



City of Nedlands

Minutes

Special Council Meeting

3 September 2020

Attention

These Minutes are subject to confirmation.

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Meeting of Council following this meeting to ensure that there has not been a correction made to any resolution.

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City of Nedlands

Minutes of a special meeting of Council held in the Ellis Room at the Bendat Basketball Centre, 201 Underwood Avenue, Floreat on Thursday 3 September 2020 at 6.00 pm for the purpose of considering the following items:

1. Local Planning Scheme 3 - Draft Local Planning Policy Melvista West Transition Zone
2. Local Planning Scheme 3 – Draft Interim Local Planning Policy – Hollywood Central Transition Zone
3. Local Planning Scheme 3 – Draft Local Planning Policy Peace Memorial Rose Garden Precinct, Nedlands
4. Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward and Elizabeth Street
5. Local Planning Scheme 3 - Local Planning Policy Residential Aged Care Facilities - Final for Adoption
6. Lot 3 (No. 3/29 Asquith Street, Mt Claremont – Change of Use from Lunch Bar to Restaurant Use
7. Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands

Declaration of Opening

The Presiding Member declared the meeting open at 6.07 pm and drew attention to the disclaimer below.

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Her Worship the Mayor, C M de Lacy	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor G A R Hay	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
Staff	Mr M A Goodlet	Chief Executive Officer
	Mr P L Mickleson	Director Planning & Development
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

Public There were 70 members of the public present.

Press The Post Newspaper representative.

Leave of Absence Nil.
(Previously Approved)

Apologies Nil.

Disclaimer

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.

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1. Public Question Time

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.

1.1 Mr Peter Robins, 10 Edward Street, Nedlands

In Section 2 of the Residential Design Codes SPP 7.3 Volume 2, the Development Incentives for Community Benefit section provides guidance for local government on relevant considerations to establish development incentives that may be provided in exchange for community benefit in nominated areas via local planning instruments. Development incentives are a method through which additional development potential or flexibility (such as additional plot ratio and/or building height) can be offered in exchange for tangible community benefit, such as public amenities, culture and recreation facilities. SPP 7.3 states it is important that the cost and value of the community benefit can be objectively measured and assessed, as the local government needs to determine whether the value of the community benefit is broadly commensurate with the additional development entitlement. It is also important that development incentives be applied in a responsible and accountable manner to avoid the expectation that they become the 'default' development standard in a locality.

Question 1

Given the draft Melvista West and Hollywood Central LPPs are not obliged to, but do provide very generous Development Incentives for larger lots by allowing one additional storey and plot ratio bonuses of between 30 and 60%, essentially for just “good design” (which should be the baseline expected under a performance based assessment system anyway), what in fact are the tangible community benefits to be received back specifically by the Nedlands community in this trade-off for such generous discretionary bonuses, and how are these to be objectively measured as required by SPP 7.3?

Answer 1

When applicants ask for extra plot ratio or extra building height within the Transition Zones, the proposed policy framework is seeking to hold the developer to a higher standard so that some additional favourable elements to the development are provided where there is currently no requirements to do so.

A "to be developed" City wide Community Benefits LPP will provide guidance in terms of what specific community benefit items will be requested to be provided as part of “Community Benefit” contributions to development sites. This could be provision of communal or public open space, community amenities and so on. A "need and nexus" will need to be established for any required works and these will also need to be costed. The City is investigating how development contributions can be part of the process along with work on contributions to Public Open Space, as well as Car Parking Cash in lieu and Public Art.

In the meantime by setting a policy framework which seeks to draw a linkage between performance based decisions and better built form outcomes, the City via Clause 2.4.10 is seeking to apply that discretion where a lot meets certain criteria as set out in the proposed policy.

1.2 Mr Alessandro Stagno, 105 & 123 Broadway, Nedlands

Question 1

With regard to the Broadway Precinct Plan, can the administration please inform this meeting what percentage of the 12 members of the Community Reference Group are either members or supporters of the Ian Love and Simon Edis’ action group People for Responsible Development p4rd.org? Have any of them declared a conflict of interest as required in the selection of stakeholders?

Answer 1

Administration are not aware of any such support or declarations of conflicts of interest.

1.3 Ms Emma Rose, 21 Mountjoy Road, Nedlands

Question 1

I refer to the November 2019 Council recommendation to undertake built form Modelling for the Broadway LPP. When was this modelling completed? If it hasn't been completed yet, when is it expected to be complete?

Answer 1

The Built Form Modelling for Broadway is substantially complete however, Administration have asked for some additional refinements. These are expected to be completed in the next two weeks.

Question 1A

What is the average street set back in the Hollywood central transition zone?

Answer 1A

Hollywood Central

- existing primary street setbacks: most common setback was 3-6m.
- proposed primary street setback under LPP: 4m setback, or a minimum of 3m with an average of 5m.

Question 1B

What street set back has the administration proposed in the draft LPP?

Answer 1B

The work undertaken does not specify the average street setbacks for the precincts, so we don't have a simple answer to this question. The survey broke down the setbacks into different ranges (3-6m setback, 6-9m setback or greater than 9m) and provided the percentage of dwellings within each setback range.

Question 2A

What is the average street set back in the Melvista west transition zone?

Answer 2A

Melvista West

- existing street setbacks: most common setback was 9m or greater however, more total properties had setbacks of 3-6m or 6-9m.
- proposed street setback under LPP: 4m setback, or a minimum of 3m with an average of 5m.

Question 2B

What street set back has the administration proposed?

Answer 2B

Refer to answer 1B.

Question 3

I refer to the Melvista West and Hollywood Central transition zone draft LPPs and the proposal to allow extra storey on blocks adjacent to a higher density and I ask: How many extra dwellings does the administration estimate this will result in?

Answer 3

This is not possible to predict as it is unknown how many lots will be developed and over what period.

2. Addresses by Members of the Public

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

Mr Glen Chapman, 3/29 Asquith Street, Mt Claremont
(spoke in opposition to the recommendation) Item 11

Ms Emma Rose, 21 Mountjoy Road, Nedlands
(spoke in opposition to the recommendation) Item 6

Mr Andrew Jackson, 3/114 Stirling Highway, Nedlands
(spoke in opposition to the recommendation) Item 8

Mr Andrew Edwards, 14 Doonan Road, Nedlands
(spoke in opposition to the recommendation) Item 8

Mr Simon Edis, 72 Kingsway, Nedlands
(spoke in opposition to the recommendation) Item 9

Mr Ian Love, 70 Kingsway, Nedlands
(spoke in support of the recommendation) Item 9

Dr Kylie Passage, 80 Doonan Road, Nedlands
(spoke in support of the recommendation) Item 10

Mr Matthew McNeilly, 71 Doonan Road, Nedlands
(spoke in support of the recommendation) Item 10

Mr Peter Weston, 20 Strickland Street, Mt Claremont
(spoke in opposition to the recommendation) Item 11

Councillor Coghlan left the meeting at 6.46 pm and returned at 6.48 pm.

Councillor Wetherall left the meeting at 6.50 pm.

Mr Julius Matthys, 22 Cooper Street, Nedlands
(spoke in opposition to the recommendation)

Item 12

Councillor Wetherall returned the meeting at 6.52 pm.

Mr Alessandro Stagno, 105 & 123 Broadway, Nedlands
(spoke in support of the recommendation)

Item 9

3. Disclosures of Financial / Proximity Interest

The Presiding Member reminded Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

3.1 Councillor Bennett – Item 9 – Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward and Elizabeth Streets

Councillor Bennett disclosed a financial interest in Item 9 – Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward and Elizabeth Streets, his interest being that his family home at 133 Broadway is located within the scheme amendment area. Councillor Bennett advised he holds a 1/3 interest in this property as an owner occupier and it has been owned by our family for over 75 years. Councillor Bennett declared that he had permission from the Minister for Local Government to fully participate in the discussion and decision making relating to this item subject to the following conditions:

1. The approval is only valid for the Special Council Meeting on 3 September 2020 when agenda item 9 is considered;
2. The abovementioned Councillor must declare the nature and extent of their interest at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application.

Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

3.2 Councillor Hodsdon – Item 6 - Local Planning Scheme 3 – Draft Local Planning Policy – Melvista West Transition Zone

Councillor Hodsdon disclosed a financial & proximity interest in Item 6 - Local Planning Scheme 3 – Draft Local Planning Policy – Melvista West Transition Zone – Hodsdon, his interest being that he owns property in the area. Councillor Hodsdon declared that he would leave the room during discussion on this item.

3.3 Councillor Hodsdon – Item 8 - Local Planning Scheme 3 – Draft Local Planning Policy Peace Memorial Rose Garden Precinct, Nedlands

Councillor Hodsdon disclosed a financial & proximity interest in Item 8 - Local Planning Scheme 3 – Draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands – Hodsdon, his interest being that he owns property in the area. Councillor Hodsdon declared that he would leave the room during discussion on this item.

4. Disclosures of Interests Affecting Impartiality

The Presiding Member reminded Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

4.1 Mayor de Lacy – Item 12 - Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands

Mayor de Lacy disclosed an impartiality interest in Item 12 - Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands. Mayor de Lacy disclosed that she is a paid member of the MINJDAP that will be considering this item at a meeting scheduled for 7th September. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeod's released to the local government sector in relation to a recent Supreme Court ruling, Mayor de Lacy declared she leave the room and not participate in the debate, or vote on the matter. Mayor de Lacy advised she would leave the room and request that the Deputy Mayor preside over the meeting for that item.

4.2 Councillor Smyth – Item 12 - Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands

Councillor Smyth disclosed an impartiality interest in Item 12 - Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands. Councillor Smyth disclosed that she is a paid member of the MINJDAP that will be considering this item at a meeting scheduled for 7th September. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeod's released to the local government sector in relation to a recent Supreme Court ruling, Councillor

Smyth declared she would leave the room and not participate in the debate, or vote on the matter.

4.3 Councillor Youngman – Item 7 - Local Planning Scheme 3 – Draft Interim Local Planning Policy – Hollywood Central Transition Zone

Councillor Youngman disclosed an impartiality interest in Item 7 – Local Planning Scheme 3 – Draft Interim Local Planning Policy – Hollywood Central Transition Zone, his interest being that his mother owns property in the area. Councillor Youngman declared that he would leave the room during discussion on this item.

5. Declarations by Members That They Have Not Given Due Consideration to Papers

Nil.

Moved – Councillor Senathirajah
Seconded – Councillor Hay

That item 8 be brought forward.

**CARRIED 12/1
(Against: Cr. Wetherall)**

Please note: This item was brought forward from page 37.

8. Local Planning Scheme 3 – Draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands

Council Date	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Revised Draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands dated 11 August 2020 2. Original draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands dated March 2020. 3. Revised policy with tracked changes dated 11 August 2020 4. Summary of Submissions 5. Heritage Council of WA advice
Confidential Attachments	1. Confidential Attachment – Submissions

Councillor Hodsdon – Financial / Proximity Interest

Councillor Hodsdon disclosed a financial & proximity interest, his interest being that he owns property in the area. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Councillor Hodsdon Left the meeting at 7.07 pm.

Regulation 11(da) - Council determined that it wished to adopted the community LPP in preference to the recommendation by Administration in order to support the apparent majority wishes of the community.

Moved – Councillor Senathirajah

Seconded – Councillor Hay

Council Resolution

That Council:

1. proceeds to adopt without further delay the Peace Memorial Rose Garden Local Planning Policy (PMRG LPP), incorporating the changes made to the advertised version in response to the submissions received; and

2. instructs the CEO to continue with Built Form Modelling and Local Character and Context Analysis (including issues raised by the Heritage Council in its submission to the draft LPP) for the area which includes the PMRG precinct, to further refine and test built-form options.

CARRIED UNANIMOUSLY 12/-

Recommendation to Council

That Council:

1. does not proceed to adopt the Peace Memorial Rose Garden Local Planning Policy (PMRG LPP);
2. instructs the CEO to include the work of the PMRG LPP into the formulation of a sub-precinct, within the Local Government prepared Draft Melvista West Transition Zone Draft LPP, including significant changes submitted by the PMRG CWG on the 11th August 2020 for the purposes of advertising;
3. instructs the CEO to form a Community Reference Group (CRG) for the Melvista West Precinct Area (including the precinct boundary of the PMRG LPP); and
4. instructs the CEO to continue with Built Form Modelling and Local Character and Context Analysis for Stirling Highway (West) including the precinct boundary of Melvista West Transition Zone, including the sub-precinct boundary of PMRG LPP to further refine and test built form options, to be presented with any LPP which is ready to be adopted.

Executive Summary

The purpose of this report is for Council to consider the formal adoption of the resident authored Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands (PMRG - LPP) contained as **Attachment 1**. This policy is limited to the land directly east, west, and south of the Peace Memorial Rose Garden (PMRG).

The aim of PMRG - LPP is to establish localised planning provisions to guide development within the Peace Memorial Rose Garden (PMRG) policy area. The draft policy was prepared by residents of the City and submitted to Council to adopt for advertising in March 2020.

At its April meeting, Council resolved to adopt the original LPP – PMRG for advertising (see **Attachment 2**). Council also resolved to establish a Community Working Group (CWG) for the purpose of refining and developing the draft policy. Public consultation of the draft policy was undertaken in

accordance with Local Planning Policy – Public Consultation of Planning Proposals and Part 2 clause 4 (deemed provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015. The majority of submitters, who resided both inside and outside of the policy area, supported the policy. However, half of the respondents who lived within the PMRG policy area objected to the draft policy. In accordance with Council's resolution, two CWG meetings were held at the City, with feedback provided where requested.

In response to the outcomes of the advertising and feedback from the City, the residents have made, what could be considered, significant changes to the policy.

If Council were inclined to support this policy in its current form, the PMRG - LPP should be re-advertised as the provisions that have been amended are not deemed by Administration to be minor and have altered the intent of the advertised provisions. It could also be argued that because the revised LPP has moved back "closer" to the existing "rules" that the changes could be considered minor. However, there is no way of determining if submitters would now agree with these changes or that those who originally agreed with the draft LPP would now not support the changes.

The City has been criticised recently (Aged Care LPP) for adopting policies with significant changes to development standards without further consultation.

Administration do not support the final adoption of an untested local planning policy which augments-built form provisions. The draft policy requires built form modelling which is planned to form part of the current work for the Stirling Highway Activity Corridor and associated transition zones.

Administration also recommend that the PMRG - LPP be merged into the work of the Melvista West Transition Zone policy as a sub-precinct. This will allow for compliance with the deemed provisions as well as providing a consistent policy format and approach across all transitions zones within the City, satisfying the requirements of orderly and proper planning.

Final adoption of the policy is considered premature, given that the policy overlaps two other precincts, one of which is the subject of costly built form modelling and may be the subject to legal challenge.

Background

The gazettal of Local Planning Scheme No. 3 (the Scheme) made significant changes in density coding and zoning along Stirling Highway, Broadway, Hampden Road, Monash and Waratah Avenues and the areas adjacent. Administration identified key precincts and transition zones that require a localised planning response to adjust the development standards that currently apply. LPP – PMRG lies within an identified transition zone known as Melvista West. Work commenced on the precinct policies in November 2019 and the Melvista West transition zone in February/March 2020. A second report within

this agenda is draft Interim LPP – Melvista West, presented to Council for adoption to advertising. The interim policy augments the planning provisions for single, grouped and multiple dwellings.

Neither policy has been tested by built form modelling approved as part of Council's 2020/21 budget. Testing will commence shortly for the Melvista West transition zone once a consultant has been appointed.

In response to three development applications being lodged within the PMRG policy area, residents prepared PMRG - LPP. The original draft policy was submitted to Council at its April 2020 meeting to adopt for advertising.

Council resolved to:

1. prepares and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2, Part 2, Clause 4, the Local Planning Policy - Rose Garden Transition Area (Attachment 1);
2. adopts the Rose Garden Precinct Community Working Group –Terms of Reference (Attachment 3); and
3. instructs the Chief Executive Officer to establish the Rose Garden Precinct Community Working Group in accordance with the Community Working Group Terms of Reference (Attachment 3)

Traditionally the purpose of a Community Working Group (CWG) is to provide community input into an Administration policy. Notwithstanding this, two Community Working Group (CWG) meetings were held in accordance with Council's resolution. The first CWG meeting was facilitated by the Manager Urban Planning, the second by the Director Planning and Development. Despite being outside the scope of the CWG Terms of Reference, Administration provided a summary of submissions and written feedback outside of the scheduled meetings. Frank and unpopular advice was provided by Administration, some of which was taken on board by the CWG.

An amended draft LPP – PMRG was provided to the City, prepared by members of the CWG on 11 August 2020 that sought to address the feedback received during public consultation and CWG meetings. A comprehensive list of changes is provided in the tracked change version of the revised policy contained as **Attachment 3**. This amended policy is the subject of this report.

Consultation

The original draft policy dated March 2020 was advertised for public comment in accordance with Part 2 clause 4 (deemed provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 and Council's Local Planning Policy - Consultation of Planning Proposals. The following advertising methods were undertaken:

- Publication of a notice in the Post newspaper
- Publication of information on the City's Your Voice website

- Social media posting
- Postage of letters to all owners and occupiers of property within 200m of the policy area
- Placement of a notice on the City's notice board.

Submissions were invited up to and including 5 June 2020, a total of 65 submissions were received. A total of 48 submissions in support of the draft policy were received, and 15 submissions objected to the draft policy. Two submissions neither supported nor objected to the policy. All submissions are provided in full as **Attachment 4**.

The amended draft LPP has not been readvertised. The amended LPP submitted by the CWG seeks to modify building height, the deletion of several augmented elements and the addition of new provisions, for example average street setback. Whilst Administration has not commented on the merit of these changes, It is, in the Administration's opinion, a significant departure from the advertised policy which are not considered minor in nature. It is noted that of those residents who lived within the policy area and made a submission, just over half objected to the draft policy.

A summary of the key reasons in support and objection to the LPP are tabled below:

Table 1 – Key reasons for support

Reason for support	Officer comment
Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2.	Noted. The previous LPP included augmented visual privacy, deep soil and solar and daylight access provisions, all of which required WAPC support. These provisions have since been removed. It is noted that the advertised modifications to the Planning and Development Regulations 2020 seek to remove the ability for Local Governments to adopt Local Planning Policies which seek to modify any of the deemed to comply provisions of the R Codes without first receiving WAPC approval.
Comments that LPPs are recognised statutory instruments to be had regard of and given weight when decisions are made	Noted, however, all LPP's require consistency with the Scheme and State Planning Policy framework.
Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure	Noted

development is compatible and harmonious	
Comments that the provisions are based upon sound town planning principles, consistent with the Scheme and R-Codes Vol 2	This aspect of the policy is detailed in the Discussion section of this report.
Requests that the policy be adopted as soon as possible to fill the gap in localised development controls	Noted.

Table 2 – Key reasons for objection

Under the policy properties in R60 would only be able to build to two storeys yet be overshadowed by already approved development (up to 5-storeys) that have already been heavily impacted in terms of their own amenity.	Not supported. The amended version of the policy provides for building height consistent with the R-Codes Vol. 2.
Strongly rejects the policy in its current form as it adversely impacts re-zoned blocks that haven't been redeveloped.	Noted.
Requests the policy be referred to the WAPC.	The policy was not formally referred to the WAPC, however, the WAPC owns land within the advertising catchment and provided general advice about the preparation of a policy. It is noted that changes to the planning framework, noted previously, may require these changes to be sent to the WAPC for approval.
Questions how the provisions can overrule the statutory legal provisions of SPP 7.3.	Policies can augment Acceptable Outcomes in Elements 2.2-2.7, 3.6, 3.7, 3.8, 4.10, 4.11 and 4.13 without WAPC approval. Please refer to previous comment regarding proposed amendments to the P&D LPS Regulations 2015 which seeks to modify this. Policies which seek to amend the R-Codes Vol. 2 need to be consistent with the relevant element objectives, the Scheme and based on sound town planning principles. A discussion of orderly and proper planning is provided later in this report.
The draft is biased and not prepared by the City.	Administration notes this issue and is discussed later in the report.
The provisions contradict the Scheme and R-Codes Vol 2.	To determine whether or not this contention is true, the City would need to undertake the built form modelling and test the policy in greater detail.

The policy effectively down-codes the policy area.	Noted. The policy reduces plot ratio in R160 and R-AC1. Although this does not necessarily 'down-code' the area, it does reduce the dwelling yield. Built form modelling will test whether this is appropriate. The City also notes that the draft policy has been amended to increase building height consistent with the current framework.
This draft policy does not transition height, rather it seeks to severely limit development potential of all properties.	Partially supported. The draft policy has been amended to increase building height consistent with the current framework. It is noted, however, that plot ratio remains reduced for land coded R160 and R-AC1.
Questions the robustness of the policy to legal challenge and whether it will be taken into account at JDAP.	The City agrees that further testing is required to provide the justification needed for changes to elements such as plot ratio.
Requests that Council not adopt the policy and wait until a final version has been prepared	Noted. The recommendations of this report are to not adopt the policy, for built form modelling to be undertaken, and for the PMRG - LPP to be merged with the Draft Melvista West – LPP.
Requests that the CWG include members that are directly affected by the new upcoding.	Not supported. The CWG included residents that resided within the policy area. The recommendation of this report is to establish a new CRG for the Melvista West Transition Zone with a new Terms of Reference. As part of that review, a larger number of residents could be included in the CRG.
It should be noted that any provisions under the LPP that propose to amend or replace sections under Clause 1.2.3 of State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments require approval of the WAPC, where it will need to be demonstrated that the provision: • is warranted due to a specific need related to that particular locality or region; • is consistent with the objectives and design principles of the R-Codes Volume 1; and	Noted. This comment is from the WAPC responding to the City as a landowner. The City notes the comments and agrees that the policy needs further testing to determine whether the settings currently proposed are appropriate.

• can be properly implemented and audited by the decision-maker as part of the ongoing building approval process.	

Some of the issues noted above have been partially resolved by the revised provisions, however, many remain pertinent to the recommendation of this report.

External Referral

Feedback was received from the Heritage Council of Western Australia (Heritage Council WA).

The Heritage Council WA provided the following advice, contained as **Attachment 5**:

The intent of the proposed Local Planning Policy is commendable as it seeks to provide development controls that is consistent and appropriate to the context and character of the subject area.

However, the proposed Local Planning Policy cannot be supported as drafted and the following advice is given:

1. The proposed Local Planning Policy should be revised to include a thorough examination and analysis of the cultural heritage values of the heritage places and the character within the subject area. This will provide the necessary framework to support the proposed development controls. This should include but not be limited to providing the following:
 - a. The Statement of Significance of the Peace Memorial Rose Garden
 - b. Information on the heritage significance of Greenough Flats and Renkema Building, both of which are in the Local Heritage Survey.
 - c. A character study of the built form and streetscape within the subject area.
2. The information above should then inform the proposed development controls that are needed to ensure that the identified cultural heritage significance of the subject area are not negatively impacted or can be appropriately mitigated.
3. The subject area should also be revised to include the lots north of Stirling Highway from Dalkeith Rd to the east and Robinson St to the west as the building heights on these lots have the potential to greatly impact on the Peace Memorial Rose Garden with overshadowing.
4. The City should consult with a rose specialist to understand sunlight requirements to help inform the building heights in the subject area to ensure overshadowing is not detrimental to the garden.

Discussion

The recommendation of this report is for Council to incorporate the work that has been undertaken on the draft policy, create a sub-precinct of the Melvista

West Transition Zone for the PMRG LPP area and to undertake built form modelling to test built form provisions. Given that the policy has not been independently tested, Administration does not have any comment in relation to the merits of the provisions. Changes to drivers of dwelling yield such as plot ratio will require significant justification, which needs to be calculated. The 2020/21 budget has already made provision for this to be undertaken for Administration's Draft Melvista West draft policy as part of the broader work being undertaken on the Stirling Highway (West) Precinct Plan. The matters outlined below are provided to Council in order to make its decision on whether or not to adopt the draft policy.

Public consultation

Although the majority of respondents supported to the policy, half of the submitters who live within the policy area and are directly affected by the draft policy provisions objected to it. The amended policy re-submitted by the CWG addresses some of the issues raised in public consultation however, not all of the issues.

Conversely, the residents who supported the policy did so on the basis of the advertised policy provisions. The amended policy re-submitted by the CWG has increased the Acceptable Outcome for building height for development on land coded R160 from 3-storeys to 5-storeys. Given this significant change, the City cannot be certain that the residents who supported the reduced building height would continue to support the revised policy.

The fact that the PMRG - LPP was prepared by residents is a key issue raised during public consultation. While the policy has been amended and has taken on board some of the feedback provided by the City, the authors of the policy are residents, which may affect the weight afforded to it by decision makers.

The draft policy was referred to the Heritage Council of WA as it is a planning instrument that potentially impacts the State heritage listed PMRG. The Heritage Council of WA does not support the policy and recommends that the City further examine and analyse the cultural heritage values of the area and for a statement of a significance of the PMRG to be included. To ensure that development protects the PMRG, it is recommended that the policy area take into account the northern side of Stirling Highway (to consider overshadowing from the northern side of Stirling Highway) and for horticultural expertise to be sought. The advice from the Heritage Council suggests that the adoption of the policy in its current does not provide enough qualified heritage based justification for the policy to be afforded weight by decision-makers and it is premature to adopt it in its current form.

Orderly and Proper Planning

The making of a local planning policy is governed by clause 3 of the Deemed provisions for local planning schemes contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. The deemed

provisions are read into Local Planning Scheme No.3. Clause 3(3) of the deemed provisions states:

‘A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies’.

Critical to the weight afforded to any policy by a decision maker is whether the policy is based on sound town planning principles. In that regard, it is relevant that the draft policy is being prepared prior to built form modelling and testing for this area.

The City will not provide a critique of the merits of the policy, as further testing is needed. It is noted that the adoption of draft LPP – PMRG prior to built form modelling, may result in inconsistent policy provisions applying to properties on Doonan Road, Mountjoy Road and Stirling Highway. These streets form the border of the PMRG policy area which lies within several planned transition zones and precincts. Further, existing approvals within the policy area itself (17-19 Louise and 13 Vincent Streets) could be inconsistent with the proposed policy provisions. **Figure 1** below outlines the properties that may have different planning provisions to neighbouring properties within the PMRG policy area.



Figure 1 – Properties that border the PMRG policy area

The formal adoption of draft LPP – PMRG will remove a key area of the Town Centre Precinct Policy, which was adopted for readvertising by Council at the June 2020 meeting. No consideration was given to the modified boundary. Should Council adopt draft LPP – PMRG, another round of advertising of the Town Centre Precinct policy will be required. Further, adoption of the PMRG – LPP will void the work already completed for the draft LPP – Town Centre for that area.

Given the planning being undertaken for this area and adjacent precincts, the City is of the view that it is premature to formally adopt an untested policy that conflicts with several other precincts.

Strategic Implications

How well does it fit with our strategic direction?

The City's Local Planning Strategy identifies urban growth areas and transition zones within the City, which have been reflected in rezoning and up-coding through LPS3. This Local Planning Policy provides design guidance for the transition zones.

Who benefits?

The intent of the policy is to adjust the built form settings to moderate development. Who benefits from the policy is dependent on whether policy provisions are tested and found to be consistent with the Scheme and relevant element objectives?

Does it involve a tolerable risk?

The City does not recommend formally adopting the policy. There are significant changes to the Draft LPP which are not minor in nature and would require further community consultation. The City has been criticised recently (Aged Care LPP) for adopting policies with significant changes to development standards without further consultation.

Do we have the information we need?

Further information is required and can be obtained through built form modelling of the proposed provisions for the Transition Zones.

Budget/Financial Implications

Can we afford it?

The costs associated with built form modelling are included in the Council's current year budget.

How does the option impact upon rates?

Nil.

Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2, Part 2, Clause 3(1) of the Regulations the local government may prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area.

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

Conclusion

Administration does not support the policy in its current form given changes have been made to the policy, which have not been either advertised or tested.

Final adoption of the policy is considered premature, given that the policy overlaps two other precincts, one of which is the subject of costly built form modelling.

The City is currently finalising the Draft Policy for Melvista West Transition Zone which will be rigorously tested with built form modelling by an independent planning consultancy. Adoption of the revised draft LPP – PMRG may result in different built form outcomes within the same street, contrary to the requirement of orderly and proper planning.

Should Council wish to proceed with the policy as it now stands, then an alternative recommendation should be put forward proposing to re-advertise the policy, rather than simply adopting it, on the basis of the significant changes made since it was previously advertised.

Local Planning Policy

- ***Peace Memorial Rose Garden Precinct,***
- ***Nedlands***



September 2020

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1. PREAMBLE

This Local Planning Policy (*LPP*) is consistent with the purpose, objectives and design guidance of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (*SPP7.3 Vol 2*) and refines that policy.

Under SPP7.3 Vol 2 complementary or supplementary LPPs can be made by local government (with WA Planning Commission approval where required) to:

- vary the Acceptable Outcomes of Part 2 Primary Controls to respond to local character and context;
- amend or replace the Acceptable Outcomes of the Parts 3 and 4 Primary Controls in certain sections; and
- augment the SPP regarding additional aspects required by the local context, subject to being consistent with the Element Objectives of the SPP.

The role and benefit of an LPP, therefore, is to provide tailor-made and fine-grain measures to suit the circumstances of an area. In relation to SPP7.3 Vol 2, an LPP and/or Local Development Plan (*LDP*) can elaborate upon and fine-tune development parameters and design requirements for apartment proposals. An LPP is to be regarded together with SPP7.3 Vol 2 and other applicable instruments, in the preparation, assessment and determination of development applications.

2. INTRODUCTION

The gazettal of the City of Nedlands Local Planning Scheme No. 3 (*LPS3*) on 16 April 2019 increased the potential for substantially higher density, taller and more intensive development throughout rezoned parts of the City. Given the need to manage this change, the City has commenced preparing a suite of precinct plans and LPPs for comprehensive local area development control, including density transition areas. There is presently no LPP in place to recognise the specific requirements of developments that may occur in the area surrounding this heritage-listed location.

A key purpose of this LPP is to ensure that the character of the well-established precinct is sustained and evolved as new development occurs.

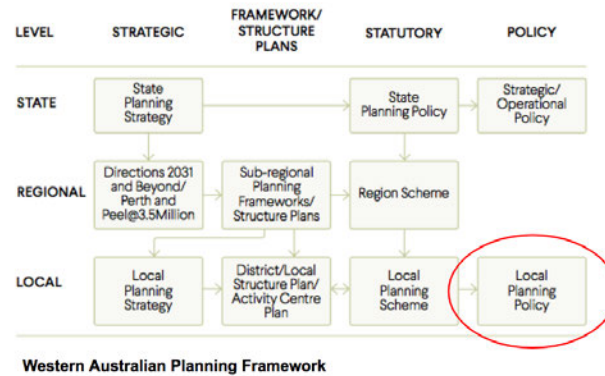
In this respect SPP7.3 Vol 2 provides that:

‘...Understanding character is essential to define an appropriate style, scale and form for new development that retains and enhances character in an existing area or contributes to the desired character in a renewing area...’

This LPP aims to manage development with reference to the existing character and historical and heritage context of the area. It has been devised taking into account lot sizes, building typologies, building envelopes and the related detailed design aspects that together will influence the urban character of the precinct.

The preparation and adoption of LPPs accords with the State Government's approach that local planning schemes contain the basic zones, densities and provisions, while local planning policies contain the more detailed design and development requirements.

The diagram below shows where this LPP fits within the Western Australian State Planning Framework:



LPPs in existence or being prepared by the City that relate to this LPP are:

- The Nedlands Town Centre Precinct Plan, for which the study area extends along Stirling Highway as far Louise Street: It aims to ensure new buildings complement each other and the neighbouring residences in adjoining streets. It addresses movement of people and vehicles, land use activity, buildings and infrastructure.
- The Transition Area – Rose Garden Precinct LPP, from Dalkeith Road to Rockton Road bounded by Jenkins Road to address built form design, laneway locations and character related streetscape response for the larger catchment area.
- Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements, setting out requirements for the establishment of a laneways between 16 and 18 Doonan Rd through to 19 and 21 Vincent St on an east-west axis.
- Residential Development: Single and Grouped Dwellings, to provide guidance and supplementary requirements to LPS 3 and SPP 7.3 Volume 1 in relation to single and grouped dwelling developments.
- The Jenkins Road Laneway LPP, to provide laneway requirements for the establishment of an east-west laneway between Taylor Road and Dalkeith Road.
- Waste Management and Guidelines, to providing design and operational requirements for any proposed development.
- Parking, to define standards for car parking for residential and non-residential developments.

3. APPLICATION OF POLICY

This LPP applies to all planning proposals for new development within the Rose Garden Precinct (excluding minor additions or extensions to existing developments).

In accordance with section 1.2 of SPP7.3 Vol 2, this LPP contains provisions that amend or replace Acceptable Outcomes set out in of SPP7.3 Vol 2. If an element in SPP7.3 Vol 2

is not amended or replaced by this LPP, the applicable Acceptable Outcomes in SPP7.3 Vol 2 remain and apply. The Element Objectives of SPP7.3 Vol 2 remain unchanged and apply. This LPP also introduces additional aspects of development control for the Precinct and all changes made by this LPP prevail over development in the Precinct.

4. OBJECTIVES

The objectives of this LPP are to ensure that development in the Precinct:

- Is consistent with and appropriate to the **context and character** of the precinct.
- Respects and protects the **cultural heritage significance** and ambience of the State and local heritage-classified Peace Memorial Rose Garden (PMRG).
- Achieves **sympathetic transitions** between zones of different type, density and height limits and between each development site and existing surrounding properties.
- Has controlled **building height, bulk, form**, consistent with the character of the precinct, and related design parameters.
- Is of **architectural style and materials** compatible and cohesive with the traditional garden-suburb character and heritage memorial garden setting.
- Supports **sustainable design** throughout the precinct.
- Preserves or improves the **amenity** of streetscapes and surrounding properties, including **trees**.
- Fosters the retention and sharing of **views** available from properties and attractive views to and from the Memorial Rose Garden.

