7 – 2 metres to the building walls, which is broadly consistent with this requirement. In response to the JDAP's request for increased activation and passive surveillance to Broadway, the balconies have been extended to wrap around the eastern façade, with a 500mm setback to the street boundary. The balconies provide enhanced articulation and visual interest to the Broadway façade, and are of sufficient width to be usable space.</p> <p>The upper ground to fifth floors fronting Elizabeth Street are setback between 1.46 – 2.1m. Only the balconies are setback less than 2 metres, which provide passive surveillance of the street with treated glass balustrading</p>	<p><b>O2.3.1 – Not Achieved</b> Refer to RAR</p>
<p><b>O2.3.2</b> – The street setback provides a clear transition between the public and private realm.</p>	<p>The commercial tenancy is located on the ground floor of the development fronting Broadway. No apartments are located on the ground floor, therefore there is a clear transition between the public and private realm. The upper ground level apartments facing Elizabeth Street are raised above footpath level, providing clear delineation between public and private realm, while ensuring appropriate privacy for residents and activation of the street.</p> <p>The R-AC3 coding of sites along Broadway is expected to create a mid-rise urban centre consistent with the streetscape character type depicted in Appendix 2 of SPP7.3. This type of urban form is likely to consist of similar outcomes, being non-residential on the ground floor which transitions to apartments above.</p>	<p><b>O 2.3.2 – Achieved</b> No modifications made and was previously met under the original design as the development appropriately compartmentalises services that have an interface with the street. The landscaping, and walls with landscaping provides a clear transition between the public and private realm.</p>

<p><b>O2.3.3</b> – The street setback assists in achieving visual privacy to apartments from the street.</p>	<p>The upper ground level apartments facing Elizabeth Street are raised above footpath level, providing clear delineation between public and private realm, while ensuring appropriate privacy for residents and activation of the street.</p>	<p><b>O 2.3.3 – Achieved</b> No modifications made and was previously met under the original design. No ground floor apartments are proposed. Due to the size and depth of the balconies it further provides additional privacy to apartments.</p>
<p><b>O2.3.4</b> – The setback of the development enables passive surveillance and outlook to the street.</p>	<p>The proposed setbacks to Broadway and Elizabeth Street, combined with the location of balconies and windows from habitable spaces offers an outlook to the street. This allows for passive surveillance from the dwellings to the street, limiting opportunities for crime and antisocial behaviour in accordance with Crime Prevention Through Environmental Design (CPTED) principles. In response to the JDAP’s request for increased activation and passive surveillance to Broadway, the balconies have been extended to wrap around the eastern façade.</p>	<p><b>O 2.3.4 – Achieved</b> No modifications made and was previously met under the original design. All living areas and balconies are orientated towards the primary street and to offer passive surveillance to the street</p>

**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A3.2.1** – Development complies with the street setback set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the street setback set out in the applicable local planning instrument

*(Excerpt from table 2.1)*

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Minimum primary and secondary street setbacks <i>refer 2.3</i>	4m <sup>4</sup>	2m	2m		2m		2m or Nil <sup>5</sup>	2m or Nil <sup>5</sup>	2m or Nil <sup>5</sup>		

(4) Minimum secondary street setback 1.5m

(5) Nil setback applicable if commercial use at ground floor

<p><b>ELEMENT 2.4</b></p>	<p><b>SIDE AND REAR SETBACKS</b></p>	
<p><b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i></p>	<p><b>APPLICANT COMMENT</b></p>	<p><b>ASSESSOR COMMENT</b></p>

	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
<b>Meets acceptable outcomes</b>	<p><b>Acceptable outcome for Boundary walls –</b></p> <p><b>Acceptable outcome for lot boundary setbacks – nil to side and rear unless abutting an R60, it is 1 storey boundary wall.</b></p>	
<p><b>O2.4.1</b> – Building boundary setbacks provide for adequate separation between neighbouring properties.</p>	<p>Southern boundary (side)</p> <p>Southern boundary setbacks are materially unchanged.</p> <p>Western boundary (rear)</p> <p>To the western boundary, the development proposes a nil setback at the upper ground level and 5.11m setback at Floors 1-3, satisfying the Acceptable Outcome of SPP7.3. The 4th floor setback is increased to 8.77m, which represents a 0.23m variation to the Acceptable Outcome for Element 2.7 – Building Separation (detailed further below).</p> <p>The setback is just 0.9m short of the City's draft policy requirement but is considered to provide an appropriate transition to the R60 coded property located to the west.</p> <p>In terms of existing development, there is a garage, driveway and landscaping / outdoor living area within the neighbouring site, as shown in Figure 6 below. There are also no major openings within proximity of the boundary and the dwelling is located approximately 14.4 metres from the boundary.</p> <p>Three large trees are proposed within the rear setback area of the development to soften the impact on the adjoining property.</p>	<p><b>O 2.4.1 – Achieved</b></p> <p>Refer to RAR</p>
<p><b>O2.4.2</b> – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.</p>	<p>The amended plans wrap the balconies around to the eastern (Broadway) elevation, to provide increased activity and passive surveillance, without significantly increasing building bulk. Setbacks to Elizabeth Street are generally unchanged, although the upper ground floor office has been replaced with 3 apartments facing Elizabeth Street.</p>	<p><b>O 2.4.2 – Achieved</b></p> <p>Refer to RAR</p>



	<p>As a prominent corner site, the design responds appropriately to the different street contexts – providing an active commercial interface at the main corner, and landscaping to both frontages.</p>	
<p><b>O2.4.3</b> – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.</p>	<p>The 5.11m rear setback allows for a 112m<sup>2</sup> significant landscaped area on the western boundary of the subject site. As there are no existing trees on the site, two medium mature trees and one small tree are proposed in this area.</p> <p>Overall, the on-structure landscaping meets the Acceptable Outcomes, with further landscaping analyses included in section 3.3 below. Refer landscaping program and plans prepared by Aspect Studio</p>	<p><b>O 2.4.3 – Achieved</b> Refer to RAR</p>
<p><b>O2.4.4</b> –The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.</p>	<p>The increased upper level setback to the rear boundary provides a transition from the R-AC3 zoning of the subject site to the R60 zoning of the rear adjoining site. The setback is consistent with the building separation requirements and exceeds the requirements of the City's interim built form policy. The bulk of the proposed development is reduced by providing the increased setback, and other impacts are mitigated through window locations and variations in materials.</p>	<p><b>O 2.4.4 – Achieved</b> Refer to RAR</p>
<p><b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A2.4.1</b> - Development complies with the side and rear setbacks set out in Table 2.1, except where:</p> <ul style="list-style-type: none"> <li>a) modified by the local planning framework, in which case development complies with the side and rear setbacks set out in the applicable local planning instrument</li> </ul> <p><b>AND /OR</b></p> <ul style="list-style-type: none"> <li>b) a greater setback is required to address 3.5 <i>Visual privacy</i>.</li> </ul> <p><i>(Excerpt from table 2.1)</i></p>		

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Boundary wall height (storeys) <sup>1,2</sup> <i>refer 2.4</i>	1 <sup>3</sup>		1 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>		2	3	4		
Minimum side setbacks <sup>6</sup> <i>refer 2.4</i>	2m	3m	3m		3m		Nil				
Minimum rear setback <i>refer 2.4</i>	3m		3m		6m		6m	Nil	Nil		
Average side setback where building length exceeds 16m <i>refer 2.4</i>	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m	NA	NA	NA		

- (1) Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions
- (2) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code
- (3) Boundary wall only permitted on one boundary and shall not exceed 2/3 length.
- (6) Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC.

**A2.4.2** – Development is setback from the boundary in order to achieve the Objectives outlined in 2.7 *Building separation*, 3.3 *Tree canopy and deep soil areas*, 3.5 *Visual privacy* and 4.1 *Solar and daylight access*.

ELEMENT 2.5		PLOT RATIO	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Alternative design solution sought</b>		<b>Acceptable outcome – 2.0</b>	
<b>O2.5.1</b> – The overall bulk and scale of development is appropriate for the existing or planned character of the area.		The overall plot ratio is reduced to 1.98, achieving the Acceptable Outcome plot ratio of 2.0 for R-AC3 coded sites. The building height is 1 storey (3.6m) below the permitted height limit, and is below the permitted plot ratio. Setbacks are generally consistent with the development standards for the locality. Accordingly, the	<b>O 2.5.1 – Achieved</b> Refer to RAR

overall bulk and scale is clearly consistent with the planned character of the area.

**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A2.5.1** – Development complies with the plot ratio requirements set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the plot ratio set out in the applicable local planning instrument.

*(Excerpt from table 2.1)*

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Plot ratio <sup>7</sup> <i>refer 2.5</i>	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0	

(6) Refer to Definitions for calculation of plot ratio

<b>ELEMENT 2.6</b>		<b>BUILDING DEPTH</b>	
<b>ELEMENT OBJECTIVES</b>		<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<i>Development is to achieve the following Element Objectives</i>		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance-based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>		<b>Acceptable Outcome – 20m depth Proposed</b>	
<b>O2.6.1</b> – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation.		<b>Building depth generally unchanged from previous proposal.</b>	<b>O2.6.1 – Achieved</b> All apartments have dual and northern aspect. The objectives for natural ventilation and solar access have been achieved and are discussed later in this assessment.
<b>O2.6.2</b> – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.			<b>O 2.6.2 – Achieved</b> Articulation is provided on the southern elevation. The development achieves good ventilation and solar access.

<p><b>O2.6.3</b> – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.</p>		<p><b>O 2.6.3 – Achieved</b> Room depths and ceiling heights meet the minimum requirements by providing a minimum 2.7m ceiling height.</p>
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**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A2.6.1** – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to *4.1 Solar and daylight access* and *4.2 Natural ventilation*.

**ELEMENT 2.7 BUILDING SEPARATION**

<b>ELEMENT OBJECTIVES</b>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<p><i>Development is to achieve the following Element Objectives</i></p>	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance-based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	
<p><b>Alternative design solution sought to north and south for level 4, 5 and 6</b></p>	<p><b>Acceptable outcome – 9m for level 4 (storey 5) to the side and rear</b></p>	
<p><b>O2.7.1</b> – New development supports the desired future streetscape character with spaces between buildings.</p>	<p><b>Within the development</b> The development proposes a single building with no internal void or separation between multiple buildings on the site.</p> <p><b>To adjoining properties</b> The R-Codes ‘deem to comply’ buildings with a nil rear setback up to 4 storeys, and then 9.0m separation for buildings 5-8 storeys.</p> <p>The development proposes 5.11m setback up to the 4th storey, well in excess of the permitted nil setback. The modified design removes the 6th storey by sinking the parking into a basement level. The 5th storey has been modified to provide a setback of 8.77m, which represents a 0.23m variation to the ‘deemed to comply’ standard.</p> <p>A minimum of 20 metres separates the proposed development from the dwelling on the western property.</p>	<p><b>O2.7.1 – O2.7.4 – Achieved</b> Refer to RAR</p>
<p><b>O2.7.2</b> – Building separation is in proportion to building height.</p>		
<p><b>O2.7.3</b> – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.</p>		
<p><b>O2.7.4</b> – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings</p>		

The building on the western adjoining property which is closer to the boundary is a garage only, and therefore not a habitable space.

## ACCEPTABLE OUTCOMES

Acceptable Outcome pathway may not be applicable where a performance solution is provided

**A2.7.1** – Development complies with the separation requirements set out in Table 2.7.

Table 2.7 Building separation

	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	5-8 storeys (up to 28m)	≥ 9 storeys (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer 2.4 Side and rear setbacks (Table 2.1) and 3.5 Visual privacy (Table 3.5)	9m	12m

Distances apply from major openings of rooms, or the inside of balustrading of balconies.  
Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.

## ELEMENT 3.2

## ORIENTATION

### ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

### APPLICANT COMMENT

### ASSESSOR COMMENT

Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.

### Meets acceptable outcomes

Discussed below.

**O3.2.1** – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.

The modified plans replace the upper ground floor office with 3 apartments (Apartments 1-3). The apartments have a comparable layout to the other apartments in the original proposal, oriented north with cross-ventilation. The upper ground apartments are raised slightly above the footpath level, to provide privacy while ensuring streetscape interaction and passive surveillance

### O 3.2.1 – Achieved

The proposal is now considered to meet the Acceptable Outcomes A3.2.1 as the development faces both Elizabeth Street and Broadway. Larger windows and balconies are proposed to both frontages.

**O3.2.2** – Building form and orientation minimises overshadowing of the habitable rooms, open

Overshadowing to the south is materially unchanged

### O 3.2.2 – Achieved

Refer to RAR

space and solar collectors of neighbouring properties during mid-winter.		
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A3.2.1</b> – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.		
<b>A3.2.2</b> – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.		
<b>A3.2.3</b> – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed: <ul style="list-style-type: none"> <li>– adjoining properties coded R25 and lower – 25% of the site area<sup>1</sup></li> <li>– adjoining properties coded R30 – R40 - 35% of the site area<sup>1</sup></li> <li>– adjoining properties coded R50 – R60 – 50% of the site area<sup>1</sup></li> <li>– adjoining properties coded R80 or higher – Nil requirements.</li> </ul>		
<small>(1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)</small>		
<b>A3.2.4</b> – Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.		

ELEMENT 3.3	TREE CANOPY AND DEEP SOIL AREAS	
ELEMENT OBJECTIVES <small>Development is to achieve the following Element Objectives</small>	APPLICANT COMMENT	ASSESSOR COMMENT
<b>Meets acceptable outcomes</b>		
<b>O3.3.1</b> – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.	<b>Materially unchanged</b>	<b>O3.3.1 – Achieved</b> Refer to RAR
<b>O3.3.2</b> – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.	<b>Materially unchanged</b>	<b>O3.3.2 – Achieved</b> Refer to RAR
<b>O3.3.3</b> – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.	As the proposed deep soil area does not meet the minimum 10% under Table 3.3a of the Acceptable Outcomes, the development incorporates a total of 184.5m <sup>2</sup> of on-structure planting area (21%). 'Deep soil' (>1m) on structure planting is increased by 11% from the previous design, and on-structure landscape areas (<1m) are increased by 18%, to 273m <sup>2</sup> .	<b>O3.3.3 – Achieved</b> Refer to RAR

The landscaping design plans produced by Emerge Associates contain diagrammatic evidence of the soil and planting composition of specific tree species proposed, to demonstrate the viability of landscaping arrangements for the site.

**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A3.3.1** – Retention of existing trees on the site that meet the following criteria:

- 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.

**A3.3.2** – The removal of existing trees that meet any of the criteria at A3.3.1 is supported by an arboriculture report.

**A3.3.3** – The development is sited and planned to have no detrimental impacts on, and to minimise canopy loss of adjoining trees.

**A3.3.4** – Deep soil areas are provided in accordance with Table 3.3a. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.

**Table 3.3a** Minimum deep soil area and tree provision requirements

Site Area	Minimum deep soil area	Minimum requirement for trees <sup>1</sup>
Less than 700m <sup>2</sup>		1 medium tree and small trees to suit area
700 – 1,000m <sup>2</sup>	10%  <b>OR</b>	2 medium trees <b>OR</b> 1 large tree and small trees to suit area
> 1,000m <sup>2</sup>	7% if existing tree(s) retained on site  (% site area)	1 large tree and 1 medium tree for each additional 400m <sup>2</sup> in excess of 1000m <sup>2</sup> <b>OR</b> 1 large tree for each additional 900m <sup>2</sup> in excess of 1000m <sup>2</sup> and small trees to suit area

<sup>1</sup> Minimum requirement for trees includes retained or new trees  
Refer Table 3.3b for tree sizes

**A3.3.5** – Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b.

Table 3.3b 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 <sup>1</sup> (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m <sup>2</sup>	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m <sup>2</sup>	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m <sup>2</sup>	6m	4.5m (DSA) + 1.5m (RSZ)	500L

<sup>1</sup> Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

**A3.3.6** – The extent of permeable paving or decking within a deep soil area does not exceed 20 per cent of its area and does not inhibit the planting and growth of trees.

**A3.3.7** – Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided.

ELEMENT 3.4		COMMUNAL OPEN SPACE	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
<b>Meets acceptable outcomes</b>			
<b>O3.4.1</b> – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.		<b>Communal open space is materially unchanged.</b>	<b>O3.4.1 - Achieved</b> The two different types of communal area will meet the needs of residents without compromising the amenity of neighbouring landowners. The roof terrace is provided with landscaping and is not proposed to have roof cover and therefore will receive full sunlight between 9am and 3pm.
<b>O3.4.2</b> – Communal open space is safe, universally accessible and provides a high level of amenity for residents.		<b>Communal open space is materially unchanged.</b>	<b>O3.4.2 – Achieved</b> The City and river views from the roof terrace will provide views and excellent opportunities for resident interaction which is accessible for all residents. It is also away from service areas to mitigate noise and other amenity issues.



<p><b>O3.4.3</b> – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.</p>		<p><b>O3.4.3 – Achieved, subject to Condition</b> Refer to RAR</p>
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**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A3.4.1** – Developments include communal open space in accordance with Table 3.4

**Table 3.4 Provision of communal open space**

Development size	Overall communal open space requirement	Minimum accessible / hard landscape area (included in overall area requirement)	Minimum open space dimension
Up to 10 dwellings	Informal seating associated with deep soil or other landscaped areas	NA	NA
More than 10 dwellings	Total: 6m <sup>2</sup> per dwelling up to maximum 300m <sup>2</sup>	At least 2m <sup>2</sup> per dwelling up to 100m <sup>2</sup>	4m

**A3.4.2** – Communal open space located on the ground floor or on floors serviced by lifts must be accessible from the primary street entry of the development.

**A3.4.3** – There is 50 per cent direct sunlight to at least one communal open space area for a minimum of two hours between 9am and 3pm on 21 June.

**A3.4.4**– Communal open space is co-located with deep soil areas and/or planting on structure areas and/ or co-indoor communal spaces.

**A3.4.5** – Communal open space is separated or screened from adverse amenity impacts such as bins, vents, condenser units, noise sources and vehicle circulation areas.

**A3.4.6** – Communal open space is well-lit, minimises places for concealment and is open to passive surveillance from adjoining dwellings and/or the public realm.

**A3.4.7** – Communal open space is designed and oriented to minimise the impacts of noise, odour, light-spill and overlooking on the habitable rooms and private open spaces within the site and of neighbouring properties.

**ELEMENT 3.5 VISUAL PRIVACY**

<b>ELEMENT OBJECTIVES</b>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets Design Guidance</b>		
<p><b>O3.5.1</b> – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of</p>	<p>Visual privacy is materially unchanged. Additional setback to 4th Floor to western boundary has further reduced perceived impacts of overlooking to the adjoining neighbour.</p>	<p><b>O3.5.1 – Achieved, subject to conditions</b> Refer to RAR</p>

neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.			
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
<b>A3.5.1</b> – Visual privacy setbacks to side and rear boundaries are provided in accordance with Table 3.5.			
<b>Table 3.5</b> Required privacy setback to adjoining sites			
<b>Cone of vision from unscreened:</b>	<b>First 4 storeys</b>		<b>5th storey and above</b>
	<b>Adjoining sites coded R50 or lower</b>	<b>Adjoining sites coded higher than R50</b>	
Major opening to bedroom, study and open access walkways	4.5m	3m	Refer Table 2.7
Major openings to habitable rooms other than bedrooms and studies	6m	4.5m	
Unenclosed private outdoor spaces	7.5m	6m	
<b>A3.5.2</b> – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).			
<b>A3.5.3</b> - Living rooms have an external outlook from at least one major opening that is not obscured by a screen.			
<b>A3.5.4</b> – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.			

<b>ELEMENT 3.6</b>	<b>PUBLIC DOMAIN INTERFACE</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O3.6.1</b> – The transition between the private and public domain enhances the privacy and safety of residents.	Upper ground level apartments facing Elizabeth Street are elevated above footpath level to enhance privacy and safety of residents, while maintaining interaction with the street and providing passive surveillance. The removal of the upper ground level office addresses concerns about the functionality of the narrow office spaces, and will provide for improved passive surveillance.	<b>O 3.6.1 &amp; O3.6.2 – Not Achieved</b> Refer to RAR
<b>O3.6.2</b> – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.		
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A3.6.1</b> – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard.		

<b>A3.6.2</b> – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).
<b>A3.6.3</b> – Upper level balconies and/or windows overlook the street and public domain areas.
<b>A3.6.4</b> – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.
<b>A3.6.5</b> – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.
<b>A3.6.6</b> – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.
<b>A3.6.7</b> – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.
<b>A3.6.8</b> – Bins are not located within the primary street setback or in locations visible from the primary street.
<b>A3.6.9</b> – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage. <sup>1</sup>
(1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.