5. PRECINCT

Draft State Planning Policy 7.2 Precinct Design aims for precinct planning to achieve good design quality and built form outcomes. It provides for heritage-based precincts, includes design review and has supporting guidelines. Precinct outcomes include *ensuring sense of place, integrated landscape, comfortable public spaces, coherent identity, cultural relevance and development responding to context and character*.

The Nedlands locality is the result of past planning and development to create garden suburbs in metropolitan Perth, which have matured to exhibit their distinctive contexts and characters.

The Rose Garden Precinct to which this LPP applies covers the area as shown on the map below (Figure 1). It is centred on the PMRG and extends from Stirling Highway on the north to Jenkins Avenue on the south, and from the east side of Doonan Road to the west side of Mountjoy Road. The Rose Garden Precinct embraces the proximity to the PMRG and recognises that away from Stirling Highway the area is zoned residential with the need to manage the interrelationships between abutting lots and zonings.

Aiming to maintain a residential feel within this Precinct is consistent with the draft Town Centre Precinct Plan which proposes a residential transition area on the Stirling Highway and Louise Street corner opposite the PMRG.

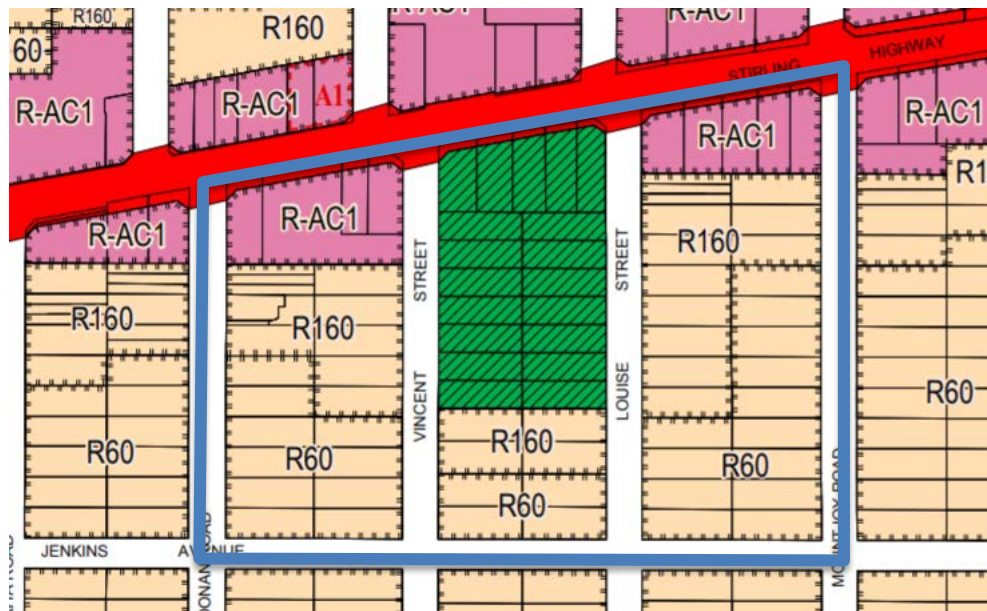


Figure 1 Rose Garden Precinct.

Under LPS3 the PMRG is reserved Local Open Space, while the zones and density codings over lots in the precinct comprise Mixed Use R-AC1 along the highway (except for the Memorial garden frontage) which is the most intensive, followed by Residential R160 extending southward partway along the local streets, then Residential R60 extending to the northern side of Jenkins Avenue. The southern side of Jenkins Avenue is outside the precinct area and is zoned low density Residential R10.

These zones and density codings allow higher density and taller mixed-use buildings and residential apartments, whereby there is a need to manage development in terms of the transitions between the zones/density codings and the effects on adjoining/surrounding properties (both new and existing), streetscapes and the PMRG (which is bordered entirely by Mixed Use RAC1 and Residential R160).

The Precinct is bounded on the north by Stirling Highway which is a main road. The southern side is bounded by Jenkins Avenue which is a traffic-calmed Safe Active Street. Vincent Street is the local route for north-south traffic with Doonan Road, Louise Street, and Mountjoy Road used predominantly for local residents only. Development in the Rose Garden Precinct, the Town Centre Precinct and along the highway will have significant traffic implications for the locality.

In addition to the specific heritage aspects outlined below the Precinct has many of the Nedlands characteristics including large street setbacks, a leafy character with large mature trees both as street trees and on private property and is predominantly single residential, low rise houses and with many retained art-deco Californian bungalows.

6. HERITAGE

The PMRG is on the State Register of Heritage Places and the City's Heritage List, as one of the most significant places in the City. It is also recognised by Monument Australia and shares its significance with peace memorials across Australia and around the world as a place dedicated to humanity. At the heart of the PMRG's heritage significance is that it is much more than a pretty park with the second largest rose collection in WA. In addition to its functional and visual attributes of open space, greenery and beauty, the PMRG embodies historical, social, cultural, scientific/horticultural and rarity values – in essence, it is a spiritual place.

Also in the precinct is the Art Deco style Greenough Home Units at 114 Stirling Highway corner of Louise Street, which is on the City's Municipal Inventory, and the Tudor style Renkema Building at 134 Stirling Highway corner of Doonan Road, which is identified for State-level heritage classification assessment (Figure 2). Several other properties nearby, notably along the highway, are either State or local heritage-classified.

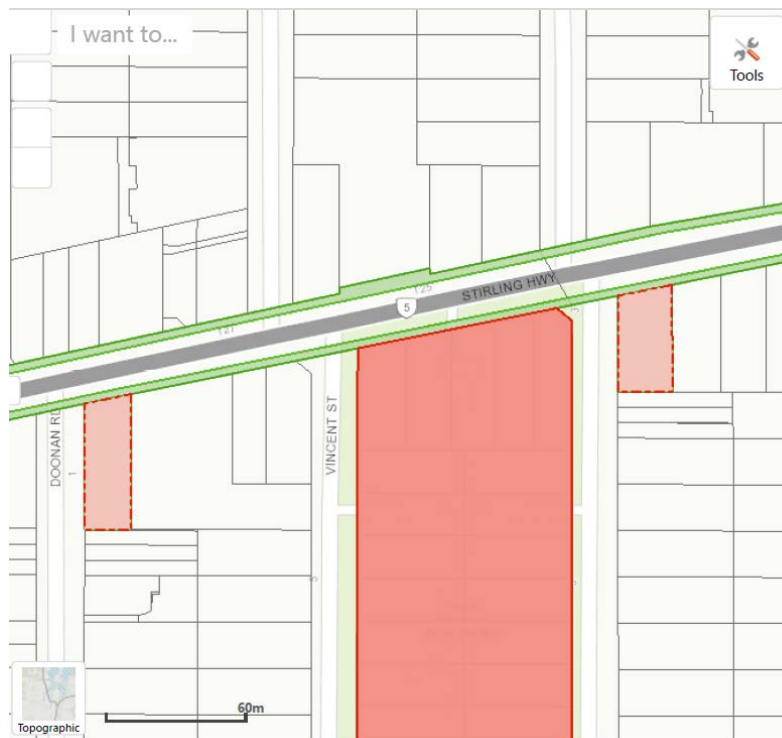


Figure 2 Heritage areas as identified from Department of Lands, Planning and Heritage Database

In WA, heritage protection permeates planning instruments and practice from State down to local level and is especially applicable to the PMRG and related precinct. State planning legislation and policies, and the City's Local Planning Strategy (*Strategy*) and LPS3, supported by State heritage legislation and governance, all address the heritage dimension of planning and development. Directly relevant provisions include:

City's Strategy:

Protect and promote places of heritage significance throughout the City, including civic, commercial and residential buildings, parks and gardens.

Local Planning Schemes Regulations:

In considering an application for development approval the local government is to have due regard to the following matters: (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located.

State Planning Policy 3.5 Historic Heritage Conservation:

Whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, form or appearance of the proposed development.

The WAPC and local governments should have regard to heritage places and areas in formulating planning schemes and strategies. Care should be taken to minimise the extent to which land use zoning and other planning controls conflict with, or undermine, heritage conservation objectives.

State Planning Policy 7.0 Design of the Built Environment:

Describes the core design principle of context and character, with reference to heritage and related aspects:

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place. Good design responds intelligently and sensitively to these factors in order to positively contribute to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood. New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development. Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

SPP7.3 Vol 2 policy objectives for multiple dwellings:

To encourage design that considers and respects local heritage and culture.

Heritage Council of WA Development Assessment Framework:

Adjacent development should:

Not negatively impact on the identified significance of a culturally significant garden or park and should not endanger the ecological equilibrium of the place.

Recognise and respond sympathetically to the predominant scale of the setting and the adjacent heritage place.

The PMRG is the defining feature and focus of the Rose Garden Precinct contributing to its context and character. Density developments surrounding the PMRG are individually and collectively likely to have substantial adverse impacts on the character of the precinct and the heritage values and integrity of the Memorial Garden. The weight of the planning and heritage framework relating to the PMRG and the control of development affecting it warrants a strong approach to limiting detrimental impacts on the PMRG. In the formulation, assessment and determination of proposals affecting the PMRG, applicants, consultants, consultees and decision-makers are all obligated to have particular regard to the heritage imperatives, implications and impacts involved.

7. SUMMARY OF POLICY MEASURES

This LPP prescribes a number of control measures for the Rose Garden Precinct. It does not address all of the design outcomes but has focused on the key issues. In particular, it aims to reduce building bulk and visual and acoustic impacts of new development on land which directly abuts sites with a lower density coding.

In support of the objectives, this LPP seeks to amend or replace the Acceptable Outcomes of the following R-Code Volume 2 elements:

- Building height;
- Street setbacks;
- Side and rear setbacks;
- Plot ratio;
- Façade design.

Brief descriptions of the changes are outlined below with a summary provided in Table 1.

7.1 Building Height

In accordance with the R-Codes Volume 2, five-storey buildings are an Acceptable Outcome for areas coded R160. This is of a substantially larger scale than the existing streetscape in the zone, which is typically comprised of one to two-storey residential buildings. Larger-scale development around the Rose Garden has the potential to impose building bulk and overshadowing impacts on adjoining properties with a lower density coding and surrounding streets. New developments which abut sites with a lower density coding should therefore be carefully designed to mitigate these impacts and provide an appropriate transition to lower-density areas.

In order to manage the transition to lower density surrounding properties this LPP defines a maximum height of 5 storeys (18m) for R160 reducing to 4 storeys (15m) for R160 sites which have not already been redeveloped or subdivided and abut sites with a lower density coding. A maximum height of 3 storeys (12m) applies for R60.

Consistent with the definition of SPP 7.3 Volume 2 maximum height is taken from natural ground level. In order to deal with the sloping topography of the area at no point on the

site shall any part of the building exceed the maximum heights outlined above taken from natural ground level.

7.2 Street Setbacks

This LPP requires that the lower levels of development in Residential zones (R60 and R160) are setback 4m from the primary and secondary streets, with upper storeys being progressively stepped back from the street. The intent of these moderate street setback requirements at lower levels is to preserve the character of streetscape and to manage the transition between existing residential properties that have been built under a 9m setback provision. Progressively increasing upper storey setbacks from the street will ensure that new developments do not impose excessive building bulk and overshadowing over the public domain. For building widths greater than 16m the minimum average primary street setback is 6m.

7.3 Side and Rear Setbacks

For the third storey and above, this LPP requires greater setbacks to the southern side boundary than the northern side. As the majority of the blocks are aligned east -west, and the topography of the local area slopes to the south west, the intent of this provision is to minimise overshadowing of adjacent properties.

7.4 Plot Ratio

In order to control bulk and scale of new developments and ensure they are appropriate for the streetscape and desired character of the area, this LPP reduces the maximum plot ratios to 2 for R-AC1 land which has not already been redeveloped or subdivided and abuts a lower density coded site, 1.5 for R160 and 0.8 for R60.

7.5 Façade Design

Compared to the existing development within the Rose Garden Precinct, larger-scale new developments are likely to be more prominent from surrounding properties and the public realm. It is therefore important that the façade design of new development is designed to enhance the visual interest and amenity of surrounding properties and the public realm. The LPP therefore requires that building facades at all levels are articulated and detailed wherever they are visible from these areas.

It is recognised that any new developments should not try to be a replica of the art-deco architecture which dominates the precinct. However, any new development should actively address the manner in which it aligns with the existing context and character of the location. This may include the materials used, the building design and the landscape design.

Table 1 Summary of policy changes with reference to R-Codes

R-codes Element	Applicable Clause of this Policy	Applicable Acceptable Outcome
2.2 Building height	8.1	A 2.2.1 of the R-codes Volume 2 is replaced by Clause 8.1 of this Policy
2.3 Street setbacks	8.2	A 2.3.1 of the R-codes Volume 2 is replaced by Clause 8.2 of this Policy
2.4 Side and rear setbacks	8.3	A 2.4.1 of the R-codes Volume 2 is replaced by Clause 8.3 of this Policy.
2.5 Plot ratio	8.4	A 2.5.1 of the R-codes is replaced by Clause 8.4 of this Policy
4.10 Façade design	8.5	A 4.10.1 of the R-codes Volume 2 is augmented to also include Clause 8.5 of this Policy.

7.6 Mixed Use controls

This LPP covers some controls related to Mixed Use (R-AC1), however, it is recognised these will need to be further developed, especially as the City completes studies on Stirling Highway.

8. POLICY CONTROLS

8.1 Building Height

Development shall comply with the building height limit (storeys) set out in Table 2 and the maximums shall not be exceeded.

Table 2 Building Height.

Zoning	Maximum Building Height (storeys)	Maximum Height* (m)
R160	5	18
R160 ¹ adjacent to lower density coded site	4	15
R60	3	12
<i>1 Applies for sites which have not already been redeveloped or subdivided.</i>		
<i>*Maximum height at natural ground level.</i>		

8.2 Street Setback

Development shall comply with the street sets backs as set out in Table 3.

Table 3 Street Setbacks

Zoning	Minimum Primary and Secondary Street setbacks
RAC1	2m or Nil*
R160	4m ¹
R60	4m ¹
¹ Minimum average primary street setback where building width >16m is 6m	
*Nil setback applicable if commercial use at ground floor.	

8.3 Side and Rear Setbacks

8.3.1 Side Setbacks

Development shall comply with the setbacks set out in Table 4.

Table 4 Side Setbacks (for R160 and R60 as applicable)

Storey	Side ¹ (minimum)**	
	South	North
1	3m	
2		
3	4.5m	3m
4	4.5m	3m
5	6m	4.5m

** Or in accordance with clause 3.5 Visual Privacy of SPP7.3 Vol 2 (whichever is the greater setback requirement).
¹ Average side set back where building length exceeds 16m increases from a) 3m to 3.5m for R60, b) 3m to 4m on R160 for levels one and two.

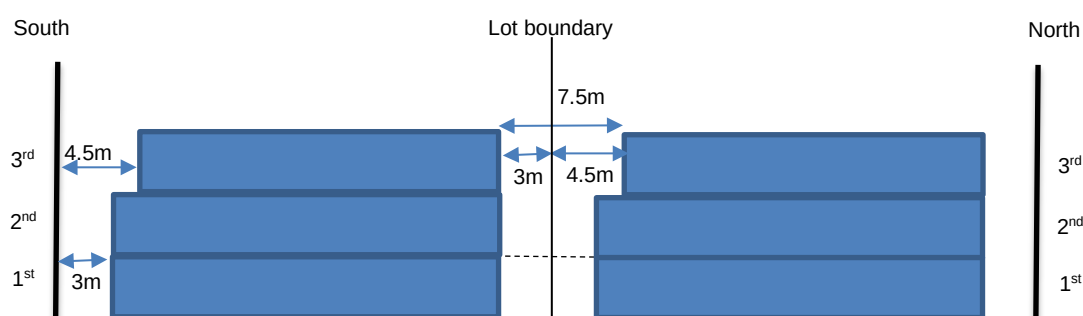


Figure 3 Example of R60 side building setback. Front view showing side setback (where building length is less than 16m).

8.3.2 Rear Setbacks

Development shall comply with the setbacks set out in Table 5.

Table 5 Minimum Rear Setbacks.

Storey	Rear Setbacks		
	R60	R160	RAC1 ¹
1	5m	6m	4m
2			
3	9m	9m	6m
4*	n/a		
5*			

¹ Only applies to RAC1 properties that abut lower density coded blocks.

* Where a building exceeds the number of storeys due to the site topography the maximum height from natural ground level outlined in Table 2 applies.

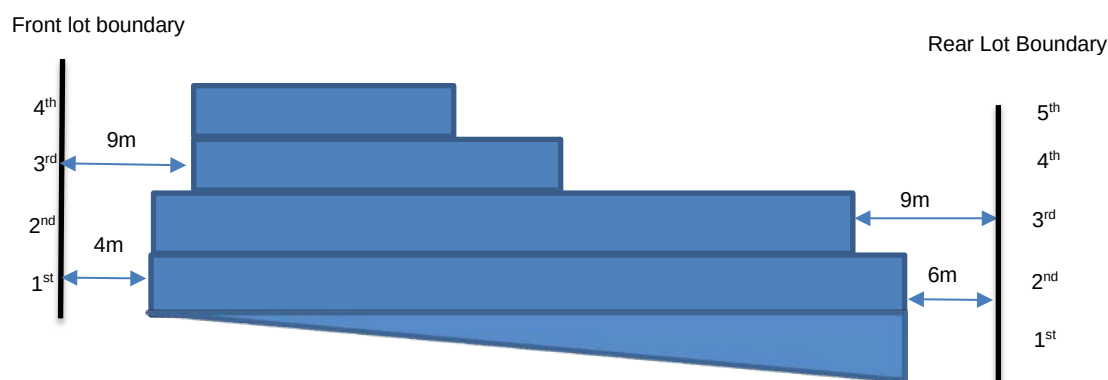


Figure 4 Example of front and rear setbacks for an R160 site adjacent to a lower density coded site. Where the slope results in a fifth storey this storey to be set back to where it meets the maximum height restriction from natural ground level as set out in Table 2.

8.4 Plot Ratio

Development shall comply with the plot ratio as set out in Table 6.

Table 6 Plot Ratio

Zoning	R60	R160	RAC1 ¹
Plot ratio	0.8	1.5	2

¹ Only applies to RAC1 land adjoining lower density coded sites.

8.5 Façade Design

Development shall comply with the following requirements:

Building facades at all levels shall be articulated and detailed (broken into distinct visual elements) wherever they are visible from an adjoining property, or from the street.

8.6 Additional Items

It is recognised that these proposed amendments are not exhaustive however they have been proposed to provide some initial controls. This document was developed by residents in the area and following community feedback was first brought to Council in February 2020. It was approved by the City of Nedlands for public comment in April 2020 and was brought to Council for approval in September 2020.

Additional items from SPP7.3 Volume 2, Part 3 and Part 4 may be relevant and while they have not been included here it is expected that they would be developed as part of comprehensive urban form guidelines.

APPENDIX I – ROSE GARDEN PRECINCT PRIMARY CONTROLS TABLE

	Applies to R-Code areas, default settings apply unless alternative provisions defined in local planning instruments				Applicable where designated by local government in local planning scheme, activity centre plan, structure plan, local development plan, local planning policy	
Streetscape contexts and character, Refer A2	Medium-rise	LPP - City of Nedlands - Rose Garden Precinct	Higher density residential	LPP - City of Nedlands - Rose Garden Precinct	High density urban centres	LPP - City of Nedlands - Rose Garden Precinct
Site R-coding	R60	R60	R160	R160	R-AC1	R-AC1
Building Height (storeys) <i>Refer 2.2</i>	(3)	(3) 12m	(5)	(5) 18m⁹	(9)	10
Boundary wall height (storeys) ^{1,2} <i>Refer 2.4</i>	(1) ³	(1) ³	(2) ³	(2) ³	(4)	(4)
Minimum primary and secondary street setbacks <i>Refer 2.3</i>	2m	4m	2m	4m	2m or Nil ⁴	2m or Nil ⁴
Minimum average primary street setback where building width >16m	-	6m	-	6m	-	-
Minimum side setbacks ⁵ <i>Refer 2.4</i>	3m	3m ⁶	3m	3m ⁶	Nil	Nil
Minimum rear setbacks ⁷ , <i>Refer 2.4</i>	3m	5m	6m	6m	Nil	4m¹¹
Average side setback where building length exceeds 16m, <i>Refer 2.4</i>	3.5m	3.5m	4.0m	4.0m	NA	4.0m
Plot ratio ⁸ <i>Refer 2.5</i>	0.8	0.8	2	1.5	3	2¹¹
Notes	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. 4 Nil setback applicable if commercial use at ground floor on primary street 5 Boundary setbacks will also be determined by provisions for building separation and visual privacy within SPP 7.0 and building separation provisions of the NCC 6 Above 2 storeys minimum side setback is as per Table 4 of this document. 7 Above 2 storeys minimum rear setback as per Table 5 of this document 8 Refer to Definitions for calculation of plot ratio. 9 Where an R160 lot abuts a lower density coded site the lower height limit of 15m and 4 storeys applies. 10. Height controls as per Scheme Text 11 Only applies where an RAC1 lot abuts a lower density coded site					

Draft Local Planning Policy

- ***Peace Memorial Rose Garden Precinct,***
- ***Nedlands***



March 2020

About the draft Local Planning Policy

1. This draft Local Planning Policy (*LPP*) has not been prepared or sanctioned by the City of Nedlands (*City*), but has been submitted to the City for consideration and action.
2. The LPP has been prepared by a group of local residents within the Rose Garden Precinct locality. Whilst the City is the responsible authority empowered to make and formalise LPPs, there is nothing to prevent a draft LPP being prepared by the community as a positive initiative to engage in and contribute to the planning and development of its municipality, for the City to take into account.
3. The LPP is drafted to be consistent with the State Planning Framework, as set out here:
<https://www.dplh.wa.gov.au/policy-and-legislation/state-planning-framework>
4. The LPP is based on State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (*SPP7.3 Vol 2*) as set out here:
<https://www.dplh.wa.gov.au/getmedia/5926602c-ab14-46f0-be6f-56dc31c45902/SPP-7-3-R-Codes-Apartments>
5. Examples of other LPPs, such as those prepared by the City, have informed the content and level of detail in this draft LPP.

How this helps residents and the City

1. The City as part of its process of preparing LPPs for Nedlands will in due course seek community feedback on a proposed LPP for our area.
2. We believe that our draft LPP will facilitate and expedite the process, enabling the community to inform the City in advance of what we have examined and by the City

How has the community been involved in this?

Community members were able to give feedback online, via email and at 2 community sessions. Every house within the precinct area was letter-dropped to inform residents of the document and invite them to attend an information session or provide feedback. More than 200 responses were collected with over 95% in support of the draft local planning policy. The small percentage who did not support the LPP advised that they did not want to see any increased development in the area.

The draft LPP was provided to the City of Nedlands Councillors and Administration on the 17th February 2020. A resolution for the Administration to develop a LPP, taking into consideration this draft LPP, was passed at the 25th February 2020 Council meeting. A subsequent meeting was held on the 17th March 2020 with the City Administration to further refine this LPP.

What has changed

1. The height controls for the RAC-1 zone on Stirling Highway and the proposed minimum lot size have been removed.
2. Minor wording and language changes.

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1. PREAMBLE

This Local Planning Policy (*LPP*) is consistent with the purpose, objectives and design guidance of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (*SPP7.3 Vol 2*) and refines that policy.

Under SPP7.3 Vol 2 complementary or supplementary LPPs can be made by local government (with WA Planning Commission approval where required) to:

- vary the Acceptable Outcomes of Part 2 Primary Controls to respond to local character and context;
- amend or replace the Acceptable Outcomes of the Parts 3 and 4 Primary Controls in certain sections; and
- augment the SPP regarding additional aspects required by the local context, subject to being consistent with the Element Objectives of the SPP.

The role and benefit of an LPP, therefore, is to provide tailor-made and fine-grain measures to suit the circumstances of an area. In relation to SPP7.3 Vol 2, an LPP and/or Local Development Plan (*LDP*) can elaborate upon and fine-tune development parameters and design requirements for apartment proposals. An LPP is to be regarded together with SPP7.3 Vol 2 and other applicable instruments, in the preparation, assessment and determination of development applications.

2. INTRODUCTION

The gazettal of the City of Nedlands Local Planning Scheme No. 3 (*LPS3*) on 16 April 2019 increased the potential for substantially higher density, taller and more intensive development throughout rezoned parts of the City. Given the need to manage this change, the City has commenced preparing a suite of precinct plans and LPPs for comprehensive local area development control, including density transition areas. There is presently no LPP in place to recognise the specific requirements of developments that may occur in the area surrounding this heritage-listed location.

A key purpose of this LPP is to ensure that the character of the well-established precinct is sustained and evolved as new development occurs.

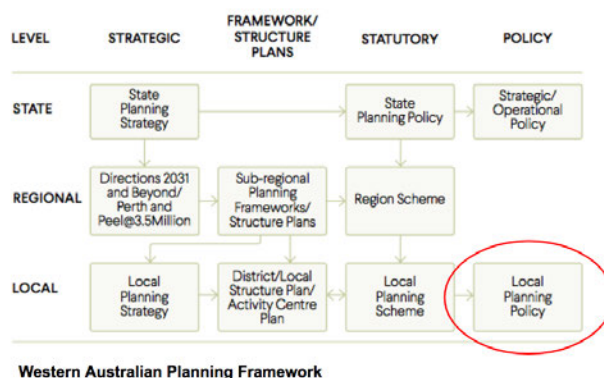
In this respect SPP7.3 Vol 2 provides that:

‘...Understanding character is essential to define an appropriate style, scale and form for new development that retains and enhances character in an existing area or contributes to the desired character in a renewing area...’

This LPP aims to manage development with reference to the existing character and historical and heritage context of the area. It has been devised taking into account lot sizes, building typologies, building envelopes and the related detailed design aspects that together will influence the urban character of the precinct.

The preparation and adoption of LPPs accords with the State Government's approach that local planning schemes contain the basic zones, densities and provisions, while local planning policies contain the more detailed design and development requirements.

The diagram below shows where this LPP fits within the Western Australian State Planning Framework:



LPPs being prepared by the City that relate to this LPP are:

- The Town Centre Precinct Plan, for which the study area extends along Stirling Highway as far Louise Street: *It aims to ensure new buildings complement each other and the neighbouring residences in adjoining streets. It addresses movement of people and vehicles, land use activity, buildings and infrastructure.*
- Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements, for the establishment of laneways.
- Design Review Panel, for the operation of such to provide design advice.
- Waste Management and Guidelines, to providing design and operational requirements for such.

3. APPLICATION OF POLICY

This LPP applies to all planning proposals for new development within the Rose Garden Precinct (excluding minor additions or extensions to existing developments).

In accordance with section 1.2 of SPP7.3 Vol 2, this LPP contains provisions that amend or replace Acceptable Outcomes set out in of SPP7.3 Vol 2. If an element in SPP7.3 Vol 2 is not amended or replaced by this LPP, the applicable Acceptable Outcomes in SPP7.3 Vol 2 remain and apply. The Element Objectives of SPP7.3 Vol 2 remain unchanged and apply. This LPP also introduces additional aspects of development control for the Precinct and all changes made by this LPP prevail over development in the Precinct.

4. OBJECTIVES

The objectives of this LPP are to ensure that development in the Precinct:

- Is consistent with and appropriate to the **context and character** of the precinct.
- Respects and protects the **cultural heritage significance** and ambience of the State and local heritage-classified Peace Memorial Rose Garden (PMRG).
- Achieves **sympathetic transitions** between zones of different type, density and height limits and between each development site and existing surrounding properties.
- Has controlled **building height, bulk, form**, consistent with the character of the precinct, and related design parameters, with unambiguous standards.
- Is of **architectural style and materials** compatible and cohesive with the traditional garden-suburb character and heritage park setting.
- Supports **sustainable design** throughout the precinct.
- Preserves or improves the **amenity** of streetscapes and surrounding properties, including **trees**.
- Fosters the retention and sharing of **views** available from properties and attractive views to and from the Rose Garden park.
- Is of a scale and design that does not result in adverse **traffic impacts**.

5. PRECINCT

Draft State Planning Policy 7.2 Precinct Design aims for precinct planning to achieve good design quality and built form outcomes. It provides for heritage-based precincts, includes design review and has supporting guidelines. Precinct outcomes include *ensuring sense of place, integrated landscape, comfortable public spaces, coherent identity, cultural relevance and development responding to context and character*.

The Nedlands locality is the result of past planning and development to create garden suburbs in metropolitan Perth, which have matured to exhibit their distinctive contexts and characters.

The Rose Garden Precinct to which this LPP applies covers the area as shown on the map below (Figure 1). It is centred on the PMRG and extends from Stirling Highway on the north to Jenkins Avenue on the south, and from the east side of Doonan Road to the west side of Mountjoy Road. The Rose Garden Precinct embraces the proximity to the PMRG and recognises that away from Stirling Highway the area is zoned residential with the need to manage the interrelationships between abutting lots and zonings.

Aiming to maintain a residential feel within this Precinct is consistent with the draft Town Centre Precinct Plan which proposes a residential transition area on the Stirling Highway and Louise Street corner opposite the PMRG.

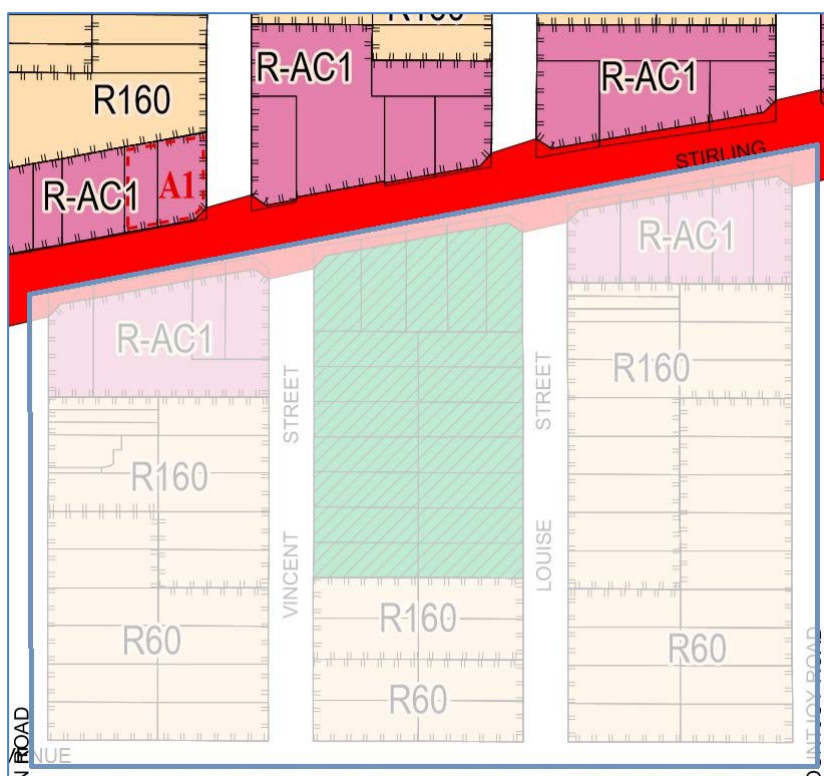


Figure 1 Rose Garden Precinct.

Under LPS3 the PMRG is reserved Local Open Space, while the zones and density codings over lots in the precinct comprise Mixed Use R-AC1 along the highway (except for the park frontage) which is the most intensive, followed by Residential R160 extending southward partway along the local streets, then Residential R60 extending to the northern side of Jenkins Avenue. The southern side of Jenkins Avenue is outside the precinct area and is zoned low density Residential R10.

These zones and density codings allow higher density and taller mixed-use buildings and residential apartments, whereby there is a need to manage development in terms of the transitions between the zones/density codings and the effects on adjoining/surrounding properties (both new and existing), streetscapes and the PMRG (which is bordered entirely by Mixed Use RAC1 and Residential R160).

The Precinct is bounded on the north by Stirling Highway which is a main road. The southern side is bounded by Jenkins Avenue which is a traffic-calmed Safe Active Street. Vincent Street is local route for north-south traffic with Doonan Road, Louise Street, and Mountjoy Road used predominantly for local residents only. Development in the Rose Garden Precinct, the Town Centre Precinct and along the highway will have significant traffic implications for the locality.

6. HERITAGE

The PMRG is on the State Register of Heritage Places and the City's Heritage List, as one of the most significant parks in the City. It is also recognised by Monument Australia and shares its significance with peace memorials across Australia and around the world as a place dedicated to humanity. At the heart of the PMRG's heritage significance is that it is much more than simply a pretty park. In addition to its functional and visual attributes of open space, greenery and beauty, the PMRG embodies historical, social, cultural, scientific/horticultural and rarity values – in essence, it is a spiritual place.

Also in the precinct is the Art Deco style Greenough Home Units at 114 Stirling Highway corner of Louise Street, which is on the City's Municipal Inventory, and the Tudor style Renkema Building at 134 Stirling Highway corner of Doonan Road, which is identified for State-level heritage classification assessment (Figure 2). Several other properties nearby, notably along the highway, are either State or local heritage-classified.

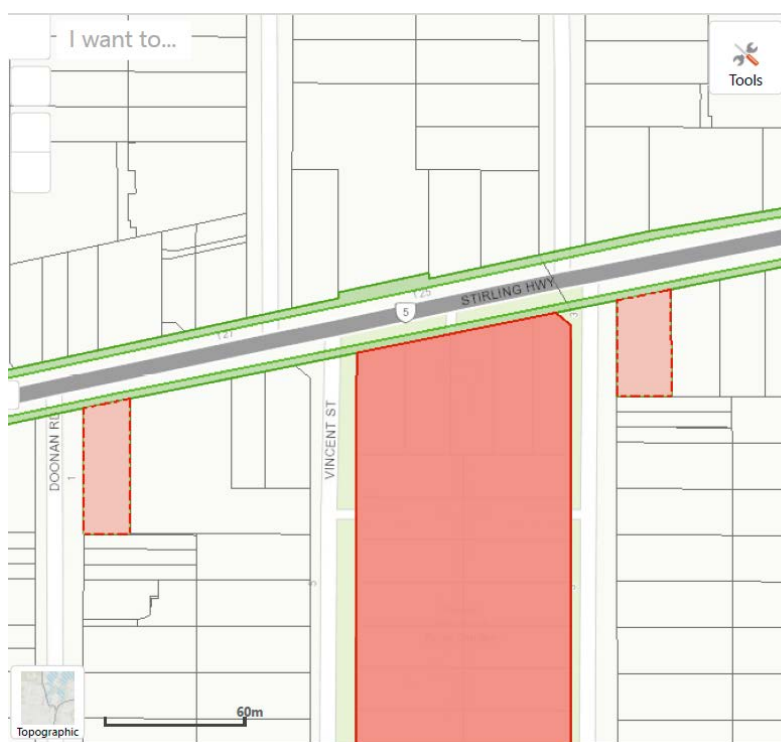


Figure 2 Heritage areas as identified from Department of Lands, Planning and Heritage Database

In WA, heritage protection permeates planning instruments and practice from State down to local level and is especially applicable to the PMRG and precinct. State planning legislation and policies, and the City's Local Planning Strategy (*Strategy*) and LPS3,

supported by State heritage legislation and governance, all address the heritage dimension of planning and development. Directly relevant provisions include:

City's Strategy:

Protect and promote places of heritage significance throughout the City, including civic, commercial and residential buildings, parks and gardens.

Local Planning Schemes Regulations:

In considering an application for development approval the local government is to have due regard to the following matters: (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located.

State Planning Policy 3.5 Historic Heritage Conservation:

Whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, form or appearance of the proposed development.

The WAPC and local governments should have regard to heritage places and areas in formulating planning schemes and strategies. Care should be taken to minimise the extent to which land use zoning and other planning controls conflict with, or undermine, heritage conservation objectives.

State Planning Policy 7.0 Design of the Built Environment:

Describes the core design principle of context and character, with reference to heritage and related aspects:

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place. Good design responds intelligently and sensitively to these factors in order to positively contribute to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood. New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development. Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

SPP7.3 Vol 2 policy objectives for multiple dwellings:

To encourage design that considers and respects local heritage and culture.

Heritage Council of WA Development Assessment Framework:

Adjacent development should:

Not negatively impact on the identified significance of a culturally significant garden or park and should not endanger the ecological equilibrium of the place.

Recognise and respond sympathetically to the predominant scale of the setting and the adjacent heritage place.

The PMRG is the defining feature and focus of the Rose Garden Precinct contributing to its context and character. Density developments surrounding the PMRG are individually and collectively likely to have substantial adverse impacts on the character of the precinct and the heritage values and integrity of the park. The weight of the planning and heritage framework relating to the PMRG and the control of development affecting it warrants a strong approach to limiting detrimental impacts on the PMRG. In the formulation, assessment and determination of proposals affecting the PMRG, applicants, consultants, consultees and decision-makers are all obligated to have particular regard to the heritage imperatives, implications and impacts involved.

7. SUMMARY OF POLICY MEASURES

This LPP prescribes a number of control measures for the Rose Garden Precinct. It does not address all of the design outcomes but has focused on the key issues. It aims to:

- Reduce building bulk and visual and acoustic impacts of new development on the adjoining residential zone.
- Provide natural amenity and landscaping within new developments, including areas of deep soil planting that support healthy plant and tree growth and is consistent with the existing character of precinct.
- Optimise comfort and energy efficiency of new dwellings through passive solar design while minimising overshadowing.

In support of the objectives, this LPP seeks to amend or replace the Acceptable Outcomes of the following R-Code Volume 2 elements:

- Building height;
- Street setbacks;
- Side and rear setbacks;
- Tree canopy and deep soil areas;
- Communal open space;
- Visual privacy;
- Solar and daylight access; and
- Façade design.

Brief descriptions of the changes are outlined below with a summary provided in Table 1.

7.1 Building Height

In accordance with the R-Codes Volume 2, five-storey buildings are an Acceptable Outcome for areas coded R160. This is of a substantially larger scale than the existing

streetscape in the zone, which is typically comprised of one to two-storey residential buildings. Larger-scale development around the Rose Garden has the potential to impose building bulk and overshadowing impacts on adjoining properties and surrounding streets. New developments should therefore be of limited scale and carefully designed to mitigate these impacts and provide an appropriate transition to lower-density areas.

In order to manage the transition to lower density surrounding properties this LPP defines a maximum height of 3 storeys (12m) for R160 and 2 storeys (10m) for R60.

7.2 Street Setbacks

This LPP requires that the lower levels of development in Residential zones (R60 and R160) are setback 4m from the primary and secondary streets, with upper storeys being progressively stepped back from the street. The intent of these moderate street setback requirements at lower levels is to preserve the character of streetscape and to manage the transition between existing residential properties that have been built under a 9m setback provision. Progressively increasing upper storey setbacks from the street will ensure that new developments do not impose excessive building bulk and overshadowing over the public domain.

For the Mixed Use Zone R-AC1 setbacks of 2m or Nil where a nil setback is appropriate if commercial use at ground floor.

7.3 Side and Rear Setbacks

For the third storey and above, this LPP requires greater setbacks to the southern side boundary than the northern side. As the majority of the blocks are aligned east -west, and the topography of the local area slopes to the south west, the intent of this provision is to minimise overshadowing of adjacent properties.

7.4 Plot Ratio

In order to control bulk and scale of new developments and ensure they are appropriate for the streetscape and desired character of the area, this LPP reduces the maximum plot ratios to 2 for R-AC1, 1.5 for R160 and 0.8 for R60.

7.5 Tree Canopy and Deep Soil Areas

Deep soil areas (DSA) are areas of soft landscaping on a site which support medium to large canopy trees. For the Rose Garden Precinct the provision of DSAs within new developments will help offset the loss of front verge and backyard green space which is part of the current character and amenity of the neighbourhood. Importantly, it is critical

component of ensuring that the PMRG retain the feel that was part of the original design – a garden to encourage reflection within a ‘garden neighbourhood’ where the peaceful nature of the PMRG setting extends to the surrounding streets where extensive tree plantings break up the urban setting. In addition, DSAs can also be very effective in providing a buffer between high intensity and low intensity developments, reducing the perceived building bulk of new developments.

The LPP sets out that 50% of the DSA required under the R-Codes Volume 2 is to be located adjoining the boundary with sites of a lower density code. It also requires that at least 80% of width of this boundary is provided as tree canopy. The intent of these requirements is to utilise DSAs and tree canopy as a visual buffer between new, larger-scale developments and the lower-density Residential zone to the rear.

The LPP also requires that DSAs are provided a maximum of 1m above the natural ground level of the development site. The intent of this requirement is to avoid medium to large trees being provided on-structure at upper storeys, where minimal soil depths restrict trees from growing to maturity.

7.6 Communal Open Space

For developments of more than 10 dwellings, the R-Codes Volume 2 requires dedicated areas of communal open space, which can be used for recreation by occupants of the dwellings. The LPP differentiates between ‘active communal open space’, which contain facilities likely to encourage residents to congregate and generate noise, such as BBQs, alfresco areas and swimming pools, and ‘passive communal open space’, which do not contain these facilities.

This LPP requires at least 50% of the required minimum communal open space, including all active communal space, is located adjacent to the street boundary rather than adjacent to shared boundaries with residential properties. This provision seeks to locate those communal spaces which are more likely to generate noise impacts away from residential properties and encourage engagement with the local community.

7.7 Visual Privacy

The visual privacy setbacks set out in the Acceptable Outcomes of the R-Codes Volume 2 are not considered to adequately contemplate the existing single, detached nature of dwellings within the Residential zone and the transition to new, higher density dwellings or the Mixed Use Zone.

The LPP therefore increases the required visual privacy setbacks for major openings and unenclosed private open space (balconies/terraces) from the adjoining R60 and R160 Residential properties.

7.8 Solar and Daylight Access

Appropriate shading of a dwelling's major openings and outdoor spaces can reduce internal summer temperatures, improve comfort and reduce energy consumption. This core component of passive solar design is incorporated into the LPP through requirements for shading devices for major openings and private open spaces.

7.9 Façade Design

Compared to the existing development within the Rose Garden Precinct, larger-scale new developments are likely to be more prominent from surrounding properties and the public realm. It is therefore important that the façade design of new development is designed to enhance the visual interest and amenity of surrounding properties and the public realm. The LPP therefore requires that building facades at all levels are articulated and detailed wherever they are visible from these areas.

It is recognised that any new developments should not necessarily try to replicate the art-deco architecture which dominates the precinct. However, any new development should actively address the manner in which it aligns, with the existing context and character of the locality. This may include the materials used, the building design and the landscape design.

Table 1 Summary of policy changes with reference to R-Codes

R-codes Element	Applicable Clause of this Policy	Applicable Acceptable Outcome
2.2 Building height	8.1	A 2.2.1 of the R-codes Volume 2 is replaced by Clause 8.1 of this Policy
2.3 Street setbacks	8.2	A 2.3.1 of the R-codes Volume 2 is replaced by Clause 8.2 of this Policy
2.4 Side and rear setbacks	8.3	A 2.4.1 of the R-codes Volume 2 is replaced by Clause 8.3 of this Policy.
2.5 Plot ratio	8.4	A 2.5.2 of the R-codes is replaced by Clause 8.4 of this Policy
3.3 Tree canopy and deep soil areas	8.5	A 3.3.7 of the R-codes Volume 2 is replaced with the Clause of 8.5 of this Policy.
3.4 Communal open space	8.6	A 3.4.1 of the R-codes Volume 2 is augmented to also include clause 8.6 of this Policy.
3.5 Visual privacy	8.7	A 3.5.1 of the R-Codes Volume 2 is replaced with Clause 8.7 of this Policy.
4.1 Solar and daylight access	8.8	A 4.1.4 of the R-Codes Volume 2 is replaced with Clause 8.8 of this Policy.
4.10 Façade design	8.9	A 4.10.1 of the R-codes Volume 2 is augmented to also include Clause 8.9 of this Policy.

7.10 Mixed Use controls

This LPP covers some controls related to Mixed Use (R-AC1), however, it is recognised these will need to be further developed, especially as the City completes studies on Stirling Highway.

8. POLICY CONTROLS

SPP 7.3 Volume 2 Part 2 Primary Controls

8.1 Building Height

Development shall comply with the building height limit (storeys) set out in Table 2 and the maximums shall not be exceeded.

Table 2 Building Height.

Zoning	Maximum Building Height (storeys)	Maximum height* (m)
R160	3	12
R60	2	10
<i>Maximum height at natural ground level.</i>		

8.2 Street Setback

Development shall comply with the street setbacks as set out in Table 3.

Table 3 Street Setbacks

Zoning	Minimum Primary and Secondary Street setbacks
RAC1	2m or Nil*
R160	4m
R60	4m
<i>*Nil setback applicable if commercial use at ground floor.</i>	

8.3 Side and Rear Setbacks

8.3.1 Side Setbacks

Development shall comply with the setbacks set out in Table 4.

Table 4 Side Setbacks (for all zones)

Storey	Side ¹ (minimum)**	
	South	North
1	3m	
2		
3	4.5m	3m
4	4.5m	3m
5-6	6m	4.5m

** Or in accordance with clause 4.5 Visual Privacy (whichever is the greater setback requirement).

¹ Average side set back where building length exceeds 16m increases from a) 3m to 3.5m for R60, b) 3m to 4m on R160 for levels one and two.

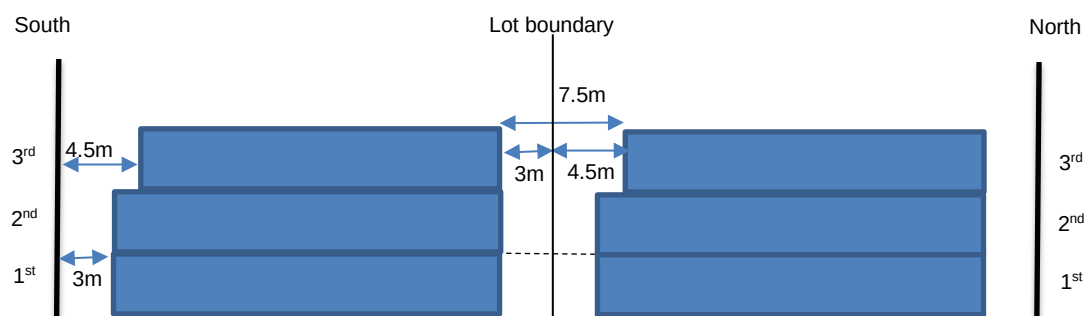


Figure 3 Example of side building setback. Front view showing side setback (where building length is less than 16m).

8.3.2 Rear Setbacks

Development shall comply with the setbacks set out in Table 5.

Table 5 Rear Setbacks.

Storey	Rear Setbacks		
	R60	R160	RAC1
1	5m	6m	4m
2			
3*	n/a	9m	
4*		n/a	6m
5			
6			

* Where a building exceeds the number of storeys due to the site topography the maximum height from natural ground level outlined in Table 2 applies.

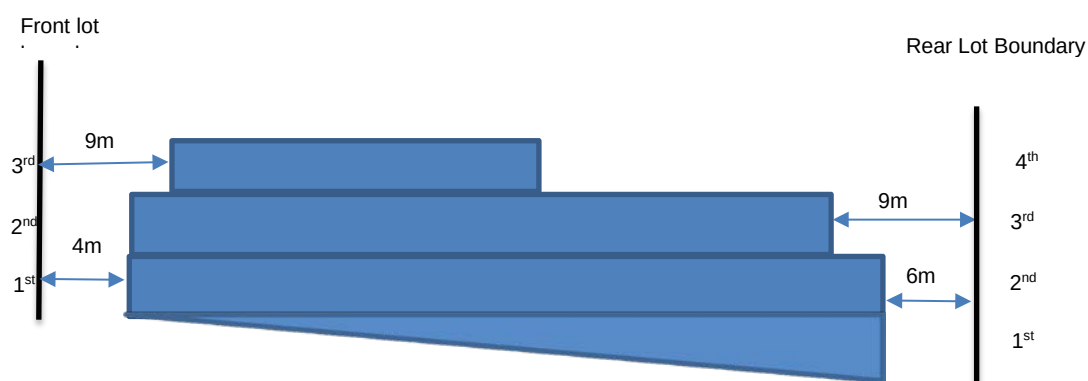


Figure 4 Example of front and rear setbacks for an R160 sloping block. Where the slope results in a fourth storey this storey to be set back to where it meets the maximum height restriction from natural ground level as set out in Table 2.

8.4 Plot Ratio

Development shall comply with the plot ratio as set out in Table 6.

Table 6 Plot Ratio

Zoning	R60	R160	RAC1
Plot ratio	0.8	1.5	2

SPP 7.3 Volume 2 Part 3 Siting the Development

8.5 Tree Canopy and Deep Soil Areas

Development share comply with the following requirements:

- Where the subject site adjoins a site with a lower density code to the rear, at least 50% of the deep soil area required under Clause A 3.3.4 of the R-Codes Volume 2 is to be located adjoining the boundary with that adjoining site.
- Deep soil areas shall be provided at a maximum of 1m above the natural ground level.
- Mature tree canopy cover shall be provided to at least 80% of the rear lot boundary width (refer to indicative canopy diameter at maturity, as set out in Table 3.3b of the R-Codes Volume 2).

8.6 Communal Open Space

Development share comply with the following requirements:

- Active communal open space is located adjacent to the primary street (and/or a secondary street, where applicable), and is not provided adjacent to a shared boundary with a Residential-zoned lot.
- Passive communal open space may be located anywhere on the lot.
- At least 50% of communal open space (active or passive) is located adjacent to the primary street (and/or secondary street where applicable).

8.7 Visual Privacy

Development shall comply with the visual privacy setbacks to side and rear boundaries set out in Table 7.

Table 7 Required Privacy Setback to Adjoining Sites

Cone of vision from unscreened	Adjoining R60	Adjoining R160 or R-AC1
Major openings to bedroom, study and open access walkways	6m	4.5m
Major openings to habitable rooms other than bedrooms and studies	8m	
Unenclosed private open space	8m	6m

SPP 7.3 Volume 2 Part 4 Designing the Building

8.8 Solar and Daylight Access

Development shall comply with shading of major openings and private open space/balconies for dwellings as set out in Table 8.

Table 8 Shading Devices Required for Dwellings

Orientation	Required shading device
North and south	Fixed or adjustable horizontal shading above (Figure 6) at appropriate angle to exclude summer sun and admit winter sun
East and west	Adjustable shade screens or deep overhangs (Figure 6)

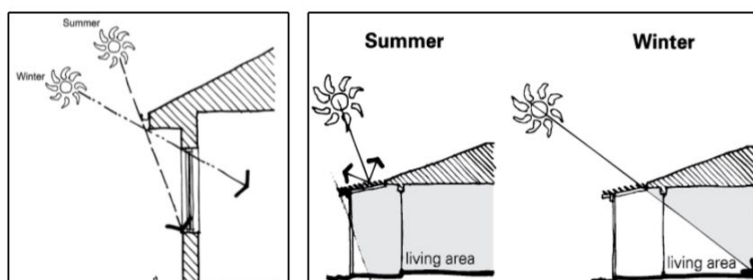


Figure 6 Shading for north south orientations. Diagram taken from City of Nedlands Draft Interim Guidelines for Broadway.

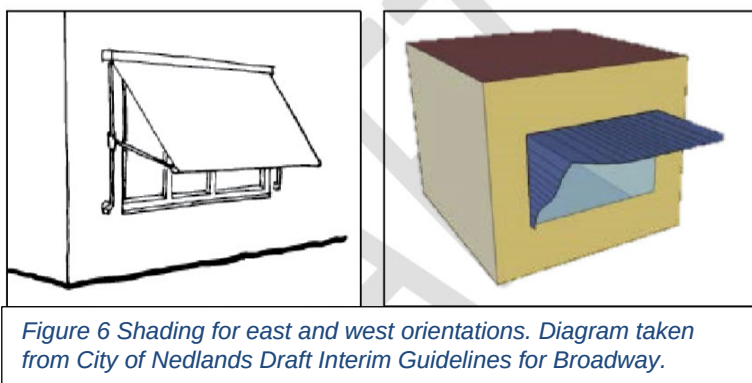


Figure 6 Shading for east and west orientations. Diagram taken from City of Nedlands Draft Interim Guidelines for Broadway.

8.9 Façade Design

Development shall comply with the following requirements:

Building facades at all levels shall be articulated and detailed (broken into distinct visual elements) wherever they are visible from an adjoining property, or from the street.

8.10 Additional Items

It is recognised that these proposed amendments are not exhaustive however they have been proposed to provide some interim controls. Additional items from SPP7.3 Volume 2, Part 3 and Part 4 may be relevant and while they have not been included here it is expected that they would be developed as part of comprehensive urban form guidelines.

The final LPP may also include further provisions, to augment SPP7.3 Volume 2 regarding additional aspects required by the local context, such as in relation to the character, heritage and streetscapes of the Precinct, and to design and amenity considerations, etc.

APPENDIX I – ROSE GARDEN PRECINCT PRIMARY CONTROLS TABLE

	Applies to R-Code areas, default settings apply unless alternative provisions defined in local planning instruments				Applicable where designated by local government in local planning scheme, activity centre plan, structure plan, local development plan, local planning policy	
Streetscape contexts and character, Refer A2	Medium-rise	LPP - City of Nedlands - Rose Garden Precinct	Higher density residential	LPP - City of Nedlands - Rose Garden Precinct	High density urban centres	LPP - City of Nedlands - Rose Garden Precinct
Site R-coding	R60	R60	R160	R160	R-AC1	R-AC1
Building Height (storeys) Refer 2.2	(3)	(2) 10m	(5)	(3) 12m	(9)	. ⁸
Boundary wall height (storeys) ^{1,2} Refer 2.4	(1) ³	(1) ³	(2) ³	(2) ³	(4)	(4)
Minimum primary and secondary street setbacks Refer 2.3	2m	4m	2m	4m	2m or Nil ⁴	2m or Nil ^{4,5}
Minimum side setbacks ⁶ Refer 2.4	3m	3m	3m	3m	Nil	3m
Minimum rear setbacks, Refer 2.4	3m	5m	6m	6m	Nil	4m
Average side setback where building length exceeds 16m, Refer 2.4	3.5m	3.5m	4.0m	4.0m	NA	4.5m
Plot ratio ⁷ Refer 2.5	0.8	0.8	2	1.5	3	2
Notes	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. 4 Minimum secondary street setback 1.5m 5 Nil setback applicable if commercial use at ground floor 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. 7 Refer to Definitions for calculation of plot ratio 8 Height controls as per Scheme Text					

~~Draft~~ Local Planning Policy

- ***Peace Memorial Rose Garden Precinct,***
 - ***Nedlands***



~~March~~September 2020

*Draft Local Planning Policy
for Rose Garden Precinct, Nedlands*

About the draft Local Planning Policy

1. This draft Local Planning Policy (LPP) has not been prepared or sanctioned by the City of Nedlands (City), but has been submitted to the City for consideration and action.
2. The LPP has been prepared by a group of local residents within the Rose Garden Precinct locality. Whilst the City is the responsible authority empowered to make and formalise LPPs, there is nothing to prevent a draft LPP being prepared by the community as a positive initiative to engage in and contribute to the planning and development of its municipality, for the City to take into account.
3. The LPP is drafted to be consistent with the State Planning Framework, as set out here:
<https://www.dph.wa.gov.au/policy-and-legislation/state-planning-framework>
4. The LPP is based on State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (SPP7.3 Vol 2) as set out here:
<https://www.dph.wa.gov.au/getmedia/5926602c-ab14-46f0-be6f-56dc31c45902/SPP-7-3-R-Codes-Apartments>
5. Examples of other LPPs, such as those prepared by the City, have informed the content and level of detail in this draft LPP.

How this helps residents and the City

1. The City as part of its process of preparing LPPs for Nedlands will in due course seek community feedback on a proposed LPP for our area.
2. We believe that our draft LPP will facilitate and expedite the process, enabling the community to inform the City in advance of what we have examined and by the City

How has the community been involved in this?

Community members were able to give feedback online, via email and at 2 community sessions. Every house within the precinct area was letter dropped to inform residents of the document and invite them to attend an information session or provide feedback. More than 200 responses were collected with over 95% in support of the draft local planning policy. The small percentage who did not support the LPP advised that they did not want to see any increased development in the area.

The draft LPP was provided to the City of Nedlands Councillors and Administration on the 17th February 2020. A resolution for the Administration to develop a LPP, taking into consideration this draft LPP, was passed at the 25th February 2020 council meeting. A subsequent meeting was held on the 17th March 2020 with the City Administration to further refine this LPP.

What has changed

1. The height controls for RAC-1 zone on Stirling Highway and the proposed minimum lot size have been removed.
2. Minor wording and language changes.

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1. PREAMBLE

This Local Planning Policy (*LPP*) is consistent with the purpose, objectives and design guidance of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (*SPP7.3 Vol 2*) and refines that policy.

Under SPP7.3 Vol 2 complementary or supplementary LPPs can be made by local government (with WA Planning Commission approval where required) to:

- vary the Acceptable Outcomes of Part 2 Primary Controls to respond to local character and context;
- amend or replace the Acceptable Outcomes of the Parts 3 and 4 Primary Controls in certain sections; and
- augment the SPP regarding additional aspects required by the local context, subject to being consistent with the Element Objectives of the SPP.

The role and benefit of an LPP, therefore, is to provide tailor-made and fine-grain measures to suit the circumstances of an area. In relation to SPP7.3 Vol 2, an LPP and/or Local Development Plan (*LDP*) can elaborate upon and fine-tune development parameters and design requirements for apartment proposals. An LPP is to be regarded together with SPP7.3 Vol 2 and other applicable instruments, in the preparation, assessment and determination of development applications.

2. INTRODUCTION

The gazettal of the City of Nedlands Local Planning Scheme No. 3 (*LPS3*) on 16 April 2019 increased the potential for substantially higher density, taller and more intensive development throughout rezoned parts of the City. Given the need to manage this change, the City has commenced preparing a suite of precinct plans and LPPs for comprehensive local area development control, including density transition areas. There is presently no LPP in place to recognise the specific requirements of developments that may occur in the area surrounding this heritage-listed location.

A key purpose of this LPP is to ensure that the character of the well-established precinct is sustained and evolved as new development occurs.

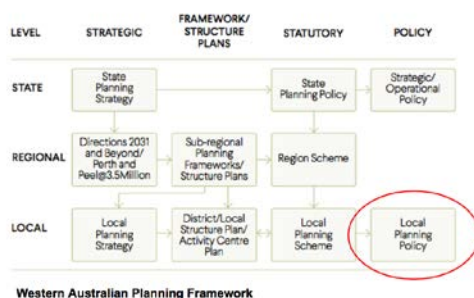
In this respect SPP7.3 Vol 2 provides that:

‘...Understanding character is essential to define an appropriate style, scale and form for new development that retains and enhances character in an existing area or contributes to the desired character in a renewing area...’

This LPP aims to manage development with reference to the existing character and historical and heritage context of the area. It has been devised taking into account lot sizes, building typologies, building envelopes and the related detailed design aspects that together will influence the urban character of the precinct.

The preparation and adoption of LPPs accords with the State Government's approach that local planning schemes contain the basic zones, densities and provisions, while local planning policies contain the more detailed design and development requirements.

The diagram below shows where this LPP fits within the Western Australian State Planning Framework:



LPPs [in existence or](#) being prepared by the City that relate to this LPP are:

- The [Nedlands](#) Town Centre Precinct Plan, for which the study area extends along Stirling Highway as far Louise Street: It aims to ensure new buildings complement each other and the neighbouring residences in adjoining streets. It addresses movement of people and vehicles, land use activity, buildings and infrastructure.
- [The Transition Area – Rose Garden Precinct LPP, from Dalkeith Road to Rockton Road bounded by Jenkins Road to address built form design, laneway locations and character related streetscape response for the larger catchment area.](#)
- Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements, [setting out requirements](#) for the establishment of [a laneways between 16 and 18 Doonan Rd through to 19 and 21 Vincent St on an east-west axis.](#)
- ~~Design Review Panel, for the operation of such to provide design advice.~~
- [Residential Development: Single and Grouped Dwellings, to provide guidance and supplementary requirements to LPS 3 and SPP 7.3 Volume 1 in relation to single and grouped dwelling developments.](#)
- [The Jenkins Road Laneway LPP, to provide laneway requirements for the establishment of an east-west laneway between Taylor Road and Dalkeith Road.](#)
- [Waste Management and Guidelines, to providing design and operational requirements for ~~such any~~ proposed development.](#)
- [Parking, to define standards for car parking for residential and non-residential developments.](#)

3. APPLICATION OF POLICY

This LPP applies to all planning proposals for new development within the Rose Garden Precinct (excluding minor additions or extensions to existing developments).

In accordance with section 1.2 of SPP7.3 Vol 2, this LPP contains provisions that amend or replace Acceptable Outcomes set out in of SPP7.3 Vol 2. If an element in SPP7.3 Vol 2 is not amended or replaced by this LPP, the applicable Acceptable Outcomes in SPP7.3 Vol 2 remain and apply. The Element Objectives of SPP7.3 Vol 2 remain unchanged and apply. This LPP also introduces additional aspects of development control for the Precinct and all changes made by this LPP prevail over development in the Precinct.

4. OBJECTIVES

The objectives of this LPP are to ensure that development in the Precinct:

- Is consistent with and appropriate to the **context and character** of the precinct.
- Respects and protects the **cultural heritage significance** and ambience of the State and local heritage-classified Peace Memorial Rose Garden (PMRG).
- Achieves **sympathetic transitions** between zones of different type, density and height limits and between each development site and existing surrounding properties.
- Has controlled **building height, bulk, form**, consistent with the character of the precinct, and related design parameters, ~~with unambiguous standards.~~
- Is of **architectural style and materials** compatible and cohesive with the traditional garden-suburb character and heritage ~~park~~ [memorial garden](#) setting.
- Supports **sustainable design** throughout the precinct.
- Preserves or improves the **amenity** of streetscapes and surrounding properties, including **trees**.
- Fosters the retention and sharing of **views** available from properties and attractive views to and from the [Memorial](#) Rose Garden ~~park~~.
- ~~Is of a scale and design that does not result in adverse traffic impacts.~~

5. PRECINCT

Draft State Planning Policy 7.2 Precinct Design aims for precinct planning to achieve good design quality and built form outcomes. It provides for heritage-based precincts, includes design review and has supporting guidelines. Precinct outcomes include *ensuring sense of place, integrated landscape, comfortable public spaces, coherent identity, cultural relevance and development responding to context and character*.

The Nedlands locality is the result of past planning and development to create garden suburbs in metropolitan Perth, which have matured to exhibit their distinctive contexts and characters.

The Rose Garden Precinct to which this LPP applies covers the area as shown on the map below (Figure 1). It is centred on the PMRG and extends from Stirling Highway on the north to Jenkins Avenue on the south, and from the east side of Doonan Road to the west side of Mountjoy Road. The Rose Garden Precinct embraces the proximity to the PMRG and recognises that away from Stirling Highway the area is zoned residential with the need to manage the interrelationships between abutting lots and zonings.

Aiming to maintain a residential feel within this Precinct is consistent with the draft Town Centre Precinct Plan which proposes a residential transition area on the Stirling Highway and Louise Street corner opposite the PMRG.

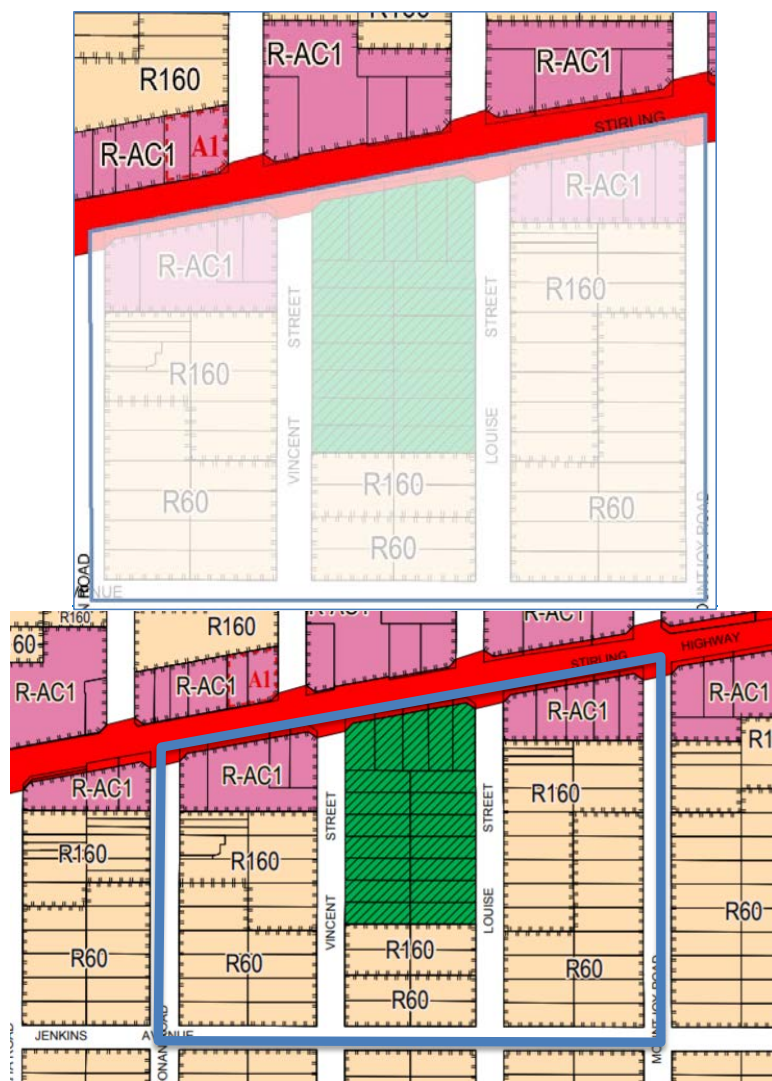


Figure 1 Rose Garden Precinct.

Under LPS3 the PMRG is reserved Local Open Space, while the zones and density codings over lots in the precinct comprise Mixed Use R-AC1 along the highway (except for the [parkMemorial garden](#) frontage) which is the most intensive, followed by Residential R160 extending southward partway along the local streets, then Residential R60 extending to the northern side of Jenkins Avenue. The southern side of Jenkins Avenue is outside the precinct area and is zoned low density Residential R10.

These zones and density codings allow higher density and taller mixed-use buildings and residential apartments, whereby there is a need to manage development in terms of the transitions between the zones/density codings and the effects on adjoining/surrounding properties (both new and existing), streetscapes and the PMRG (which is bordered entirely by Mixed Use RAC1 and Residential R160).

The Precinct is bounded on the north by Stirling Highway which is a main road. The southern side is bounded by Jenkins Avenue which is a traffic-calmed Safe Active Street. Vincent Street is [the](#) local route for north-south traffic with Doonan Road, Louise Street, and Mountjoy Road used predominantly for local residents only. Development in the Rose Garden Precinct, the Town Centre Precinct and along the highway will have significant traffic implications for the locality.

[In addition to the specific heritage aspects outlined below the Precinct has many of the Nedlands characteristics including large street setbacks, a leafy character with large mature trees both as street trees and on private property and is predominantly single residential, low rise houses and with many retained art-deco Californian bungalows.](#)

6. HERITAGE

The PMRG is on the State Register of Heritage Places and the City's Heritage List, as one of the most significant [parksplaces](#) in the City. It is also recognised by Monument Australia and shares its significance with peace memorials across Australia and around the world as a place dedicated to humanity. At the heart of the PMRG's heritage significance is that it is much more than [simply](#) a pretty park [with the second largest rose collection in WA](#). In addition to its functional and visual attributes of open space, greenery and beauty, the PMRG embodies historical, social, cultural, scientific/horticultural and rarity values – in essence, it is a spiritual place.