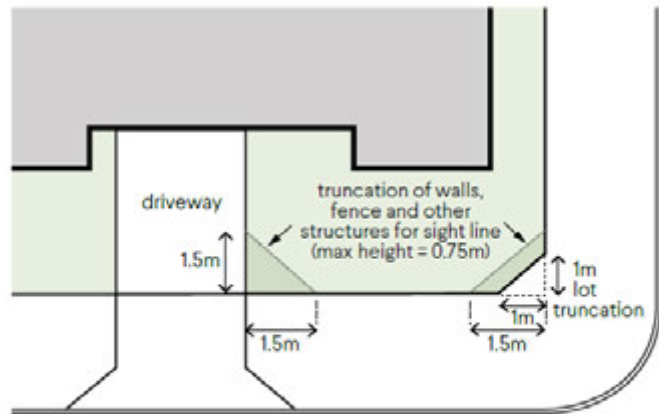
ELEMENT 3.7		PEDESTRIAN ACCESS AND ENTRIES	
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT	
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
<b>Meets acceptable outcomes</b>	<b>See below.</b>		
<b>O3.7.1</b> – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	The pedestrian entry from Elizabeth Street and Broadway is designed in accordance with universal design principles, providing access to the main lobby of the building from Elizabeth Street and the commercial office tenancy from Broadway.	<b>O 3.7.1 – Achieved</b> All entries proposed are universally accessible and easy to identify for resident which is at a consistent level/grade to accommodate accessibility.	
<b>O3.7.2</b> – Entries to the development connect to and address the public domain with an attractive street presence.	Mobility impaired visitors will have a safe and functional path between the ACROD parking bay and the lower ground floor lift. At the upper ground level, mobility impaired visitors have an accessible path from the visitor parking area to the main entrance.  The ground level resident amenities (car parking and gym) are designed to be accessible from the lift, as are the resident parking bays on all levels.	<b>O 3.7.2 – Achieved</b> Refer to RAR	

	<p>Additionally:</p> <ul style="list-style-type: none"> <li>• The pedestrian entry points will be well-lit, and visible from the public domain.</li> <li>• Landscaped strips in the front setback area on the ground floor level and first floor provides attractive building entrances.</li> </ul>	
<p><b>ACCEPTABLE OUTCOMES</b>  <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A3.7.1</b> – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries.</p>		
<p><b>A3.7.2</b> – Pedestrian entries are protected from the weather.</p>		
<p><b>A3.7.3</b> – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site.</p>		
<p><b>A3.7.4</b> – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed.</p>		
<p><b>A3.7.5</b> – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.</p>		
<p><b>A3.7.6</b> – Bins are not located at the primary pedestrian entry.</p>		

<b>ELEMENT 3.8</b>	<b>VEHICLE ACCESS</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O3.8.1</b> – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.	Vehicle access locations are unchanged.	<b>O 3.8.1 – Achieved</b> Refer to RAR
<b>O3.8.2</b> – Vehicle access points are designed and located to reduce visual impact on the streetscape.	Vehicle access locations are unchanged.	<b>O 3.8.2 – Achieved</b> Refer to RAR
<p><b>ACCEPTABLE OUTCOMES</b>  <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A3.8.1</b> – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.</p>		
<p><b>A3.8.2</b> – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.</p>		

- A3.8.3** – Vehicle entries have adequate separation from street intersections.
- A3.8.4** – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.
- A3.8.5** – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.
- A3.8.6** – Driveways designed for two-way access to allow for vehicles to enter the street in forward gear where:
  - the driveway serves more than 10 dwellings
  - the distance from an on-site car parking to the street is 15m or more **OR**
  - the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.

**A3.8.7** – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).



**Figure 3.8a** Truncation at street corner to provide sightlines (refer A3.8.7).

ELEMENT 3.9 CAR AND BICYCLE PARKING		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<p><i>Development is to achieve the following Element Objectives</i></p>	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	
<b>Meets Acceptable Outcomes</b>	<b>Please see below and the planning assessment section of report.</b>	
<b>O3.9.1</b> – Parking and facilities are provided for cyclists and other modes of transport.	The subject site is classified as a Location A site as it is within 250m from the 950 high-frequency bus	<b>O3.9.1 – Achieved</b> Refer to RAR

<p><b>O3.9.2</b> – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.</p>	<p>route which runs along Broadway. The amended proposal reduces the number of apartments by 3, to 19 dwellings, and reduces the commercial floorspace from 166sqm to 63sqm (51sqm NLA). The provision of residential visitor and commercial parking is unchanged from the previous proposal.</p>	<p><b>O3.9.2 – Achieved</b> Refer to RAR</p>
<p><b>O3.9.3</b> – Car parking is designed to be safe and accessible.</p>	<p>Car parking and vehicle circulation areas are designed in accordance with AS2890.1. Visitor bays are not within the residents’ car parking area which is separated by a roller door</p>	<p><b>O3.9.3 – Achieved</b> Refer to RAR</p>
<p><b>O3.9.4</b> – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.</p>	<p>No material change to streetscape impacts of parking areas.</p>	<p><b>O3.9.4 – Not Achieved</b> Refer to RAR</p>

**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A3.9.1** – Secure, undercover bicycle parking is provided in accordance with Table 3.9 and accessed via a continuous path of travel from the vehicle or cycle entry point.

**Table 3.9** Parking ratio

Parking types		Location A	Location B
Car parking <sup>1</sup>	1 bedroom dwellings	0.75 bay per dwelling	1 bay per dwelling
	2+ bedroom dwellings	1 bay per dwelling	1.25 bays per dwelling
	Visitor	1 bay per four dwellings up to 12 dwellings 1 bay per eight dwellings for the 13th dwelling and above	
Bicycle parking <sup>1</sup>	Resident	0.5 space per dwelling	
	Visitor	1 space per 10 dwellings	
Motorcycle/ Scooter parking <sup>2</sup>	Developments exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays		

<sup>1</sup> Calculations of parking ratios shall be rounded up to the next whole number.  
<sup>2</sup> For each five motorcycle/scooter parking bays provided in accordance with Table 3.9, car parking bays may be reduced by one bay.

**Definitions:**  
**Location A:** within 800m walkable catchment of a train station and/or 250m of a transit stop (bus or light rail) of a high-frequency route and/or within the defined boundaries of an activity centre.  
**Location B:** not within Location A.

**A3.9.2** – Parking is provided for cars and motorcycles in accordance with Table 3.9.

**A3.9.3** – Maximum parking provision does not exceed double the minimum number of bays specified in Table 3.9

**A3.9.4** – Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended) or the requirements of applicable local planning instruments.

**A3.9.5** – Car parking areas are not located within the street setback and are not visually prominent from the street.

**A3.9.6** – Car parking is designed, landscaped or screened to mitigate visual impacts when viewed from dwellings and private outdoor spaces.

**A3.9.7** – Visitor parking is clearly visible from the driveway, is signed ‘Visitor Parking’ and is accessible from the primary entry or entries.

<b>A3.9.8</b> – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.
<b>A3.9.9</b> – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.
<b>A3.9.10</b> – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.

<b>ELEMENT 4.1</b>		<b>SOLAR AND DAYLIGHT ACCESS</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>	
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
<b>Alternate design solution required.</b>	<b>See below</b>		
<b>O4.1.1</b> – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.	The development is located within climate zone 5. All 19 apartments are north facing. Refer to the solar and daylight diagrams contained within the suite of development plans. In accordance with Figure 4.1b of the R-Codes Volume 2, all 19 apartments are within the part of the axis that allows the apartments to receive at least 2 hours direct sunlight between 9am and 3pm on June 21	<b>O4.1.1 – Achieved</b> The development has been designed to optimise the northern aspect. All dwellings receive 2 hours or more of sunlight. All balconies are north-facing. There are no south-facing apartments.	
<b>O4.1.2</b> – Windows are designed and positioned to optimise daylight access for habitable rooms.	No material change.	<b>O4.1.2 – Achieved</b> Although many of the windows are small, they are proportional to the room sizes they are appurtenant to.	
<b>O4.1.3</b> – The development incorporates shading and glare control to minimise heat gain and glare: <ul style="list-style-type: none"> <li>– from mid-spring to autumn in climate zones 4, 5 and 6 <b>AND</b></li> <li>– year-round in climate zones 1 and 3.</li> </ul>	No material change.	<b>O4.1.3 – Achieved</b> Window hoods and highlight windows are provided to windows.	
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
<b>A4.1.1</b> – In climate zones 4, 5 and 6 <u>only</u> : <ul style="list-style-type: none"> <li>a) Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June <b>AND</b></li> <li>b) A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.</li> </ul>			
<b>A4.1.2</b> – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.			

**A4.1.3** – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.

**A4.1.4** – The building is oriented and incorporates external shading devices in order to:

- minimise direct sunlight to habitable rooms:
  - between late September and early March in climate zones 4, 5 and 6 only **AND**
  - in all seasons in climate zones 1 and 3
- permit winter sun to habitable rooms in accordance with A 4.1.1 (a).

ELEMENT 4.2		NATURAL VENTILATION	
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT	
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
<b>Meets acceptable outcomes</b>	<b>See below.</b>		
<b>O4.2.1</b> – Development maximises the number of apartments with natural ventilation.	All apartments within the proposed development are designed to maximise natural ventilation and contain openings in two different orientations. This has been achieved through the single row of apartments design. All apartments are less than 20m in depth, consistent with the Acceptable Outcomes. All 19 apartments are cross ventilated and receive cross-through ventilation pursuant to definitions in the R-Codes Volume 2. Ventilation paths are shown in the development plans.	<b>O 4.2.1 – Achieved</b> The City is concerned that the design of kitchen windows to Unit 2, Unit 7, Unit 12, Unit 17, will result in poor ventilation as these units will keep these corridor-facing windows shut to prevent noise transfer. However, there is no design guidance or acceptable outcome that includes this as a consideration. The dwellings located on the corners of the building have three aspects, and therefore have abundant cross ventilation. The remaining properties are provided with appropriate cross ventilation by virtue of the open access walkway along the southern elevation. Overall, this element objective has been achieved.	
<b>O4.2.2</b> – Individual dwellings are designed to optimise natural ventilation of habitable rooms.		<b>O 4.2.2 – Achieved</b> There are no habitable rooms that rely on lightwells for fresh air. No apartment exceeds 20m in length. Where hi-light windows are employed to reduce the visual privacy setback, secondary windows are proposed to increase ventilation and to take advantage of the prevailing wind. This element objective has been achieved.	
<b>O4.2.3</b> – Single aspect apartments are designed to maximise and benefit from natural ventilation.		<b>O 4.2.3 – Achieved</b> All single aspect maximise cross ventilation based on room depth and ceiling heights.	



**ACCEPTABLE OUTCOMES**

*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A4.2.1** – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.

**A4.2.2** –

(a) A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building

(b) Single aspect apartments included within the 60 per cent minimum at (a) above must have:

- ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction **AND**
- room depth no greater than 3 × ceiling height

(c) For dwellings located at the 10th storey or above, balconies incorporate high and low-level ventilation openings.

**A4.2.3** – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.

**A4.2.4** – No habitable room relies on lightwells as the primary source of fresh-air.

<b>ELEMENT 4.3</b>		<b>SIZE AND LAYOUT OF DWELLINGS</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>	
<i>Meets Design Guidance</i>		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>O4.3.1</b> – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.	The apartments room layouts are functional, well-organised and provide a high standard of amenity. The size of all apartments and bedrooms/living rooms meets the minimum sizes as set out in the 'Acceptable Outcomes' for this element. The proposed development includes a mix of one-, two-, and three- bedroom apartments. This offers a diversity of housing stock to meet the needs of the locality, with the larger three bedroom apartments providing opportunities for families and luxury sized living. All dwellings exceed the minimum size requirements under the Acceptable Outcomes.	<b>O 4.3.1 – Achieved</b> The layouts of some dwellings are designed to ensure all apartments have northern aspect. A variety of rooms have been proposed and meet the minimum room dimensions.	
<b>O4.3.2</b> – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.	Minimum floor to ceiling heights of at least 2.7m (habitable) and 2.4m (non-habitable) are achieved for all apartments. This is consistent with the Acceptable Outcome A4.3.3 for this design element. All rooms are well-proportioned and benefit from cross ventilation and sunlight access as outlined above.	<b>O 4.3.2 – Achieved</b> Although bedroom 2 of Unit 5, has an unusual layout, overall, the remaining habitable rooms are of an appropriate size, that allow for flexible use. The proposed floor-to-ceiling height of 2.7m is adequate for the purpose of facilitating solar access and ventilation.	

**ACCEPTABLE OUTCOMES**

Acceptable Outcome pathway may not be applicable where a performance solution is provided

**A4.3.1** – Dwellings have a minimum internal floor area in accordance with Table 4.3a.

**Table 4.3a** Minimum floor areas for dwelling types

Dwelling type	Minimum internal floor area
Studio	37m <sup>2</sup>
1 bed	47m <sup>2</sup>
2 bed x 1 bath <sup>1</sup>	67m <sup>2</sup>
3 bed x 1 bath <sup>1</sup>	90m <sup>2</sup>
<sup>1</sup> An additional 3m <sup>2</sup> shall be provided for designs that include a second or separate toilet, and 5m <sup>2</sup> for designs that include a second bathroom.	

**A4.3.2** – Habitable rooms have minimum floor areas and dimensions in accordance with Table 4.3b.

**Table 4.3b** Minimum floor areas and dimensions for habitable rooms

Habitable room type	Minimum internal floor area	Minimum internal dimension
Master bedroom	10m <sup>2</sup>	3m
Other bedrooms	9m <sup>2</sup>	3m
Living room – studio and 1 bed apartments	N/A	3.6m
Living room – other dwelling types	N/A	4m
<sup>1</sup> Excluding robes		

**A4.3.3** – Measured from the finished floor level to finished ceiling level, minimum ceiling heights are:

- Habitable rooms – 2.7m
- Non-habitable rooms – 2.4m
- All other ceilings meet or exceed the requirements of the NCC.

**A4.3.4** – The length of a single aspect open plan living area is equal to or less than 3 x the ceiling height. An additional 1.8m length may be provided for a kitchen, where the kitchen is the furthest point from the window in an open plan living area provided that the maximum length does not exceed 9m.

## ELEMENT 4.4 PRIVATE OPEN SPACE AND BALCONIES

### ELEMENT OBJECTIVES

Development is to achieve the following Element Objectives

### APPLICANT COMMENT

### ASSESSOR COMMENT

*Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*

	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>	
<p><b>Meets acceptable outcomes</b></p>	<p><b>See below.</b></p>	
<p><b>O4.4.1</b> – Dwellings have good access to appropriately sized private open space that enhances residential amenity.</p>	<p>Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with the Acceptable Outcomes:</p> <ul style="list-style-type: none"> <li>• Each of the single bedroom apartments has an outdoor living area at least 10m<sup>2</sup>.</li> <li>• Each of the two-bedroom apartments has an outdoor living area at least 10m<sup>2</sup>.</li> <li>• The three-bedroom apartments has an outdoor living area of 25m<sup>2</sup>.</li> </ul> <p>Balconies to apartments with east-facing frontage to Broadway have been wrapped around the eastern façade, substantially increasing the area of private open space for these dwellings.</p>	<p><b>O 4.4.1 – Achieved</b></p> <p>All primary private open space meet Table 4.4. All balconies are located adjacent to open plan living rooms providing shade protection.</p>
<p><b>O4.4.2</b> – Private open space is sited, oriented and designed to enhance liveability for residents.</p>	<p>Private open spaces are sited, orientated and designed to enhance liveability, noting that these areas are all north facing and some north and east facing, providing passive surveillance of the public realm and maximising northern solar access.</p> <p>The amended plans replace the upper ground floor office tenancy with 3 apartments, each enjoying north-facing private open space. The balconies are raised above footpath level to provide privacy and security, while maintaining interaction and passive surveillance.</p>	<p><b>O 4.4.2 – Achieved</b></p> <p>Every apartment has a balcony located on the northern elevation, that is unscreened, maximising solar access and outlook.</p>
<p><b>O4.4.3</b> – Private open space and balconies are integrated into the overall architectural form and detail of the building.</p>	<p>Balconies are integrated into the overall architectural form of the building. The amended plans wrap the balconies around the eastern façade, integrating the eastern and northern street frontages.</p>	<p><b>O 4.4.3 – Achieved</b></p> <p>The City has concern with the façade design and the lack of landscaping provided to the building. The applicant provides almost no landscaping to the north, east west elevation. Landscaping may help soften the bulk of the building. To achieve this element objective, the development requires minor modifications. This is detailed further in 4.12 - Landscaping.</p>
<p><b>ACCEPTABLE OUTCOMES</b>  <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A4.4.1</b> – Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with Table 4.4.</p>		

Table 4.4 Private open space requirements

Dwelling type	Minimum Area <sup>1</sup>	Minimum Dimension <sup>1</sup>
Studio apartment + 1 bedroom	8m <sup>2</sup>	2.0m
2 bedroom	10m <sup>2</sup>	2.4m
3 bedroom	12m <sup>2</sup>	2.4m
Ground floor / apartment with a terrace	15m <sup>2</sup>	3m

<sup>1</sup> Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.

**A4.4.2** – Where private open space requires screening to achieve visual privacy requirements, the entire open space is not screened and any screening is designed such that it does not obscure the outlook from adjacent living rooms.

**A4.4.3** – Design detailing, materiality and landscaping of the private open space is integrated with or complements the overall building design.

**A4.4.4** – Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.

ELEMENT 4.5 CIRCULATION AND COMMON SPACES		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.5.1</b> – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	Circulation and common areas are materially unchanged.	<b>O 4.5.1 – Achieved</b> Circulation corridors to apartments meet the minimum corridor width at 1.5m and therefore meet A4.5.1 and A4.5.2.
<b>O4.5.2</b> – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.		<b>O 4.5.2 – Achieved, subject to condition</b> Refer to RAR
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A4.5.1</b> – Circulation corridors are a minimum 1.5m in width.		

<b>A4.5.2</b> – Circulation and common spaces are designed for universal access.
<b>A4.5.3</b> – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.
<b>A4.5.4</b> – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.
<b>A4.5.5</b> – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.

**ELEMENT 4.6 STORAGE**

<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.6.1</b> – Well-designed, functional and conveniently located storage is provided for each dwelling.	Materially unchanged.	<b>O 4.6.1 – Achieved</b> Storeroom sizes range from 4m <sup>2</sup> and 5m <sup>2</sup> . The dimensions are in accordance with the store requirements. All storerooms are located within the basement levels and are concealed from view.

**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A4.6.1** – Each dwelling has exclusive use of a separate, ventilated, weatherproof, bulky goods storage area. This can be located either internally or externally to the dwelling with dimensions in accordance with Table 4.6.

**Table 4.6 Storage requirements**

Dwelling type	Storage area <sup>1</sup>	Minimum dimension <sup>1</sup>	Minimum height <sup>1</sup>
Studio dwelling	3m <sup>2</sup>	1.5m	2.1m
1 bedroom dwelling	3m <sup>2</sup>		
2 bedroom dwellings	4m <sup>2</sup>		
3 bedroom dwellings	5m <sup>2</sup>		
<sup>1</sup> Dimensions exclusive of services and plant.			

**A4.6.2** – Bulky good stores that are not directly accessible from the dwelling/private open space are located in areas that are convenient, safe, well-lit, secure and subject to passive surveillance.

**A4.6.3** – Storage provided separately from dwellings or within or adjacent to private open space<sup>1</sup>, is integrated into the design of the building or open space and is not readily visible from the public domain.

(1) Storage on/adjacent to private open space is additional to required open space area and dimensions.

**ELEMENT 4.7      MANAGING THE IMPACT OF NOISE**

ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.7.1</b> – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.	Materially unchanged.	<b>O. 4.7.1 – Achieved</b> The City supports its findings and recommendations. In the event the JDAP approves the development, the acoustic report and the recommendations contained therein are recommended to form a condition of approval. This element is capable of being achieved via condition. Walls will need to be constructed to an appropriate standard to meet or exceed the NCC requirements. This is accepted and can be reasonably be applied as a condition.
<b>O4.7.2</b> – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.	Materially unchanged.	<b>O 4.7.2 – Achieved subject to condition</b> A revised Acoustic Report is recommended to be prepared in order to address acoustic concerns for Unit 1 abutting the communal open space area.

**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

**A4.7.1** – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent).

**A4.7.2** – Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.

**A4.7.3** – Major openings to habitable rooms are oriented away or shielded from external noise sources.

**ELEMENT 4.8      DWELLING MIX**

ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>		

<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.8.1</b> – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	<p>The proposed development includes a mix of one, two, and three bedroom standard apartments. In total the development includes:</p> <ul style="list-style-type: none"> <li>• 8 one-bedroom apartments;</li> <li>• 9 two-bedroom apartments; and</li> <li>• 2 three-bedroom apartments.</li> </ul> <p>This offers a diversity of housing stock to meet the needs of the locality and various age groups. The apartment mix also contributes towards the residential infill targets of the strategic planning framework.</p>	<b>O 4.8.1 – Achieved</b> The City has no housing strategy which advises the mix of different dwelling types. As such, the combination of a mix of both 2 and 3 bedroom dwellings is accepted and have been distributed amongst most storeys.
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A4.8.1</b> –		
<p>a) Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument <b>OR</b></p> <p>b) Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers.</p>		
<b>A4.8.2</b> – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor.		

<b>ELEMENT 4.9</b>	<b>UNIVERSAL DESIGN</b>	
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.9.1</b> – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	Materially unchanged.	<b>O4.9.1 – Achieved</b> Refer to RAR
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A4.9.1</b> –		
<p>a) 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) <b>OR</b></p> <p>b) 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).</p>		

ELEMENT 4.10		FAÇADE DESIGN	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>		<b>See below.</b>	
<b>O4.10.1</b> – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.		Refer Context and Character Analysis prepared by Mackay Urban Design, demonstrating the proportions, materials and elements reflecting the character of the area.	<b>O4.10.1 – Not Achieved</b> Refer to RAR
<b>O4.10.2</b> – Building façades express internal functions and provide visual interest when viewed from the public realm.		<p>The key modifications to the plans, in terms of façade treatment, are the following:</p> <ul style="list-style-type: none"> <li>• Balconies to Apartments 3, 8, 13 and 17 increased in area and wrapped around the Broadway / Elizabeth Street corner.</li> <li>• Substantial additional glazing to Broadway frontage, for Apartments 3, 8, 13 and 17.</li> <li>• Upper ground level office tenancy replaced with 3 apartments, with balconies facing Elizabeth Street.</li> <li>• Changes to materials and finishes to Elizabeth Street façade</li> </ul> <p>The key effects of the modifications are to better integrate the northern and eastern facades, and for the internal functionality of the upper ground level to be improved and reflected in the façade. The modifications to the design significantly enhance the interaction with Broadway, particularly at the residential levels which are expected to be most active at night, providing visual interest and passive surveillance.</p>	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
<b>A4.10.1</b> – Façade design includes: <ul style="list-style-type: none"> <li>– scaling, articulation, materiality and detailing at lower levels that reflect the scale, character and function of the public realm</li> <li>– rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.</li> </ul>			
<b>A4.10.2</b> – In buildings with height greater than four storeys, façades include a defined base, middle and top for the building.			



<b>A4.10.3</b> – The façade includes design elements that relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.
<b>A4.10.4</b> – Building services fixtures are integrated in the design of the façade and are not visually intrusive from the public realm.
<b>A4.10.5</b> – Development with a primary setback of 1m or less to the street includes awnings that: <ul style="list-style-type: none"> <li>– define and provide weather protection to entries</li> <li>– are integrated into the façade design</li> <li>– are consistent with the streetscape character.</li> </ul>
<b>A4.10.6</b> – Where provided, signage is integrated into the façade design and is consistent with the desired streetscape character.

<b>ELEMENT 4.11</b>	<b>ROOF DESIGN</b>
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<b>ELEMENT OBJECTIVES</b>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.11.1</b> – Roof forms are well integrated into the building design and respond positively to the street.	Roof design not materially changed.	<b>O 4.11.1 – Achieved</b> The roof form is well integrated into the building design and responds positively to the street as it is not visible.
<b>O4.11.2</b> – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.	Roof design not materially changed.	<b>O 4.11.2 – Achieved</b> Most amenities are concealed from view when viewed from the primary street and would not be visible as viewed from the adjoining properties. As viewed from the street towards the development it would be visible.

<b>ACCEPTABLE OUTCOMES</b>
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*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

<b>A4.11.1</b> – The roof form or top of building complements the façade design and desired streetscape character.
<b>A4.11.2</b> – Building services located on the roof are not visually obtrusive when viewed from the street.
<b>A4.11.3</b> – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.

<b>ELEMENT 4.12</b>	<b>LANDSCAPE DESIGN</b>
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<b>ELEMENT OBJECTIVES</b>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
<i>Development is to achieve the following Element Objectives</i>		

	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.12.1</b> – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.	Landscaping design has not materially changed. Additional landscaping strip adjacent to southern boundary at upper ground level will provide visual appeal to Apartments 1-3 and associated communal walkways.	<b>O4.12.2 – Not Achieved</b>  Refer to RAR
<b>O4.12.2</b> – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.	Materially unchanged.	<b>O4.12.2 – Achieved with Condition</b>  Refer to RAR
<b>O4.12.3</b> – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	Materially unchanged.	<b>O4.12.3 - Achieved</b>  Irrigation is provided to all landscaped areas. The development also provides: <ul style="list-style-type: none"> <li>• moisture sensors throughout, to ensure water use is minimised</li> <li>• low water use emitters to ensure only sufficient water is provided to irrigate planting areas</li> <li>• in-line fertilisation unit to ensure fertilising and moisture retention is controlled</li> <li>• use of pop - up flood bubblers to suit size of garden beds to ensure any over-spray and wastage is mitigated, and;</li> <li>• a detailed design and specification will be provided at building license application stage.</li> </ul> Should the JDAP approve this development, a standard condition will be imposed to ensure the above features are installed prior to occupation.
<b>O4.12.4</b> – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.	Materially unchanged.	<b>O4.12.4 – Not Achieved</b>  Refer to RAR
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A4.12.1</b> – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles.		

**A4.12.2** – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas.

**A4.12.3** – Planting on building structures meets the requirements of Table 4.12.

**Table 4.12** Planting on structure: minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m <sup>3</sup>	1,200mm	64m <sup>2</sup> with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m <sup>3</sup>	1,000mm	36m <sup>2</sup> with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m <sup>3</sup>	800mm	3m × 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m <sup>3</sup>	800mm	2m × 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

**A4.12.4** – Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

ELEMENT 4.14 MIXED USE		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.14.1</b> – Mixed use development enhances the streetscape and activates the street.	Office tenancy at lower ground level has been reconfigured to address concerns regarding functionality of internal space. The ground level office tenancy is now a more robust and adaptable layout, that is more likely to appeal to a wider range of prospective tenants. The commercial interface at ground level will provide interest and activity to the street.	<b>O 4.14.1 – Achieved</b> The revised design has reduced the area of office area from 126m <sup>2</sup> to 63m <sup>2</sup> and to the ground level only. The area is now considered adaptable for future uses as it located on ground level only and provides a 10m depth

<p><b>O4.14.2</b> – A safe and secure living environment for residents is maintained through the design and management of the impacts of non-residential uses such as noise, light, odour, traffic and waste.</p>	<p>The redesign of the basement and ground level parking, servicing and communal facilities maintains separation between residential and non-residential spaces and functions.</p>	<p><b>O 4.14.2 – Achieved</b> The proposed commercial tenancy of a office is considered a suitable tenancy due to its low scale operation, and limited impacts on noise, light, odour, traffic and waste generation. The tenancy is integrated into the design and supports the objectives of the 'Mixed Use' zone.</p>
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**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

<p><b>A4.14.1</b> – Where development is located within a mixed use area designated within the local planning framework, ground floor units are designed for future adaption to non-residential uses.</p>
<p><b>A4.14.2</b> – Ground floor uses including non-commercial uses, such as communal open space, habitable rooms, verandahs and courtyards associated with ground floor dwellings, address, enhance and activate the street.</p>
<p><b>A4.14.3</b> – Non-residential space in mixed use development is accessed via the street frontage and/or primary entry as applicable.</p>
<p><b>A4.14.4</b> – Non-residential floor areas provided in mixed use development has sufficient provision for parking, waste management, and amenities to accommodate a range of retail and commercial uses in accordance with the requirements</p>
<p><b>A4.14.5</b> – Mixed use development is designed to mitigate the impacts of non-residential uses on residential dwellings, and to maintain a secure environment for residents.</p>

**ELEMENT 4.15 ENERGY EFFICIENCY**

<p><b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i></p>	<p><b>APPLICANT COMMENT</b></p>	<p><b>ASSESSOR COMMENT</b></p>
<p><b>Meets acceptable outcomes</b></p>	<p><b>See below.</b></p>	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p>
<p><b>O4.15.1</b> – Reduce energy consumption and greenhouse gas emissions from the development.</p>	<p><b>Materially unchanged.</b></p>	<p><b>O 4.15.1 – Achieved</b> The revised NaTHERs report still provides modelling for only 5 out of 19 apartments. It is noted that solar panels are proposed which satisfies A4.15.1(a) by providing one significant energy efficiency initiative.</p>

**ACCEPTABLE OUTCOMES**  
*Acceptable Outcome pathway may not be applicable where a performance solution is provided*

<p><b>A4.15.1</b> –</p> <ul style="list-style-type: none"> <li>a) Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) <b>OR</b></li> <li>b) All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.<sup>1</sup></li> </ul> <p>Compliance with the NCC requires that development shall achieve an average star-rating across all dwellings that meets or exceeds a nominated benchmark, and that each unit meets or exceeds a slightly lower benchmark. Compliance with this Acceptable Outcome requires that each unit exceeds that lower benchmark by at least half a star.</p>
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<b>ELEMENT 4.16 WATER MANAGEMENT AND CONSERVATION</b>		
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets acceptable outcomes</b>	<b>See below.</b>	
<b>O4.16.1</b> – Minimise potable water consumption throughout the development.	Materially unchanged.	<b>O 4.16.1 – Achieved</b> Where possible, water consumption will be minimised through the use of efficient appliances and fittings. Waterwise landscaping and irrigation systems will further minimise consumption.
<b>O4.16.2</b> – Stormwater runoff from small rainfall events is managed on-site, wherever practical.	Materially unchanged.	<b>O 4.16.1 – Achieved</b> Stormwater runoff from small rainfall events is to be managed on site consistent with element objectives.
<b>O4.16.3</b> – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.	Materially unchanged.	<b>O 4.16.1 – Achieved</b> Pavement will be graded away from the buildings and orientated towards landscaped areas with suitable drainage mechanisms integrated into the design.
<b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
<b>A4.16.1</b> – Dwellings are individually metered for water usage.		
<b>A4.16.2</b> – Stormwater runoff generated from small rainfall events is managed on-site.		
<b>A4.16.3</b> – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.		

<b>ELEMENT 4.17 WASTE MANAGEMENT</b>		
<b>ELEMENT OBJECTIVES</b> <i>Development is to achieve the following Element Objectives</i>	<b>APPLICANT COMMENT</b>	<b>ASSESSOR COMMENT</b>
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
<b>Meets design guidance</b>		
<b>O4.17.1</b> – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.	Materially unchanged. Waste Statement from Talis confirms the modified plans provide appropriate waste storage and collection facilities	<b>O 4.17.1 – Achieved</b>  The development locates waste storage facilities within the car parking area, away from the street, office and

		<p>dwelling. This element objective has been met. The City has reviewed the Waste Management Plan meets the City's LPP.</p>
<p><b>O4.17.2</b> – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.</p>		<p><b>O 4.17.2 – Achieved</b></p> <p>Having regard to O4.17.2, the development makes provision for a conveniently located bin store and the Waste Management Plan makes provision for safe and convenient information procedures for the transfer of waste from the proposed dwellings allowing for the minimisation of waste to landfill. Accordingly, the proposal satisfies this objective.</p>

<p><b>ACCEPTABLE OUTCOMES</b>  <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A4.17.1</b> – Waste storage facilities are provided in accordance with the Better Practice considerations of the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines</i> (or local government requirements where applicable).</p>		
<p><b>A4.17.2</b> – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines - Appendix 4A</i> (or equivalent local government requirements).</p>		
<p><b>A4.17.3</b> – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines - Level 1 Waste Management Plan (Design Phase)</i> (or local government requirements where applicable).</p>		
<p><b>A4.17.4</b> – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.</p>		

<p><b>ELEMENT 4.18 Utilities</b></p>		
<p><b>ELEMENT OBJECTIVES</b>  <i>Development is to achieve the following Element Objectives</i></p>	<p><b>APPLICANT COMMENT</b></p>	<p><b>ASSESSOR COMMENT</b></p>
<p><b>Meets acceptable outcomes</b></p>		
<p><b>O4.18.1</b> –The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.</p>	<p>Materially unchanged.</p>	<p><b>O 4.18.1 – Achieved</b></p> <p>Condition of planning approval – standard – located within a residential area where it has access to services.</p>

<p><b>O4.18.2</b> – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.</p>	<p>Materially unchanged.</p>	<p><b>O 4.18.2 – Achieved</b> All services have been incorporated within the building façade and is concealed from view.</p>
<p><b>O4.18.3</b> – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.</p>	<p>Materially unchanged.</p>	<p><b>O 4.18.3 – Achieved</b> This provision can be addressed as condition. There are no services that are visually obtrusive.</p>
<p><b>O4.18.4</b> – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.</p>	<p>Materially unchanged.</p>	<p><b>O 4.18.4 – Achieved</b> This provision can be addressed as a condition. There are no air conditioners located on balconies.</p>
<p><b>ACCEPTABLE OUTCOMES</b> <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i></p>		
<p><b>A4.18.1</b> – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.</p>		
<p><b>A4.18.2</b> – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling.</p>		
<p><b>A4.18.3</b> – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.</p>		
<p><b>A4.18.4</b> – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.</p>		

<b>LPS Regulation Schedule 2 – Clause 67(2) Assessment</b>	
<b>Provision</b>	<b>Assessment</b>
(a) <i>The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area</i>	<b>Not satisfied</b> Refer to assessment of clause 9 of LPS – Aims of Scheme and objectives of the Mixed-Use Zone.
(b) <i>the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving</i>	<b>Satisfied</b> The City has resolved to initiate a scheme amendment to rezone the site from Mixed Use to Residential and reduce the density code from R-AC3 to R40. Given it not been advertised, it cannot be considered at this time. This amendment is inconsistent with the City's Local Planning Strategy and that there is no certainty that the Minister or WAPC would consider approving this amendment in the absence of built form modelling.
(c) <i>Any approved State Planning Policy</i>	<b>Not satisfied</b> There are various Principles and Elements which have not been achieved in SPP7.0 and R-Codes Vol 2.
(l) <i>The effect of the proposal on the cultural heritage significance of the area in which the development is located</i>	<b>Satisfied</b> There are no places of heritage significance within the street block on Kingsway. There is an existing residence to the northeast on Broadway that is identified in the Municipal Heritage Inventory. However, this development does not impact on this property.
(m) <i>the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i>	<b>Not satisfied</b> The façade design on all elevations (windows, materials and colours) and the location of circulation areas open-access walkways) on the southern elevation does not align with the quality and character of the area. The absence of landscaping has further implicated its relationship with the leafy green character of the street.
(n) <i>the amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;</i>	<b>Not satisfied</b> The City is of the view that the proposed façade design and landscape treatment will impact the character of this locality and streetscape.
(p) <i>whether adequate provision has been made for landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</i>	<b>Partly satisfied</b> The development is provided with adequate on-structure planting and soil volume. However, the landscape plan itself is deficient and does not add to the internal or external amenity to the extent expected in this locality.
(s) <i>the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i>	<b>Satisfied</b> Vehicle assess have been provided for both Elizabeth Street and Broadway which is accepted.



(t) <i>the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probably effect on traffic flow and safety</i>	<b>Satisfied</b>  The Traffic Impact Statement has been reviewed by the City and is accepted not to have an adverse impact on the local road network.
(u) <i>the availability and adequacy for the development of the following –</i>  (iii) <i>Storage, management, and collection of waste.</i>	<b>Satisfied</b>  The proposed WMP is currently consistent with the City's adopted guidelines.
(x) <i>the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals</i>	<b>Not applicable</b>  The development is not considered to be of a scale that impacts the wider community. The issues noted in the assessment apply to this locality.
(y) <i>any submissions received on the application</i>	<b>Noted</b>  The City received 103 submissions, all of which have been given due consideration in the assessment of this application.
zb) <i>any other planning consideration the local government considers appropriate</i>	<b>Not applicable</b>
zc) <i>any advice of the Design Review Panel</i>	<b>Not applicable</b>  The City does not have a Design Review Panel. An Architectural landscape design review was undertaken and are included as an attached to this report.

Local Planning Scheme No. 3

Local Planning Scheme No. 3		
Provision	Requirement	Proposal
9 – Aims of Scheme	<i>Protect and enhance local character and amenity</i>	<b>Not satisfied</b>  The City is of the view that the proposed façade design and landscape treatment is considered to impact the character of this locality and leafy green streetscape.
	<i>Respect the community vision for the development of the district</i>	<b>Satisfied</b>  The community vision is provided under Section 8.1.2 City of Nedlands Strategic Community Plan (2013) on page 49 of the Local Planning Strategy). It is as follows:  <i>“Our overall vision is of a harmonious community. We will have easy access to quality health and educational facilities and lively local hubs consisting of parks, community and sporting facilities and shops where a mix of activities will bring people together, strengthening local relationships. Our gardens, streets, parks will be well maintained, green and tree-lined and we will live sustainably within the natural environment. We will work with neighbouring Councils and provide leadership to achieve an active, safe, inclusive community enjoying a high standard of</i>

	<p><i>local services and facilities. We will live in a beautiful place.”</i></p> <p>The proposed multiple dwelling development is consistent with the community vision outlined above as it does not adversely affect any of the objectives contained within the vision statement.</p>
<p><i>Achieve quality residential built form outcomes for the growing population;</i></p>	<p><b>Not satisfied</b></p> <p>Informed by the rating the development received by the independent consultant architect and landscape architect and the assessment of SPP 7.0, the development is not considered high-quality.</p>
<p><i>To develop and support a hierarchy of activity centres</i></p>	<p><b>Satisfied</b></p> <p>The proposal seeks to place a higher density residential development within an identified mixed use zone.</p>
<p><i>To integrate land use and transport systems</i></p>	<p><b>Satisfied</b></p> <p>The site is located in close proximity to several high frequency public transport routes</p>
<p><i>Facilitate improved multi-modal access into and around the district</i></p>	<p><b>Satisfied</b></p> <p>The development includes bicycle parking (racks) for residents and visitors.</p>
<p><i>Maintain and enhance the network of open space</i></p>	<p><b>Satisfied</b></p> <p>The development does not impact the City's network of open space.</p>
<p><i>Facilitate good public health outcomes</i></p>	<p><b>Satisfied</b></p> <p>The development will not adversely affect the desired public health outcomes.</p>
<p><i>Facilitate a high-quality provision of community services and facilities</i></p>	<p><b>Satisfied</b></p> <p>The development does not feature any community facilities, however, it proposes an office which will could be used by members of the community.</p>
<p><i>Encourage local economic development and employment opportunities</i></p>	<p><b>Satisfied</b></p> <p>Whilst being built, the development will positively contribute to local businesses.</p>
<p><i>To maintain and enhance natural resources</i></p>	<p><b>Satisfied</b></p> <p>Overall, the building will reduce energy and water use.</p>
<p><i>Respond to the physical and climatic conditions</i></p>	<p><b>Satisfied</b></p> <p>The development captures northern light and prevailing wind.</p>
<p><i>Facilitate efficient supply and use of essential infrastructure</i></p>	<p><b>Satisfied</b></p> <p>The development does not negatively impact this aim.</p>

16. – Zone Objectives	<i>To provide for a significant residential component as part of any new development.</i>	<b>Satisfied</b> The development proposes 19 multiple dwellings.
	<i>To facilitate well designed development of an appropriate scale which is sympathetic to the desired character of the area</i>	<b>Satisfied</b> Having regard to the peer review comments and assessment of SPP 7.0 and R-Codes Vol. 2, the City is of the view that the design requires further work to meet the objective of well design development.
	<i>To provide for a variety of active uses on street level which are compatible with residential and other non-active uses on upper levels</i>	<b>Satisfied</b> The office land use is supported.
	<i>To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres and eating establishments which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents</i>	<b>Satisfied</b> The office land use is consistent with this objective.
16.2 – Land Use	Not applicable	<b>Satisfied</b> Residential (Multiple dwellings) – ‘P’ use & Office – ‘P’ use
32.1(1) - Parking	<i>Except for development to which the R-Codes apply, every development shall provide on-site car parking spaces in accordance with any applicable local planning policy adopted by the local government.</i>	<b>Satisfied</b> The Office use meets the City’s LPP relating to Parking
32.1(2-6) - Parking	<i>Cash-in-lieu of parking</i>	N/A – the City does not have a Car Parking Strategy to guide cash-in-lieu. Therefore, these scheme provisions cannot be applied.
32.4(2)	<i>Residential uses are not permitted on the ground floor facing primary or secondary streets, except where the use faces a right-of-way or laneway in the Mixed Use zone, or where identified in an approved local planning policy.</i>	<b>Satisfied</b> Office is proposed at ground level.
32.4(3)	<i>Buildings are to have active frontages to the primary and/or secondary street, except where a use faces a right-of-way or laneway.</i>	<b>Satisfied</b> The office has been modified to address the street frontage.
32.4(4)	<i>Minimum tenancy depth facing a street is 10m.</i>	<b>Satisfied</b> The proposed office tenancy is 10m in depth
32.4(5) – Development Standards	<i>In relation to developments that are not subject to the R-Codes, where development standards are not specified in an approved structure plan, local</i>	The application has been assessed in accordance with the relevant R-Codes provisions.