Also in the precinct is the Art Deco style Greenough Home Units at 114 Stirling Highway corner of Louise Street, which is on the City's Municipal Inventory, and the Tudor style Renkema Building at 134 Stirling Highway corner of Doonan Road, which is identified for State-level heritage classification assessment (Figure 2). Several other properties nearby, notably along the highway, are either State or local heritage-classified.



Figure 2 Heritage areas as identified from Department of Lands, Planning and Heritage Database

In WA, heritage protection permeates planning instruments and practice from State down to local level and is especially applicable to the PMRG and [related](#) precinct. State planning legislation and policies, and the City's Local Planning Strategy (*Strategy*) and LPS3, supported by State heritage legislation and governance, all address the heritage dimension of planning and development. Directly relevant provisions include:

City's Strategy:

Protect and promote places of heritage significance throughout the City, including civic, commercial and residential buildings, parks and gardens.

Local Planning Schemes Regulations:

In considering an application for development approval the local government is to have due regard to the following matters: (I) the effect of the proposal on the cultural heritage significance of the area in which the development is located.

State Planning Policy 3.5 Historic Heritage Conservation:

Whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, form or appearance of the proposed development.

The WAPC and local governments should have regard to heritage places and areas in formulating planning schemes and strategies. Care should be taken to minimise the extent to which land use zoning and other planning controls conflict with, or undermine, heritage conservation objectives.

State Planning Policy 7.0 Design of the Built Environment:

Describes the core design principle of context and character, with reference to heritage and related aspects:

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place. Good design responds intelligently and sensitively to these factors in order to positively contribute to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood. New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development. Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

SPP7.3 Vol 2 policy objectives for multiple dwellings:

To encourage design that considers and respects local heritage and culture.

Heritage Council of WA Development Assessment Framework:

Adjacent development should:

Not negatively impact on the identified significance of a culturally significant garden or park and should not endanger the ecological equilibrium of the place.

Recognise and respond sympathetically to the predominant scale of the setting and the adjacent heritage place.

The PMRG is the defining feature and focus of the Rose Garden Precinct contributing to its context and character. Density developments surrounding the PMRG are individually and collectively likely to have substantial adverse impacts on the character of the precinct and the heritage values and integrity of the [park-Memorial Garden](#). The weight of the planning and heritage framework relating to the PMRG and the control of development affecting it warrants a strong approach to limiting detrimental impacts on the PMRG. In the formulation, assessment and determination of proposals affecting the PMRG, applicants, consultants, consultees and decision-makers are all obligated to have particular regard to the heritage imperatives, implications and impacts involved.

7. SUMMARY OF POLICY MEASURES

This LPP prescribes a number of control measures for the Rose Garden Precinct. It does not address all of the design outcomes but has focused on the key issues. [In particular, it aims to:](#)

- ~~— Reduce reduce~~ building bulk and visual and acoustic impacts of new development on ~~the adjoining residential zone.~~
- ~~— Provide natural amenity and landscaping within new developments, including areas of deep soil planting that support healthy plant and tree growth and is consistent~~~~land which directly abuts sites~~ with the existing character of precinct.
- ~~- Optimise comfort and energy efficiency of new dwellings through passive solar design while minimising overshadowing.~~ [a lower density coding.](#)

In support of the objectives, this LPP seeks to amend or replace the Acceptable Outcomes of the following R-Code Volume 2 elements:

- Building height;
- Street setbacks;
- Side and rear setbacks;
- ~~• Tree canopy and deep soil areas;~~
- ~~• Communal open space;~~
- ~~• Visual privacy;~~
- ~~• Solar and daylight access; and~~
- [Plot ratio;](#)
- Façade design.

Brief descriptions of the changes are outlined below with a summary provided in Table 1.

7.1 Building Height

In accordance with the R-Codes Volume 2, five-storey buildings are an Acceptable Outcome for areas coded R160. This is of a substantially larger scale than the existing streetscape in the zone, which is typically comprised of one to two-storey residential

buildings. Larger-scale development around the Rose Garden has the potential to impose building bulk and overshadowing impacts on adjoining properties [with a lower density coding](#) and surrounding streets. New developments [which abut sites with a lower density coding](#) should therefore be ~~of limited scale and~~ carefully designed to mitigate these impacts and provide an appropriate transition to lower-density areas.

In order to manage the transition to lower density surrounding properties this LPP defines a maximum height of ~~3 storeys (12m) for R160 and 2 storeys (10m) for R60. 5 storeys (18m) for R160 reducing to 4 storeys (15m) for R160 sites which have not already been redeveloped or subdivided and abut sites with a lower density coding. A maximum height of 3 storeys (12m) applies for R60.~~

[Consistent with the definition of SPP 7.3 Volume 2 maximum height is taken from natural ground level. In order to deal with the sloping topography of the area at no point on the site shall any part of the building exceed the maximum heights outlined above taken from natural ground level.](#)

7.2 Street Setbacks

This LPP requires that the lower levels of development in Residential zones (R60 and R160) are setback 4m from the primary and secondary streets, with upper storeys being progressively stepped back from the street. The intent of these moderate street setback requirements at lower levels is to preserve the character of streetscape and to manage the transition between existing residential properties that have been built under a 9m setback provision. Progressively increasing upper storey setbacks from the street will ensure that new developments do not impose excessive building bulk and overshadowing over the public domain. [For building widths greater than 16m the minimum average primary street set back is 6m.](#)

[For the Mixed Use Zone R-AC1 setbacks of 2m or Nil where a nil setback is appropriate if commercial use at ground floor.](#)

7.3 Side and Rear Setbacks

For the third storey and above, this LPP requires greater setbacks to the southern side boundary than the northern side. As the majority of the blocks are aligned east-west, and the topography of the local area slopes to the south west, the intent of this provision is to minimise overshadowing of adjacent properties.

7.4 Plot Ratio

In order to control bulk and scale of new developments and ensure they are appropriate for the streetscape and desired character of the area, this LPP reduces the maximum plot ratios to 2 for R-AC1 land which has not already been redeveloped or subdivided and abuts a lower density coded site, 1.5 for R160 and 0.8 for R60.

7.5 Tree Canopy and Deep Soil Areas

Deep soil areas (DSA) are areas of soft landscaping on a site which support medium to large canopy trees. For the Rose Garden Precinct the provision of DSAs within new developments will help offset the loss of front verge and backyard green space which is part of the current character and amenity of the neighbourhood. Importantly, it is critical component of ensuring that the PMRG retain the feel that was part of the original design — a garden to encourage reflection within a 'garden neighbourhood' where the peaceful nature of the PMRG setting extends to the surrounding streets where extensive tree plantings break up the urban setting. In addition, DSAs can also be very effective in providing a buffer between high intensity and low intensity developments, reducing the perceived building bulk of new developments.

The LPP sets out that 50% of the DSA required under the R-Codes Volume 2 is to be located adjoining the boundary with sites of a lower density code. It also requires that at least 80% of width of this boundary is provided as tree canopy. The intent of these requirements is to utilise DSAs and tree canopy as a visual buffer between new, larger-scale developments and the lower density Residential zone to the rear.

The LPP also requires that DSAs are provided a maximum of 1m above the natural ground level of the development site. The intent of this requirement is to avoid medium to large trees being provided on structure at upper storeys, where minimal soil depths restrict trees from growing to maturity.

7.6 Communal Open Space

For developments of more than 10 dwellings, the R-Codes Volume 2 requires dedicated areas of communal open space, which can be used for recreation by occupants of the dwellings. The LPP differentiates between 'active communal open space', which contain facilities likely to encourage residents to congregate and generate noise, such as BBQs, alfresco areas and swimming pools, and 'passive communal open space', which do not contain these facilities.

This LPP requires at least 50% of the required minimum communal open space, including all active communal space, is located adjacent to the street boundary rather than adjacent to shared boundaries with residential properties. This provision seeks to locate those communal spaces which are more likely to generate noise impacts away from residential properties and encourage engagement with the local community.

7.7 Visual Privacy

The visual privacy setbacks set out in the Acceptable Outcomes of the R-Codes Volume 2 are not considered to adequately contemplate the existing single, detached nature of dwellings within the Residential zone and the transition to new, higher density dwellings or the Mixed Use Zone.

The LPP therefore increases the required visual privacy setbacks for major openings and unenclosed private open space (balconies/terraces) from the adjoining R60 and R160 Residential properties.

7.8 Solar and Daylight Access

Appropriate shading of a dwelling's major openings and outdoor spaces can reduce internal summer temperatures, improve comfort and reduce energy consumption. This core component of passive solar design is incorporated into the LPP through requirements for shading devices for major openings and private open spaces.

7.97.5 Façade Design

Compared to the existing development within the Rose Garden Precinct, larger-scale new developments are likely to be more prominent from surrounding properties and the public realm. It is therefore important that the façade design of new development is designed to enhance the visual interest and amenity of surrounding properties and the public realm. The LPP therefore requires that building facades at all levels are articulated and detailed wherever they are visible from these areas.

It is recognised that any new developments should not try to be a replica of the art-deco architecture which dominates the precinct. However, any new development should actively address the manner in which it aligns with the existing context and character of the location. This may include the materials used, the building design and the landscape design.

Table 1 Summary of policy changes with reference to R-Codes

R-codes Element	Applicable Clause of this Policy	Applicable Acceptable Outcome
2.2 Building height	8.1	A 2.2.1 of the R-codes Volume 2 is replaced by Clause 8.1 of this Policy
2.3 Street setbacks	8.2	A 2.3.1 of the R-codes Volume 2 is replaced by Clause 8.2 of this Policy
2.4 Side and rear setbacks	8.3	A 2.4.1 of the R-codes Volume 2 is replaced by Clause 8.3 of this Policy.
2.5 Plot ratio	8.4	A 2.5.2 of the R-codes is replaced by Clause 8.4 of this Policy
3.3 Tree canopy and deep soil areas	8.5	A 3.3.7 of the R-codes Volume 2 is replaced with the Clause of 8.5 of this Policy.
3.4 Communal open space	8.6	A 3.4.1 of the R-codes Volume 2 is augmented to also include clause 8.6 of this Policy.
3.5 Visual privacy	8.7	A 3.5.1 of the R-Codes Volume 2 is replaced with Clause 8.7 of this Policy.
4.1 Solar and daylight access	8.8	A 4.1.4 of the R-Codes Volume 2 is replaced with Clause 8.8 of this Policy.
4.10 Façade design	8.95	A 4.10.1 of the R-codes Volume 2 is augmented to also include Clause 8.95 of this Policy.

7.106 Mixed Use controls

This LPP covers some controls related to Mixed Use (R-AC1), however, it is recognised these will need to be further developed, especially as the City completes studies on Stirling Highway.

8. POLICY CONTROLS

SPP 7.3 Volume 2 Part 2 Primary Controls

8.1 Building Height

Development shall comply with the building height limit (storeys) set out in Table 2 and the maximums shall not be exceeded.

Table 2 Building Height.

Zoning	Maximum Building Height (storeys)	Maximum height* (m)
R160	35	1218

This document has not been prepared or sanctioned by the City of Nedlands. It is a draft Rose Garden Precinct Local Planning Policy (Draft v7, Mar 2020) prepared by residents in the area. — Peace Memorial Rose Garden Precinct

R160¹ adjacent to lower density coded site	4	15
R60	23	1012
1 Applies for sites which have not already been redeveloped or subdivided.		
*Maximum height at natural ground level.		

8.2 Street Setback

Development shall comply with the street setbacks as set out in Table 3.

Table 3 Street Setbacks

Zoning	Minimum Primary and Secondary Street setbacks
RAC1	2m or Nil*
R160	4m4m¹
R60	4m4m¹
¹Minimum average primary street setback where building width >16m is 6m	
*Nil setback applicable if commercial use at ground floor.	

8.3 Side and Rear Setbacks

8.3.1 Side Setbacks

Development shall comply with the setbacks set out in Table 4.

Table 4 Side Setbacks (for all zones) R160 and R60 as applicable

Storey	Side ¹ (minimum)**	
	South	North
1	3m	
2		
3	4.5m	3m
4	4.5m	3m
5-6	6m	4.5m

** Or in accordance with clause 43.5 Visual Privacy of SPP7.3 Vol 2 (whichever is the greater setback requirement).

¹ Average side set back where building length exceeds 16m increases from a) 3m to 3.5m for R60, b) 3m to 4m on R160 for levels one and two.

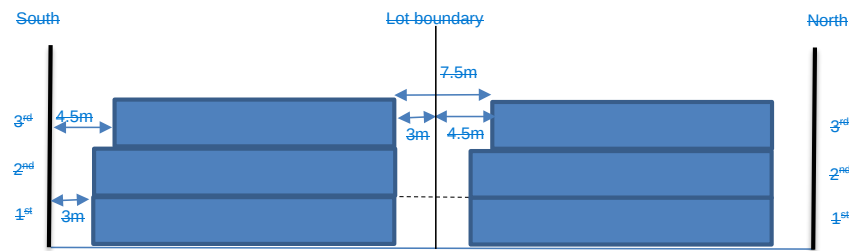


Figure 3 Example of side-building setback. Front view showing side setback (where building length is less than 16m).

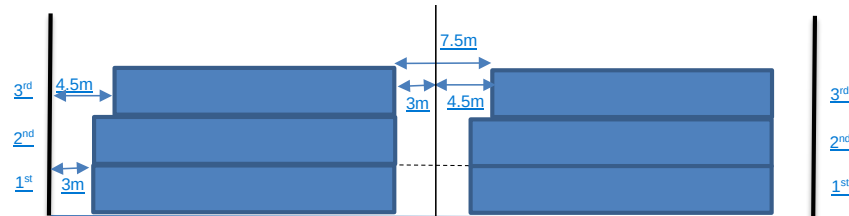


Figure 3 Example of R60 side building setback. Front view showing side setback (where building length is less than 16m).

8.3.2 Rear Setbacks

Development shall comply with the setbacks set out in Table 5.

Table 5 Minimum Rear Setbacks.

Storey	Rear Setbacks		
	R60	R160	~~RAC1~~ <u>RAC1</u> ¹
1	5m	6m	4m
2			
3*	~~n/a~~ <u>9m</u>	9m	~~6m~~ <u>6m</u>
4*	~~n/a~~	~~n/a~~	
5*			
¹ Only applies to RAC1 properties that abut lower density coded blocks.			
* Where a building exceeds the number of storeys due to the site topography the maximum height from natural ground level outlined in Table 2 applies.			

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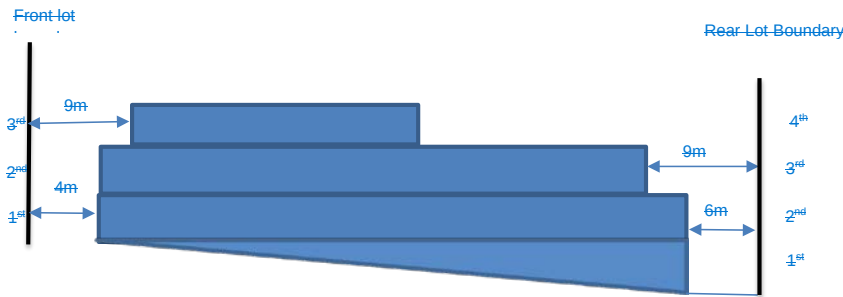


Figure 4 Example of front and rear setbacks for an R160 sloping block. Where the slope results in a fourth storey this storey to be set back to where it meets the maximum height restriction from natural ground level as set out in Table 2.

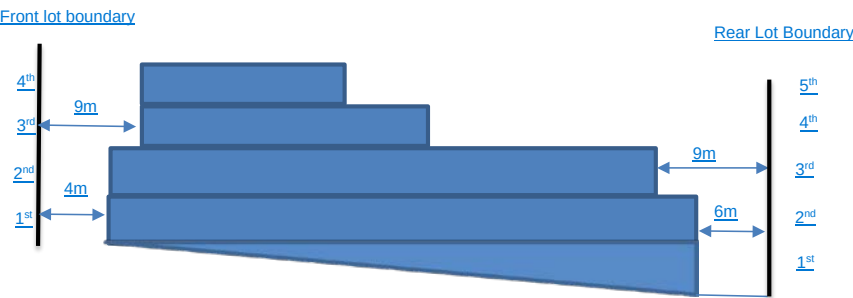


Figure 4 Example of front and rear setbacks for an R160 site adjacent to a lower density coded site. Where the slope results in a fifth storey this storey to be set back to where it meets the maximum height restriction from natural ground level as set out in Table 2.

8.4 Plot Ratio

Development shall comply with the plot ratio as set out in Table 6.

Table 6 Plot Ratio

Zoning	R60	R160	RAG1RAC1 ¹
Plot ratio	0.8	1.5	2

SPP 7.3 Volume 2 Part 3 Siting the Development

8.5 Tree Canopy and Deep Soil Areas

Development shall comply with the following requirements:

- a. Where the subject site adjoins a site with a lower density code to the rear, at least 50% of the deep soil area required under Clause A 3.3.4 of the R-Codes Volume 2 is to be located adjoining the boundary with that adjoining site.
- b. Deep soil areas shall be provided at a maximum of 1m above the natural ground level.
- c. Mature tree canopy cover shall be provided to at least 80% of the rear lot boundary width (refer to indicative canopy diameter at maturity, as set out in Table 3.3b of the R-Codes Volume 2).

8.6 Communal Open Space

Development shall comply with the following requirements:

- a. Active communal open space is located adjacent to the primary street (and/or a secondary street, where applicable), and is not provided adjacent to a shared boundary with a Residential-zoned lot.
- b. Passive communal open space may be located in anywhere on the lot.
- c. At least 50% of communal open space (Active or passive) is located adjacent to the primary street (and/or secondary street where applicable).

8.7 Visual Privacy

Development shall comply with the visual privacy setbacks to side and rear boundaries set out in Table 7.

Table 7 Required Privacy Setback to Adjoining Sites

This document has not been prepared or sanctioned by the City of Nedlands. It is a draft Rose Garden Precinct Local Planning Policy (Draft v7, Mar 2020) prepared by residents in the area. — [Peace Memorial Rose Garden Precinct](#)

Cone of vision from unscreened	Adjoining R60	Adjoining R160 or R-AC1
Major openings to bedroom, study and open access walkways ¹ Only applies to RAC1 land adjoining lower density coded sites.	6m	4.5m
Major openings to habitable rooms other than bedrooms and studies	8m	
Unenclosed private open space	8m	6m

Deleted Cells

Deleted Cells

SPP 7.3 Volume 2 Part 4 Designing the Building

8.8 Solar and Daylight Access

Development shall comply with shading of major openings and private open space/balconies for dwellings as set out in Table 8.

Table 8 Shading Devices Required for Dwellings

Orientation	Required shading device
North and south	Fixed or adjustable horizontal shading above (Figure 6) at appropriate angle to exclude summer sun and admit winter sun
East and west	Adjustable shade screens or deep overhangs (Figure 6)

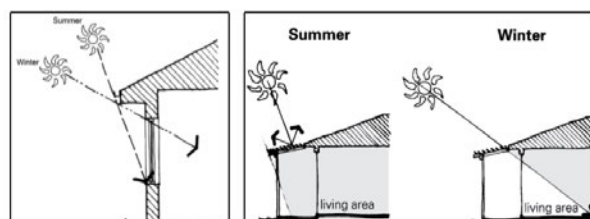


Figure 6 Shading for north-south orientations. Diagram taken from City of Nedlands Draft Interim Guidelines for Broadway.

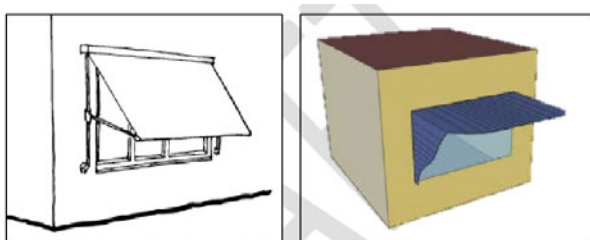


Figure 6 Shading for east and west orientations. Diagram taken from City of Nedlands Draft Interim Guidelines for Broadway.

8.9

8.5 Façade Design

Development shall comply with the following requirements:

Building facades at all levels shall be articulated and detailed (broken into distinct visual elements) wherever they are visible from an adjoining property, or from the street.

8.106 Additional Items

It is recognised that these proposed amendments are not exhaustive however they have been proposed to provide some ~~interim controls.~~ initial controls. This document was developed by residents in the area and following community feedback was first brought to Council in February 2020. It was approved by the City of Nedlands for public comment in April 2020 and was brought to Council for approval in September 2020.

Additional items from SPP7.3 Volume 2, Part 3 and Part 4 may be relevant and while they have not been included here it is expected that they would be developed as part of comprehensive urban form guidelines.

~~The final LPP may also include further provisions, to augment SPP7.3 Volume 2 regarding additional aspects required by the local context, such as in relation to the character, heritage and streetscapes of the Precinct, and to design and amenity considerations, etc.~~

APPENDIX I – ROSE GARDEN PRECINCT PRIMARY CONTROLS TABLE

	Applies to R-Code areas, default settings apply unless alternative provisions defined in local planning instruments				Applicable where designated by local government in local planning scheme, activity centre plan, structure plan, local development plan, local planning policy	
Streetscape contexts and character, Refer A2	Medium-rise	LPP - City of Nedlands - Rose Garden Precinct	Higher density residential	LPP - City of Nedlands - Rose Garden Precinct	High density urban centres	LPP - City of Nedlands - Rose Garden Precinct
Site R-coding	R60	R60	R160	R160	R-AC1	R-AC1
Building Height (storeys) Refer 2.2	(3)	~~(2)~~ 10m ³ 12m	(5)	~~(3)~~ 12m ⁵ 18m ⁹	(9)	~~10~~
Boundary wall height (storeys) ^{1,2} Refer 2.4	(1) ³	(1) ³	(2) ³	(2) ³	(4)	(4)
Minimum primary and secondary street setbacks Refer 2.3	2m	4m	2m	4m	2m or Nil ⁴	2m or Nil ^{4,5}
<u>Minimum average primary street setback where building width >16m</u>	-	6m	-	6m	-	-
Minimum side setbacks ⁶ Refer 2.4	3m	3m ³ ⁶	3m	3m ³ ⁶	Nil	3m ³ ^{Nil}
Minimum rear setbacks ⁷ Refer 2.4	3m	5m	6m	6m	Nil	4m ⁴ ¹¹
Average side setback where building length exceeds 16m, Refer 2.4	3.5m	3.5m	4.0m	4.0m	NA	4.5m ⁰ ^m
Plot ratio ² Refer 2.5	0.8	0.8	2	1.5	3	2 ² ¹¹
Notes	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. 4 ~~Minimum secondary street~~ Nil setback 1.5m⁵ applicable if commercial use at ground floor on primary street. 5 Nil setback applicable if commercial use at ground floor. ~~5 Boundary setbacks will also be determined by provisions for building separation and visual privacy within SPP 7.0 and building separation provisions of the NCC~~ 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. 7 Above 2 storeys minimum rear setback is as per Table 4 of this document. 8 Refer to Definitions for calculation of plot ratio. 9 Where an R160 lot abuts a lower density coded site the lower height limit of 15m and 4 storeys applies.					

This document has not been prepared or sanctioned by the City of Nedlands. It is a draft Rose Garden Precinct Local Planning Policy (Draft v7, Mar 2020) prepared by residents in the area. — Peace Memorial Rose Garden Precinct

	10. Height controls as per Scheme Text 11 Only applies where an RAC1 lot abuts a lower density coded site

No.	Name and Address of Submitter	Is the respondent located within the policy area (Y/N)	Is the respondent located outside the policy area	Form of Submission	Summary of Submission	Response and recommendation
1	Kelvin Tan 1A and 1B Vincent Street, Nedlands	Y	N	Your Voice	Objects • Supports the existing Local Planning Scheme as it locates high density developments on high frequency transport routes, which has positive economic attributes. • Objects to the “Not in my backyard” attitude • Posits that it is a community responsibility to plan for new residential and commercial development. • Objects to the focus on curtailing development instead of concentrating on developing a new amenity. • Supports density around the Rose Garden as the Rose Garden lends aesthetic and environmental appeal to new developments and enhanced amenity for future and exiting residential.	Changes have been made to the policy to make it more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable and can support high density development as the policy is untested. The City is of the view that any policy guiding multiple dwelling development in the PMRG policy area would benefit from further design-led provisions. Notwithstanding, the City's recommendation is not to adopt the policy for the purposes of orderly and proper planning.

2	No name or address provided.					
3	Felix Sommerhalder 15 Vincent Street, Nedlands	Y	N	Your Voice	Objects - Strongly rejects the policy in its current form as it adversely impacts re-zoned blocks that haven't been redeveloped. - Properties in R60 would only be able to build to two storeys, yet be overshadowed by already approved development (up to 5 storeys) that have already been heavily impacted in terms of their own amenity. - Requests the policy be referred to the WAPC. - Questions how the provisions can overrule the statutory legal provisions of SPP 7.3. - The draft is biased and not prepared by the City. - The provisions contradict LPS 3 and R-Codes Vol 2. - This policy effectively down-codes the policy area. - This draft policy does not transition height, rather it seeks to severely limit	The revised policy is more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable or whether they support high density development as the policy is untested. The revised draft policy seeks to augment elements of the R-Codes Vol. 2 that don't require WAPC approval. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. The City acknowledges the issue of a policy being authored by residents and not Administration. This issue is discussed in the report to Council. Without dwelling yield analysis being undertaken, it is difficult to know whether the policy prevents development consistent

					development potential of all properties • Questions the robustness of the policy to legal challenge and whether it will be taken into account at JDAP. • Requests that Council not adopt the policy and wait until a final version has been prepared. • Requests that the CRG include members that are directly affected by the new upcoding.	with the intended density. It is noted however, that plot ratio is reduced within R160 and R-AC1. These areas are intended for the largest increase in dwelling yield and a lower plot ratio may undermine that Local Planning Strategy objective. The City's recommendation is for Council to not adopt the policy in its current form.
4	Paul Leighton 12b Louise Street, Nedlands	Y	N	Your Voice	Objects • We strongly advocate against this draft Local Planning Policy on the basis that it: • substantially alters the intent of the City of Nedlands LPS 3. • Was prepared by the community and was not commissioned by Administration Staff • The uncertainty the policy creates • This local planning policy as presented is going well beyond the intent of "creating detailed design and development requirements" and is	Changes have been made to the policy to make it more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable and can support high density development consistent the density code as the policy is untested. The City acknowledges the issue of a policy being authored by residents and not Administration. A discussion of this issue is discussed in the report to Council.

					intended to alter the effective property zoning.	
5	Minh Tranh 16 Vincent Street, Nedlands	Y	N	Your Voice	Objects • The government has gazetted the rezoning of this precinct according to LPS 3 • Supports the increase in density which will cater for the growing population and offer the opportunity for younger families and individuals to settle in the area. • Supports the Scheme as it is a good compromise between those residents who want change and those who resist it. • Objects to the notion that a five storey building will impinge on the spirituality of the Peace Memorial Rose Garden, rather believes it will allow more people to access and increase their awareness of the monument.	Noted
6	Duplicate of 3 (the content of submissions 3, 6 and 28 have been consolidated					

	under submission 3)					
7	Max Hipkins 36 Minora Road, Dalkeith	N	Y	Your Voice	Supports • Requests the following changes be made: - o Recognise the importance of site cover and landscape planting as components of context and character. - o A landscape assessment should be undertaken to identify trees worthy of retention on both public and private property. - o Retain existing significant trees and landscape character. - o 4m secondary street and 6m primary street setback in R60 - o 9m primary street setback within R-AC1. - o 6m rear setback - o R60 Plot ratio reduced to 0.6. - o Minimum 25% of site devoted to landscaping, which does not include basement car parks.	These requested amendments have not been addressed by the revised LPP.

8	Carmen Tutor 8 Alexander road Dalkeith	N	Y	Your Voice	Supports • Objects to the DAs which do not comply with good design, does not fit in with the amenity and local character of the area due to bulk scale overlooking issues.	The City is seeking feedback on a strategic policy, not a development application.
9	Des & Caroline Marsh 4 Bedford Street, Nedlands	N	Y	Your Voice	Support • Fully supports the LPP. LPPs are able to address any planning matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made • Submitters wishes to thank Council for their support • Supports the objectives and the provisions of the policy which seek to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. • Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2.	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council. in the report to Council.

					Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	
10	Ian Love 70 Kingsway, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP. LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard of and given weight to when decisions are made - Submitter wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2.	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	
11	Margaret Walsh 3/30 Baird Avenue, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitter wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					possible to fill the gap in localised development controls.	
12	Justin Kennedy 25 Louise Street	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					localised development controls.	
13	Duplicate of 12					
14	Susan Warner 29 Mountjoy Road Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					localised development controls.	
15	Tom Warner 29 Mountjoy Road, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					localised development controls.	
16	Arielle Warner 29 Mountjoy Road, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					localised development controls.	
17	Saskia Warner 29 Mountjoy Road, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in	Policies that are consistent with the R-Codes Vol. 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development needs to meet the Element Objectives. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					localised development controls.	
18	Full name and address not provided.					
19	Graham Cahif 8B Alexander Road, Dalkeith	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as	Comments in support of the policy are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					possible to fill the gap in localised development controls.	
20	Noemi Sommerhalder 15 Vincent Street, Nedlands	Y	N	Your Voice	Objects • Objects to the policy on the basis that it is biased and contrary to legislation. • Posits that it is not based upon sound town planning principles. • Argues that the policy provisions have not been tested, severely limiting development. • Objects to the lack of transitioning provisions and posits that the provisions instead are designed to limit development. • Questions the legal validity of the policy. • Posits that the policy is rushed, with limited conceptual background and is overall biased. • Requests that Council pursues its own policy. • Objects to the policy's lack of consistency with R-Codes and Scheme.	The revised policy is more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable and can support high density development as the policy is untested. The draft policy seeks to augment elements of the R-Codes that don't require WAPC approval. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. The City acknowledges the issue of a policy being authored by residents and not Administration. A discussion of this issue is discussed in the report to Council. Without dwelling yield analysis being undertaken, it is difficult to know whether the policy prevents development consistent

						with the intended density. It is noted however, that plot ratio is reduced within R160 and R-AC1. These areas are intended for the largest increase in dwelling yield and a lower plot ratio may undermine that Local Planning Strategy objective. The City's recommendation is for Council to not adopt the policy in its current form. The City's recommendation is to establish a new CRG.
21	Chris Thickett 32 Vincent Street, Nedlands	N	Y	Your Voice	Support • Supports the policy as it is much needed. • Argues that no one will purchase the apartments with lower growth. • Questions where all the residents and visitors will park. • Questions the impact of development on infrastructure. • Supports the provisions which seek to ensure good design. • Thanks the Council for supporting the policy. • Argues that the policy is based on sound town planning principles, and	Comments in support of the policy are noted. Consumer demand is not a planning consideration. Public consultation is for a policy not a development application. The City does not wish to comment on whether the policy is based on sound town planning principles.

					supports the refinement of the current applicable provisions of the R-Codes Vol. 2 • Supports the community consultation prior to preparing the policy. • Requests that the policy be adopted as soon as possible, given the number of development applications being proposed with adverse amenity outcomes.	
22	Bev Stewart 39 Watkins Road, Dalkeith	N	Y	Your Voice	Supports • Supports the much-needed policy. • Wishes to thank Council for its support and requests a revised policy be adopted.	Noted
23	Julie Clark 36 Louise Street Nedlands	N	Y	Your Voice	Supports • Concerned about the future development of my local area. • Comments on the importance of the area particularly the PMRG. • Zoning of R160 so far from Stirling Highway is inappropriate, and is concerned about the impacts of high density development on amenity and character of the area.	Comments in support of the policy and process are noted. Objection to the current framework is noted. A discussion of heritage is provided in the report to Council.

					• Supports the thorough analysis and evaluation that supports the policy. • Comments on the importance of community consultation with the residents that are most affected. • Thanks Council for listening to the community. • Supports the draft heritage provisions. • Requests that Council adopt the draft policy as soon as possible to allow the plan to apply to the new developments being proposed.	
24	Julian Goldsworthy 8 Archdeacon Street, Nedlands	N	Y	Your Voice	Supports • Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made • Submitters wishes to thank Council for their support • Supports the objectives and the provisions of the policy which seeks to refine the current	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to

					standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. • Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. • Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
25	Peter Coghlan 37 Bulimba Road	N	Y	Your Voice	Supports • Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made • Submitters wishes to thank Council for their support • Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes.