	<i>development plan, and/or activity centre plan, the development standards are subject to the applicable R-Code.</i>	
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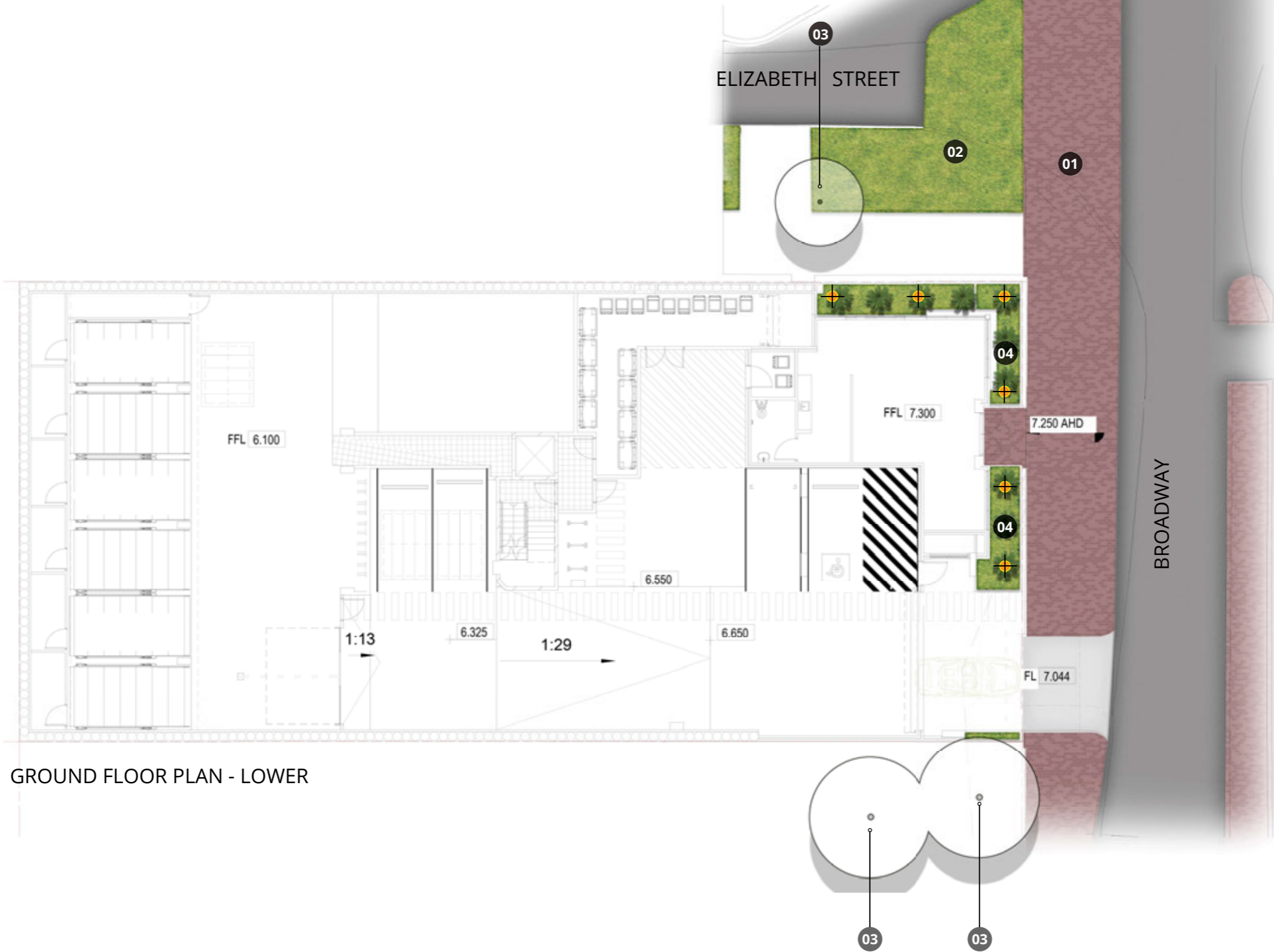
### Local Planning Strategy

<b>Local Planning Strategy Provisions</b>	
<b>Strategy Provision</b>	<b>Officer Response</b>
<i>Plan Hampden/Broadway as a medium intensity, low to medium rise Urban Growth Area within the City of Nedlands.</i>	<b>Satisfied</b> The development is consistent with the R-AC3 coding with respect to its massing, bulk, scale and separation.
<i>Provide a Transition Zone abutting Hampden/Broadway to quickly lower development intensity into the surrounding precincts.</i>	<b>Satisfied</b> Kingsway has a density coding of R60 to transition from the higher R-AC3 density along Broadway. The revised design has responded to this.
<i>Where applicable on Broadway, the significant east-west topography variation will function as the Transition Zone.</i>	<b>Satisfied</b> The development provides a 3-4 storey interface to the abutting rear R60 coded lots. This is consistent with other approvals on Broadway.
<i>Careful consideration will be given to short stay and alternative stay accommodation</i>	<b>Not Applicable</b> No short-term accommodation is proposed.
<i>In appropriate and identified locations, consider a range of uses (particularly knowledge based uses) and accommodation types that complement the Health/Education/Research function of the UWA-QEII Specialised Centre on a scale that will not detract from other centres in the hierarchy</i>	<b>Satisfied</b> An 'Office' is a permitted use and is consistent with this objective. A 'Residential' use is also permitted and given the various proposed apartments sizes, could provide accommodation options for downsizers, or university students.
<i>Ensure strategic planning of the UWA-QEII Specialised Centre and its boundaries is completed in partnership with the affected local governments and State government instrumentalities.</i>	<b>Noted and Ongoing (future planning required)</b>



MIXED USE DEVELOPMENT | 105 BROADWAY, NEDLANDS  
DA LANDSCAPE PLANS

SHRUBS & GROUND COVERS



GROUND FLOOR PLAN - LOWER

LEGEND

- 01 EXISTING VERGE PAVING
- 02 EXISTING VERGE LANDSCAPING
- 03 EXISTING TREE TO REMAIN
- 04 GROUND LEVEL GARDEN BED WITH PART SHADE TOLERANT PLANTING

LIGHTING LEGEND

- WALL WASH LIGHTING
- BENCH STRIP LIGHTING
- FEATURE PLANT UPLIGHTING
- LARGE UP-LIGHTS TO TREES

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	18m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	7m <sup>2</sup>

TREES



Agonis flexuosa  
WA Peppermint

SHRUBS & GROUND COVERS



Dianella tasmanica  
'Destiny'



Hibbertia scandens  
Golden Guinea Vine



Lomandra longifolia  
'Tanika'



Olearia lanuginosa  
'Ghost Town'



Anizoganthus manglesii  
Red Green Kangaroo Paw



Agave attenuata  
Agave



Strelitzia reginae  
Bird of Paradise



Leucospermum  
cordifolium  
Nodding Pincushion



Alternanthera dentata  
'Little Ruby'



LEGEND

- 01 EXISTING VERGE PAVING
- 02 EXISTING VERGE LANDSCAPING
- 03 EXISTING TREE TO REMAIN
- 04 EXISTING TREE TO BE REMOVED
- 05 MATURE AGONIS FLEXUOSA TREE TO REPLACE REMOVED STREET TREE
- 06 RAISED PLANTER WITH PART SHADE TOLERANT PLANTING
- 07 IN-BUILT BALCONY PLANTER WITH PART SHADE TOLERANT PLANTING

LIGHTING LEGEND

- WALL WASH LIGHTING
- BENCH STRIP LIGHTING
- FEATURE PLANT UPLIGHTING
- LARGE UP-LIGHTS TO TREES

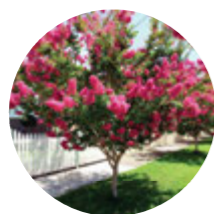
LANDSCAPE SUMMARY

LANDSCAPED AREA (<1M SOIL DEPTH)	69.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	25m <sup>2</sup>

TREES



Cupaniopsis anacardioides 'Tuckeroo'



Lagerstroemia archeriana 'Sioux'

FEATURE



Cycas revoluta 'Cycad'

CREEPING GROUNDCOVERS & CLIMBERS



Ficus pumila Creeping Fig



Viola hederacea Native Violet



Senecio mandraliscae Blue Chalk Sticks



Trachelospermum jasminoides Chinese Star Jasmine



Dichondra 'Silver Falls'

SHRUBS & GROUNDCOVERS



Agave attenuata Agave



Lomandra confertifolia 'Seascape'

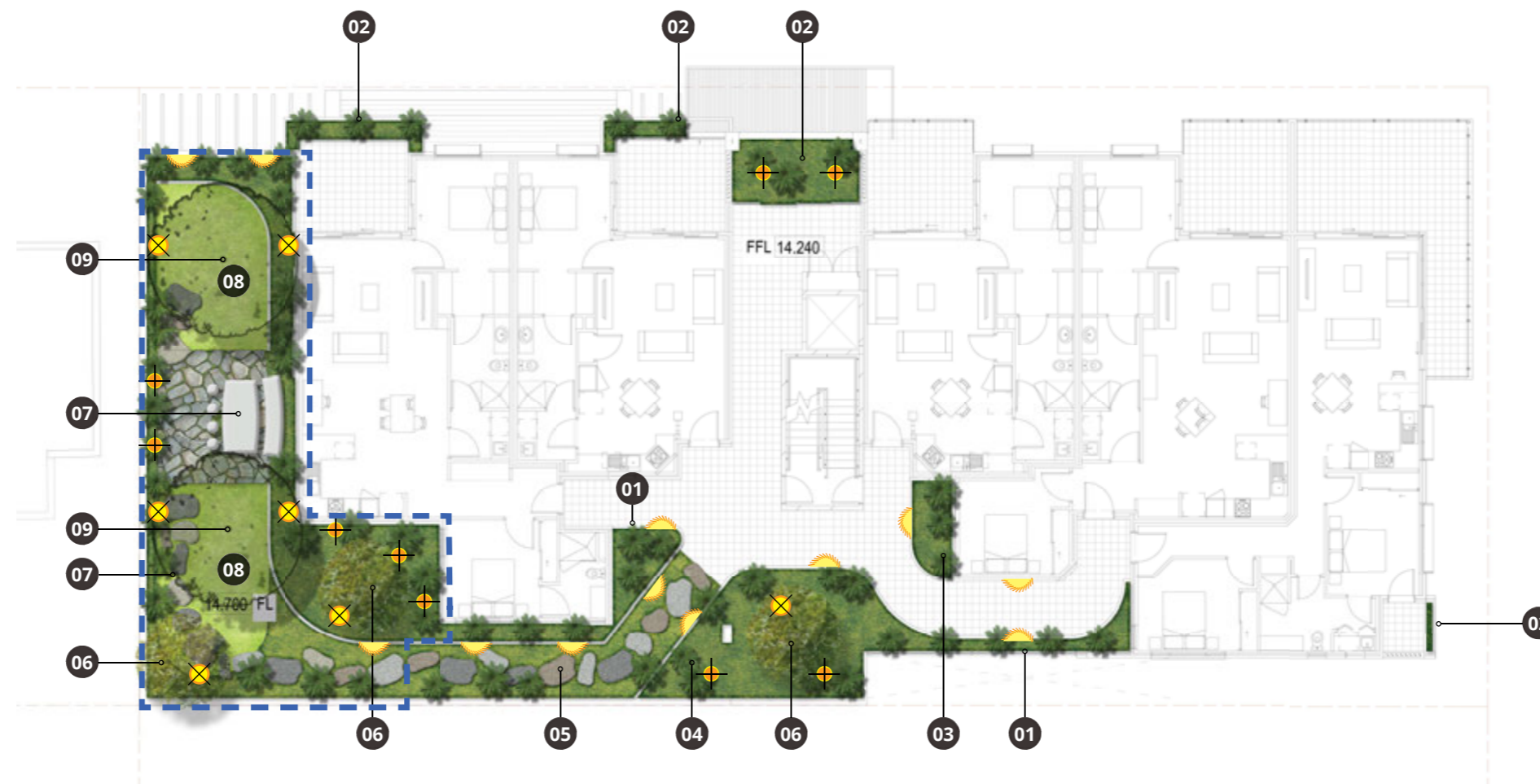


Alternanthera dentata 'Little Ruby'



Pittosporum 'Miss Muffet' Dwarf Pittosporum

TREE DETAILS	
<b>LAGERSTROEMIA ARCHERIANA 'SIOUX'</b>	
PROPOSED SOIL VOLUME	9m <sup>3</sup>
MINIMUM SOIL VOLUME REQ.	9m <sup>3</sup>
CANOPY AT MATURITY	5m X 4m
SUITABLE FOR PODIUM	YES
SOIL REQUIREMENTS	SANDY FREE DRAINAGE. LOW ORGANIC MATERIAL
IRRIGATION REQUIREMENTS	MOIST. IRRIGATION REQUIRED 3-4 DAYS/WEEK. MOISTURE SENSOR REQ.
<b>CUPANIOPSIS ANACARDIOIDES 'TUCKEROO'</b>	
PROPOSED SOIL VOLUME	36m <sup>3</sup>
MINIMUM SOIL VOLUME REQ.	10m <sup>3</sup>
CANOPY AT MATURITY	8m X 6m
SUITABLE FOR PODIUM	YES
SOIL REQUIREMENTS	SANDY FREE DRAINAGE. LOW ORGANIC MATERIAL
IRRIGATION REQUIREMENTS	MOIST. IRRIGATION REQUIRED 3-4 DAYS/WEEK. MOISTURE SENSOR REQ.



FIRST FLOOR PLAN

LEGEND

- 01 RAISED PLANTER WITH PART SHADE TOLERANT PLANTING
  - 02 IN-BUILT BALCONY PLANTER WITH PART SHADE TOLERANT PLANTING
  - 03 INTERNAL RAISED PLANTER WITH SHADE TOLERANT PLANTING
  - 04 RAISED CORTEN PLANTER BOX WITHIN PLANTER BOX WITH CYCAS REVOLUTA 'CYCAD'
  - 05 FLAGSTONE PAVING TO PLANTING/TURF INTERFACE
  - 06 LAGERSTROEMIA ARCHERIANA TO DEEP SOIL AREA
  - 07 OUTDOOR SEATING. TO CRAZY PAVING FEATURE PAVING WITH GROUNDCOVERS GROWING BETWEEN
  - 08 ROLL ON TURF TO DEEP SOIL AREA
  - 09 CUPANIOPSIS ANACARDIOIDES 'TUCKEROO' TREES TO DEEP SOIL AREA
- 1M DEPTH DEEP SOIL AREA ON STRUCTURE

LIGHTING LEGEND

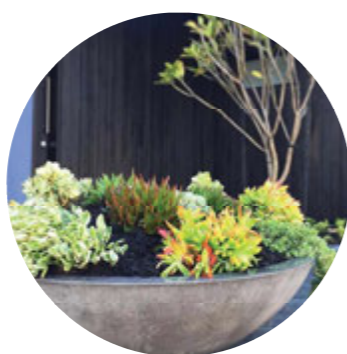
- ☀ WALL WASH LIGHTING
- 🔴 BENCH STRIP LIGHTING
- ✦ FEATURE PLANT UPLIGHTING
- ✖ LARGE UP-LIGHTS TO TREES



FLAGSTONE PAVING TO SUMMER STONE FINES & GROUNDCOVER PLANTING



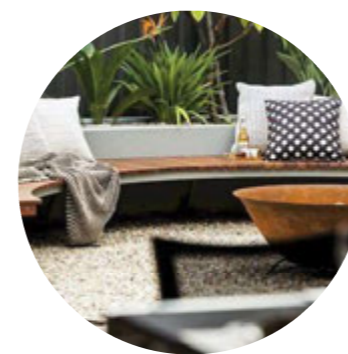
FLAGSTONE PAVING TO SUMMER STONE FINES & GROUNDCOVER PLANTING



FEATURE POTS & PLANTING TO PAVED AREAS



SUMMER STONE GRAVEL HARDSTAND TO VEGETABLE GARDENS



CURVED TIMBER SEATING TO PLANTER BOX



CURVED TIMBER SEATING TO PLANTER BOX



FEATURE PAVING TO SEATING AREA

LANDSCAPE SUMMARY

LANDSCAPED AREA (<1M SOIL DEPTH)	88.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	94m <sup>2</sup>



**CREEPING GROUNDCOVERS & CLIMBERS**



Dichondra 'Silver Falls'



Viola hederacea  
Native Violet



Senecio mandraliscae  
Blue Chalk Sticks



Trachelospermum  
jasminoides  
Chinese Star Jasmine

**SHRUBS & GROUNDCOVERS**



Agave attenuata  
Agave



Liriope muscari  
'Evergreen Giant'



Lomandra confertifolia  
'Seascape'



Pittosporum  
'Miss Muffet'  
Dwarf Pittosporum



Syzygium australe  
'Big Red'  
Big Red Lilly Pilly



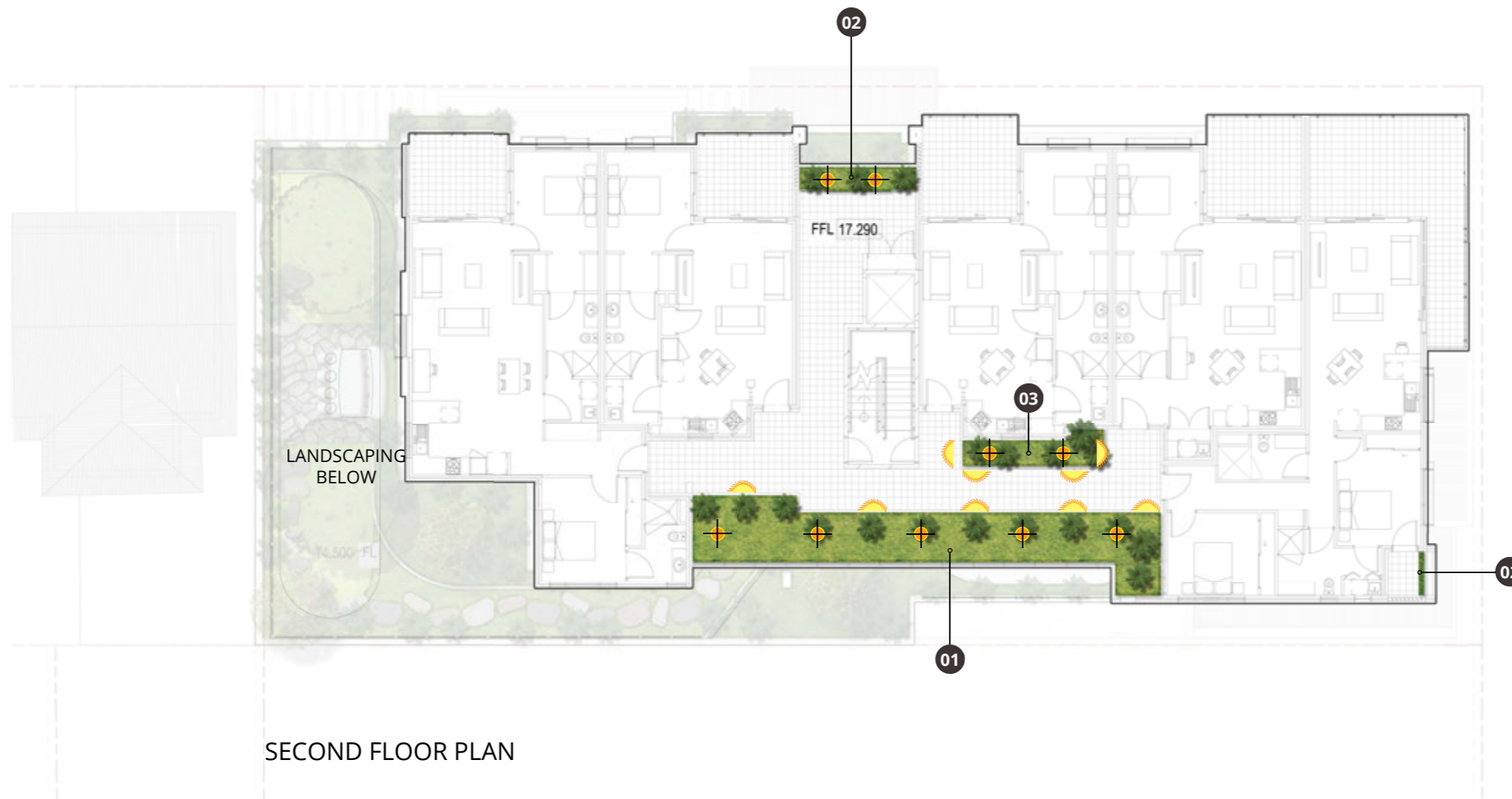
Zamia furfuracea  
Cardboard Palm

**LEGEND**

- 01 RAISED PLANTER WITH PART SHADE TOLERANT PLANTING
- 02 IN-BUILT BALCONY PLANTER WITH PART SHADE TOLERANT PLANTING
- 03 INTERNAL RAISED PLANTER WITH SHADE TOLERANT PLANTING

**LIGHTING LEGEND**

- WALL WASH LIGHTING
- FEATURE PLANT UPLIGHTING
- LARGE UP-LIGHTS TO TREES



SECOND FLOOR PLAN

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	43.5m2
DEEP SOIL AREA (TRUE)	0m2
DEEP SOIL AREA (ON STRUCTURE, >1M)	0m2

**CREEPING GROUNDCOVERS & CLIMBERS**



Dichondra 'Silver Falls'



Viola hederacea  
Native Violet



Trachelospermum  
jasminoides  
Chinese Star Jasmine

**SHRUBS & GROUNDCOVERS**



Agave attenuata  
Agave



Pittosporum  
'Miss Muffet'  
Dwarf Pittosporum



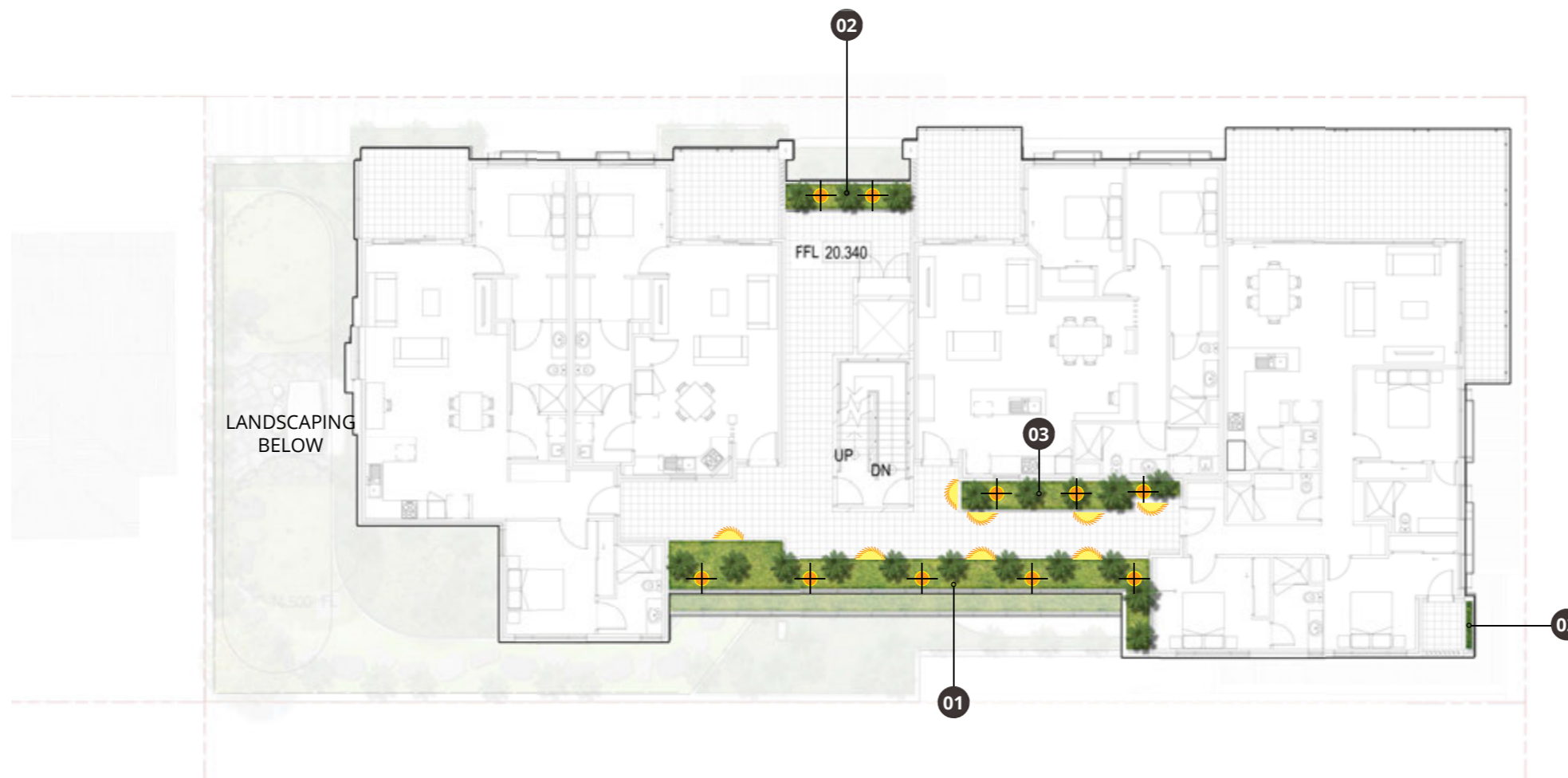
Syzygium australe  
'Big Red'



Zamia furfuracea  
'Cardboard Palm'



Liriope muscari  
'Evergreen Giant'



**LEGEND**

- 01 RAISED PLANTER WITH PART SHADE TOLERANT PLANTING
- 02 IN-BUILT BALCONY PLANTER WITH PART SHADE TOLERANT PLANTING
- 03 INTERNAL RAISED PLANTER WITH SHADE TOLERANT PLANTING

**LIGHTING LEGEND**

- WALL WASH LIGHTING
- FEATURE PLANT UPLIGHTING
- LARGE UP-LIGHTS TO TREES

**THIRD FLOOR PLAN**

**SHADE PLANTING**



Alpinia caerulea  
Native Ginger



Alocasia  
Elephant Ears



Rhaps excelsa  
Rhaps Palm



Philodendron Xanadu

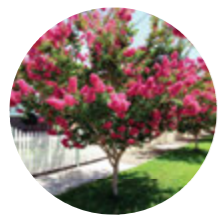


Asplenium nidus  
Bird's Nest Fern

**LANDSCAPE SUMMARY**

LANDSCAPED AREA (<1M SOIL DEPTH)	29.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	0m <sup>2</sup>

TREES



Lagerstroemia archeriana  
Crepe Myrtle 'Sioux'

CREEPING GROUNDCOVERS & CLIMBERS



Ficus pumila  
Creeping Fig



Trachelospermum  
jasminoides  
Chinese Star Jasmine



Dichondra 'Silver Falls'



Vitis vinifera 'Ganzin Glory'  
Ornamental Grape

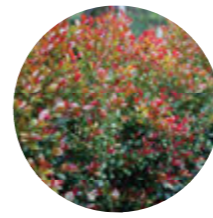
SHRUBS & GROUNDCOVERS



Agave attenuata  
Agave



Lomandra longifolia  
'Tanika'



Syzygium australe  
'Big Red'  
Big Red Lilly Pilly



Pittosporum  
'Miss Muffet'  
Dwarf Pittosporum

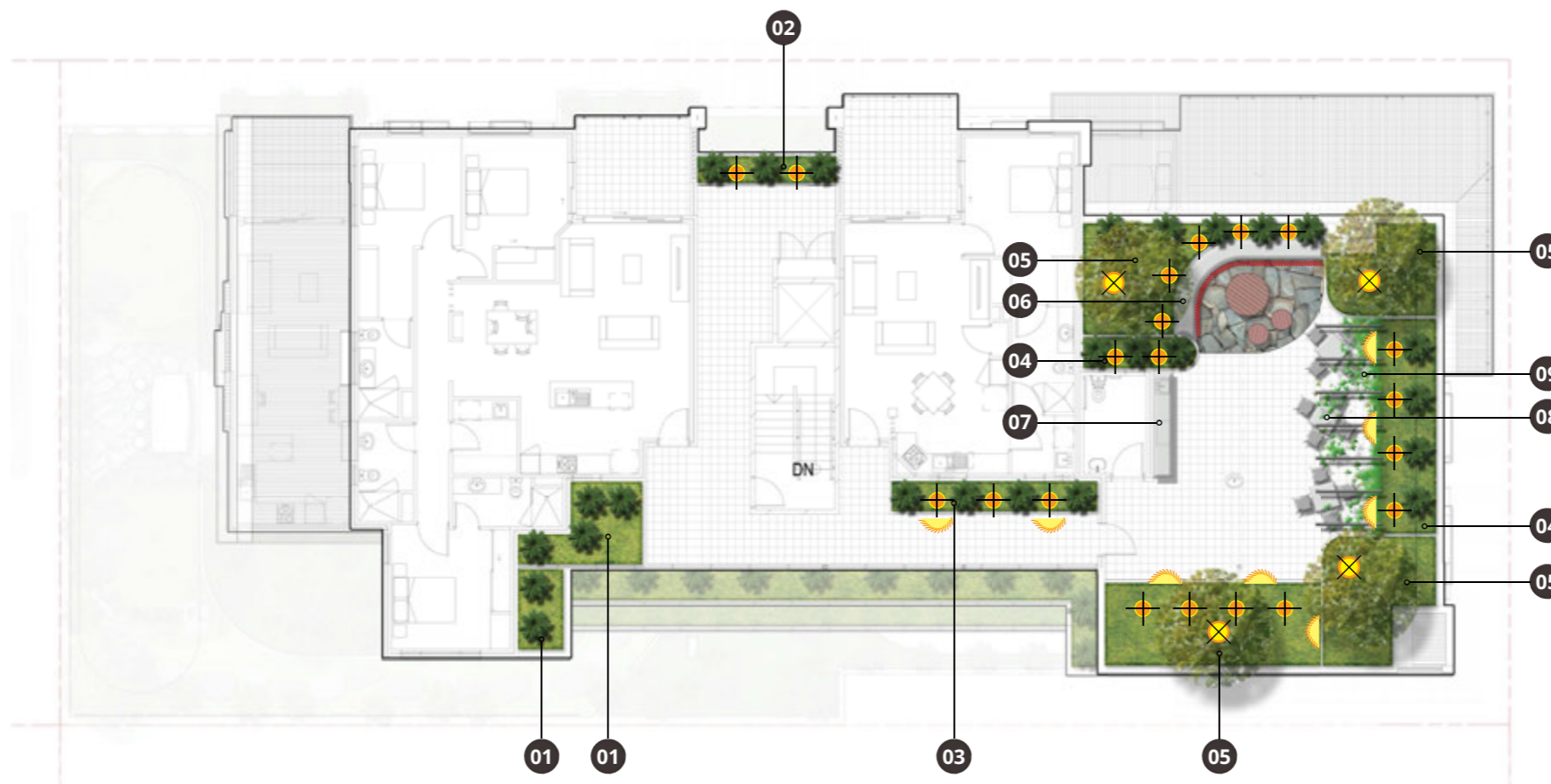


Strelitzia reginae  
Bird of Paradise



Leucospermum  
cordifolium  
Nodding Pincushion

TREE DETAILS	
<b>LAGERSTROEMIA ARCHERIANA 'SIOUX'</b>	
PROPOSED SOIL VOLUME	9m3
MINIMUM SOIL VOLUME REQ.	9m3
CANOPY AT MATURITY	5m X 4m
SUITABLE FOR PODIUM	YES
SOIL REQUIREMENTS	SANDY FREE DRAINAGE. LOW ORGANIC MATERIAL
IRRIGATION REQUIREMENTS	MOIST. IRRIGATION REQUIRED 3-4 DAYS/WEEK. MOISTURE SENSOR REQ.



FOURTH FLOOR PLAN

LEGEND

- 01 RAISED PLANTER WITH PART SHADE TOLERANT PLANTING
- 02 IN-BUILT BALCONY PLANTER WITH PART SHADE TOLERANT PLANTING
- 03 INTERNAL RAISED PLANTER WITH SHADE TOLERANT PLANTING
- 04 RAISED IN-BUILT BALCONY PLANTER WITH FULL SUN PLANTING
- 05 RAISED IN-BUILT PLANTER BOX WITHIN PLANTER BOX WITH LAGERSTROEMIA ARCHERIANA
- 06 FORMED CONCRETE SEATING WITH FEATURE PAVING TO FORMALISE SEATING ZONE
- 07 OUTDOOR BBQ
- 08 LOOSE FURNITURE TO PAVING FOR FLEXIBLE USE
- 09 ARBOR TO PLANTER BOX. TRELIS & VINE PLANTING TO ARBOR

LIGHTING LEGEND

- WALL WASH LIGHTING
- BENCH STRIP LIGHTING
- FEATURE PLANT UPLIGHTING
- LARGE UP-LIGHTS TO TREES



ARBOR TO PLANTER BOX



CURVED TIMBER SEATING TO  
PLANTER BOX



ROOF GARDEN LIGHTING



IN BUILT SEATING TO  
PLANTER BOXES

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	24m2
DEEP SOIL AREA (TRUE)	0m2
DEEP SOIL AREA (ON STRUCTURE, >1M)	58.5m2



GROUND FLOOR PLAN - LOWER

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	18m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	7m <sup>2</sup>



GROUND FLOOR PLAN - UPPER

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	69.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	25m <sup>2</sup>

**SOIL LEGEND**

- LANDSCAPED AREA (<1M SOIL DEPTH)
- DEEP SOIL AREA (TRUE)
- DEEP SOIL AREA (ON STRUCTURE, >1M)



FIRST FLOOR PLAN

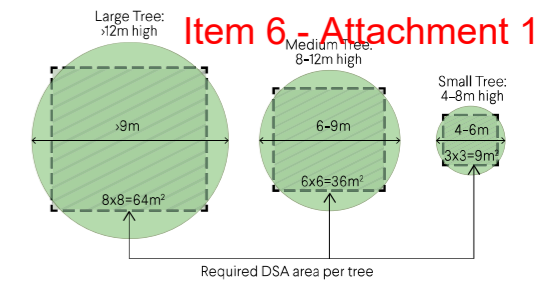


Figure 3.3b Tree size definitions when mature for deep soil areas.

**SOIL LEGEND**

- LANDSCAPED AREA (<1M SOIL DEPTH)
- DEEP SOIL AREA (TRUE)
- DEEP SOIL AREA (ON STRUCTURE, >1M)

**LANDSCAPE SUMMARY**

LANDSCAPED AREA (<1M SOIL DEPTH)	88.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	94m <sup>2</sup>

Table 3.3b 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 <sup>1</sup> (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m <sup>2</sup>	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m <sup>2</sup>	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m <sup>2</sup>	6m	4.5m (DSA) + 1.5m (RSZ)	500L

<sup>1</sup> Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

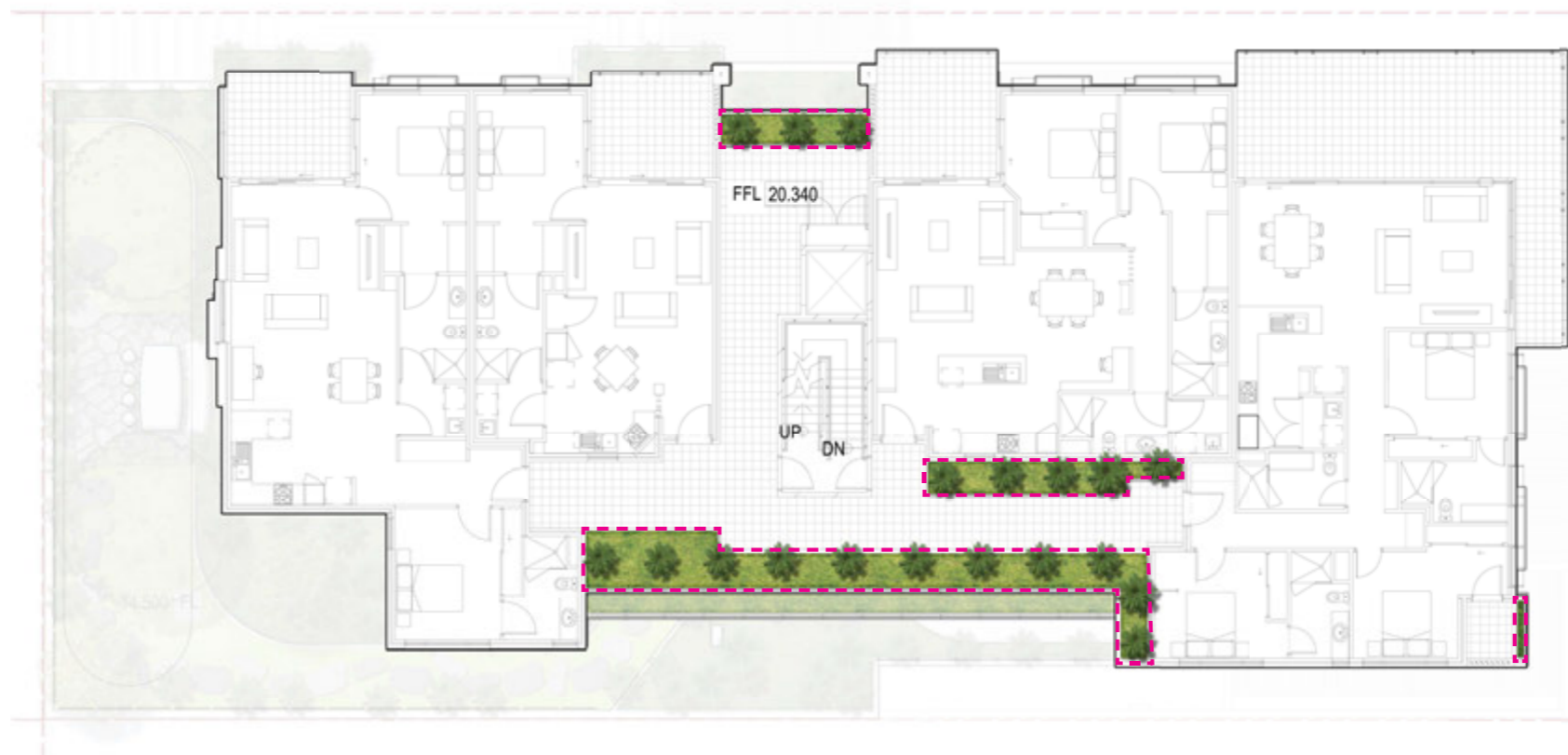
Figure 3.3f Rootable soil zone.