					(Heritage, parkland setting), to ensure development is compatible and harmonious. - Concerned about impact on the Rose Garden and the need to respect the war memorial. DAP recently approved developments do not achieve this. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	Concern about other applications are noted, however, are not the subject of this policy. A discussion of orderly and proper planning is provided in the report to Council.
26	No Name and address provided			Your Voice		
27	James Stewart 39 Watkins Road, Dalkeith	N	Y	Your Voice	Supports - Supports the much-needed policy. - Wishes to thank Council for its support and requests a revised policy be adopted.	Comments in support of the policy and process are noted.
28	Duplicate of 3 (the content of submissions)					

	3, 6 and 28 have been consolidated under submission 3)					
29	Peter Robins 10 Robin Street, Nedlands	N	Y	Your Voice	Support - Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 - Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made - Submitters wishes to thank Council for their support - Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. - Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. - Requests that the policy be adopted as soon as	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					possible to fill the gap in localised development controls.	
30	Robyn Hancock 66 Kingsway, Nedlands	N	Y	Your Voice	Support.	Noted.
31	Libby Newman 22 Louise Street, Nedlands	N	Y	Your Voice	Support • Supports the PMRG contending that the draft LPP is a legitimate planning instrument which is based on orderly and proper planning and is consistent with LPS3 • Outlines the background to the policy, its members, the intent and the methods of consultation undertaken to inform the policy. • Outlines the need for a policy that takes into account the character of the area and the PMRG and mitigates the impact of bulk and scale. • Fully supports the LPP, LPPs are able to address any planning	Comments in support of the policy and process are noted, including the need for character analysis. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made • Submitter wishes to thank Council for their support • Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. • Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. • Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	

					Concerned that delay will mean more developments with adverse impacts will affect the area on a permanent basis.	
32	Robin Baston 30 Mountjoy Road, Nedlands	N	Y	Your Voice	Support - Objects to the development proposed within the Rose Garden - LPP's are legitimate and beneficial instruments that are permitted to address any planning matter policy they are empowered to supplement the R-codes for apartments by altering a range of planning parameters. - Supports the desire to define the distinctiveness of the locality and provide tailored development controls appropriate to that. LPP's are a vital component of the local planning framework. - Requests the Nedlands Council to finalise the PMRG LPP as a priority.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					Thanks Council for ongoing support of the draft policy.	
33	Paul Sharman 37 Boronia Ave, Nedlands.	N	Y	Your Voice	Support - Objects to the development proposed within the Rose Garden - LPP's are legitimate and beneficial instruments that are permitted to address any planning matter policy they are empowered to supplement the R-codes for apartments by altering a range of planning parameters. - Thanks Council for ongoing support of the draft policy. - Supports the desire to define the distinctiveness of the locality and provide tailored development controls appropriate to that. LPP's are a vital component of the local planning framework. - Comments on the background to the policy, including the	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					community consultation. • Supports the provisions of the policy which seek to augment the R-Codes Vol. 2 to better suit the character and heritage or the area. • Contends that the policy provisions are consistent with the planning framework. • We urge the Nedlands Council to finalise the PMRG LPP as a priority	
34	Duplicate of 33					
35	Marguerite Sharman 37 Borona Avenue, Nedlands	N	Y	Your Voice	Support • Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of

					• Submitters wishes to thank Council for their support • Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. • Posits that the provisions are based upon sound town planning principles, consistent with LPS 3 and R-Codes Vol 2. • Requests that the policy be adopted as soon as possible to fill the gap in localised development controls.	research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
36	Roger Smith 29 Webster Street, Nedlands	N	Y	Your Voice	Support	Noted
37	Linley Kaye Macpherson-	N	Y	Your Voice	Supports • The policy benefits nearby residents, and	Comments in support of the policy and process are noted.

	Sm 29 Webster Street, Nedlands				wider Community and visitors to the area.	
38	Peter Galvin 10 Doonan Rd, Nedlands	Y	N	Your Voice	Objects: • Objects to proposed height limit of 3 storeys (12m) for R160 blocks and 2 storeys (10m) for R60 blocks as currently. presented in the Draft LPP • LPP proposes significant divergence from the Scheme. • Noting one development has already been approved in the area in accordance with existing planning framework, it is not appropriate for surrounding properties to be restricted as proposed by the Draft LPP. • support a restriction that accounts for the considerable topographical variation in some of the blocks within the area – especially those in the southern and western parts of the precinct. • For R160, would support a limitation of five storeys above natural ground level	The revised policy is more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable or whether they support high density development as the policy is untested. Comment in relation to the The revised draft policy seeks to augment elements of the R-Codes Vol. 2 that don't require WAPC approval. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. The City acknowledges the issue of a policy being authored by residents and not Administration. This issue is discussed in the report to Council.

					(NGL) across all parts of the site. That is, there can be no part of the development that is six storeys above NGL where a storey is seen as any part of the structure that is more than 2.5m above NGL. • For R60, would support a restriction of 3 storeys above NGL at any point in the development (again to limit the opportunity to create a building that presents as four storeys from one side to neighbours). • Support the existing side and rear setbacks presented in the R-Codes Volume 2, but to limit the perception of bulk and scale in an otherwise low density residential area, would support increased setbacks for any storeys above three (ie any fourth of fifth levels of the development). • Support the restriction of boundary walls to one storey (maximum 3.5m at any one point and 3.0m average across the length)	Without dwelling yield analysis being undertaken, it is difficult to know whether the policy prevents development consistent with the intended density. It is noted however, that plot ratio is reduced within R160 and R-AC1. These areas are intended for the largest increase in dwelling yield and a lower plot ratio may undermine that Local Planning Strategy objective. The City's recommendation is for Council to not adopt the policy in its current form.

					• Support the increased front setbacks for both R160 and R60 to allow for deep soil areas. • Support the provision of active communal space at the front of the property (including mandating this be provided at the front). • Support the creation of a series of requirements on the basis of a more detailed architectural study. • Support a measure to include some 'character and context', as well as 'sustainability' dimensions into the draft LPP.	
39	Todd Ferguson-Allen 13 Doonan Rd, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to

					• Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
40	Nick Chambers 76 Kingsway, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives.

					characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
41	Graham Cuckow 39 Portland Street, Nedlands	N	Y		Support • Protects the local residents and amenity of the area • Protects the memory of those commemorated at the Rose Gardens	Comments in support of the policy and process are noted.

					and strikes a better balance between the needs of local residents and developers.	
42	Jillian Mustard 37 Mountjoy Road, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	
43	Matthew Biddle 37 Mountjoy Road, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.

					and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	
44	Martin Stewart 34 Louise Street, Nedlands	N	Y	YourVoice	Support • The draft PMRG LPP is designed to allow moderated evolution of the built form in the transition areas adjacent to the Stirling Highway, changing these areas from the historic Nedlands 'garden suburb' to a 'higher density residential' environment, whilst ensuring development respects character and protects amenity. • Considers the draft PMRG LPP a time and cost-effective mechanism to achieve the aforementioned	Comments in support of the policy and process are noted. Comments in relation to the careful consideration of character and built form are at odds with the policies lack of testing. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to

					transition for the precinct • Considers the built form controls to be: - o warranted due to a specific need related to that particular locality or region; - o consistent with the Element Objectives of the R-Codes Volume 2; and - o able to be properly implemented and audited by the decision maker • Careful and thoughtful transition to future character over time is needed. • Managed transition from Town Centre to the PMRG LPP area is required, including a gradual scale down in density. • Proposed draft PMRG LPP allows for the aforementioned transition.	be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council. The Local Planning Strategy (LPS), approved by Council, identifies the PMRG as an area to accommodate medium density development. An increase in dwellings is consistent with the objectives of the LPS.

					• Initial implementation of LPS3 requires moderation, which this policy provides. • Current zoning in this locale will result in significant and unnecessary increase in dwellings. • Dwelling increase is considered excessive compared to local dwelling targets and population growth predictions. • It is not necessary to maximise the dwelling count for the PMRG LPP area.	
45	Nicky Giovkos 52 Louise Street, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to

					• Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
46	Rachel Gavin 10 Doonan Road, Nedlands	Y	N	YourVoice	Support • Support creation of LPP for the area • Maintaining the 'garden suburb' feel is important, as is the historical importance of the PMRG. • Do not support restriction of maximum height proposed as this would effectively be	The changes to the policy broadly align with several requested changes in this submission.

					'down-zoning' without an appropriate scheme amendment. • Support measures to limit heights to 5 storey (R160) and 3 storey (R60) as per SPP 7.3 due to NGL differences between lots creating height issues. • Support: - o Increased primary setback for DSA and communal open space - o DSA along adjoining residential boundaries - o Increased setback for any storey above the third. - o Limit boundary wall to 3.5m high and average of 3.0m or less - o Creation of sustainability requirements - o Mechanisms to maintain the character and	

					context of the area o Mechanisms to maximise quality of any development going forward.	
47	Kate Bainbridge (Element) On behalf of owners of 17-19 Louise Street, Nedlands	N	Y	YourVoice	Objection: Nature of preparation • local planning policies are required to be prepared by the local government and are to be based on sound planning merit. • A policy prepared by the community with no research undertaken to support the provisions does not meet these requirements and would contravene the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (the Regulations). • Could be subject to legal challenge • Policy is not required as the controls within R-Codes Vol. 2 are comprehensive, flexible and appropriate.	The City does not wish to comment on the merits of the revised policy without built form modelling being undertaken. The City acknowledges the issues associated with a policy being authored by residents and not Administration. This issue is discussed in the report to Council. The recommendation of this report is for Council to re-advertise the changes, should the policy be considered capable of support. The revised draft policy seeks to augment elements of the R-Codes Vol. 2 that don't require WAPC approval. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes.

					• Advocate for Council to instruct administration to undertake research into the need for the policy. Should this research find a policy is needed, only then should a policy be prepared (by administration) and then advertised. • Advocate for re-advertising of the policy where substantial change occurs as a result of studies being undertaken, should above comments be disregarded. Heritage • Only heritage listing in the policy area is the PMRG. • Recent review of the City's municipal heritage inventory did not add any additional places within the policy area. • Policy does not adequately support its claim that the policy area is of heritage value, worthy of	Development still needs to meet the Element Objectives. Further heritage analysis is needed and recommended. Further comments on the application of the policy are noted. The City's recommendation is for Council to not adopt the policy in its current form. The revised policy is more consistent with the R-Codes Vol. 2. The City can't comment on whether the policy provisions are reasonable or whether they support high density development as the policy is untested. The issues with the previous height limits were noted and communicated to the CRG. Following that feedback, the building height was returned to be consistent with the R-Codes. Property speculation is not a valid planning matter. Objection to the policy provisions are noted. Elements requiring

					conservation or heritage reinterpretation in new developments. - Existing planning framework (SPP 7.0, 7.3) include appropriate levels of control to respect existing architecture. Policy Application - Policy is aimed at design requirements for multiple dwellings only, despite referencing the consideration of building typologies. - Policy will facilitate development of grouped dwellings, which typically have a greater amount of hard surface and less landscaping compared to multiple dwellings (noting SPP 7.3). - Evident that the policy has been drafted to purely prevent or discourage multiple dwelling development, contrary to the aims of LPS 3 and the City's	WAPC approval have been removed. The City supports the comments in relation to the need for built form modelling and further testing.

					Local Planning Strategy. Policy Provisions • Proposed reduction to permitted building height and plot ratio to both R160 and R60 is down-coding by stealth and contravenes LPS3. • Part 2 of SPP 7.3 Vol 2 provides guidance to local authorities in preparing modifications to the primary controls. This has not been referenced or followed. • Preliminary analysis of the proposed controls reveals that the majority of lots would not be feasible for multiple dwelling development and hence would likely result in significant underdevelopment of the area. This would be contrary to the Local Planning Strategy, as well as the Perth and Peel @ 3.5 million infill target. • Many residents purchased properties	

					based on the existing planning framework and City strategies and as such the proposed LPP will contribute to property value loss and subvert the planning process undertaken at higher levels of government to achieve the current density code. • Proposed increased setbacks to southern side boundary are not supported by building massing to demonstrate improved access to sunlight and ventilation nor improved built form or streetscape context. Existing controls adequately address these requirements. • Site and locality context and character analysis already required under the R-Codes Vol.2. Evident in larger setbacks being provided in recently considered JDAP applications in policy area. Therefore likely	

					no need to mandate larger setbacks through this policy. • Requirement for 50% DSA being to the side adjoining a lower density code is inappropriate as DSA should be districted to support existing mature vegetation and support a wholistic landscape solution for the site. • 80% canopy cover at the rear and 4.0m minimum street setback substantially increases the requirements under R-Codes Vol.2. • Along with discouraging DSA in planters, this would prevent provision of basement levels for many developments and severely limit the permitted building envelope. • Inadequate justification has been provided to demonstrate the proposed controls are adequate to deliver appropriate landscape	

					solutions for new multiple dwelling developments. • Passive communal open space should be permitted adjacent to site and rear lot boundaries to allow co-location of communal areas with deep soil areas. • Noise impact is required to be assessed in relation to active communal open space and therefore consider that no further development control is required. • The additional visual privacy setback requirements are not validated with adequate justification as to why additional visual privacy setback distance is required. • Controls within the R-Codes Vol. 2 require greater access to sunlight and ventilation, which would be difficult to comply with if screening was required	

					with visual privacy setbacks larger than those currently specified within the R-Codes Vol. 2. • Existing controls within R-Codes Vol. 2 are considered appropriate and therefore no further visual privacy controls are required. • There may be instances where design does not require shading devices and therefore the existing controls are considered appropriate in this regard. • Existing provisions within the R-Codes are appropriate to encourage materials and façade design to be responsive to local content. Therefore, proposed provision are not necessary. Application of policy prior to final approval • Advocate for the City not to apply the policy (should the policy proceed contrary to	

					this objection) until such time as it has been (or may be) adopted in full by the WAPC to ensure orderly and proper planning protocols are followed.	
48	Roger Newman 22 Louise Street, Nedlands	Y	N	YourVoice	Support: • Needed to assist orderly and proper planning. • Absence of detailed local area planning to inform and guide proposals is resulting in excessive and unrestrained developments. • Example of 13 Vincent street. • Concerns about overshadowing in future and transitions between R160 and R60. • Support refinements to the draft LPP which did not change the intent and aims of the advertised version • Draft LPP will benefit Nedlands by guiding proposals and	Comments in support of the policy and process are noted. Concern about current framework is noted. Objection to recent approvals is outside of the scope of this policy. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. The changes to the LPP are significant and require further advertising. The policy is untested and so there is no way to know whether the policy will achieve good built form outcomes.

					facilitating good outcomes. • Draft LPP will allow the City to deal with development proposals and deliver appropriate outcomes in a comprehensive and coordinated manner. • Draft LPP can be replaced in future by other planning instruments adopted by the City. • Delay in adopting the draft LPP may lead to lasting negative effects on the future development of the area.	
49	Torie Newman 22 Louise Street, Nedlands	Y	N	YourVoice	Support: • Existing character should be preserved • Draft LPP takes a holistic and long-term approach to the evolution of the precinct • Vision for the precinct allows development that is compatible with the surrounding residential area. • Considerations of bulk and scale and	Heritage listing is the only way to 'preserve' character in its currently state. Retention of value character elements is proposed in the City's draft LPP – Melvista West. Comments in support of the policy and process are noted.

					setbacks for new developments allow a graduation from Stirling Highway to R10 lots south of Jenkins Avenue.	
50	Andrew and Mandy Edwards 14 Doonan Rd, Nedlands	Y	N	YourVoice	Support • Supports the PMRG contending that the draft LPP is a legitimate planning instrument which is based on orderly and proper planning and is consistent with LPS3 • Provides background analysis of the policy, the need for it and how it is based on sound town planning principles. • Refers to legal advice that outlines the ability of a policy to augment the R-Codes • Posits the policy will maintain the amenity of the area, and heritage significance of the PMRG. • Argues that the policy should be adopted despite work being progressed for Melvista west and Town Centre.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. The lack of background research and testing is a flaw noted in the report, that arises from the fact that it wasn't prepared by the City. Work is underway in this regard for Melvista West. It is recommended that the work be merged into one policy.

					• Argues that a lack of analysis does not prevent the policy from being adopted. • Acknowledges that further changes need to be made. • Fully supports the LPP, LPPs are able to address any planning matter and can augment the R-Codes Vol 2 • Comments that LPPs are recognised statutory instruments to be had regard to and given weight when decisions are made • Supports the objectives and the provisions of the policy which seeks to refine the current standards to the policy area's unique context (Heritage, parkland setting), to ensure development is compatible and harmonious. • Posits that the provisions are based upon sound town planning principles,	A discussion of orderly and proper planning is provided in the report to Council.

					consistent with LPS 3 and R-Codes Vol 2. • Requests that the policy be adopted as soon as possible to fill the gap in localised development controls. • Concerned that delay will mean more developments with adverse impacts will affect the area on a permanent basis.	
51	Ash Mughal 11 Vincent Street, Nedlands	Y	N	YourVoice	Object • There is a need to create a PMRG LPP to complement SPP 7.3. • Critical to get this PMRG LPP right, as an ill-conceived planning framework would be a lost opportunity and counter-productive. • The PMRG LPP: - o creation process needs to consult and involve the community immediately adjacent to the Peace Memorial Rose Garden too. - o contents to be based on sound planning merit with supporting studies to corroborate	Comments in support of policy are noted. Comments in objection to the policy are noted. The City has prepared draft LPP – Melvista West which will be subject to further testing and built form modelling. The issue of inconsistent built form is discussed in the report. The recommendation of the report is not adopt the policy

					the proposed provisions. - o provisions to complement SPP7.3. and be tested to ensure they support the transformation of our City - o to 'transition height' rather than seeking to severely limit design flexibility and development potential of all properties rezoned in the precinct under legislated Scheme 7.3 Vol 2.0. As this would be not only contrary to the objectives of the legislated scheme, it would result in substandard urban developments in the precinct. • Approval of 13 Vincent Street sets a built form precedent in the area and must be addressed in any transition of height from Stirling Highway through to Jenkins Avenue. Support the:	

					• sustainability and building materials to complement the content and character of the precinct in-line with the provisions of R Codes Vol 2.0; • height and number of stories permitted under the R-Codes Volume 2.0; • side and rear setbacks and boundary separation presented in the R-Codes Volume 2.0; • front setback to allow opportunity for the Deep Soil Areas in alignment with the provisions of R Codes Vol 2.0; • topographical variations in the precinct blocks be dealt through design excellence and other enablers in-line with the provisions of R Codes Vol 2.0 Object to: • Height limit of 3 storeys and 2 storeys for R160 and R60 respectively.	

					• Current form of the draft LPP because of its significant divergence LPS3 and R-Codes Vol.2. • Draft LPP as it compromises design flexibility and development potential.	
52	Andrew Jackson 3/114 Stirling Highway, Nedlands	Y	N	YourVoice	Support • Legal advice attachment noted. • LPPs are responsive and practical instruments for implementing planning strategy and managing development, as extensions of the local planning scheme and associated RCodes. LPPs intentionally provide the ability to address local aspects in detail that reflect the needs of individual precincts, respect established neighbourhoods, embrace community objectives, preserve sense of place, and protect existing amenity. They are a purposeful and	Legal advice is noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. Comments in support of the policy and process are noted. A discussion of orderly and proper planning is provided in the report to Council.

					adaptable mechanism enabling councils to manage the evolution of their districts closely and carefully. • The PMRG LPP and others will benefit the future of Nedlands by guiding proposals and facilitating good outcomes. They deserve Council's ongoing support and advancement to ensure better assessments and decisions. This is in order to expedite putting in place the local planning framework needed to redress the overall Scheme situation by empowering and equipping Council to gain more control over development proposals, and to exercise greater strategic direction for the district in guiding and governing the future of Nedlands • The PMRG precinct community is	

					heartened by the Council-supported initiative of an LPP and close community consultation towards its finalisation. Combined with other LPPs, scheme amendments as required and related studies underway, Council and the City will be much better equipped to deal with development proposals for appropriate outcomes in a comprehensive and coordinated manner • These measures will fill the debilitating void that is currently the cause of considerable uncertainty, resulting in excessive and unrestrained developments in the absence of detailed local area planning to properly inform and guide proposals on a locality sensitive basis. Such precinct planning is the next phase of Design WA and Nedlands is positioned	

					to lead in that enhanced approach to planning implementation and development control. • Nedlands can also show the way in how best to balance and integrate new development in relation to the distinctive and renowned garden suburb character of the district, rather than allowing ad hoc and unsympathetic built form impositions to undo all that has been achieved by previous generations of conscious and conscientious planning decisions by former Councils • All of this is especially so given that the present planning demands and development pressures are unprecedented, after an extended period of stability and cohesiveness which created a mature urban environment and	

					community wellbeing, but today is seriously jeopardised. The rush of development proposals received are just the tip of an iceberg, whereby unless remedies are invoked to direct the City's planning operations, will irrevocably impact on the municipality and its people • Proceeding with the proposed PMRG LPP and other LPPs, and engaging with the community in a viable, productive manner are critical steps along this path, as these instruments are essential to a local planning framework for effective and efficient development control.	
53	Clive McIntyre 19 Vincent Street, Nedlands	Y	N	YourVoice	Object: • Proposal is too late, noting the recently approved developments in the area. • Remaining owners should be given their	Property value is not a valid planning consideration.

					best chance to sell their properties.	
54	Noreen Mughal 5 Bellevue Avenue, Dalkeith WA 6009	N	Y	YourVoice	Object • There is a need to create a PMRG LPP to complement SPP 7.3. • Critical to get this PMRG LPP right, as an ill-conceived planning framework would be a lost opportunity and counter-productive. • The PMRG LPP: - o creation process needs to consult and involve the community immediately adjacent to the Peace Memorial Rose Garden too. - o contents to be based on sound planning merit with supporting studies to corroborate the proposed provisions. - o provisions to complement SPP7.3. and be tested to ensure they support the transformation of our City - o to 'transition height' rather than seeking to severely limit design flexibility and	Comments in support of policy are noted. Comments in objection to the policy are noted. The City has prepared draft LPP – Melvista West which will be subject to further testing and built form modelling. The issue of inconsistent built form is discussed in the report. The recommendation of the report is not adopt the policy.

					development potential of all properties rezoned in the precinct under legislated Scheme 7.3 Vol 2.0. As this would be not only contrary to the objectives of the legislated scheme, it would result in substandard urban developments in the precinct. • Approval of 13 Vincent Street sets a built form precedent in the area and must be addressed in any transition of height from Stirling Highway through to Jenkins Avenue. Support the: • sustainability and building materials to complement the content and character of the precinct in-line with the provisions of R Codes Vol 2.0; • height and number of stories permitted under the R-Codes Volume 2.0; • side and rear setbacks and boundary	

					separation presented in the R-Codes Volume 2.0; • front setback to allow opportunity for the Deep Soil Areas in alignment with the provisions of R Codes Vol 2.0; • topographical variations in the precinct blocks be dealt through design excellence and other enablers in-line with the provisions of R Codes Vol 2.0 Object to: • Height limit of 3 storeys and 2 storeys for R160 and R60 respectively. • Current form of the draft LPP because of its significant divergence LPS3 and R-Codes Vol.2. • Draft LPP as it compromises design flexibility and development potential.	
55	Harvey Salter	N	Y	YourVoice	Support: • Well-constructed and thought out, community based, policy.	Comments in support of the policy and process are noted.

	27 Louise Street, Nedlands				• Thanks to Councillors for considering it. • PMRG should be a place of quiet reflection • Increased residents could result in the use of the park as a 'backyard' for occupants of apartments. This would be disrespectful to the memories of those for whom the garden was created. • LPP reduces the impacts on the PMRG precinct of the blanket rezoning. • Natural flow of zoning would be 17-19 Louise St and 16- 18 Vincent Street to be R60. • R160 only in this area as a result of the Rose Gardens. Ideally these should be R60, but if not, the proposed LPP should address some of the issues / impacts on existing residents. • Consideration should be given to impacts of increased density and WA's ability to fight	Comments in relation to the PMRG are noted. Objection to increase in density is noted.

					infectious diseases (i.e. current pandemic).	
56	Omar Mughal 5 Bellevue Avenue, Dalkeith	N	Y	YourVoice	Object • There is a need to create a PMRG LPP to complement SPP 7.3. • Critical to get this PMRG LPP right, as an ill-conceived planning framework would be a lost opportunity and counter-productive. • The PMRG LPP: - o creation process needs to consult and involve the community immediately adjacent to the Peace Memorial Rose Garden too. - o contents to be based on sound planning merit with supporting studies to corroborate the proposed provisions. - o provisions to complement SPP7.3. and be tested to ensure they support the transformation of our City - o to 'transition height' rather than seeking to severely limit design flexibility and	Comments in support of policy are noted. Comments in objection to the policy are noted. The City has prepared draft LPP – Melvista West which will be subject to further testing and built form modelling. The issue of inconsistent built form is discussed in the report. The recommendation of the report is not adopt the policy.

					development potential of all properties rezoned in the precinct under legislated Scheme 7.3 Vol 2.0. As this would be not only contrary to the objectives of the legislated scheme, it would result in substandard urban developments in the precinct. • Approval of 13 Vincent Street sets a built form precedent in the area and must be addressed in any transition of height from Stirling Highway through to Jenkins Avenue. Support the: • sustainability and building materials to complement the content and character of the precinct in-line with the provisions of R Codes Vol 2.0; • height and number of stories permitted under the R-Codes Volume 2.0; • side and rear setbacks and boundary	

					separation presented in the R-Codes Volume 2.0; • front setback to allow opportunity for the Deep Soil Areas in alignment with the provisions of R Codes Vol 2.0; • topographical variations in the precinct blocks be dealt through design excellence and other enablers in-line with the provisions of R Codes Vol 2.0 Object to: • Height limit of 3 storeys and 2 storeys for R160 and R60 respectively. • Current form of the draft LPP because of its significant divergence LPS3 and R-Codes Vol.2. • Draft LPP as it compromises design flexibility and development potential.	
57	Merran Smith 36 Minora Road, Dalkeith	N	Y	YourVoice	Support: • LPP should go further to ensure that development in the	Objection to density is noted. Support of policy is noted.

					PMRG precinct is only undertaken in a way that preserve the PMRG as a place of quiet reflection. High and medium density development as per LPS3 are not compatible with this objective.	
58	Dianna Allan 4b Alexander Road, Dalkeith	N	Y	YourVoice	Support: - Historic and beautiful site (PMRG) should be protected by a LPP. - Vital to maintain the character and amenity of the area whilst allowing some sympathetic infill (i.e. apartments and townhouses restricted to 2-3 storeys). - Architecture of new development should be sympathetic to existing built form. - Tree canopy is vital to the wellbeing of Perth, which must be considered.	Comments in relation to PMRG are noted. Support of policy is noted. Tree canopy provisions have been removed.
59	Bronwyn Stuckey 26 Kingsway, Nedlands	N	Y	YourVoice	Support Support the purpose of the PMRG LPP to define the distinctiveness of the	Comments in support of the policy and process are noted.

	26 Kingsway Road, Nedlands				locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	Comments in relation to the careful consideration of character and built form are at odds with the policies lack of testing. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council. The Local Planning Strategy (LPS), approved by Council, identifies the PMRG as an area to accommodate medium density development. An increase in dwellings is consistent with the objectives of the LPS.

60	Rebecca Coghlan 37 Bulimba Rd, Nedlands	N	Y	YourVoice	Support: • Re-iterate full support for content outlined in Max Hipkin's submission. • Submission outlines the need for the LPP. • Outlines the significant community effort taken to prepare and address community concerns through the LPP. • Notes the local significance of the PMRG area and raises concerns regarding an increase in density and the resulting impact on the existing character of the area.	Comments in support of the policy and process are noted. Comments in relation to the careful consideration of character and built form are at odds with the policies lack of testing. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council. The Local Planning Strategy (LPS), approved by Council, identifies the PMRG as an area to accommodate medium density development. An increase in

						dwelling is consistent with the objectives of the LPS.
61	Trina Mahon 17 Kingsway, Nedlands	N	Y	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that. • Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design.	Comments in support of the policy and process are noted. Comments in relation to the careful consideration of character and built form are at odds with the policies lack of testing. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council. The Local Planning Strategy (LPS), approved by Council, identifies the PMRG as an area

					- Draft LPP is needed to avoid unacceptable adverse impacts to the local area - Council is urged to finalise the draft LPP as a priority.	to accommodate medium density development. An increase in dwellings is consistent with the objectives of the LPS.
62	Duplicate of 61					
63	Ashleigh Hahn 38 Louise Street, Nedlands	N	Y	YourVoice	Support: - Refers to content of previous submission on Louise Street development. - Notes the importance and significance of the Rose Gardens as a war memorial. - This LPP recognises the significance of this area and proposed planning measures and development outcomes sympathetic to that cause.	Comments on DA is outside of the scope of this policy. Comments in relation to PMRG are noted. Comments in support of policy are noted.
64	Duplicate of 60					
65	Adrienne Dukes 15 Vincent Street, Nedlands	Y	N	YourVoice	Object: - PMRG LPP area requires greater controls to avoid poor outcomes. - Since 13 Vincent street has already been approved,	Comments in relation to the need for further testing is supported. The issue of inconsistent built form is noted in the report to Council.

					implementation of this LPP would result in other properties in this area having to comply with a different policy. Creating different built form outcomes. • Policy must achieve consistency and considers there is more work required to achieve this. • Concept of the policy is supported, but needs to be adapted. To address the issue above, suggests: • Council attempts to remove the DA so the LPP can be applied consistently. • Incorporate a provision in the LPP to set the limitations of height, setback etc around the average of the existing surrounding properties rather than outright limits.	Approved JDAP applications can't be revoked.
66	Ash McDonald	Y	N	YourVoice	Support	Noted

	21 Mountjoy Road, Nedlands					
67	Emma Rose 21 Mountjoy Road, Nedlands	Y	N	YourVoice	Support: • Policy is based on sound planning principles with community input. • There is a need for policy to ensure development around the PMRG is consistent with the sense of place and heritage importance of the Rose Garden itself. • Policy is needed to manage transition along Stirling Highway and as a result of R160 extending around the PMRG. • Policy needed to manage planning controls to ensure amenity of existing resident is balanced with density coding in LPS3. • Development should be focused on northern side of Stirling Highway in response to overshadowing, with lower scale	Comments in support of the policy and process are noted. Comments in relation to the careful consideration of character and built form are at odds with the policies lack of testing. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives. All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. Comment in relation to overshadowing is not supported. Development of 3-5 storeys will cause shadow on either side of Stirling Highway.

					development on the southern side (facilitate by the LPP). • PMRG area provides a natural break between town centres and therefore should incorporate moderated development. • Existence of heritage listed buildings nearby, constraining development, align with the need for a LPP in this area. • Zoning extent in LPS3 commercialises the Rose garden, inconsistent with the character of the area. • R160 zoning sets up repeated conflict with adjoining R60 landholdings. Urgent need for LPP to be implemented to manage these transitions. • Support proposed height limits in LPP • Alternatively, undertake a scheme amendment to reduce the R160 zoning to	The Local Planning Strategy (LPS), approved by Council, identifies the PMRG as an area to accommodate medium density development. An increase in dwellings is consistent with the objectives of the LPS. Objection to density increase noted, however is outside of the scope of a policy. Scheme amendment is subject to WAPC approval and requires rigorous testing, and is unlikely to be supported given this area is identified in the Strategy for dwelling increase. A discussion of orderly and proper planning is provided in the report to Council.

					R60 to remove the conflicts.	
68	Duplicate of 67					
69	Jennifer Roughan 74 Victoria Avenue, Claremont	N	Y	YourVoice	Object: • Owner of directly impacted landholdings (17-23 Louise St) • Currently large barriers for entry into Nedlands market. • Newly re-zoned areas offer opportunity for housing diversity, in a way that is sensitive, uplifting and revitalising to the area. • Rose Garden is currently underutilised. • Disappointing to hear Council accepting a document prepared without the proper due diligence required. • Object to lowering permitted heights and plot ratio in contravention of LPS3 provisions. • Have not been contacted by the City of Community group who proposed this LPP, nor invited to	Comments in relation to the PMRG are noted. Objection to the process is noted. Comments in relation to the limited policy area are supported. The City has drafted LPP – Melvista West, which applies to a wider planned precinct.

					Precinct Community Reference Group. • Why PMRG in particular? Why not all newly re-zoned land. • Need to work with the people making these changes (development) happen to avoid cheap, substandard development in Nedlands and surrounds.	
70	Ian Phipps 17-23 Louise Street, Nedlands	Y		Email/Your Voice	Objects: • Properties have been acquired on the basis of the existing City Local Planning Strategy and LPS3. • Of the firm view that no formal policy is required to be implemented in this area. • R-Codes Vol 2. sufficiently addresses local context for transitioning density and minimising impact on neighbouring properties. • Policy inadequately justifies why this particular area has been singled out for localised controls, compared to the broader	Property speculation and loss in property value are not a valid planning matter. Scheme amendments can increase or decrease the density code or zoning at any stage. Although it is acknowledged that this process would be subject to more rigorous testing and evaluation. The R-Codes call for local planning policies to adjust controls to suit local conditions. The City has drafted LPP – Melvista West. The policy is a draft and will be fully tested, should Council adopt it.

					area south of Stirling highway. • Monetary impact of provisions – severe economic loss to landowners who bought with the intention of developing. • Believes the policy provisions seek to down-code the land, thereby subverting the Scheme. • Concerned that the policy has been prepared by community members not Administration staff • Refutes the basis of the policy on the grounds that there are no private-held heritage listed properties within the precinct area. • Objects to the uncertainty the policy creates. • Request the policy is set aside and not implemented in any form.	Comments in relation to the limited policy area are supported. The City has drafted LPP – Melvista West, which applies to a wider planned precinct. The City agrees that further heritage research is needed. The City's recommendation is for the policy to be not adopted.
71	Rachel Palmer 69 Kingsway, Nedlands	Y	N	YourVoice	Support • Support the purpose of the PMRG LPP to define the distinctiveness of the locality and provide tailored development controls appropriate to that.	Comments in support of the policy and process are noted. Policies that are consistent with the R-Codes Vol 2 and the Scheme, can augment or replace the Acceptable Outcomes. Development still needs to meet the Element Objectives.

					• Draft LPP responds to the distinguishing characteristics of the Precinct. • Draft LPP is based on sound town planning principles. • Draft LPP has comprehensive objectives, which are consistent with LPS3 and the intent of the apartments R-Codes, and will assist good design outcomes. • Draft LPP includes refined building height and plot ratio measures devised to suit the locality, together with the rest of the draft LPP to guide quality design. • Draft LPP is needed to avoid unacceptable adverse impacts to the local area • Council is urged to finalise the draft LPP as a priority.	All policies are given due regard. The weight afforded to a policy is commensurate with the level of research and testing involved in its preparation. It also needs to be consistent with the Scheme and R-Codes. A discussion of orderly and proper planning is provided in the report to Council.
72	Geoff and Lorraine Hall 17/26 Broome Street	N	Y	Letter	Objects to density and any high rise or commercial development.	Noted.