SECOND FLOOR PLAN

**LANDSCAPE SUMMARY**

LANDSCAPED AREA (<1M SOIL DEPTH)	43.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	0m <sup>2</sup>



THIRD FLOOR PLAN

**SOIL LEGEND**

- LANDSCAPED AREA (<1M SOIL DEPTH)
- DEEP SOIL AREA (TRUE)
- DEEP SOIL AREA (ON STRUCTURE, >1M)

LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	29.5m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	0m <sup>2</sup>

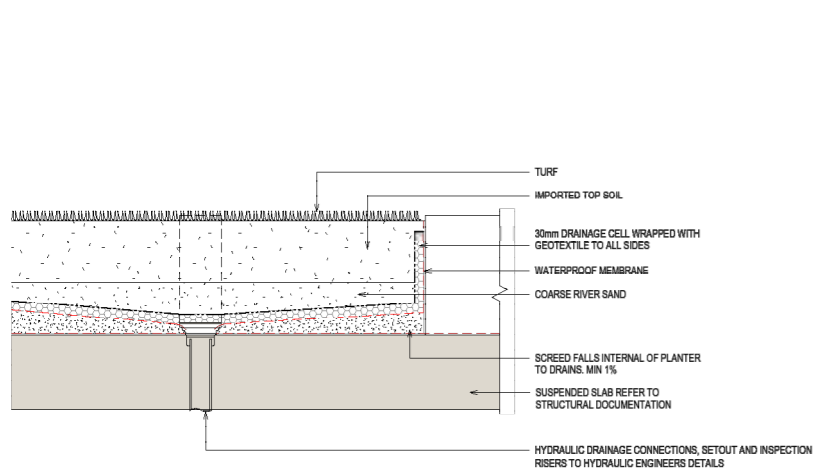


FOURTH FLOOR PLAN

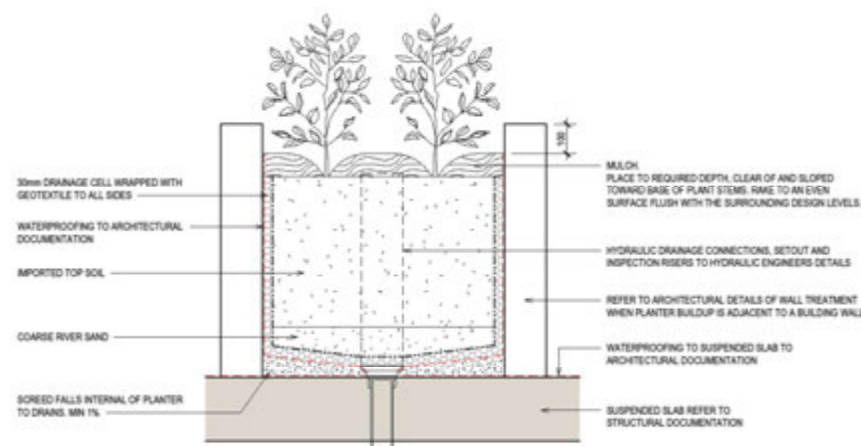
**SOIL LEGEND**

- LANDSCAPED AREA (<1M SOIL DEPTH)
- DEEP SOIL AREA (TRUE)
- DEEP SOIL AREA (ON STRUCTURE, >1M)

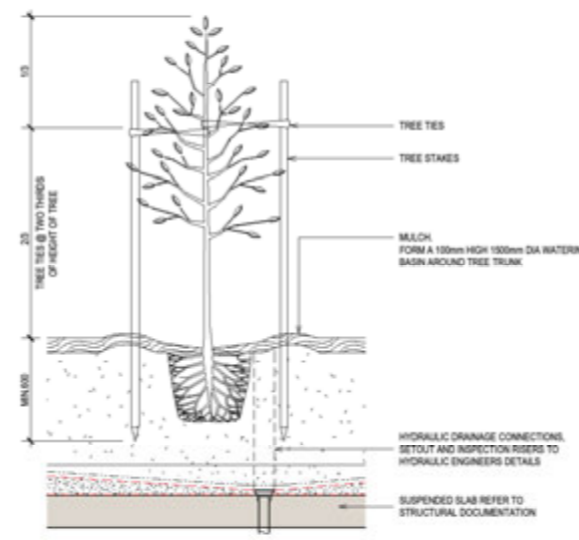
LANDSCAPE SUMMARY	
LANDSCAPED AREA (<1M SOIL DEPTH)	24m <sup>2</sup>
DEEP SOIL AREA (TRUE)	0m <sup>2</sup>
DEEP SOIL AREA (ON STRUCTURE, >1M)	58.5m <sup>2</sup>



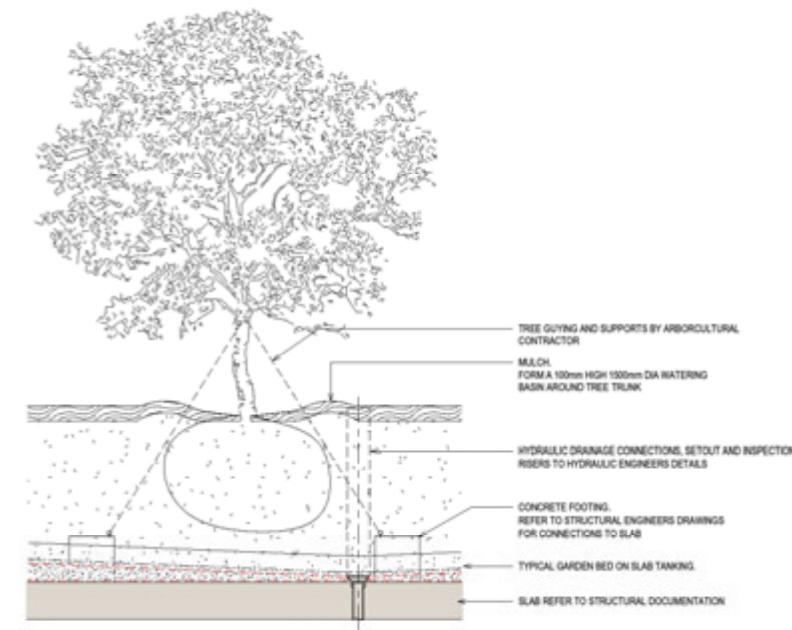
1 TURF ON STRUCTURE



2 PLANTER ON STRUCTURE



3 TREES 500L AND SMALLER



4 TREES 1000L OR LARGER ON SLAB

DESIGN WA ASSESSMENT ITEMS

CALCULATING DEEP SOIL AREAS

KEY INFORMATION

- DEEP SOIL AREAS (DSA) OCCURS WITHIN THE LOT BOUNDARY.
- RECOMMENDS 10% DSA MINIMUM, OR 7% IF A TREE IS RETAINED ON SITE.
- DSA MAY BE CO-LOCATED WITH EITHER A RETAINED EXISTING TREE OR PLANTED TREE/S AND MEET A MINIMUM DIMENSION.
- MINIMUM DSA DIMENSIONS DEPEND ON SIZE OF TREE AT MATURITY
- 20% OF THE DSA MAY BE COVERED WITH PERMEABLE PAVING OR DECKING.
- IF LOCATED ADJACENT TO A ROOTABLE SOIL ZONE (RSZ) THE MINIMUM DIMENSION MAY BE NOMINALLY REDUCED, PROVIDED THE RSZ IS CONTIGUOUS.
- RSZ DOES NOT CONTRIBUTE TO OVERALL DSA REQUIREMENTS
- IF SITE CONDITIONS PREVENT 10% DSA FROM BEING ACHIEVED, PLANTING ON STRUCTURE AT TWO TIMES THE SHORTFALL MAY BE CONSIDERED.

DEFINITIONS

R-CODES VOL. 2 DEFINITIONS

**DEEP SOIL AREA - SOFT LANDSCAPE** AREA ON LOT WITH NO IMPEDING 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 / SPACE** - 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.

Table 4.12 Planting on structure: minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m <sup>3</sup>	1,200mm	64m <sup>2</sup> with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m <sup>3</sup>	1,000mm	36m <sup>2</sup> with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m <sup>3</sup>	800mm	3m x 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m <sup>3</sup>	800mm	2m x 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

IRRIGATION REQUIREMENTS

A FULLY AUTOMATIC IRRIGATION SYSTEM WILL BE INSTALLED FOR THE 105 BROADWAY PROJECT. THE SCOPE WILL INCLUDE:

- IRRIGATION TO ALL LANDSCAPE AREAS
- MOISTURE SENSORS THROUGHOUT, TO ENSURE WATER USE IS MINIMISED
- USE OF LOW WATER USE EMITTERS TO ENSURE ONLY SUFFICIENT WATER IS PROVIDED TO IRRIGATE PLANTING AREAS
- IN-LINE FERTILISATION UNIT TO ENSURE FERTILISING AND MOISTURE RETENTION IS CONTROLLED
- USE OF POP - UP FLOOD BUBBLERS TO SUIT SIZE OF GARDEN BEDS TO ENSURE ANY OVER-SPRAY AND WASTAGE IS MITIGATED, AND;
- A DETAILED DESIGN AND SPECIFICATION WILL BE PROVIDED AT BUILDING LICENSE APPLICATION STAGE.



# Lloyd George Acoustics

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Hillarys WA 6923  
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www.lgacoustics.com.au

**To:** JM & EA Hall c/- Oldfield Knott Architects **From:** Benjamin Hillion

**Attention:** Frank Iemma **Date:** 27 May 2021

**Email:** fiemma@okarch.com.au **Pages:** 1

**Our Ref:** 19125307-02.docx

**Re:** **Mixed-Use Development, 105 Broadway Nedlands**

Frank,

As requested, we have considered the recent changes to the drawings for the proposed mixed use development at 105 Broadway in Nedlands.

We note the following:

- Reduction in building height & number of apartments - from 22 down to 19, which achieve a greater setback.
- Location of AC condensers is further to the west of the roof which is now 27.75m high (instead of 28.6m high).
- The office area has reduced from 166 m<sup>2</sup> to 63 m<sup>2</sup> with AC condenser to be located inside undercover car park.
- The lower ground floor now incorporates a ramp down to the basement which now incorporates car parking
- The Upper ground floor now incorporates 3 apartments and a small residents' Gym

Whilst the noise emissions and BCA report will require review, the above changes are expected to be manageable from an acoustic point of view. The gym is of a modest size and only interfaces with Unit 5 (it is directly below) this can be managed through acoustic advice on the floor/ceiling system upgrade. The relocation of some AC condenser units is thought to be manageable with standard mitigations (screens, selection of quiet units etc.) and the proposed locations are not anticipated to be an issue as long as adequate controls are put into place.

In summary we don't expect the proposed changes to be an issue in terms of compliance with the Noise Regulations and the BCA as long as the acoustic report is reviewed and updated accordingly during detailed design following DA.

We trust the above is satisfactory. Should you require further information, please do not hesitate in contacting us.

Regards,

Benjamin Hillion





19 May 2021

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604 Newcastle St  
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City of Nedlands  
71 Stirling Highway  
Nedlands  
Western Australia 6009

To whom it may concern.

**RE: Waste Statement – Revised Design for 105 Broadway, Nedlands**

Following on from the JDAP meeting, the revised drawings show the following changes related to waste:

- Reduction in number of apartments from twenty-two (22) to nineteen (19), with the breakdown as follows:
  - One Bedroom Apartments – 8;
  - Two Bedroom Apartments – 9; and
  - Three Bedroom Apartments – 2.
- Reduced office floor area from 166m<sup>2</sup> to 63m<sup>2</sup>.

Talis can confirm that the revisions can accommodate the required number of bins within the Residential and Commercial Bin Storage Area in accordance with the reduction in apartments and floor area for the office tenancy.

Whilst the waste generated by the development has decreased, the storage space and bins displayed within the Residential Bin Storage Area and the Waste Management Plan (TW20071 – Waste Management Plan.1a) exceed the requirements for the yield stated above.

If you have any additional questions or require further clarification, please do not hesitate to contact me.

Yours sincerely,

Dilan Patel

Waste Management Consultant

**TALIS CONSULTANTS**

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**Proposed Mixed-Use Development**  
**105 Broadway, Nedlands**  
Revised Transport Impact Statement

PREPARED FOR:  
JM & EA Hall

May 2021

## Document history and status

Author	Revision	Approved by	Date approved	Revision type
Vladimir Baltic	r01	B Bordbar	11/09/2020	Draft
Vladimir Baltic	r01a	B Bordbar	15/09/2020	Final
Vladimir Baltic	r01b	B Bordbar	5/02/2021	1 <sup>st</sup> Revision
Vladimir Baltic	r02	B Bordbar	19/05/2021	2 <sup>nd</sup> Revision

**File name:** t19.291.vb.r02.docx

**Author:** Vladimir Baltic

**Project manager:** Behnam Bordbar

**Client:** JM & EA Hall

**Project:** 105 Broadway, Nedlands

**Document revision:** r02

**Project number:** t19.291

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## 1.0 Introduction

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Transcore prepared a Transport Impact Statement report for the previously proposed mixed-use development at 105 Broadway in Nedlands, City of Nedlands. Subsequent to the DA submission a JDAP meeting was held with a particular focus on the building height, presentation and land use composition. As a result, the following key modifications to the original proposal were implemented:

- ✚ Reduction in the number of apartments from the previous 22 to 19 units;
- ✚ Reduction in office floorspace from 166m<sup>2</sup> to 63m<sup>2</sup> GFA;
- ✚ Addition of Basement car park level;
- ✚ Reduction in parking provision from 36 to 34 car bays;

Accordingly, this Revised Transport Impact Statement (hereafter RTIS), prepared by Transcore on behalf of JM & EA Hall, has been necessitated by the outcome of the recent JDAP meeting.

The Transport Impact Assessment Guidelines for Developments (WAPC, Vol 4 – Individual Developments, August 2016) states: “A Transport Statement is required for those developments that would be likely to generate moderate volumes of traffic<sup>1</sup> and therefore would have a moderate overall impact on the surrounding land uses and transport networks”. Section 5.0 of Transcore’s report provides details of the estimated trip generation for the proposed development. Accordingly, as the total peak hour vehicular trips are estimated to be less than 100 trips, a *Transport Impact Statement* is deemed appropriate for this development.

The site is located at the southwest corner of the Broadway/Elizabeth Street intersection and immediately west of Broadway Fair Shopping Centre, as shown in **Figure 1** overleaf.

The site is therefore bounded by Elizabeth Street to the north, Broadway to the east and the existing residential dwellings to the immediate west and south.

Pedestrians are currently accessing the site directly via existing path along frontage roads.

The subject site is presently occupied by a double-storey commercial office development. The site is located within a mixed residential/commercial zone.

---

<sup>1</sup> Between 10 and 100 vehicular trips



**Figure 1: Location of the subject site**

## 2.0 Proposed Development

---

The subject site occupies an area of approximately 880m<sup>2</sup> at the southwest corner of Broadway and Elizabeth Street.

As part of the development proposal the existing structures at the subject site will be replaced with a 5-6 storey mixed-use development comprising a small-scale office tenancy and 19 apartments (mix of single-bedroom, two-bedroom and three-bedroom apartments) and the associated three-level car parking area (upper and lower ground and basement).

As part of the development proposal, the existing crossover on Elizabeth Street at the northern end of the site will be slightly shifted to the east while the existing Broadway crossover will be retained at its current location.

Residential parking is proposed in form of single and stacker bays while all visitor bays are proposed in form of single bays. The residential car parking is sectioned off by remotely-controlled gates for security reasons.

The lower ground and basement car parks are served by a left-in/left-out crossover on Broadway while the upper ground car park is accessed via right-in/left-out/right-out crossover on Elizabeth Street, due to Elizabeth Street being one-way eastbound at this location.

The development also provides for residential and visitor bike parking. A visitor bike rack is proposed near the Elizabeth Street entry into the building while three bike racks are provided off Broadway entry at lower ground car park, within the visitor car park section and adjacent to the loading zone. In addition, a total of six, ten (wall mounted) and five bike racks for residents are provided at upper ground, lower ground and basement residential car parks, respectively.

The bin storage area is located at the lower ground car park area, immediately adjacent to the loading zone and at the back of the office tenancy. It is assumed that waste collection will take place using (up to) 8.0m long rear-loading truck.

Pedestrians will access the development from the external footpath network which is in place along Elizabeth Street and Broadway. The access for residents is facilitated via upper ground floor lobby with a lift and staircase accessed from Elizabeth Street while access to the office tenancy is proposed directly off Broadway at lower ground level.

Refer to **Appendix A** for plans of the proposed development.



### 3.0 Vehicle Access and Parking

All resident and visitor parking is accommodated within the three-level car park facility comprising lower upper ground, lower ground and basement.

The lower ground and basement car parks are served by a left-in/left-out crossover on Broadway, while the upper car park is served by a right-in/left-out/right-out crossover on Elizabeth Street. The operation of the Elizabeth Street crossover is impacted by the recent downgrade of Broadway/Elizabeth Street intersection from former full-movement form to a left-out only format.

The total car parking provision for the development entails 34 parking bays (including one ACROD bay) and two motorcycle bays. The breakdown of parking bays per each car park level is provided in **Table 1**.

**Table 1: Parking schedule**

	Residential bays	Visitor bays	Motorcycle bays
<b>Basement</b>	10	-	-
<b>Lower Ground</b>	12	4 (incl. 1 ACROD)	-
<b>Upper Ground</b>	6	2	2
<b>Total</b>	<b>28</b>	<b>6</b>	<b>2</b>

The lower ground/basement and upper ground car parks are not connected and are served by separate accesses on two fronting roads. A two-way ramp connects lower ground and basement car parks though. The lower ground/basement car park is proposed to be served by a 4.8m wide two-way crossover with upper ground car park proposed to be served by a 6.0m wide two-way crossover.

Although the 4.8m wide two-way driveway can practically accommodate only single direction of traffic at any one point in time, the anticipated low traffic generation of the development, combined with straight driveway geometry and generally directional type of flow (exit in AM peak and entry in PM peak) the operation of this facility is considered to be feasible. Use of visual and sightline aid devices such as convex mirrors and/or cameras (or similar) would provide further assistance with parking operations.

On-street parking is permitted on both Elizabeth Street (northern side) and Broadway (western side) in this vicinity thus providing additional convenient parking opportunities for the visitors of the development.

Refer **Appendix A** for detailed development plans.

## 4.0 Provision for Service Vehicles

---

The waste collection is proposed to take place at the lower ground car park with waste collection vehicle moving into the car park area in forward gear turning within the car park and reversing towards the bin storage area to park within the loading zone. After emptying the bins vehicle would leave the car park in forward gear.

A turn path assessment, using an 8.0m long rear-loader waste truck with appropriate clearances, confirms the suitability of the proposed design to accommodate such vehicle. The copies of the relevant turn path plans are appended in **Appendix B**.

## 5.0 Daily Traffic Volumes and Vehicle Types

The traffic volumes likely to be generated by the proposed residential development have been estimated using the *RTA NSW Guide to Traffic Generating Developments (2002)* and *NSW Transport Roads & Maritime Services Technical Direction TDT 4a 2013* documents, which provides total daily and peak hour trip rates for the constituent land uses.

In this particular case peak hour trip generation rates of 5 and 0.5 trips/dwelling for total daily and AM/PM peak periods has been applied corresponding to “medium density residential flat building” type of residential dwellings. The adopted trip rates are conservative resulting in a robust assessment considering the site location and excellent public transport coverage. A trip generation rate of 11 and 1.6/1.2 trips/100m<sup>2</sup> GFA for total daily and AM/PM peak periods has been applied for the office component.

Accordingly, it is estimated that the proposed mixed-use development would generate a total of approximately **102** daily vehicle trips with about **11** trips during both AM and PM peak hour periods. These trips include both inbound and outbound vehicle movements. It is anticipated that most of the vehicle types would be passenger cars and to the lesser extent 4WDs.

The traffic distribution detailed in **Table 2** was based on the following directional split assumptions for peak hour periods:

- ✚ Morning (AM) peak split estimated at 25%/75% and 80%/20% for inbound/outbound trips associated with residential and office uses, respectively; and,
- ✚ Afternoon (PM) peak split estimated at 66%/34% and 20%/80% for inbound/outbound trips associated with residential and office uses, respectively.

**Table 2: Peak hour trips for the proposed development**

Time period	Directional Split	Traffic	Peak Hour Trips
<b>Morning Peak</b>	Inbound	4	<b>11</b>
	Outbound	7	
<b>Afternoon Peak</b>	Inbound	6	<b>11</b>
	Outbound	5	

The directional morning, afternoon and daily trip distribution of the development-generated traffic is illustrated in **Figure 2**.



**Figure 2. Estimated traffic movements for the subject development – morning, and afternoon peak hour trips**

The WAPC *Transport Impact Assessment Guidelines for Developments* (2016) provides guidance on the assessment of traffic impacts:

*“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where the development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”*

From **Figure 2** it can be seen that the estimated traffic impact from the proposed development would be most pronounced on Broadway (north of the site where peak hour and daily traffic increases of 6vph and 47vpd are anticipated. This translates to less than 1% of the existing total daily traffic volume on this road. Hence, the impact on the surrounding road network is not considered to be significant.

## 6.0 Traffic Management on the Frontage Streets

---

**Elizabeth Street**, up until recently, was a single carriageway, two-lane road with approximately 9.0m wide carriageway. However, in early 2020 in partnership with Department of Transport and it was redesigned to entail a 4.5m wide trafficable lane with embayed parking along both sides as a traffic-calming measure (i.e. Safe Active Street Program). Pedestrian paths are in place along the both sides of the road.