73	Victor Booth 3/3 Vincent Street, Nedlands	N	Y	Letter	Objects to the notion that the heritage and cultural significance of the PMRG should prevent development from occurring.	Noted.
74	Jodie Salter 27 Louise Street, Nedlands	N	Y	Email	Support: • Well-constructed and thought out, community based, policy. • Thanks to Councillors for considering it. • PMRG should be a place of quiet reflection • Increased residents could result in the use of the park as a 'backyard' for occupants of apartments. This would be disrespectful to the memories of those for whom the garden was created. • LPP reduces the impacts on the PMRG precinct of the blanket rezoning. • Natural flow of zoning would be 17-19 Louise St and 16- 18 Vincent Street to be R60. • R160 only in this area as a result of the Rose Gardens. Ideally these should be R60, but if	Comments in support of the policy and process are noted. Comments in relation to the PMRG are noted. Objection to increase in density is noted.

					not, the proposed LPP should address some of the issues / impacts on existing residents. Consideration should be given to impacts of increased density and WA's ability to fight infectious diseases (i.e. current pandemic).	
75	R.D. & E.E. Gibson 41 Louise Street Nedlands	N	Y	Email	Experiencing what is happening in our immediate area at present, I can see more clearly than ever the need for this LPP to be implemented as soon as possible. We need to have much stronger planning controls to appropriately manage the development applications, including ones already before Council, which unless mitigated in some way will burden Nedlands with some most unpleasant outcomes. The LPP is a vital component of the local planning framework for the Peace Memorial Rose Gardens precinct in which the LPS 3 zonings have delivered unduly harsh outcomes for this density	Comments in support of the policy and process are noted. Comments in relation to the PMRG are noted. Objection to increase in density is noted.

					transition area. It has been diligently pieced together by a community group which includes a very experienced planner along with some serious support of engineers in the immediate area. It has not been randomly pulled together by self-interested people, but rather residents concerned for the leafy green fresh open spaces of Nedlands, who have painstakingly spent months on this project. This LPP will actually enhance Nedlands while at the same time has saved the City countless man hours of work. We cannot wait until the City finalises its proposed LPP's for the locality, these are obviously many months from completion, and quite possibly may never happen. Hence in the meantime the PMRG area will remain more vulnerable than it should be, to future over-development proposals.	

					We strongly support approval of the PMRG LPP	



Department of **Planning,**
Lands and Heritage

Your ref: Draft Local Planning Policy – Peace
Memorial Rose Garden, Precinct, Nedlands
Our ref: P13668-47345
Enquiries: Adelyn Siew (08) 6552 4123

Chief Executive Officer
City of Nedlands
council@nedlands.wa.gov.au

Attention: Joshua Scrutton

Dear Sir

**DRAFT LOCAL PLANNING POLICY – PEACE MEMORIAL ROSE GARDEN
PRECINCT - NEDLANDS**

Under the provisions of Section 73 of the *Heritage Act 2018*, the proposal as described below has been referred to the Heritage Council for its advice.

Place Number	P13668
Place Name	Peace Memorial Rose Garden
Street Address	Bounded by Stirling Highway, Mountjoy Rd, Jenkins Ave and Doonan Rd.
Referral date	9 July 2020
Proposal Description	Local Planning Policy

We received the Draft Local Planning Policy – Peace Memorial Rose Garden Precinct - Nedlands prepared by local residents dated March 2020.

The proposal has been considered in the context of the identified cultural significance of *Peace Memorial Rose Garden* and the following advice is given:

Findings

- The proposed Local Planning Policy is for an area bounded by Stirling Highway, Mountjoy Rd, Jenkins Ave, and Doonan Rd. *Peace Memorial Rose Garden* is centrally located in this subject area.
- The proposal seek to provide development controls that are appropriate for the context and character of the subject area.
- The report lacked adequate background information and analysis of the heritage places within the subject area. It also did not provide a study of the character of the subject area to provide a framework to support the proposed development controls.
- A study of the heritage within the subject area may indicate that the subject area is not wide enough to protect the viability of the *Peace Memorial Rose Garden*.

Advice

The intent of the proposed Local Planning Policy is commendable as it seeks to provide development controls that is consistent and appropriate to the context and character of the subject area.

However, the proposed Local Planning Policy cannot be supported as drafted and the following advice is given:

1. The proposed Local Planning Policy should be revised to include a thorough examination and analysis of the cultural heritage values of the heritage places and the character within the subject area. This will provide the necessary framework to support the proposed development controls. This should include but not be limited to providing the following:
 - a. The Statement of Significance of the *Peace Memorial Rose Garden*
 - b. Information on the heritage significance of Greenough Flats and Renkema Building, both of which are in the Local Heritage Survey.
 - c. A character study of the built form and streetscape within the subject area.
2. The information above should then inform the proposed development controls that are needed to ensure that the identified cultural heritage significance of the subject area are not negatively impacted or can be appropriately mitigated.
3. The subject area should also be revised to include the lots north of Stirling Highway from Dalkeith Rd to the east and Robinson St to the west as the building heights on these lots have the potential to greatly impact on the *Peace Memorial Rose Garden* with overshadowing.
4. The City should consult with a rose specialist to understand sunlight requirements to help inform the building heights in the subject area to ensure overshadowing is not detrimental to the garden.

Please be reminded that you are required under r.42(3) of the *Heritage Regulations 2019* to provide us with a copy of the Council's determination within 10 days after making the decision.

Should you have any queries regarding this advice please contact me at adelyn.siew@dplh.wa.gov.au or on 6552 4123.

Yours faithfully



Adelyn Siew
Director Heritage Development

10 July 2020

6. Local Planning Scheme 3 – Draft Local Planning Policy – Melvista West Transition Zone

Council Date	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Draft LPP – Melvista West Transition Zone
Confidential Attachments	Nil.

Councillor Hodsdon – Financial / Proximity Interest

Councillor Hodsdon disclosed a financial & proximity interest, his interest being that he owns property in the area. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Regulation 11(da) - Not applicable – Council’s resolution was broadly in accordance with the Administration’s recommendation.

Moved – Councillor Wetherall

Seconded – Councillor Poliwka

That the Recommendation to Council be adopted subject to:

1. after the word ‘Zone’ add the words “(as amended in Attachment 1).”
2. amends Attachment 1, Figure 13 to remove the star (*) from lots 10 Doonan Road, and 13, 15, 17 and 19 Mountjoy Road.

CARRIED ON THE CASTING VOTE 6/6
(Against: Crs. Horley Bennett Mangano Youngman
Coghlan & Senathirajah)

Council Resolution

Council:

1. prepares and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Draft Local Planning Policy – Melvista West Transition Zone (as amended in Attachment 1); and

2. amends Attachment 1, Figure 13 to remove the star (*) from lots 10 Doonan Road, and 13, 15, 17 and 19 Mountjoy Road.

Recommendation to Council

Council prepares and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Draft Local Planning Policy – Melvista West Transition Zone; and

Executive Summary

The purpose of this report is for Council to prepare (adopt for advertising) the draft Local Planning Policy – Melvista West Transition Zone, contained as Attachment 1.

This policy seeks to establish a localised planning response for the Melvista West Transition Zone (the transition zone). The policy provides the City's starting point for development with respect to the built form, façade design, tree canopy, landscaping, car parking and vehicle access. The policy will be informed by built form modelling, legal and architectural review, external referral, horticultural and heritage advice. The City is required to establish what the future desired context and character is for these areas and to provide design guidance for decision makers, the community, and developers in this area. These built form guidelines will balance the preservation of valued elements of built form character with the requirements of the existing local planning framework and associated zoning. The policy's intent is to achieve the delivery of housing diversity with reasonable built form and design provisions.

This policy is being presented to Council for consent to advertise to the community in draft format. Built form modelling is required to be undertaken to test the existing planning framework, the Peace Memorial Rose Garden Precinct, Nedlands – LPP and the transition zone policy provisions. This will be undertaken prior to finalising the policy and will be brought back to Council with the associated testing and modelling in its final version for adoption. The built form modelling will provide the necessary information to ascertain the most effective built form controls for this area. However, Administration also wishes to seek feedback on this draft concept from Council and the City's residents which may involve several rounds of consultation.

Background

With the gazettal of Local Planning Scheme No. 3 (the Scheme) in April 2019, density code increases were implemented across sections of the City of Nedlands. The density increases are concentrated around the areas of the City now known as Precincts, being Town Centre, Stirling Highway East and West, Broadway, Hampden Road and Waratah Avenue.

The City's Local Planning Strategy identifies the areas directly adjacent to these Precincts as Transition Zones, and states the intention of them as:

"Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g., height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate."

Administration have identified several locations bordering the Precincts that have medium to high density coding that function as Transition Zones for low density areas. A suite of Local Planning Policies is being prepared to provide guidance on the preferred built form for these Zones. This will ensure that the desired character of these areas is identified and considered by future development.

Transition Zones Local Planning Policy Preparation Process

To ascertain the existing character of the area, Administration conducted built form character surveys in the Transition Zones. City staff and volunteers from the Urban Planning and Architecture departments at Curtin University and the University of Western Australia undertook the survey. Each street within the Transition Zones was walked, with each dwelling photographed and its features documented.

The data from this survey was collated into spreadsheets, and now offers meaningful information regarding the existing built form of the various Transition Zones. This data provides insight into the aspects of the street that contribute to its character. Key elements that the Policies should seek to retain were identified, such as significant front and rear setbacks, mature vegetation and discreet car parking structures. The Policies have been developed by utilising the information produced from this data.

The Transition Zones Policies will capture the following Transition Zones:

- Hollywood Central;
- Hollywood West;
- Melvista East;
- Melvista West; and
- Hollywood East – it is noted that this will be included in the Hampden Road Activity Centre, due to their proximity and shared unique architectural form.

During discussion around these policies between Administration and the Department of Planning, Lands and Heritage (DPLH), Administration has been advised that these policies will be required to be supported by rigorous built form modelling to support the proposed requirements. Built form modelling will provide a sound strategic planning framework to support the policy and provide

it with statutory weight, which is vital in the event that the policy is tested in a legislative environment such as the State Administrative Tribunal. Further advice has been provided to the effect that built form controls, once developed, should be incorporated into the Scheme. The appropriate time to undertake scheme amendments will be once built form modelling and consultation have been finalised. Once provisions via scheme amendment have then been adopted and gazetted, those provisions can be removed from the local planning policies.

Community Engagement

A key element in formulating the Transition Zone Policies will be feedback received from the Nedlands community. The initial step in the community engagement program for these Policies has been the Transition Zones – Planning for the Future Your Voice page going live. This page includes a survey that community members can complete to share their thoughts on what they believe the valued elements of their local area are. This page also contains information on what Transition Zones and Precincts are, statements about the character of the Transition Zones, and FAQ's in relation to the local and state planning framework.

The feedback collected from this survey will be considered in conjunction with the feedback received during the draft Policy's advertising period. Once built form modelling and peer reviews have been completed, a community engagement program will be created by Administration. This program will bring the communities feedback, along with the built form modelling results, together to be presented to Council and the community in an interactive format. The end result of the community engagement program will be that the Policy has been through several rounds of engagement with both the Council and the community, maximising the transparency of the process.

Detail

This policy applies to all residential developments within the Melvista West Transition Zone. Melvista West is located within the Melvista Ward, to the west of the designated Melvista East precinct. The precinct is bounded by Stirling highway in the north, Jenkins Avenue in the south, Mountjoy in the east and the western side of Rockton Road.

Abutting the precinct to the south are R10 and R12.5 coded properties south of Jenkins Avenue, and to the north lies the Nedlands Town Centre and Stirling Highway West Precincts, with a density code of R-AC1. The lots within Melvista West are coded R160 abutting the Precincts, and then R60 as the Zone moves towards the low-density residential area to the south. A map of Melvista West is shown in **Figure 1**.



Figure 1 – Melvista West Transition Zone (Precinct H)

The purpose of the Transition Zone Policies is to provide design guidance and built form provisions for residential developments within the Transition Zone. These built form requirements will aid in the preservation of valued elements of built form character within the Transition Zones. The policy is also intended to provide guidance to assist officers in assessing applications for residential developments within Melvista West.

The City has engaged consultant Hames Sharley to present the Policies in a professional typeset format, including mapping of the precinct areas. This mapping includes representations of the potential pattern of development within the Transition Zone in accordance with the built form provisions proposed. Presenting the Policy and mapping in this manner is intended to provide Council and the community with a tangible representation of the proposed built form controls and how they will translate into real world development outcomes. These provisions will be supported by the built form modelling that will form the testing part of the process of creating these Policies.

Residents have prepared draft Peace Memorial Rose Garden Precinct, Nedlands – LPP and is included within this agenda for Council to formally adopt. The recommendation is for Council to not adopt the policy and to allow Administration to test the provisions alongside the Melvista West provisions. Depending on the outcome of built form modelling, there is scope for a sub-precinct to be established that would provide site specific provisions to the properties adjacent to the Peace Memorial Rose Garden.

Consultation

If Council resolves to prepare the draft Melvista West Transition Zone Policies, they will be advertised for 21 days in accordance with Schedule 2, Part 2, Division 2, Clause 4 of the Regulations, and the City's Local Planning Policy – Consultation of Planning Proposals. This will include a notice being published in the newspaper and details being included on the City's website (Your Voice engagement portal), a letter posted to all residents and property owners in the Policy area and a social media post.

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

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

Strategic Implications

How well does it fit with our strategic direction?

The City's Local Planning Strategy identifies urban growth areas and transition zones within the City, which have been reflected in rezoning and up-coding through the Scheme. This Policy provides design guidance for the transition zones, and facilitates urban growth identified in the Strategy in a manner that will impose minimal negative impacts on surrounding residential properties.

Who benefits?

The City and its residents will benefit from this Local Planning Policy. The Policy is intended to reduce the impact of grouped and multiple dwellings developments on single residential dwellings and will establish the position of desired future character for the area in the context of its transitioning nature from low density to more intense infill.

Does it involve a tolerable risk?

The Transition Zones Policies are considered to decrease the risks to the City and its residents that are associated with infill development.

Do we have the information we need?

Further information is required and can be obtained through built form modelling of the proposed provisions for the Transition Zones.

Budget/Financial Implications

Can we afford it?

The costs associated with this Local Planning Policy are in relation to advertising and built form modelling, both of which are included in the planning projects budget.

How does the option impact upon rates?

Nil.

Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2, Part 2, Clause 3(1) of the Regulations the City may prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area.

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

Conclusion

The transition zone policy provides design guidance and built form provisions to assist in retaining the valued character elements of the area.

In accordance with advice received from the WAPC, built form modelling is required to provide a sound strategic planning framework to support the policy and provide it with statutory weight, prior to final endorsement.

With the inclusion of thorough built form modelling and community consultation, the Policy will provide a robust strategic and statutory planning framework to guide development within the Transition Zone.

As such, it is recommended that Council endorses administration's recommendation to prepare (consent to advertise) draft LPP - Melvista West Transition.



Draft Local Planning Policy – Melvista West Transition Zone

27 August 2020



Melvista West...

City of Nedlands

71 Stirling Hwy Nedlands WA 6009

9272 3500

council@nedlands.wa.gov.au

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1.0

Introduction

1.1 Introduction

1.1.1 PURPOSE

The purpose of this policy is to define a local planning framework that identifies the desired elements of local character for the Melvista West Transition Zone (Melvista West TZ). The policy is divided into two parts to provide built form guidance for single dwellings, grouped dwellings and multiple dwellings within this area, and promote the desired elements of local character. The first part augments the provisions of State Planning Policy 7.3 - Residential Design Codes – Volume 1, the second part augments State Planning Policy 7.3 - Residential Design Codes – Volume 2.

1.1.2 APPLICATION OF POLICY

1. This policy applies to all applications for residential developments within the Melvista West TZ. The Transition Zones are to function in accordance with the intent outlined in the City of Nedlands Local Planning Strategy, being:

“Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g., height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate.”

2. In accordance with Clause 7.3 of the R-Codes Volume 1, this Policy contains provisions that augment, replace and supplement the Deemed to Comply criteria set out in the R-Codes Volume 1. The Design Principles of the R-Codes Volume 1 remain and apply with some additional Design Guidance/Housing Objectives. If an element of the R-Codes Volume 1 is not included in this policy, it is not amended or replaced by this Policy and the Deemed to Comply provisions in the R-Codes Volume 1 remain and apply. Where single house and grouped dwelling developments are proposed all terms and definitions contained within Local Planning Scheme No. 3 and the R-Codes Volume 1 remain and apply.
3. In accordance with Clause 1.2 of the R-Codes Volume 2 this Policy contains provisions that augment, replace and supplement the Acceptable Outcomes set out in the R-Codes Volume 2. This Policy contains provisions that add to the Intent Statements, Design Guidance and Planning Guidance set out in the R-Codes Volume 2. The Element Objectives of the R-Codes Volume 2 remain and apply. If an element of the R-Codes Volume 2 is not included in this policy, it is not amended or replaced by this Policy and the Acceptable Outcomes in the R-Codes Volume 2 remain and apply. Where multiple dwelling developments are proposed all terms and definitions contained within Local Planning Scheme No. 3 and the R-Codes Volume 2 remain and apply.
4. Where this Policy is inconsistent with a Local Development Plan, Local Planning Policy or Precinct Plan that applies to a specific site, area, or element, the provisions of that specific Local Development Plan, Local Planning Policy or Precinct Plan shall prevail.

1.1.3 OBJECTIVES

1. To define the future character of the Melvista West TZ in context with the higher density codings and provide guidance for new development to include valued elements outlined in the Desired Character Statement.
2. To ensure new development is respectful of and contributes to the desired future character of the Transition Zone.
3. To ensure new development within the Melvista West TZ provides a gradual transition from the planned mixed-use, high-intensity, high-rise development abutting Stirling Highway, to the low-rise single residential housing to the south.
4. To facilitate high-quality residential development that has an appropriate interface to the street, which maximises residential amenity, maintains the landscape character of the area and minimises adverse impacts on the streetscape.
5. To ensure the design of new development considers and respects the identified heritage significance of the Melvista West TZ.



2.0

Part One

Implementation

2.1 Existing Character

2.1.1 LOCATION

The area within Melvista West TZ (first developed during the early 20th century) is predominated by large residential lots with a mix of original early to mid-1900s and modern residential development. The Melvista West TZ is located between the Town Centre and Stirling Highway West Precinct policy areas. The policy area extends from Mountjoy Road in the east to the properties on the western side of Rockton Road. Jenkins Avenue delineates the Melvista West TZ from the low-rise Residential R12.5 and R10 codes to the south. The Melvista West TZ comprises land zoned Residential R160 and R60. The topography of Melvista West TZ gently slopes downwards in a south-westerly direction from Stirling Highway to Jenkins Avenue, with a natural high point near the intersection of Louise Street and Stirling Highway.

2.1.2 MELVISTA WEST TRANSITION ZONE MAP

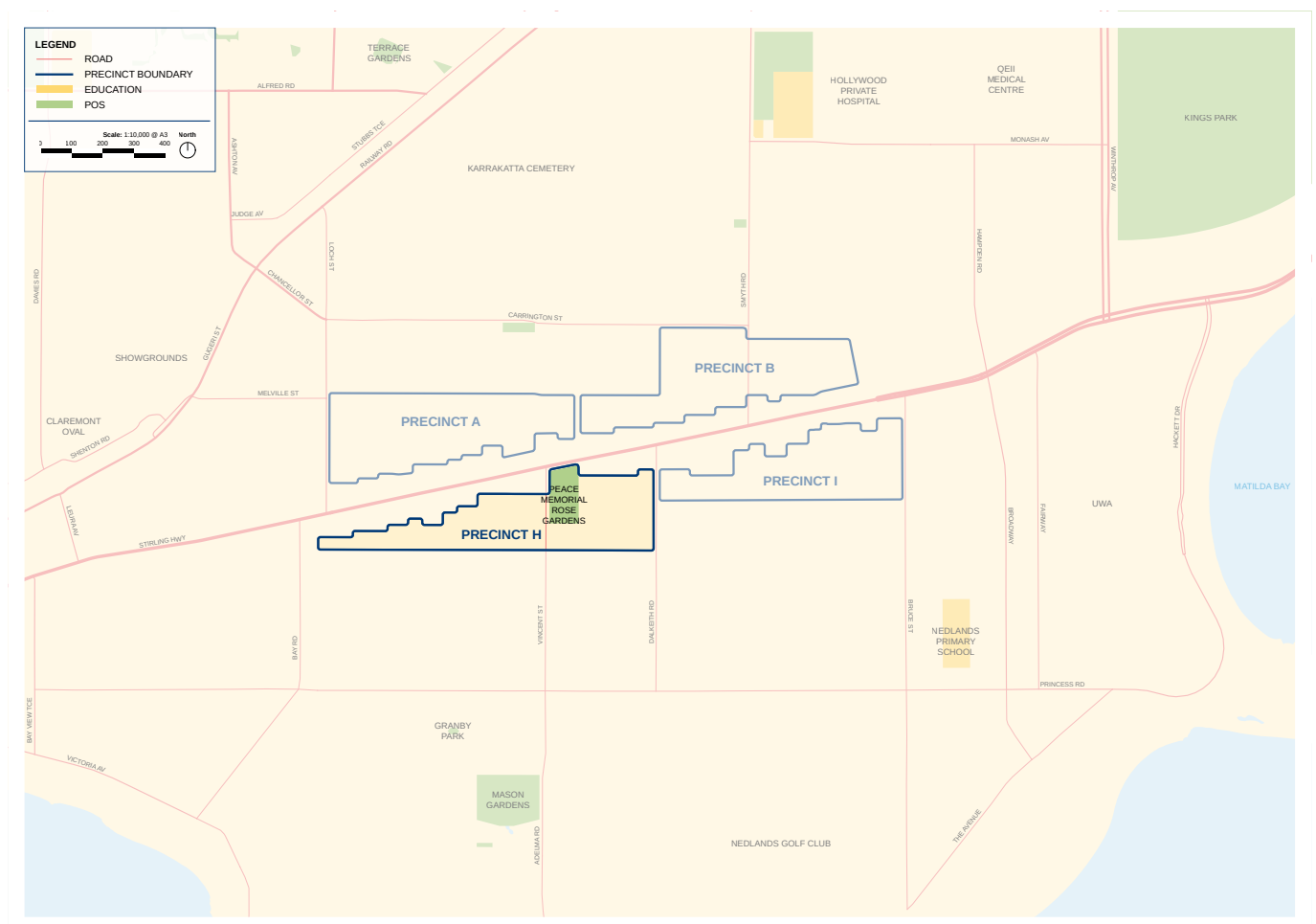


Figure 1. Melvista West TZ Individual Precinct Context Map

2.1.3 PREDOMINANT FEATURES

Due to the mixed nature of development in the area, only some built form characteristics are able to be deemed predominant (apparent in approximately 60% of lots). These predominant characteristics are:

CURRENT LOT CHARACTERISTICS

- Regular, grid like pattern of subdivision.
- Relatively large parent lots, ranging between approximately 900m²-1000m², with almost half containing single detached dwellings on original lots, and half that contain either grouped or multiple dwellings development or have been subdivided.
- Lots orientated east west.

CURRENT DWELLING TYPOLOGY

- Predominantly detached single dwellings.
- Some examples of grouped and multiple dwelling arrangements.

CURRENT SETBACKS

- Street setbacks ranging between 6 to 9 metres, depending on the dwelling typology.
- Side setbacks of approximately 2m, providing vegetated boundary interfaces.

CURRENT BUILDING HEIGHTS

- 1 - 2 storey(s)

CURRENT ARCHITECTURAL STYLE AND FORM

- A mix of traditional and modern building forms are observed. Attributes related to the California Bungalow, a popular style of housing in the Inter-war years (1920-1945) are also evident. The California bungalow is noted for its generous verandahs, open gardens, gabled roof and balanced composition.
- Face brick building material, with a small minority being tuck-pointed.
- Tiled roofing.
- Vertical fenestration.
- Verandahs and awnings.

CURRENT STREETScape AND LANDSCAPE

- Street front vehicle access with driveways located to the side of the lot.
- Modern dwellings are characterised by garages that are integrated into the design of the home, while traditional character dwellings typically feature carports or hard stands.
- Low-height, or no front fencing.
- The streets are lined with a mix of endemic and exotic, mature canopy trees, generally spaced at one per property.
- Generous front gardens that are heavily vegetated with a mix of mature canopy trees, shrubs and groundcovers.
- Wide grassed nature strips.
- Footpaths on one side of each road.
- Generous rear yards with soft landscaping.
- Gentle downward slope to the south-west from Stirling Highway to Jenkins Avenue.

2.2 Desired Future Character Statement

The Melvista West Transition Zone will provide for more diverse housing options for residents within open, high amenity, attractive and leafy-green streetscapes. Built form will respond to the streetscape and changes in development density within an appropriate building envelope, using innovative design treatments and providing appropriate massing. Appropriately dimensioned setbacks will support the retention and consolidation of canopy trees and vegetation. Development will reference the traditional built form character of the area through the integration of design elements and a high-quality palette of materials and finishes.

The following are valued elements in the desired future character of Melvista West:

1. Open, legible and attractive streetscapes;
2. Vegetated interface to the lot boundary and street; and
3. Aesthetic of the current architectural style and form being reinterpreted in a contemporary manner.

2.3 Augmented Provisions - Single Houses and Grouped Dwellings

Streetscape contexts and character	Medium Rise	Higher density urban residential
Site R-Coding	R60	R160
Minimum Primary Street setback	4m	4m
Minimum secondary street	1m	1m
Building height ¹	Wall height 8.5m (Overall height 10m)	Wall height 8.5m (Overall height 10m)
Boundary wall height	4m	4m
Side setbacks	Table 2a and 2b	Table 2a and 2b
Average Rear Setback	3m	3m
¹ Indicatively two storeys		

Note: All other provisions applied in Tables 1, 2a and 2b of the Residential Design Codes Volume 1 apply.

Figure 2. Table 1 - Augmented site requirements for single houses and grouped dwellings

2.3.1 STREET SETBACK

INTENT

To ensure that street setbacks allow for the retention of significant vegetation on-site and deep soil area to establish mature trees.

To ensure that the street setback of new development does not unreasonably impact the streetscape.

To encourage contemporary designs that respond to, and interpret, the articulation and detail of the existing dwellings of the area and avoid 'faux' or 'mock' heritage style design or bulky / boxy designs that are unsympathetic to the area.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principles P2.1 and P2.2 of the Residential Design Codes - Volume 1 apply.

DEEMED-TO-COMPLY

Deemed-comply-criteria C2.2, C2.3 and C2.4 of Residential Design Codes Volume 1 apply.

Clause C2.1 of the Residential Design Codes – Volume 1 is augmented in the following way:

- Buildings are to be set back from the primary street boundary -
 - i. in accordance with Table 1 of this policy or at a minimum of 3m where an average street setback of 5m is provided; or
 - ii. the street setback may be reduced to 2m, or 1.5m to a porch, verandah, balcony or the equivalent where:
 - single houses or grouped dwellings result from the subdivision of an original corner lot, have their main frontage to the original secondary street and make provision for a right-of-way; or
 - iii. the street setback may be reduced to 1m for single houses or grouped dwellings that have their main frontage to a communal street, laneway, or right-of-way, subject to the requirements of any other element of the R-Codes or Building Code of Australia.

In addition to augmented C2.1 of this policy, and C2.2-C2.4 of the Residential Design Codes – Volume 1, the following supplementary deemed to comply criterion applies:

- With respect to grouped dwellings, buildings mass and form to achieve the following:
 - i. development is to incorporate a palette of materials, consistent with the valued elements and Attachment 1 of this policy; and
 - ii. facade articulation is to be achieved by the use of verandahs, varied materials and finishes, building wall articulation and stepped upper levels; and
 - iii. blank walls/facades are not to address the street.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

- In addition to P2.1 and P2.2 the following supplementary Design Guidance is provided:
 - Roof form is to respond to the existing streetscape character.
 - Street setbacks are respectful of the desired future character of the Melvista West TZ consistent with the density code and the objectives of this policy.
 - To ensure that street setbacks allow for the retention of significant vegetation on site and provide deep soil area to establish medium and large canopy trees.

ILLUSTRATION/IMAGE

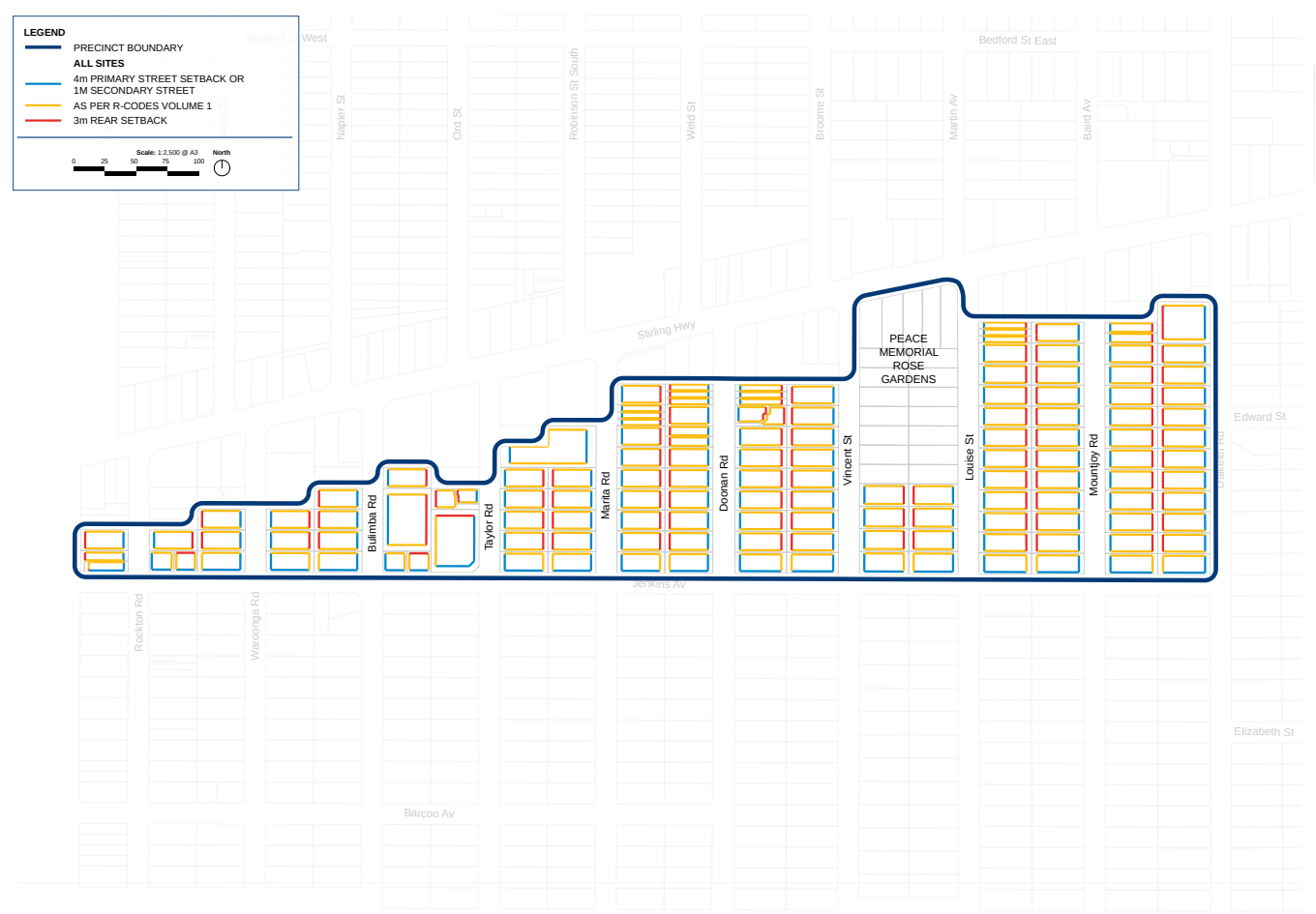


Figure 3. Single House and Grouped Dwellings - Setback Map

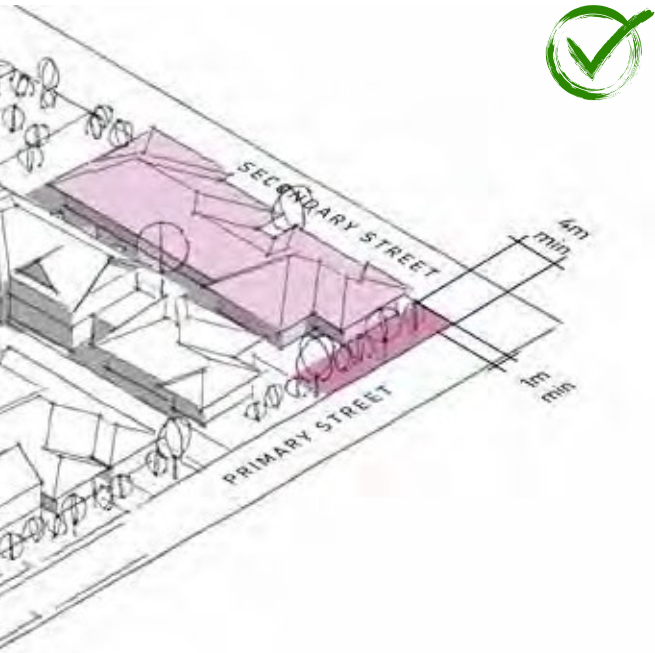


Figure 4. Single House and Grouped Dwellings - Street Setback Example Diagram

2.3.2 LOT BOUNDARY SETBACK

INTENT

The side and rear setbacks are to respond to the desired future character statement for the local area by incorporating deep soil areas and retaining any existing significant vegetation to soften the built form interface and mitigate perceived visual bulk or visual privacy impacts.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principles P3.1 and P3.2 of Residential Design Codes - Volume 1 apply.

DEEMED-TO-COMPLY

C3.1(ii-iv), C3.2 and C3.3 of the Residential Design Codes – Volume 1 apply.

Clause C3.1(i) of the Residential Design Codes – Volume 1 is augmented in the following way:

- Buildings that are setback from lot boundaries in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes Volume 1:
- Buildings set back from lot boundaries in accordance with Table 1 of this policy; and
- Buildings set back from lot boundaries in accordance with Table 2a and 2b of the Residential Design Codes Volume 1.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P3.1 and P3.2, the following supplementary Design Guidance is provided:

- Lot boundary setbacks are to respect the desired future character of the Transition Zone, consistent with the applicable density code.
- Lot boundary setbacks are to maximise the retention of existing healthy trees, where appropriate.