Elizabeth Street is classified as an *Access Road* in accordance with Main Roads WA *Functional Road Hierarchy*. It operates under a default 50km/h built-up area speed limit regime. Immediately west of the site a 40km/h school zone is placed on Elizabeth Street.

**Broadway**, is constructed as a single-carriageway, two-lane boulevard-style road with a 2.0m wide solid median. The embayed, on-street parking is provided intermittently on both sides of the road. Wide pedestrian paths are in place along both sides of the road.

Broadway is classified as a *Distributor B* in accordance with Main Roads WA *Functional Road Hierarchy*. It operates under a default 50km/h built-up area speed limit regime.

Based on the latest available traffic count data sourced from Main Roads WA Broadway (South of Stirling Highway) carried approximately 9,600vpd on a regular weekday in 2019/20.

Broadway and Elizabeth Street have recently been downgraded from a full-movement T-intersection to a left-out only format (on Elizabeth Street approach).

Main Roads WA Intersection *Crash Ranking Report* provides detailed crash data for intersections over the 5-year period ending 31 December 2020. There have been no crashes recorded at this intersection during the particular 5-year period.

## 7.0 Public Transport Access

The subject site is very well served by a number of bus services operating along Broadway (bus routes 24 and 96) and Bruce Street (bus route 23). The available bus services provide connectivity to a number of landmark points (Claremont, QEII Hospital, Kings Park, etc.) including Elizabeth Quay Bus Station, Claremont Station and Leederville Station which further provide access to the greater rail network.

The nearest bus stops on Broadway and Bruce Street are located in the immediate vicinity of the site and are accessible via existing pedestrian paths. Refer **Figure 3** for more details.



Figure 3. Local public transport service map (source: Transperth Maps)

## 8.0 Pedestrian Access

---

Pedestrian access to the subject site is available via existing footpaths which are in place along Broadway and Elizabeth Street. Pedestrian crossings on Broadway is located in immediate vicinity of the site and provides direct link to the adjacent Broadway Fair Shopping Centre.

## 9.0 Cycle Access

According to the current Department of Transport *Perth Bicycle Network Plan*, although the subject site has no formal direct access to the existing bike path network within the locality a number of cycling routes and roads classified as “good road riding environment” are located within close proximity to the site and are accessible via local roads which carry relatively low level of traffic.

The Perth bicycle network route N21 are in place along Swan River foreshore at Matilda Bay and along Princess Road. All these routes are accessible via local roads which carry relatively low level of traffic and allow for safe cyclist/vehicular traffic mix.

With these routes and facilities, it is evident that the subject site has good but indirect access to a number of bike routes that can potentially support the use of non-motorised means of transport. Refer **Figure 4** for more details.



Figure 4: Extract from Perth Bicycle Network (Department of Transport)



## 10.0 Site Specific Issues

---

No particular site-specific issues have been identified for this proposed residential development.

## 11.0 Safety Issues

---

No particular transport safety issues have been identified for this proposed development.

## 12.0 Conclusions

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This Transport Impact Statement provides information on the proposed mixed-use development to be located at 105 Broadway in Nedlands, City of Nedlands.

The development contemplates a 5-6 storey building comprising a small-scale office tenancy with 19 apartments and the associated three-level ground (upper ground, lower ground and basement) car parking area.

A total of 34 car parking and two motorcycle bays are provided on site for the use of residents and visitors. The three-level car park is served by separate access/egress points off Broadway and Elizabeth Street.

The subject site has good accessibility by the existing road, pedestrian and cyclist network and enjoys good public transport coverage through existing bus services operating in close proximity of the site.

The traffic analysis undertaken in this report shows that the traffic generation of the proposed development is conservatively estimated to be in order of about 102 daily with 11 peak hour trips during both AM and PM peaks (both inbound and outbound).

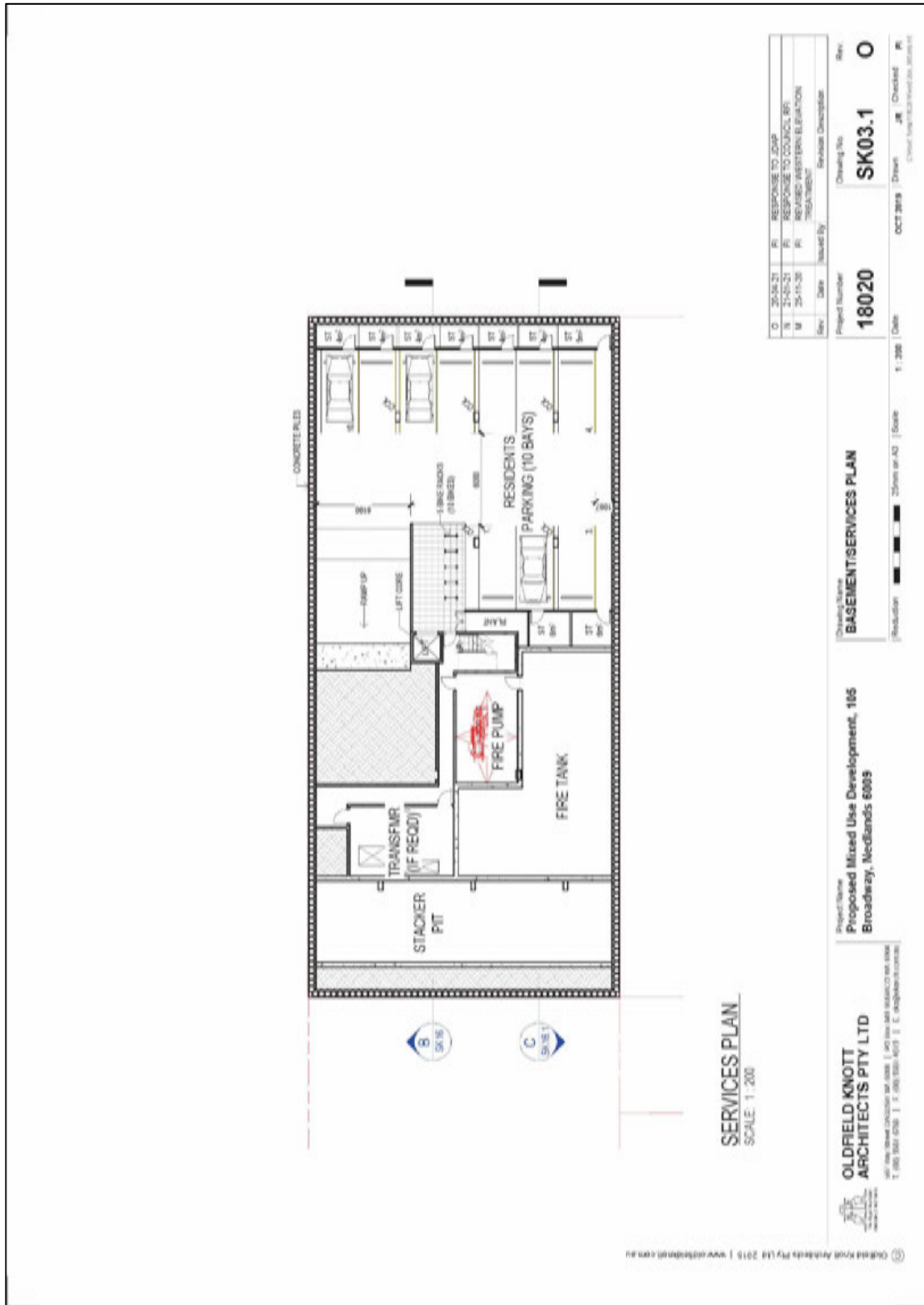
Accordingly, the traffic impact of the proposal on the surrounding road network will be insignificant and well within capacity.

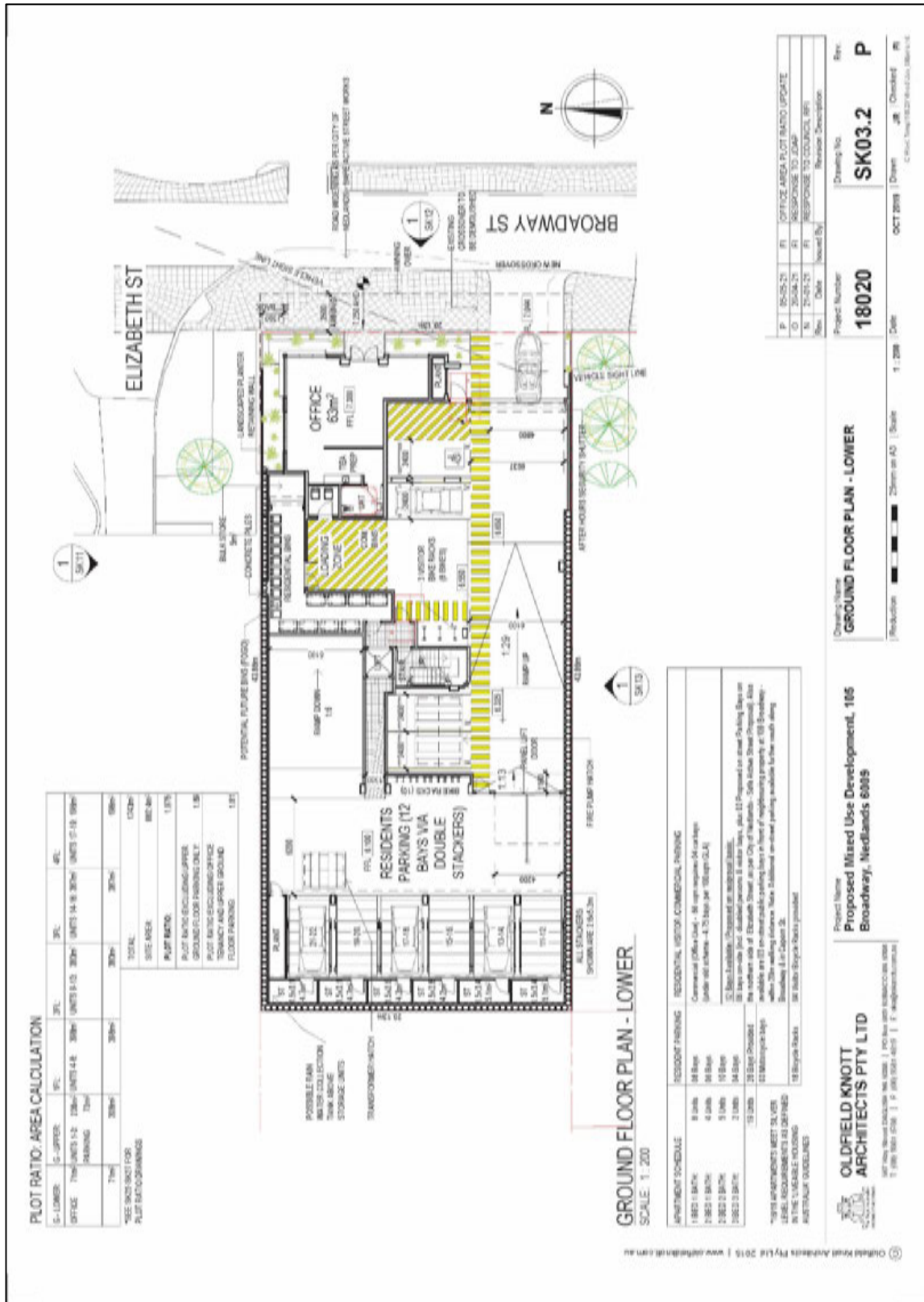
Finally, it is concluded that the traffic-related issues should not form an impediment to the approval of the proposed development.

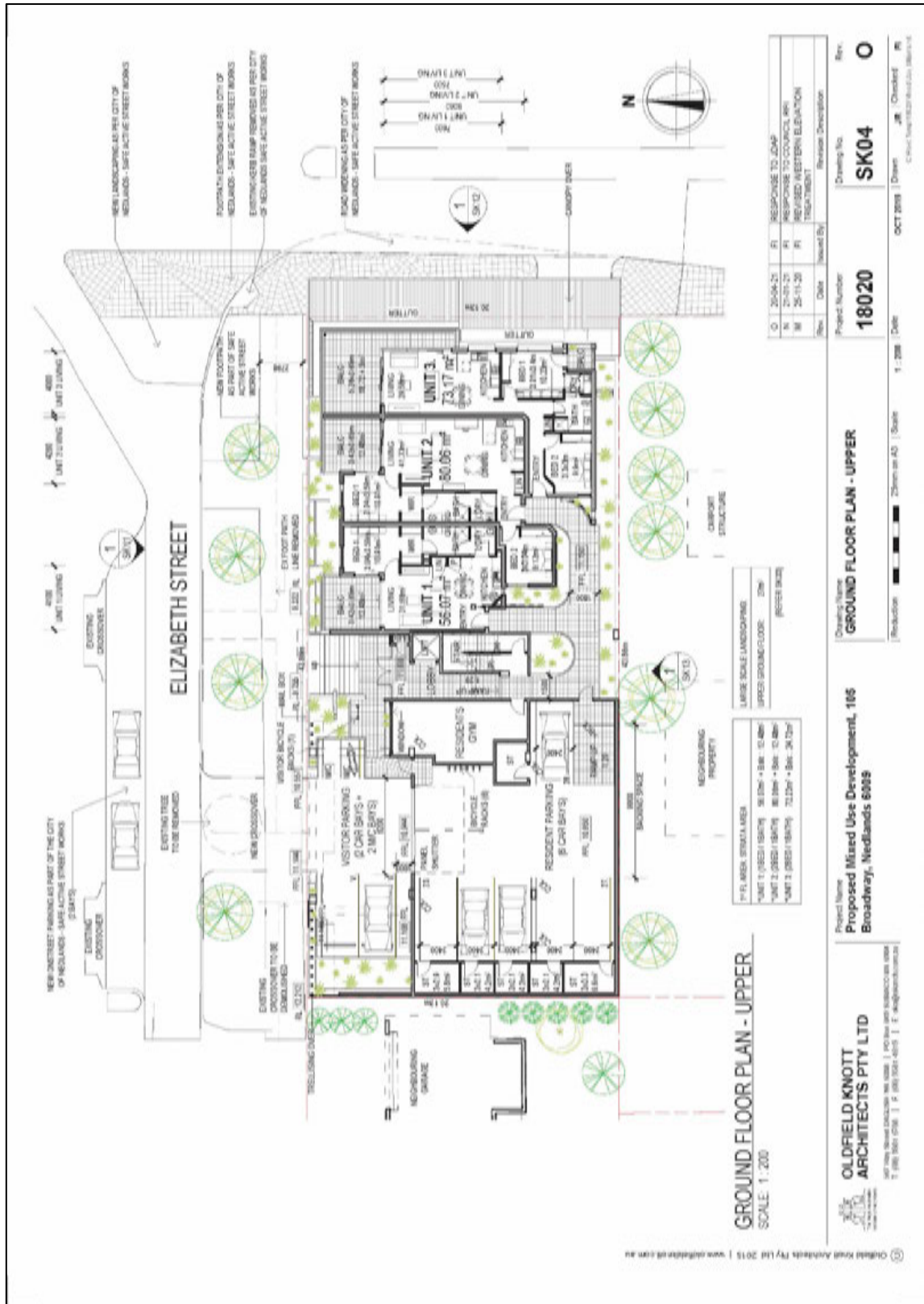
# Appendix A

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## DEVELOPMENT PLANS





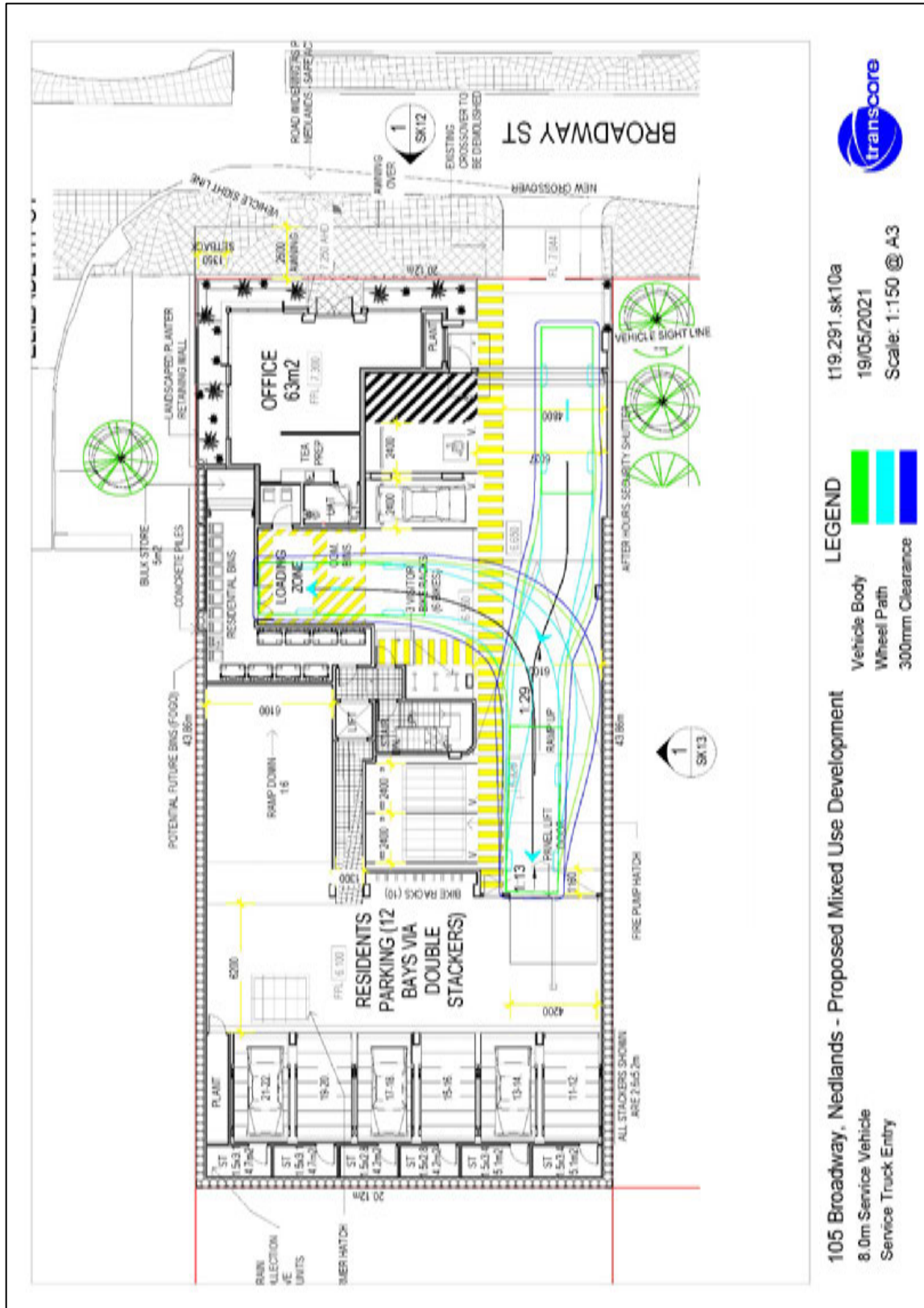


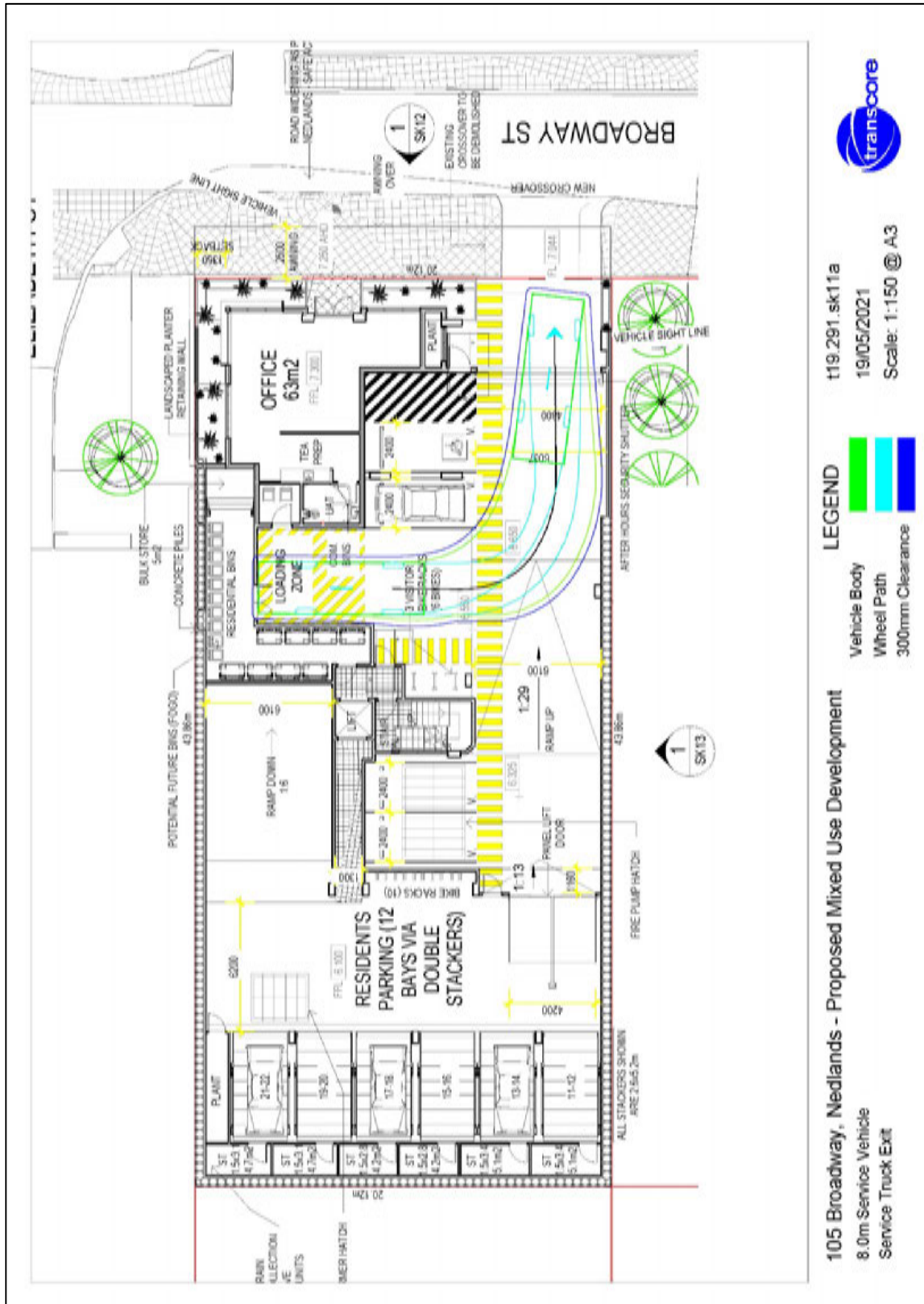
# Appendix B

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## TURN PATH PLANS - 8.0m REAR LOADER