ILLUSTRATION/IMAGE

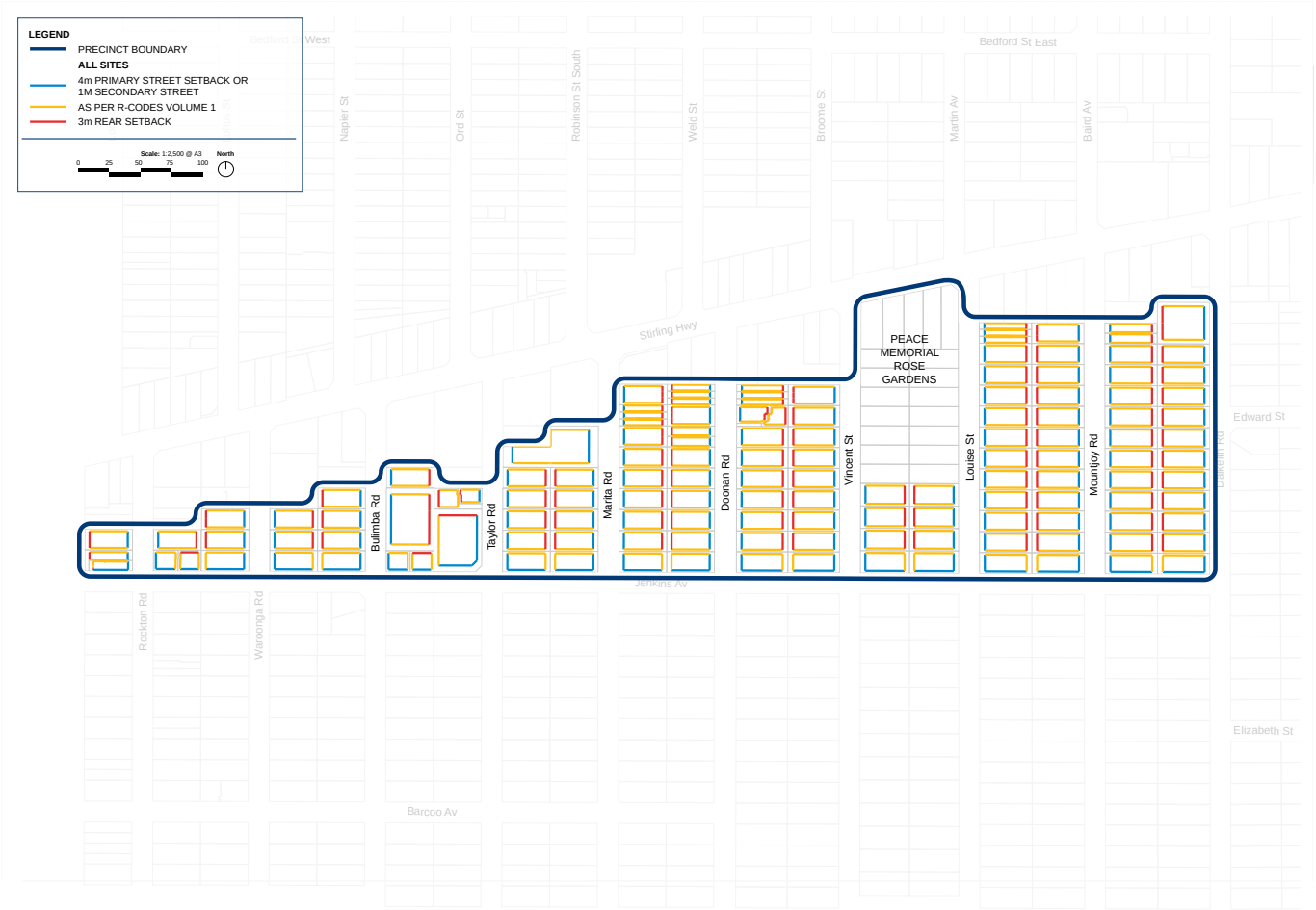


Figure 5. Single House and Grouped Dwellings - Setback Map

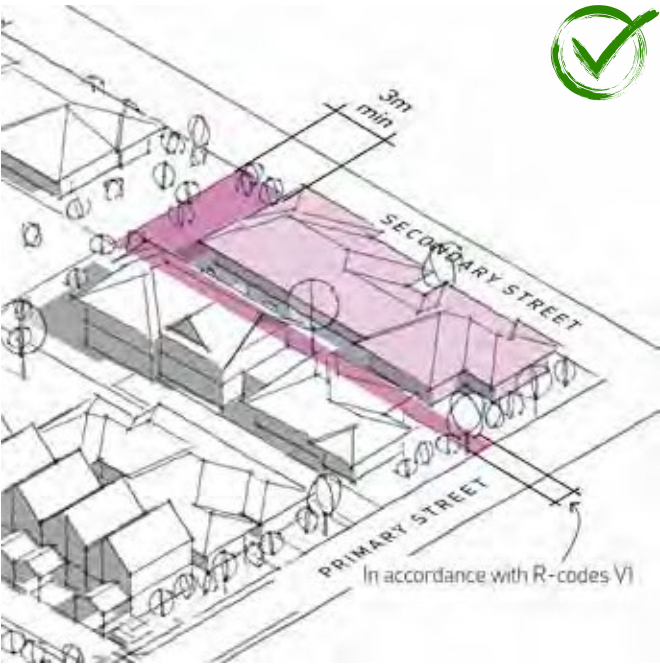


Figure 6. Single House and Grouped Dwellings - Lot Boundary Setback Example Diagram

2.3.3 BUILDING HEIGHT

INTENT

Maintaining an appropriate scale at the street interface is a key factor for the future development of the policy area. Therefore, building height of the development should be sympathetic to the existing and desired future character of local area.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principle P6 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

Clause C6 of the Residential Design Codes – Volume 1 is augmented in the following way:

Building height of development to be in accordance with Table 1 of this policy, except where varied below:

- Buildings with a maximum wall height up to 10.5m (indicatively 3 storeys) and an overall height of up to 12m are permitted where they adjoin an existing three storey or higher building and/or a higher density code and where any of the following are demonstrated:
 - high-quality design as determined by a Design Review Panel; or
 - basement parking; or
 - the top floor of the front dwelling is recessed 3m from the street interface; or
 - a healthy medium to large tree is retained and supported by an arborist report, or a medium to large tree is proposed on the relevant lot; or
 - where Deep Soil Area exceeds 12% of the site area.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P6 the following supplementary Design Guidance is provided:

- Building height is respectful of the desired future character of the transition zone consistent with the applicable density code.
- The building height of development should avoid bulky or 'box-like' built forms that dominate the streetscape.
- The building height of development is encouraged to be consistent with the relevant density code and provide a gradual transition in the built form.

ILLUSTRATION/IMAGE

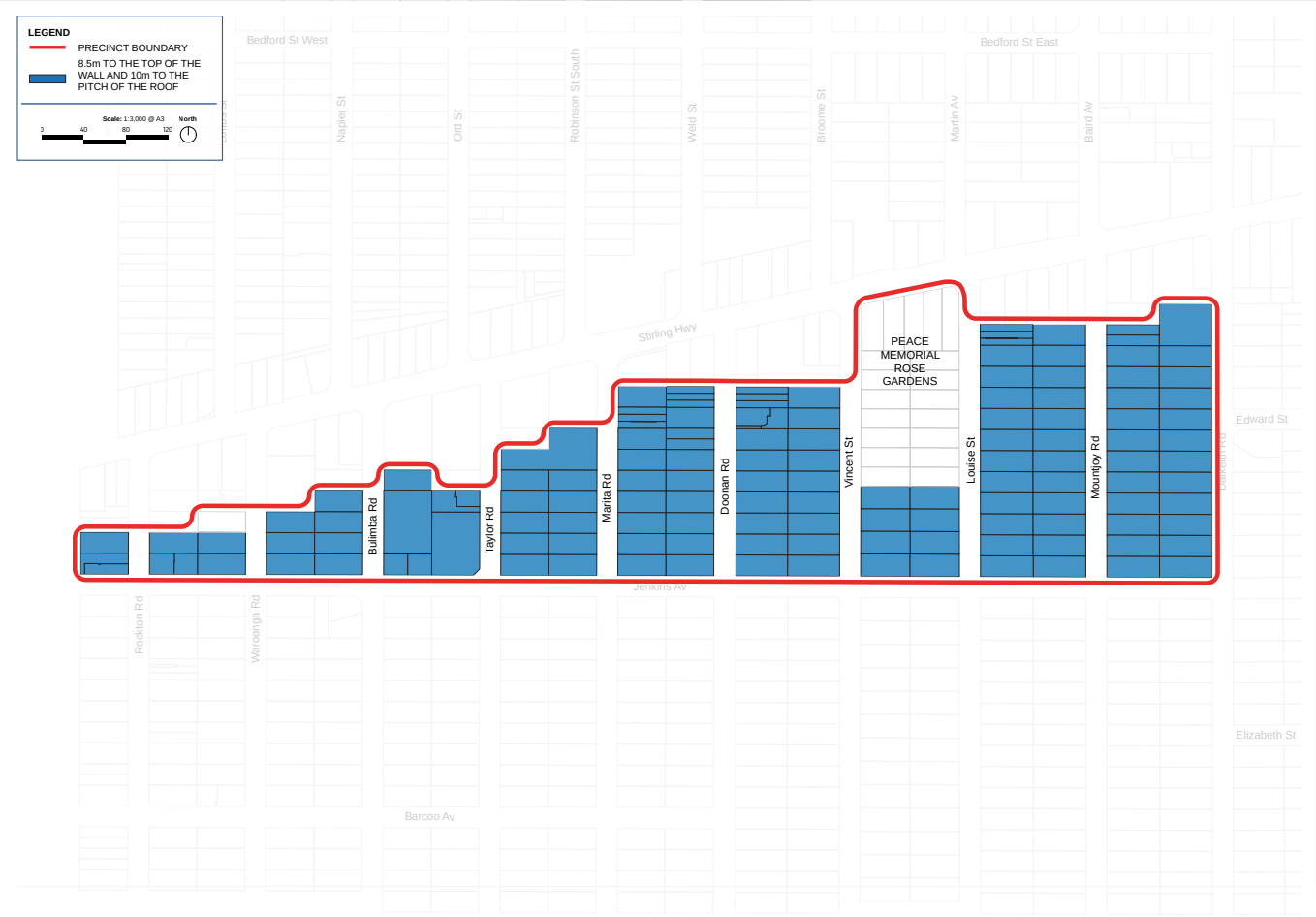


Figure 7. Single House and Grouped Dwellings - Building Height Map

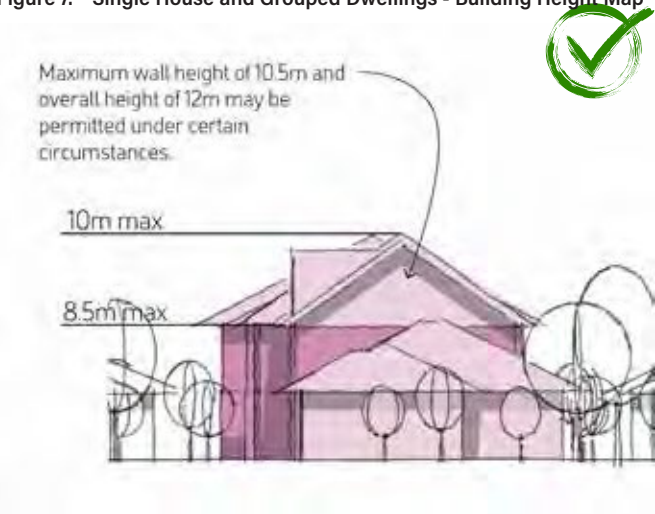


Figure 8. Single House and Grouped Dwellings - Building Height Example Diagram

2.3.4 SETBACK OF GARAGES AND CARPORTS

INTENT

Design and location of car parking spaces minimises negative visual impacts on amenity and streetscape.

OBJECTIVE

The objective in clause 5.2 – Streetscape applies.

DESIGN PRINCIPLES

Design Principle P1 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

Clause C2.1 of the Residential Design Codes – Volume 1 is augmented in the following way:

- Carports to single houses set back from the primary street in accordance with clause 5.1.2 C2.1(i) of this policy and C2.1(ii-iv) of the Residential Design Codes Volume 1.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P1 the following supplementary Design Guidance is provided:

- That the location of car parking is consistent with the desired future character of the transition zone, consistent with the applicable density code and form of development.
- That car parking structures, and associated driveways do not dominate the streetscape.

ILLUSTRATION/IMAGE

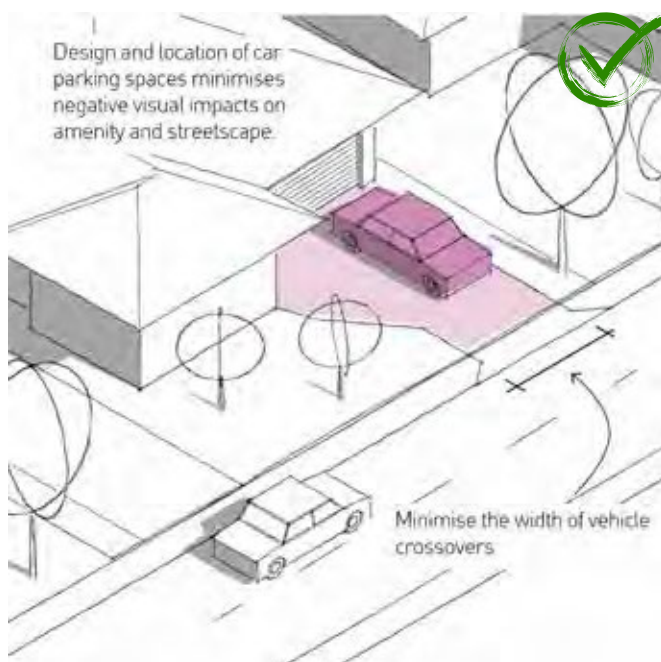


Figure 9. Single House and Grouped Dwellings - Setback of Garages and Carports Example Diagram

2.3.5 LANDSCAPING

INTENT

Pursuant to SPP7.0 – Design of the Built Environment, development is to incorporate landscaping to reinforce the existing leafy-green character of the transition zone.

A valued element of the Melvista West TZ area is the extent of vegetation within both private and public land. As such, the provision of soft landscaping with tree planting is encouraged, whilst limiting unnecessary hard-stand spaces where possible.

OBJECTIVE

The objectives in clause 5.3 – Site planning and design apply.

DESIGN PRINCIPLES

Design Principle P2 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

In addition to C2 of the Residential Design Codes – Volume 1 the following additional deemed to comply criteria apply:

- A landscaping plan completed by a qualified, practicing landscape architect or landscape designer is to be submitted with each grouped dwelling application. This plan is to include or demonstrate the following:
 - a planting schedule that is consistent with the City's preferred species list, that details the common and botanical species names, exotic/native classification, the height and width at maturity, number of plants proposed and pot sizes (where relevant).
 - a minimum of 40% of the front and rear setback area shall be provided as soft landscaping.
 - Deep soil area and tree canopy to achieve the tables below:

Minimum deep soil area (DSA) and tree provision requirements for single and grouped dwellings in R40, R60, R80 and R160 transitional density areas

Proposed Site Area	Minimum deep soil area ²	Minimum requirements for trees ¹ behind front setback area	Minimum requirements for trees ¹ in front setback area	Retention of existing on-site trees criteria as part of the deep soil area.
Less than 200m ²		1 medium tree OR small trees to suit area		
200 - 500m ²	10% OR 7% if existing tree(s) retained on site	2 medium trees OR 1 medium tree and small trees to suit area	A minimum of 2 small trees or 1 medium tree located within the front setback area, co-located where possible with existing trees on site or adjoining properties trees.	• 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.
>500m ²	(% of site area)	1 medium tree and small trees to suit area OR 3 medium trees OR 1 large tree and small trees to suit area		

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

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

Tree sizes

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

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

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P2 the following supplementary Design Guidance is provided:

- Development is to prioritise the retention of existing significant trees and maintain the urban canopy.
- Landscaping is to be designed to reduce the impact of development on adjoining residential land and streetscape.
- Ensure that primary street setback areas contain healthy and appropriate trees that contribute to the desired future character of the area.
- Landscape design for common property, communal open space and private property is to contribute to the desired future character of the transition zone.
- Development is to minimise impermeable and hardstand areas within front and rear setbacks.
- Deep soil areas identified in the landscaping plan are to be appropriately located and dimensioned to support optimal growing conditions for the selected tree species.
- Site planning is to consider existing significant tree canopy and utilise preferred plant species, that are 'waterwise' or otherwise appropriate to the Western Australian climatic conditions.

ILLUSTRATION/IMAGE

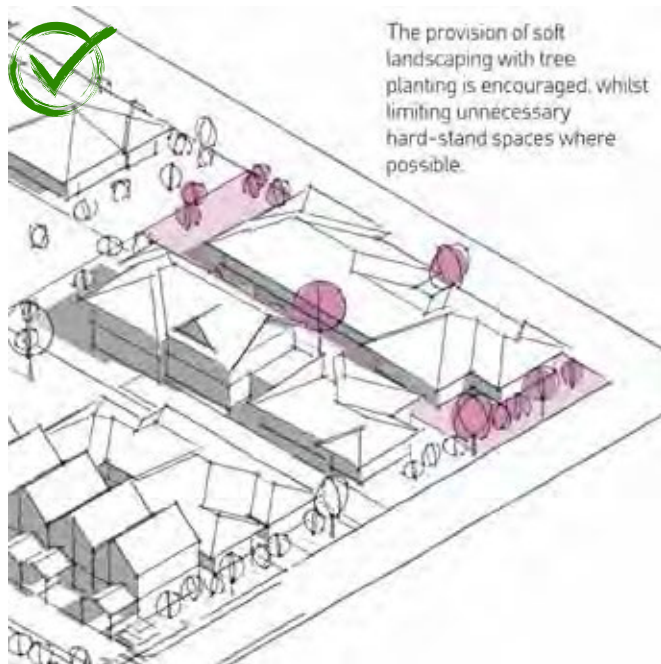


Figure 10. Single House and Grouped Dwellings - Landscaping Example Diagram

2.3.6 DESIGN OF CAR PARKING SPACES

INTENT

Design and location of car parking spaces minimises negative visual impacts on amenity and streetscape.

OBJECTIVE

The objective in clause 5.3 – Site planning and design applies.

DESIGN PRINCIPLES

Design Principle P4 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

In addition to C4.1-C4.3 the following deemed-to-comply criteria apply:

- Car parking areas are to be integrated into the building design and screened from view from the street and adjoining properties.
- Where parking spaces are located forward of the dwelling(s), permeable paving treatments and soft landscape screening to be provided.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P4 the following supplementary Design Guidance is provided:

- To ensure that the design of car parking spaces is consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE



Figure 11. Single House and Grouped Dwellings - Building Height Example Diagram

2.3.7 VEHICULAR ACCESS

INTENT

To ensure that new development minimises the loss of street trees and maximise the area of green verge through relocation and consolidation of vehicle access.

OBJECTIVE

The objective in clause 5.3 – Site planning and design applies.

DESIGN PRINCIPLES

Design Principle P5.1 and P5.2 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

C5.2 – C5.7 of the Residential Design Codes - Volume 1 apply.

C5.1 of the Residential Design Codes - Volume 1 is augmented in the following way:

- Access to on-site car parking spaces to be provided:
 - Where available, from a laneway/ right-of-way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street
 - From a secondary street where no right-of-way exists
 - From a primary street frontage where no secondary street, communal street or right-of-way exists; or
 - Where a laneway (secondary street) is identified in accordance with Clause 32.3 (1) of the Scheme, access to on site car parking spaces is to be provided from the ceded and constructed section of the laneway.

In addition to augmented C5.1 of this policy and C5.2 – C5.7 of the Residential Design Codes – Volume 1, the additional deemed-to-comply criteria apply:

- Car parking for grouped dwellings is to be accessed via a consolidated access point.
- Low voltage bollard lighting or similar, and wayfinding signage is to be provided to communal driveway access and rights of way to provide additional safety.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P5.1 and P5.2 the following supplementary Design Guidance is provided:

- To ensure that vehicle access is consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE



Single House and Grouped Dwellings - Vehicular Access Example Diagram



2.4 Augmented Provisions – Multiple Dwellings

Streetscape contexts and character	Medium Rise	Higher density urban residential
Site R-Coding	R60	R160
Building height ¹	3	5
Maximum height of street wall/podium (storeys) ²	2	3
Boundary wall height ^{3,4}	1 storey (up to a maximum height of 4m)	1 storey (up to a maximum height of 4m)
Minimum primary and secondary street setbacks ⁵	4m	4m
Average street setbacks where building width exceeds 16m	6m	6m
Minimum side setbacks ^{3,4,6}	3m	3m
Average side setback where building length exceeds 16m	3.5m	4m
Minimum rear setbacks ⁶	6m	6m
Plot ratio ⁷	0.8	2.0

Notes:

¹ Indicatively the height per storey is 3m, with 2m provided for roof articulation. Rooftop habitable rooms (communal dining, gyms etc.) constitute a storey.

² Development above the street wall/podium is to be set back a minimum of 3m from the street wall/podium.

³ Boundary walls are only permitted on one boundary and shall not exceed 2/3 length.

⁴ Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions

⁵ Minimum secondary street setback 1.5m.

⁶ Boundary setbacks will also be determined by provisions for visual privacy and building separation provisions within the Residential Design Codes Vol. 2.

⁷ Refer to definitions for calculation of plot ratio in the Residential Design Codes Vol. 2.

Figure 12. Table 2 - Augmented Primary Control Table - Multiple Dwellings

2.4.1 BUILDING HEIGHT

INTENT

Residential Design Codes Volume 2 Intent Statement for Building height applies, with the following additional consideration provided:

- Building height is to achieve a gradual built form transition, sympathetic to the streetscape and adjoining properties and consistent with the desired future character of the transition zone.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O 2.2.1, O2.2.2, O2.2.3 and O2.2.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A2.2.1 is augmented in the following way:

A2.2.1 – Development complies with the building height provisions set out in Table 2 of this policy, except where modified by the supplementary Acceptable Outcomes below.

Supplementary Acceptable Outcomes:

A 2.2.2 - Development design to include street walls or podiums consistent with Table 2 of this policy.

A 2.2.3 - Development up to one (1) additional storey above the maximum building height provided for in Table 2 of this policy may be supported where the development site directly abuts land with a higher residential density code. The additional storey is to be:

- set back a further 3m than the street, side and rear setbacks set out in Table 2 of this policy; and
- The additional storey achieves the objectives of Element 3.2 – Orientation, Element 3.5 – Visual Privacy, Element 4.1 – Solar and daylight access.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Building height:

- Lightly framed, unenclosed balconies that do not contribute to bulk may extend forward of the required setback in A2.2.2 and A2.2.3.
- The indicative building height noted in Table 2 of this policy allows for 2m of roof articulation. This height is not to be used for the purpose of creating an additional storey (habitable dwellings).
- Building height is to be respectful of the desired future character of the transition zone, consistent with the applicable density code to achieve a gradual built form transition.
- Where a street wall or podium is not provided, development design is to be of pedestrian scale.
- Roof top communal open space is encouraged where it is sensitively located, away from adjoining properties and oriented towards the street.
- Contemporary roof forms that reference or reinterpret existing character elements and integrate with the streetscape are encouraged.
- Unarticulated, imposing or 'boxy' buildings are not consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE

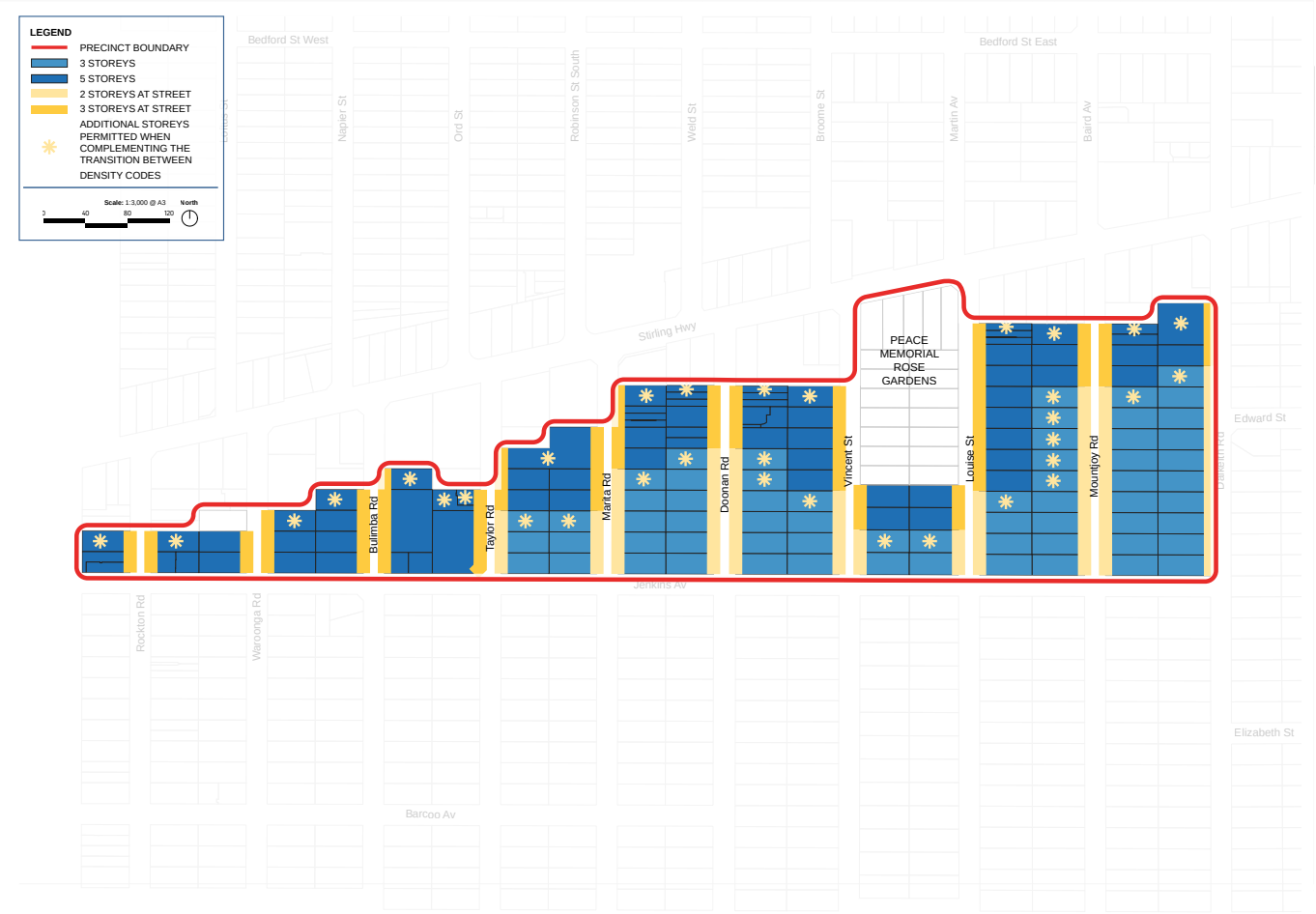


Figure 13. Multiple Dwellings - Building Height Map



Figure 14. Multiple Dwellings - Building Height Example Diagram

2.4.2 STREET SETBACK

INTENT

Residential Design Codes Volume 2 Intent Statement for Street setback applies with the following additional consideration provided:

- Consistent, generous street setbacks will provide designated areas for tree planting with access to midday winter sun.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O 2.3.1, O 2.3.2, O 2.3.3 and O 2.3.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A2.3.1 is augmented in the following way:

A 2.3.1 - Development complies with the street setback provisions set out in Table 2 of this policy, except where modified by the supplementary Acceptable Outcome below.

Supplementary Acceptable Outcomes:

A 2.3.2 - Development is set back from the street boundary in order to achieve the Objectives outlined in Element 3.2 – Orientation, Element 3.3 – Tree canopy and deep soil areas of the R-Codes Volume 2.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Street setback:

- Street setbacks are to be sympathetic to the desired future character statement of the transition zone.
- Appropriate street setbacks and/or arboricultural intervention are needed to ensure the retention of healthy significant trees close to the street boundary.
- Street setbacks are to maximise the provision of soft landscaping within the street setback and limit the extent of hardstand elements (paving, vehicle access, parking bays) where possible.
- Development is to be appropriately set back to maintain adequate midday winter sunlight to southern site's street setback area.

ILLUSTRATION/IMAGE

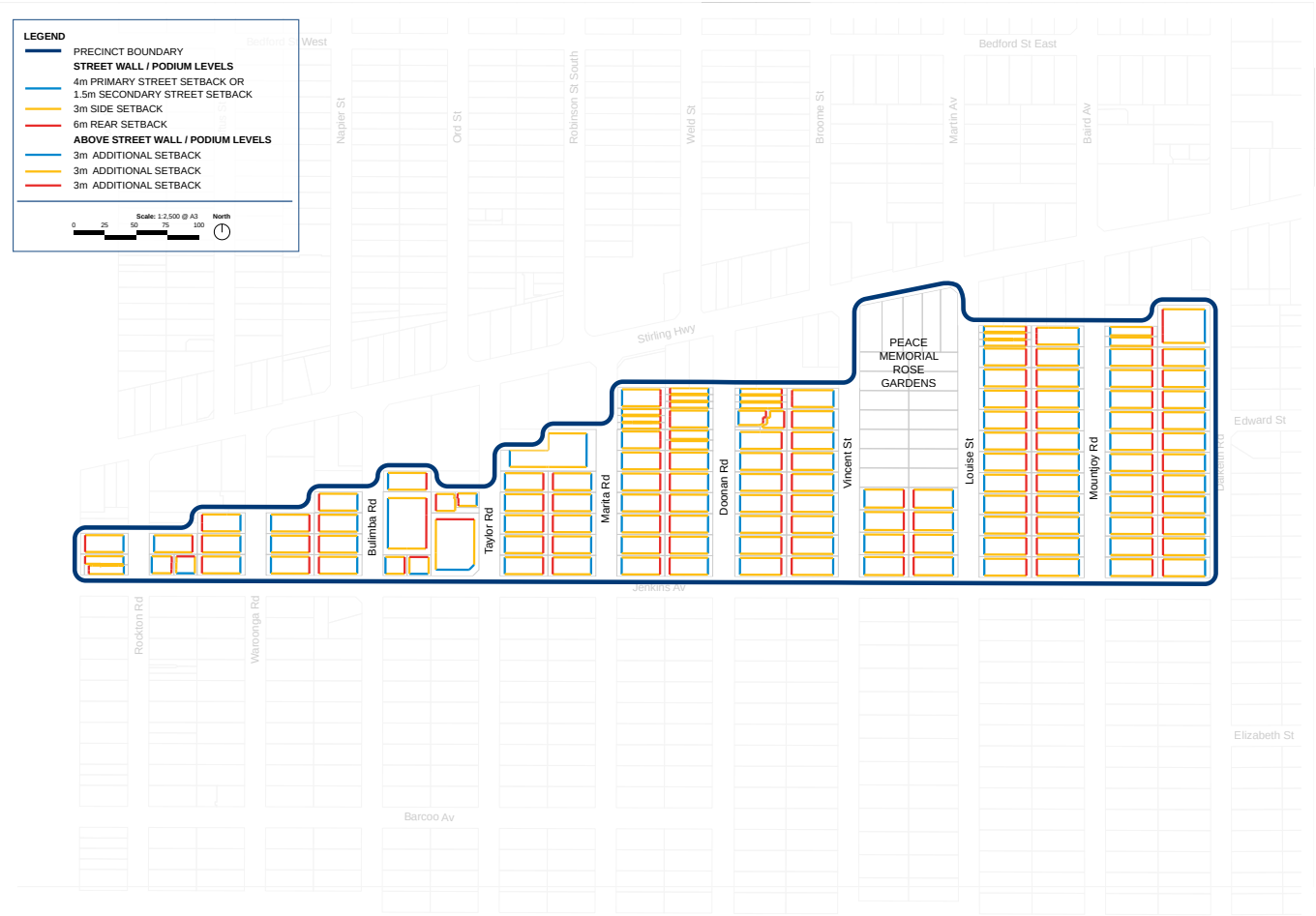


Figure 15. Multiple Dwellings - Setbacks Map

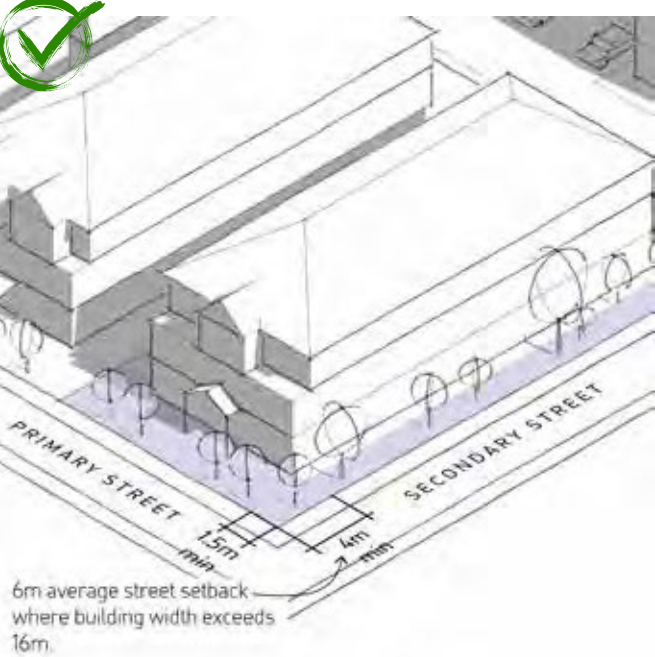


Figure 16. Multiple Dwellings - Street Setbacks Example Diagram

2.4.3 SIDE AND REAR BOUNDARY

INTENT

Residential Design Codes Volume 2 Intent Statement for Side and rear setbacks applies, with the following additional consideration provided:

- The side and rear street setbacks of the development are important places to locate deep soil areas, landscaping, tree canopy and maintain visual privacy. The side and rear setbacks of development within transition zone are to maintain the open and leafy-green character of the area. Generous rear setbacks throughout transition zone will ensure consistent designated areas for tree planting with access to winter sun.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O 2.4.1, O 2.4.2, O 2.4.3 and O 2.4.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A 2.4.1 and A 2.4.2 are replaced with the following:

A 2.4.1 - Development complies with the side and rear setbacks set out in Table 2 of this policy, except where modified by the supplementary provisions below.