**Attachment 2 – Alternate Recommendation**

That the Metro-Inner North Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/20/01871 is appropriate for consideration as a “Residential” and “Office” land use and compatible with the objectives of the zoning table in accordance with Clause 16 of the City of Nedlands Local Planning Scheme No.3; and
2. **Approve** DAP Application reference DAP/20/01871 and Accompanying Plans received 26 May 2021 (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No.3 subject to the following conditions:

**Conditions:**

General:

1. Pursuant to Clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under Clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development shall at all times comply with the application and the approved plans (stamped received 26 May 2021), subject to any modifications required as a consequence of any conditions of this approval.
4. The development, hereby approved, shall at all times comply with the requirements of a ‘Residential’ and ‘Office’ use, as defined in the City of Nedlands Local Planning Scheme No. 3.

Design

5. Prior to the lodgement of a Building Permit, revised drawings shall be submitted to the City, incorporating the following modifications to the satisfaction of the City:
  - a. The window to Bedroom 3 (Unit 18), that is located on the western elevation, is removed and relocated to the eastern wall; and
  - b. All other windows on the western elevation shall be designed have fixed obscured glazing or a minimum sill height of 1.6m above finished floor level.
6. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the buildings shall be located or screened so as not to be visible from beyond the boundaries of the development site to the satisfaction of the City.
7. All major openings to habitable rooms, and private open space have a finished floor level exceeding 0.5m above the natural ground level are to comply with the visual privacy setbacks to adjoining residential properties in accordance with Table 3.5 of State Planning Policy Residential Design Codes Volume 2 - Apartments or shall be screened by either:
  - a. A fixed obscured or translucent glass to a height of 1.60 metres above finished floor level;

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- b. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure;
- c. A minimum sill height of 1.60 metres as determined from the internal floor level; or
- d. An alternative method of screening approved by the City of Nedlands.
- e. Balustrades which do not face the primary or secondary street to have opaque or translucent materials.

The required screening shall be thereafter maintained to the satisfaction of the City.

Materials and Services

8. Prior to the lodgement of a Building Permit, the materials, finishes and colours (as shown and annotated on the approved plans) shall be shown on the Building Permit plans (unless otherwise approved by the City) enacted prior to practical completion of the development and thereafter remain in place for the life of the development to the satisfaction of the City.

Landscaping

9. Prior to the lodgement of a Building Permit, a revised Landscaping Plan shall be submitted to and approved by the City. It shall be modified to include:
  - a. Additional planting on structure, located on the balconies of Units 3,8,13 & 17 that addresses both Elizabeth Street and Broadway.
10. Prior to occupation, a Landscape Management Plan, generally in accordance with the Landscaping Plan prepared shall be submitted and approved by the City of Nedlands. It shall address the following matters, to the satisfaction of the City:
  - a. A Comprehensive maintenance plan for all proposed landscaping on the site and contingencies for replacement of dead and diseased plants
11. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan, or any modifications approved thereto, for the lifetime of the development, to the satisfaction of the City.
12. Unless otherwise approved by the City, all street trees are to be retained. A tree protection zone (TPZ), minimum 2m (l) x 2m (w) x 1.5m (h), is to be established and maintained around each existing street tree shown for retention, for the duration of construction to the satisfaction of the City of Nedlands. The following restrictions and conditions apply to the tree protection zone:
  - a. Install protective fencing to prevent any damage to the trees in general accordance with Section 4.3 of *Australian Standard 4970:2009 - Protection of trees on development sites*.
  - b. Provide signage identifying the 'Tree Protection Zone' on exclusion fencing.
  - c. No materials are to be stored within the TPZ.
  - d. No vehicles or machines are to be driven or parking within the TPZ.
  - e. Ensure trees are protected from harm during works on site.
  - f. No tree roots within the TPZ are to be cut or damaged.

If works is required within the tree protection zone, a tree protection plan shall be prepared by the applicant's arborist to the City's specifications and approved by the City of Nedlands prior to works commencing. A tree protection plan shall also be prepared if tree

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roots outside of the TPZ are proposed to be cut. Any tree approved for removal shall be replaced by the City and to the City's specifications at the Landowner's cost.

Demolition and Construction Management

13. Prior to the issue of a Demolition Permit or Building Permit, a Demolition and Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Construction and Noise Management Plan shall be observed at all times throughout the construction process to the satisfaction of the City.
14. Prior to the commencement of excavation works, a Dilapidation Report prepared by a practising Structural Engineer should be submitted to the City of Nedlands for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located upon these properties:
  - a. Lot 571 (No.36) Kingsway, Nedlands; and
  - b. Lot 1 (No.109) Broadway, Nedlands

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Nedlands that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

15. Landowners of properties listed in Condition 10, shall be notified in writing no less than 14 days prior to construction.

Lighting

16. Prior to lodgement of the Building Permit application, a detailed lighting plan for all communal areas, pathways, open space and car parking areas is to be submitted to, and approved by, the City.
17. The Lighting Plan shall be implemented prior to occupation of any part of the development and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the City.
18. External lighting shall comply with the requirements of Australian Standard 4282 – Control of Obtrusive Effects of Outdoor Lighting.

Noise

19. Prior to the lodgement of a Building Permit, a revised Acoustic Report shall be submitted and approved by the City and is to be prepared by a suitably qualified acoustic engineer certifying that the proposal incorporates both modelling and sufficient sound attenuation measures to limit noise impact on adjoining properties and internal residents within the requirements of the *Environmental Protection (Noise) Regulations 1997* and the National Construction Code. The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City.
20. Prior to occupation of any part of the development, the Acoustic Report and the noise control measures and recommendations contained therein, shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City.

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### Engineering

21. Prior to the lodgement of a Building Permit, A geotechnical report covering the development area being prepared by a suitably qualified practitioner at the applicant's cost, to the satisfaction of the City. The report will give due consideration to any potential impacts on neighbouring properties including but not limited to: ground water management, excavation or modifications to existing ground levels; vibration or consolidation of material throughout the demolition and construction phase of the project. The geotechnical report will identify any remedial treatments required to mitigate any adverse impacts and will be lodged with the building permit application, together with certification that the design is suitable for the site conditions as outlined in the geotechnical report.
22. All stormwater generated on-site is to be retained on-site. An on-site storage/infiltration system is to be provided within the site for at least a 1 in 100-year storm event. No stormwater will be permitted to enter the City's stormwater drainage system unless otherwise approved.

### Energy Efficiency/Liveable Housing

23. Prior to the issue of a Building Permit, a minimum of 20% of the dwellings on the hereby approved development plans shall demonstrate features that meet the 'Silver Level' requirements as defined in the Liveable Housing Design Guidelines.

### Waste Management

24. Prior to lodgement of the Building Permit, the Waste Management Plan & Revised Design Statement (prepared by Talis Consulting dated 15 September 2020 & 19 May 2021) shall be amalgamated into one document. The amended Waste Management Plan shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City.

### Vehicle Access and Parking

25. Prior to occupation, a Parking Management Plan shall be submitted to, and approved by, the City. The Car Parking Management Plan shall be implemented upon occupation of any part of the development and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City.
26. Prior to occupation of the development, all car parking bays designated for visitors/staff shall be clearly marked or signage provided and maintained thereafter by the landowner to the satisfaction of the City of Nedlands.
27. Prior to occupation, all bicycle parking spaces shall be provided in accordance with Australian Standard for AS 2890.3:2015 - Bicycle parking to the satisfaction of the City of Nedlands. The bicycle parking spaces shall be installed and remain in place for the duration of the development.
28. All car parking dimensions (including associated wheel stops and headroom clearance), manoeuvring areas, crossovers and driveways shall comply with *Australian Standard 2890.1-2004 - Off-street car parking* and *Australian Standard 2890.6:2009 - Off-street parking for people with disabilities* (where applicable) to the satisfaction of the City of Nedlands.
29. The vehicle ramp to the basement and circulation areas are to be constructed in accordance with *Australian Standard 2890.1-2004 - Off-street car parking* to the satisfaction of the City of Nedlands.

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Legal

30. Prior to occupation of the approved development, the applicant/owner shall enter into a deed of agreement with the City of Nedlands (“the City”) whereby the owner:
- a. Indemnifies the City against any loss or damage to any road reserve or other property of the City or to any person or property of any person arising out of the installation of the approved awning constructed over the road reserve immediately adjacent the land where the awning will be located or the use of the road reserve in connection with the approved development;
  - b. Agrees to take out and maintain a policy of public liability with a reputable insurer in an amount satisfactory to the City to insure the City and the owner against all claims for loss or damage or injury occurring to any road reserve or property of the City or any person or property of any person as a result of the construction of the development or in respect of the use of that portion of the awning constructed over the road reserve immediately adjacent to the land in connection with the development;
  - c. Agrees to maintain the development at its cost; and
  - d. Agrees that the City can require the awning be removed and for the road reserve to be re-instated within a reasonable time.

The Agreement shall be prepared by the City’s solicitors to the satisfaction of the City and enable the City to lodge an absolute caveat over the land. The applicant/owner shall be responsible to pay all costs associated with the City’s solicitor’s costs and incidentals to the preparation of (including all drafts) and stamping of the agreement and the lodgement of the absolute caveat.

31. Prior to occupation of the development, the responsible entity shall enter into a Deed of Indemnity with the City, which indemnifies both the City and its waste collection contractors from claims relating to damage caused through the collection process. All reasonable costs associated with the preparation of the Deed of Indemnity shall be met by the applicant. The Agreement shall be prepared by the City’s solicitors to the satisfaction of the City and the landowner(s) shall pay all costs associated with the City’s solicitor’s preparation and execution of the Agreement.

**Advice Notes:**

General Advice

1. The applicant is advised that:
  - a. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City’s Building Services in this regard. (Building)
  - b. Any public spaces within the development which are proposed for activities (temporary or permanent) that are deemed to be a public building under the Health (Public Buildings) Regulations 1992, will need to comply fully with those Regulations. (Environmental Health)

Landscaping Advice

2. The applicant is advised that:
  - a. The contractor/developer shall protect the City’s street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City’s policies,

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guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009). (Parks Services)

- b. Prior to commencing landscaping of the nature strip / verge, refer to the City of Nedlands' Nature Strip Improvement Guidelines to ascertain if there is a requirement to obtain a Nature Strip Improvement Permit. (Parks Services)

Construction and Dilapidation Management Advice

3. In relation to the Construction Management Plan, the applicant is advised that the plan is to address but is not limited to the following matters:

- a. hours of construction;
- b. traffic management;
- c. parking management;
- d. access management;
- e. management of loading and unloading of vehicles;
- f. heavy vehicle access;
- g. dust management;
- h. waste management (where applicable);
- i. protection of infrastructure and street trees within the road reserve;
- j. the need for a dilapidation report of adjoining properties;
- k. if required, details of and reasons for construction work on the construction site that is likely to be carried out other than between 7.00 am and 7.00 pm on any day which is not a Sunday or public holiday;
- l. if required, details of and duration of activities on the construction site likely to result in noise emissions that fail to comply with the standard prescribed under regulation 7 of the Environmental Protection (Noise) Regulations 1997;
- m. predictions of noise emission on the construction site;
- n. use of City car parking bays for construction related activities;
- o. protection of infrastructure and street trees within the road reserve;
- p. security fencing around construction sites;
- q. gantries;
- r. dewatering management plan;
- s. contact details;
- t. site offices;
- u. details of measures to be implemented to control noise (including vibration) emissions;
- v. complaint response procedure to be adopted;
- w. details of how dust will be suppressed (e.g. by use of water tanker, independently powered water pumps, high volume hoses) or whether an approval from the water corporation for hydrant standpipe has been granted;
- x. details of how dust and sand drift will be controlled in the event that the landscape remains bare for any period of time after demolition (consideration of more permanent dust suppression or sand drift measures such as hydro mulching); and
- y. any other relevant matters.

(Building / Environmental Health / Waste / Technical Services)

4. The applicant is advised that dust control measures are to be applied during construction in accordance with City of Nedlands Health Local Laws 2017 and Department of Water and Environmental Regulation requirements. (Environmental Health Services)



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### Noise Management Advice

5. The applicant is advised to consult the City's Acoustic Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours. Prior to selecting a location for an air-conditioner, the applicant the applicant is advised to consult the online fairair noise calculator at [www.fairair.com.au](http://www.fairair.com.au) and use this as a guide to prevent noise affecting neighbouring properties. (Environmental Health Services)

### Vehicle Access, Car and Bicycle Parking Advice

6. The applicant is advised that:
  - a. All works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, also require a separate approval from the City of Nedlands prior to construction commencing. (Technical Services)
  - b. A new crossover or modification to an existing crossover will require a separate approval from the City of Nedlands prior to construction commencing. (Technical Services)
  - c. All redundant crossovers to be removed and the verge and kerbing reinstated prior to occupation of the development to the satisfaction of the City of Nedlands. (Technical Services)

### Waste Management Advice

7. The applicant is advised that:
  - a. 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. (Waste Services)
  - b. Recyclable waste stream waste bins shall not be compacted. (Waste Services)
  - c. Prior to the occupation of the development the responsible entity (strata/corporate body) shall confirm written service agreement for the 360L waste compactor. (Waste Services)
  - d. As the proposal consists of more than 3 dwellings, the City's Health Local Laws 2017 require an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:
    - i. sufficient in size to accommodate all receptacles used on the premises;
    - ii. constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
    - iii. walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
    - iv. smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
    - v. easily accessible to allow for the removal of the receptacles;
    - vi. provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
    - vii. provided with a tap connected to an adequate supply of water;

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- viii. adequately ventilated, such that they do not create a nuisance to residences (odour); and
  - ix. the location of all exhaust systems, ductwork and any other mechanical service is not to be such that it will cause a nuisance for residents.
- (Environmental Health Services)

Materials and Services Advice

8. The applicant is advised that:
- a. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, are to be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second
  - b. Laundry facilities are to be provided in accordance with the Building Code of Australia, and adequately ventilated to reduce condensation, in accordance with AS1668.2 The use of mechanical ventilation and Air-conditioning in buildings.
- (Environmental Health Services)

Stormwater Advice

9. The applicant is advised that:
- a. All downpipes from guttering are to be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 100-year recurrent storm event. Soak-wells are to be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development. (Technical Services)
  - b. A sewage treatment and effluent disposal system or greywater reuse or treatment system is not to be installed unless an Approval to Construct or Install an Apparatus for the Treatment of Sewage has been issued by the City beforehand. (Technical Services)

Telecommunications Advice

10. The applicant is advised by the City's Planning Services that developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, they need to contract a carrier to install telecommunications infrastructure in their new development. If you choose National Broadband Network (NBN) to service your development, you will need to enter into a developer agreement with NBN. The first step is to register the development via <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments.html>, once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least six months before the required service date. All telecommunications infrastructure should be built to NBN guidelines found at <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments/builders-designers.html>

## 7. Development Assessment Panels – City of Nedlands Nomination of Replacement Alternate Members

<b>Council</b>	1 July 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Officer</b>	Nicole Ceric, Executive Officer
<b>CEO</b>	Ed Herne – Acting Chief Executive Officer
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

### Executive Summary

The Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations) requires Council to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on the Joint Development Assessment Panel (JDAP).

The purpose of this report is for Council to nominate a replacement alternate nominee following the resignation of Councillor Paul Poliwka. The replacement nominees are required to be submitted to the Department of Planning, Lands and Heritage for approval.

Any new nominees will be considered by the Minister and will be appointed local government DAP members for the term ending 26 January 2022.

### Recommendation to Council

#### Council:

1. pursuant to Regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011, nominates Councillor (insert name) as the Alternate local members to sit on the City of Nedlands Development Assessment Panel; and
2. approves this nomination to be submitted to the Department of Planning.

#### Voting Requirement.

Simple Majority.

## **Discussion / Overview**

### **Background**

Development Assessment Panels (DAP) were introduced by the (then) Department of Planning during 2011 to assist with decision making involved with complex development applications.

Each DAP consists of three specialist members, one of which is the presiding member, and two local government members.

Appointment of the City's current DAP members, (Councillor Bennett and Councillor Smyth as local members, and Councillor Poliwka and Councillor Coghlan as alternate local members), expires on 26 January 2022.

The Council is being requested to nominate a replacement alternate nominee due to Councillor Poliwka's resignation.

DAP members are entitled to be paid for their attendance at DAP meetings and training, unless they fall within a class of persons excluded from payment.

If Council nominates new alternate members, the nominee will be submitted to the Department of Planning and the Minister of Planning will consider and appoint the new alternate nominee for the remainder of the term ending 26 January 2022. All appointed members will be placed on the local government member register and advised of DAP training dates and times. Training is only required for those who have not had training already.

### **Key Relevant Previous Council Decisions:**

In 2020, Council nominated Councillor Bennett as local member and Councillor Wetherall as 1<sup>st</sup> alternate and Councillor Poliwka as 2<sup>nd</sup> alternate member and noting that Councillor Smyth was the existing and continuing JDAP local government member 2.

In 2019, Council nominated Mayor de Lacy and Councillor Smyth as local members and Councillor Bennett and Councillor Wetherall as alternate members.

In 2017, Council nominated Mayor Hipkins and Councillor Shaw as local members and Councillor Smyth and Councillor Wetherall as alternate members.

In 2015, Council nominated Mayor Hipkins and Councillor Shaw as local members and Councillor Hassell and Councillor Smyth as alternate members.

In 2013, Council nominated Mayor Hipkins and Councillor Shaw as local members and Councillor Hassell and Councillor Somerville-Brown as alternate members.

In 2011, Council nominated Councillors Tan and Negus as local members and Mayor Frose and Cr Hodsdon as alternate members.

## Consultation

Required by legislation: Yes  No   
Required by City of Nedlands policy: Yes  No

## Legislation / Policy

- Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations)
- Planning and Development (Development Assessment Panels) Amendment Regulations 2016 (DAP Amendment Regulations)

## Budget/Financial Implications

Within current approved budget: Yes  No   
Requires further budget consideration: Yes  No

## Risk Management

If the Council fails to nominate members and submit nominations to the Department of Planning, the Minister has the power to appoint non-councillors from the community.

## Conclusion

It is recommended that, as requested, Council nominate a replacement alternate DAP member for the consideration of the Minister.

**Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.