A2.4.2 – Where proposed development is consistent with the permitted height provisions of this policy, the top floor wall (excluding private and or communal open space) shall be set back 3m greater than the required side and/or rear setbacks of Table 2 of this policy where it is adjacent to:

- land with a lower residential density code; or
- buildings that are unlikely to change.

Supplementary Acceptable Outcomes:

A 2.4.3 - Notwithstanding the requirements of A2.4.1 and A2.4.2 of this policy, development must also comply with the visual privacy setbacks set out in Table 3.5a of the R-Codes Volume 2.

A2.4.4 – Development is set back from the boundary in order to achieve the Objectives outlined in Element 2.7 Building separation, Element 3.5 Visual privacy, Element 3.3 Tree canopy and Deep soil areas, Element 4.1 Solar and daylight access and Element 4.11 Landscape design.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Side and rear setback:

- Buildings are to be set back from the side and rear boundary, consistent with the desired future character of the Melvista West TZ.
- Development is to be designed to minimise the impact of bulk and scale on future development on adjoining land with a lower density code or existing development that is unlikely to change.
- Due to the predominant east-west lot arrangement of lots, overshadowing is difficult to avoid. Development is to maintain generous front and rear setbacks to provide consistent designated areas for tree canopy and landscaping opportunity with access to winter sunlight.

ILLUSTRATION/IMAGE

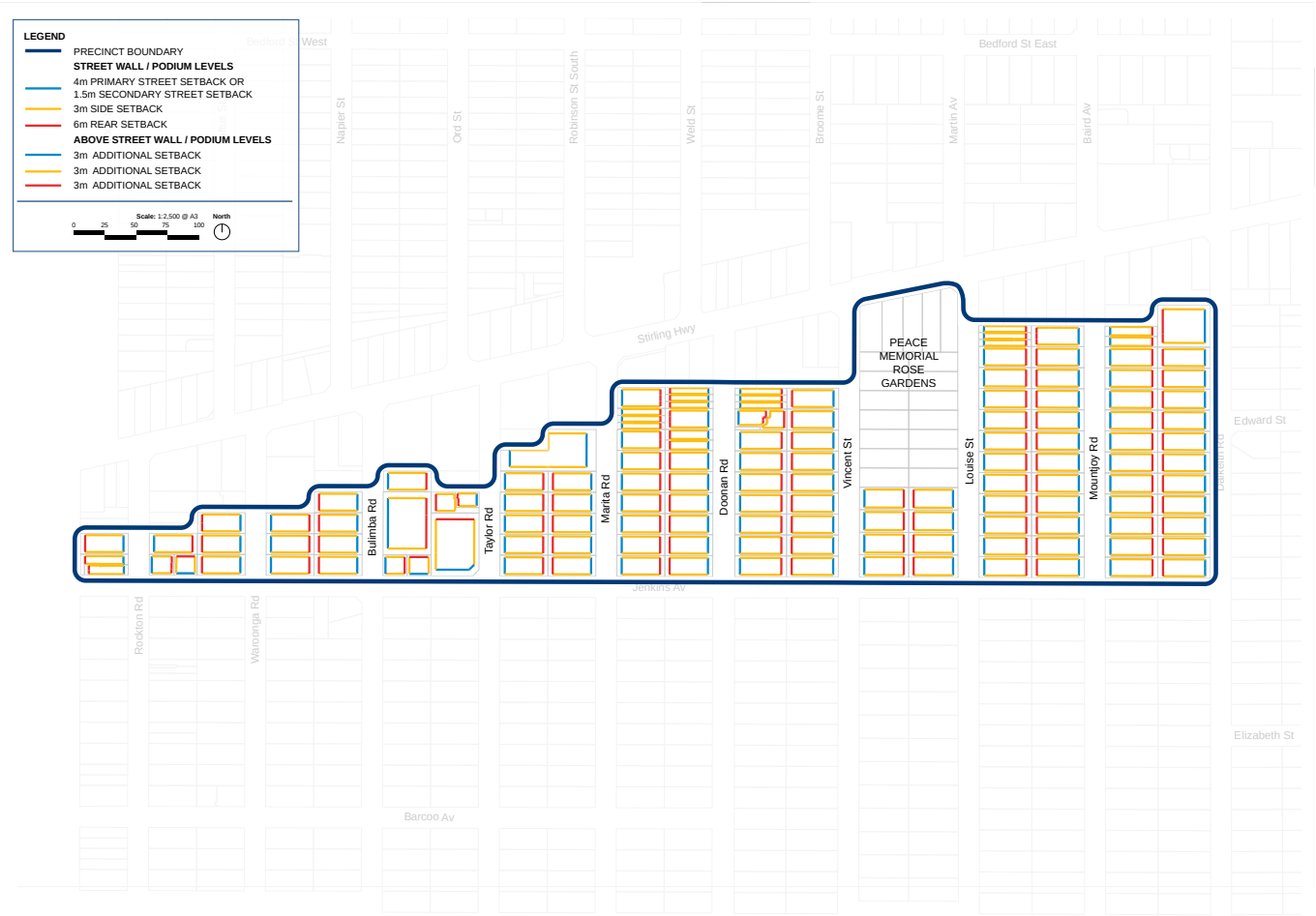


Figure 17. Multiple Dwellings - Setbacks Map

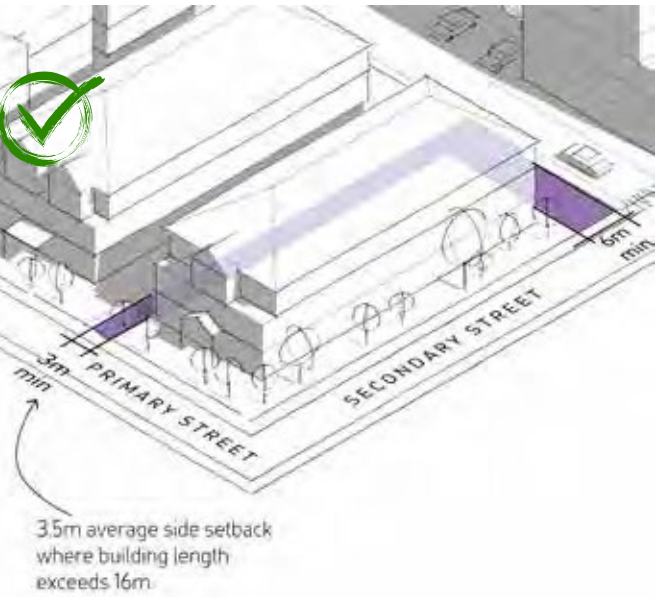


Figure 18. Multiple Dwellings - Side and Rear Boundary Example Diagram

2.4.4 TREE CANOPY AND DEEP SOIL AREAS

INTENT

Residential Design Codes Volume 2 Intent Statement for Tree Canopy and Deep Soil Areas applies with the following additional consideration provided:

- Mature canopy trees soften the bulk and visual privacy impact of apartment buildings, offer attractive outlook for residents, habitat for fauna and improve the urban heat island effect. There is an expectation that new development will feature existing or a new medium-to-large, mature canopy tree(s) species suited to the location within the street, side and rear ground level setback areas.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O3.3.1, O3.3.2, O3.3.3 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.3.1, A3.3.2, A3.3.3, A3.3.4, A3.3.5, A3.3.6, A3.3.7 apply.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.3.1, DG3.3.2, DG3.3.3, DG3.3.4, DG3.3.5, DG3.3.6, DG3.3.7 apply.

Supplementary Design Guidance:

- Tree species are provided in accordance with the City's preferred tree species list.
- Table 3.3a sets out the minimum number of trees to be provided. Depending on the lot size, scale of development, tree age and species, additional canopy trees may be required to achieve the desired future character of the transition area.

ILLUSTRATION/IMAGE



Figure 19. Multiple Dwellings - Tree Canopy and Deep Soil Areas Example Diagram

2.4.5 VEHICLE ACCESS

INTENT

Residential Design Codes Volume 2 Intent Statement for Vehicle access applies, with the following additional consideration provided:

- Vehicle entry points are a defining feature of the façade. Vehicle entry and access should be consistent with the scale of development and should avoid dominating elements which affect the overall façade design and / or streetscape.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O 3.8.1 and O 3.8.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.8.2, A3.8.3, A3.8.4, A3.8.5, A3.8.6, A3.8.7 apply.

A3.8.1 is augmented in the following way:

A 3.8.1 - Vehicle access point limited to one opening with a maximum width of 6m per 20m street frontage that is visible from the street.

Supplementary Acceptable Outcomes:

A3.8.8 - Where a secondary street, including laneways, abuts the rear or side of the development site, vehicle access shall be gained via the existing laneway/secondary street.

A3.8.9 – Vehicle entries to be provided with doors or gates.

A3.8.10 – Vehicle entries are kept to a functional minimum relative to the traffic volumes, with in-built passing points where necessary.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.8.1, DG3.8.2, DG3.8.3, DG3.8.4 and DG3.8.5 apply.

Supplementary Design Guidance:

- Wayfinding cues, such as low-voltage bollard lighting, are to be provided to communal driveway access and rights of way to provide additional safety.
- Vehicle access and entry are to be designed to be consistent with the scale of development

ILLUSTRATION/IMAGE

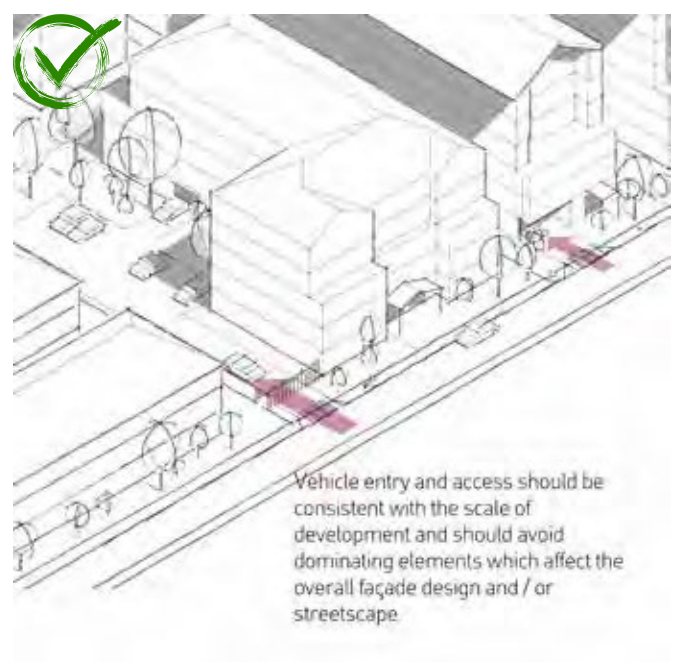


Figure 20. Multiple Dwellings - Vehicle Access Example Diagram

2.4.6 CAR AND BICYCLE PARKING

INTENT

Residential Design Codes Volume 2 Intent Statement for Car and bicycle parking applies.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O 3.9.1, O3.9.2, O3.9.3 O3.9.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.9.1, A3.9.2, A3.9.3, A3.9.4, A3.9.6, A3.9.8, A3.9.9, A3.9.10 apply.

A3.9.5 is augmented in the following way:

A3.9.5 - Car parking areas, including visitor bays, are not to be located within the street setback area and are not to be visually prominent from the street.

A3.9.7 is augmented in the following way:

A3.9.7 - Visitor parking is clearly visible from the vehicle entry point to the car parking area.

Supplementary Acceptable Outcomes:

A3.9.11 - At-grade and/or upper floor resident car parking areas are to be sleeved, integrated into the overall design and not visually obtrusive from the street.

A3.9.12 - Car parking space provision should not limit the provision of tree canopy and landscaping to the site.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.9.1, DG3.9.2, DG3.9.3, DG3.9.4, DG3.9.5, DG3.9.6, DG3.9.7 apply.

Supplementary Design Guidance:

- To ensure that the location and design of car parking spaces is consistent with the desired future character of the transition zone.
- Car parking areas to be designed to avoid nuisance, including acoustic and light emissions to adjoining properties.

ILLUSTRATION/IMAGE

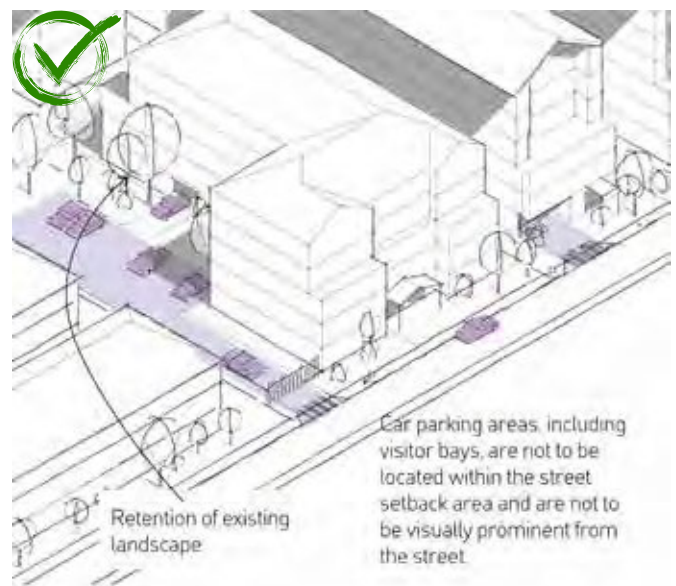


Figure 21. Multiple Dwellings - Car and Bicycle Parking Example

2.4.7 FAÇADE DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Façade Design applies.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O4.10.1 and O4.10.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.10.2, A4.10.3, A4.10.4, A4.10.5, A4.10.6 apply.

A4.10.1 is augmented in the following way:

A4.10.1

- Scaling, articulation, materiality and detailing that reflect the scale, character and function of the public realm and the desired future character.
- streetscape rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.
- responding to the desired future character by incorporating high quality materials and finishes that are sympathetic to the desired future neighbourhood character.

Supplementary Acceptable Outcomes:

A4.10.7 – Façade design is to be coherent, with a balanced composition of building elements to achieve scale, texture and rhythm, including expressions of horizontal and vertical elements in the streetscape.

A4.10.8 – Façade design is to include well defined entries that are integrated into the overall design.

A 4.10.9 - Development is to achieve pedestrian scale by incorporating podiums/street walls, with the remaining upper floors set back consistent with Element 2.2 – Building height.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG 4.10.1, DG 4.10.2, DG4.10.3, DG4.10.4, DG4.10.5 apply.

Supplementary Design Guidance:

- Development to incorporate design elements that achieve a fine urban grain pattern.
- Contemporary design is encouraged, with building materials, colours and finishes to reference those existing within the streetscape (refer Attachment 1).
- Design elements sympathetic to the existing locality are encouraged, 'faux' character details are not.

ILLUSTRATION/IMAGE



Figure 22. Multiple Dwellings - Façade Design Example Diagram

2.4.8 ROOF DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Roof design applies.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O4.11.1 and O4.11.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.11.2, A4.11.3 apply.

A4.11.1 is augmented in the following way:

A4.11.1 - The roof form or top of building complements the façade design and the desired future character of the transition zone.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG 4.11.1, DG 4.11.2, DG4.11.3, DG4.11.4 apply.

ILLUSTRATION/IMAGE



Figure 23. Multiple Dwellings - Roof Design Example Diagram

2.4.9 LANDSCAPE DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Landscape design applies.

ELEMENT OBJECTIVE

Residential Design Codes Volume 2 Element Objectives O4.12.1, O4.12.2, O4.12.3, O4.12.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.12.2, A4.12.3, A4.12.4 apply.

A4.12.1 is augmented in the following way:

A4.12.1 – The submission of a landscaping plan prepared by a qualified, practicing landscape architect or landscape designer is to be submitted with each multiple dwelling application. The plan is to include a species list and irrigation plan demonstrating achievement of the Waterwise design principles. Vegetation selection is to include endemic and/or water wise, medium to large tree species, as per the City's list of preferred species and be suited to their location.

Supplementary Acceptable Outcomes:

A4.12.5 – Landscaped areas are designed and located to soften the visual privacy and bulk impact of new development.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance apply.

Supplementary Design Guidance:

- The use of appropriately sized planter boxes at the external edge of balconies is encouraged to soften the visual privacy impact of upper floor balconies on adjoining dwellings, irrespective of compliance with Table 3.5a of the R-Codes Volume 2.
- Where development is not able to achieve DSA in accordance with Table 3.3a of the Residential Design Codes Volume 2 due to the provision of basement parking, sufficient information, in relation to soil volume, depth and area and irrigation plan is to be included in the landscape plan to determine the viability of planting on structure.
- To maintain a leafy green desired future character, applicants shall propose soft landscaping within setback areas that includes the planting or retention of significant canopy trees. Where this cannot be achieved due to basement car parking, tree planting to be provided with the minimum soil standards outlined in Table 4.12 may be considered as an alternative method to achieving a significant canopy on site.

ILLUSTRATION/IMAGE



Figure 24. Multiple Dwellings - Roof Design Example Diagram

2.4.10 DEVELOPMENT INCENTIVES FOR COMMUNITY BENEFIT

INTENT

Residential Design Codes Volume 2 Intent Statement for Development Incentives for Community Benefit.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Design Guidance PG2.8.1 and PG2.8.2 apply.

Supplementary Planning Guidance:

PG 2.8.3 - Where development:

- exceeds the intended building height A2.2.1 or A2.2.3 by up to a maximum of one storey; and/or
- is proposed on land coded R60 and has an assessed plot ratio of between 1.05:1 to a maximum of 1.3:1, or is proposed on land coded R160 and has an assessed plot ratio of between 2.25:1 to a maximum of 2.5:1 all of the following is to be demonstrated:
 - i. A development lot size area is in excess of 2000m²; and
 - ii. The additional building height is designed and set back so as not be substantially visible from the street or adjoining properties; and
 - iii. Basement car parking; and
 - iv. For sites with existing significant tree(s), the retention of one viable medium or large mature significant tree;
 - v. Deep soil areas measuring 15% of the site area; and
 - vi. Dwelling diversity – the provision of:
 - 10% of 3-bedroom dwellings across the development and/or
 - 30% of dwellings achieving Silver requirements as defined in the Liveable Housing Design Guidelines and/or
 - 15% of dwellings designed to Platinum Level as defined in the Liveable Housing Design Guidelines;
 - vii. the additional building height meets the Objectives of Element 3.2; and
 - viii. High-quality design in respect to context and character, built form and scale, materials and finishes as considered by a Design Review Panel; and
 - ix. Achieves a 5 Green star energy efficiency measures (or equivalent to the City's satisfaction), confirmed by a qualified sustainability consultant; and
 - x. Additional water conservation measures, confirmed by a qualified sustainability consultant, demonstrating exceptional water management and conservation and a significant reduction in mains water use, consistent with the Tables below

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design and As-Built rating tool	5-star Green Star rating	Preliminary Sustainable Design Report prepared by a Green Star Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to be demonstrated eligibility for 5-star Green Star rating.
Life Cycle Assessment in Accordance with EN15978- Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to non-integrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies
Performance Requirement			
		Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)		< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.			



3.0

Part Two

Explanatory Report

3.1 Map of Melvista West Zone

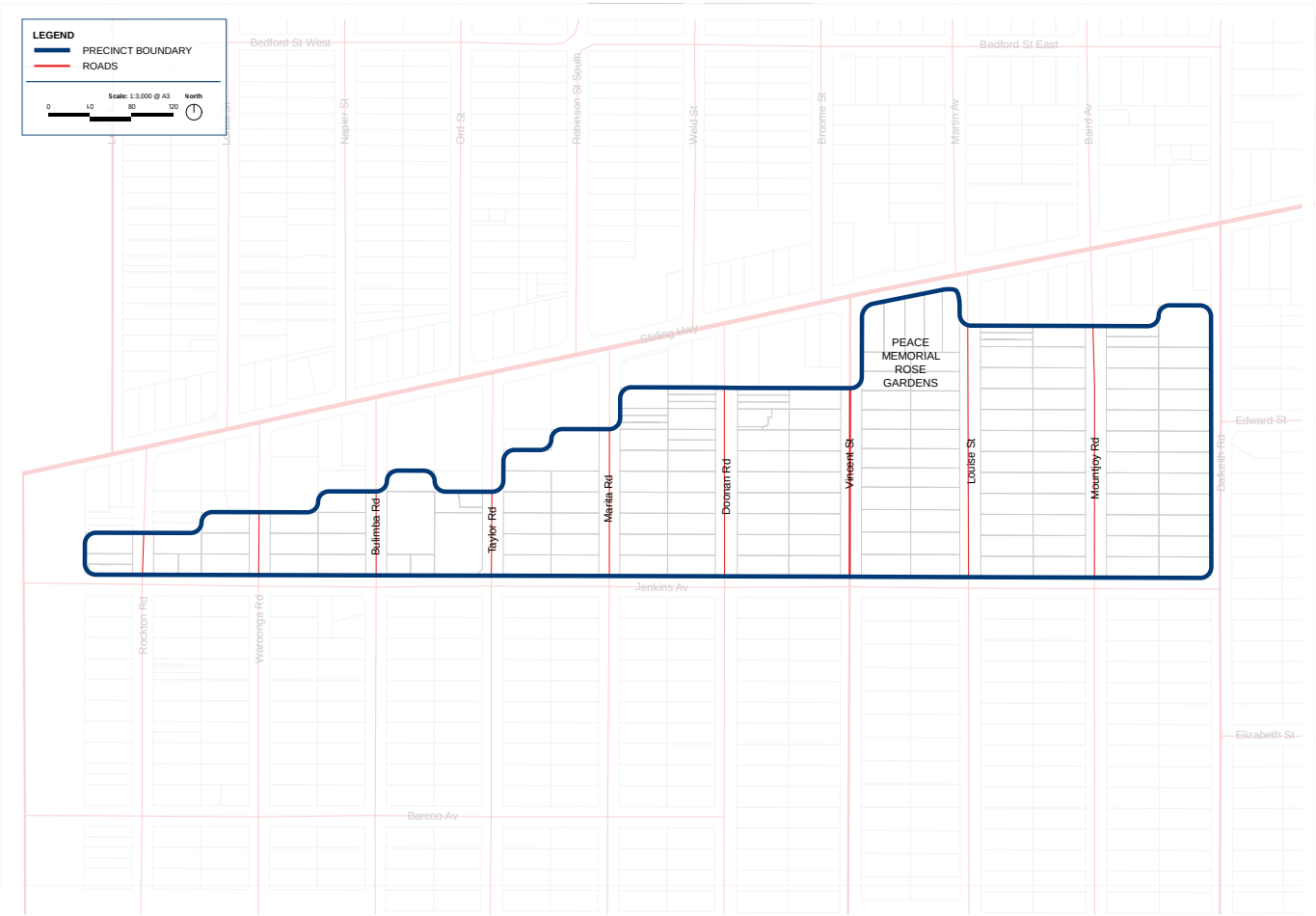


Figure 25. Melvista West

3.2 Methodology

3.1.1 DEFINITION OF CHARACTER

The basis of neighbourhood character is that every place has character regardless of its age or appearance. The character of an urban area is defined by the built form and the age of the built environment in a specific place. The manner in which the built environment interacts with the topography, vegetation, land uses, demographics and streetscapes all contribute to the creation of a 'local character'.

Developments that respond sensitively to the surrounding existing context and valued elements of neighbourhood character are more likely to 'sit' comfortably within a place, and gain acceptance more easily from the local community.

By studying these elements of a place, we are able to gain an understanding of the local character. We are then able to use this understanding to guide the design of new developments so that they respond in a sensitive manner to the existing character.

3.1.2 METHODOLOGY USED TO COLLECT AND COLLATE DATA

To better understand the neighbourhood character of the Melvista West Transition Zone, the City undertook the following steps to collect quantitative and qualitative data to inform the final policy document:

- Built Form Audit: A lot by lot audit was undertaken that itemised the built form character of each dwelling in the precinct, including elements such as roof style, building materials, setbacks, and vegetation. This audit provided a statistical understanding of the range of characteristics that are evident in each street, which of these are most prevalent, and provided a numerical understanding of the existing character of the streetscape.
- Determination of Predominant Characteristics: The Cambridge English Dictionary defines predominant as: "more noticeable or important, or larger in number, than others". In the context of a streetscape, the City has determined that a predominant characteristic, to be larger in number than others, should be present in 60% or more of the dwellings on the street.
- Desktop Research: Some basic historical research was undertaken to provide an understanding of when and how the area evolved.

The City has used the quantitative (numerical data) and qualitative (qualities that are descriptive) information collected to inform built form design guideline requirements for the Transition Zone. These built form design guidelines seek to guide development to achieve the character identified in the Future Desired Character Statement.

3.3.2 LOCAL CONTEXT

From 1985 until 2019 the City of Nedlands' former Town Planning Scheme No. 2 provided for a low residential density development pattern throughout the City's suburbs. In April 2019, the City adopted the new Local Planning Scheme No 3 (LPS3). While the majority of the City of Nedlands has retained the traditional low-density pattern, LPS3 does provide for significant density increases around major activity corridors including Stirling Highway, Broadway, Hampden Road and Waratah Avenue. Transitional Density Zones, as defined in the City's Local Planning Strategy, were provided by LPS3 to assist in achieving transitional height and density outcomes between the new high coded areas and the established lower coded areas.

3.4 Local Future Context

3.4.1 CITY OF NEDLANDS LOCAL PLANNING STRATEGY

The City of Nedlands Local Planning Strategy sets out the long-term strategic direction for land use and development within the City of Nedlands and has been prepared to reflect the community and Council vision for the future of the City.

The Local Planning Strategy specifies that Transition Zones shall exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. The suite of Transitional Zone Local Planning Policies will provide built form guidance for these Transition Zones.

3.4.2 PERTH AND PEEL @ 3.5 MILLION

Along with 18 other Local Government Areas, the City of Nedlands forms part of the 'Central sub-region' identified as part of the State Government's Perth and Peel @ 3.5 Million planning and infrastructure framework. This document provides a long-term growth strategy for land use and infrastructure provision for the Perth and Peel regions, based on the vision of Directions 2031 and Beyond, which provided residential dwelling targets for both greenfield and established areas.

The Central sub-region includes the central business district (CBD) of Perth, has the highest population and employment densities and is the focus of the metropolitan public transit network.

3.5 Contextual Maps

3.5.1 SUB - REGIONAL CONTEXT MAP

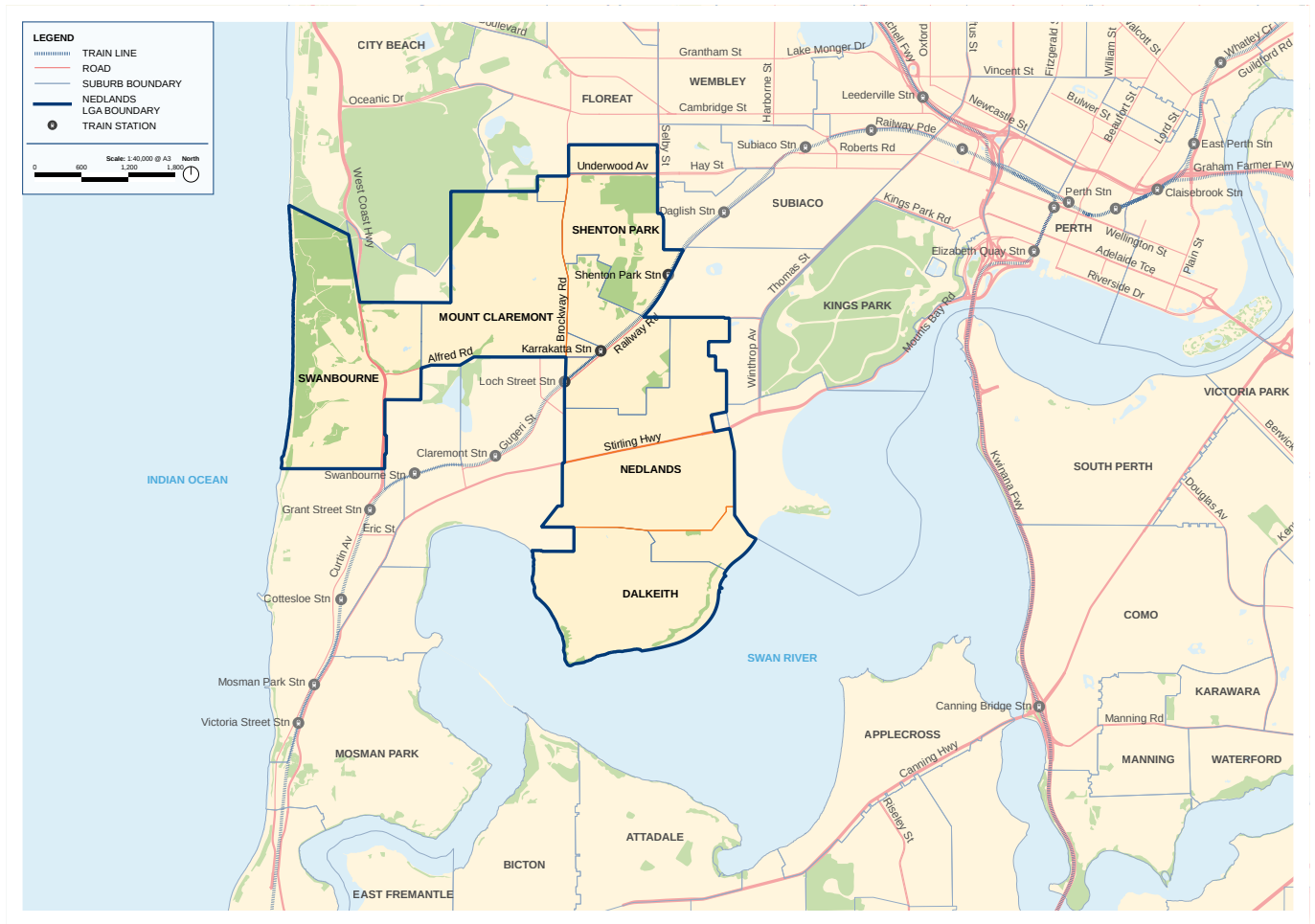


Figure 27. Sub-regional Context Map

3.5.3 TRANSITION ZONES

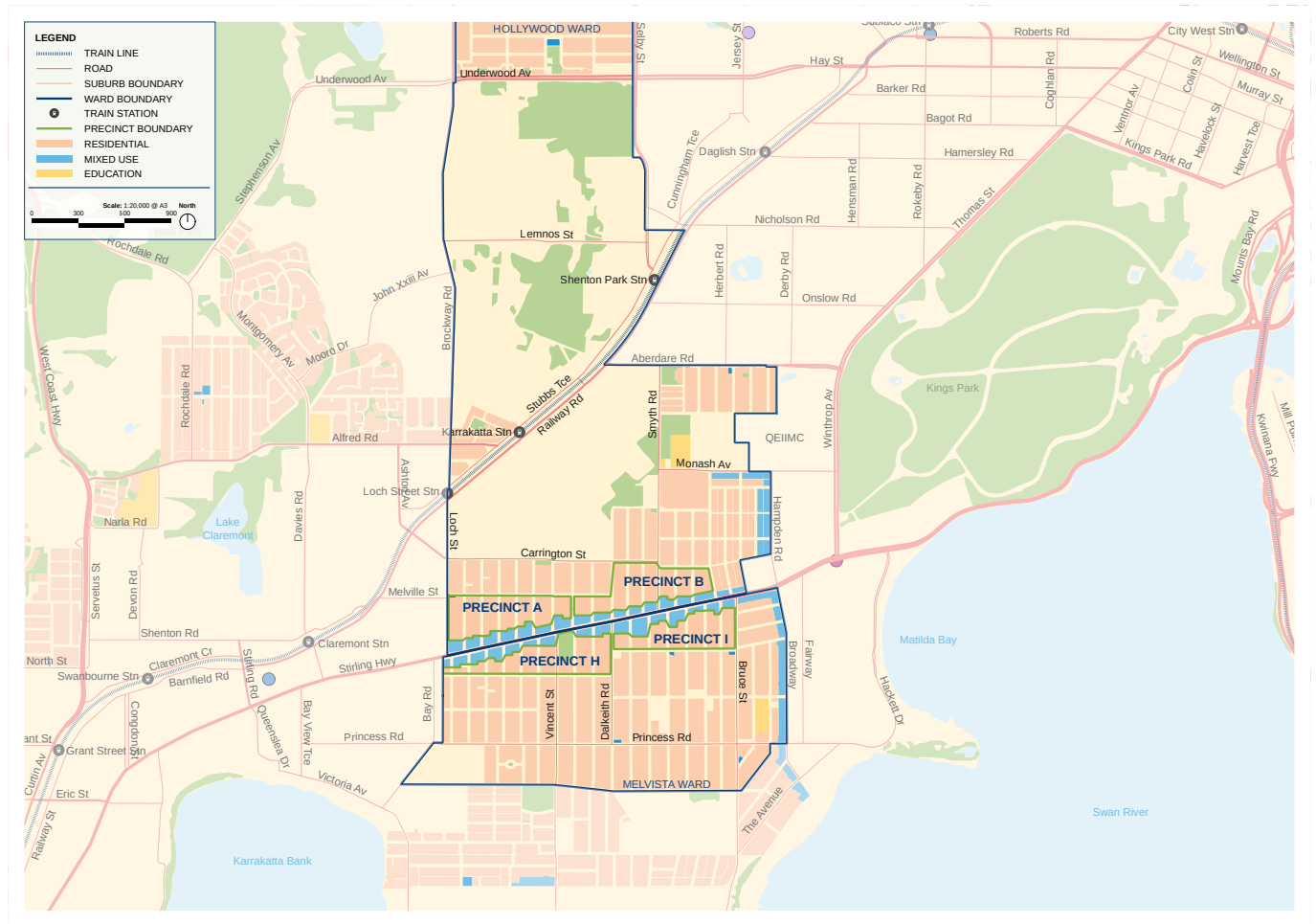


Figure 29. Local Context Map



Transitional Zones Context Map

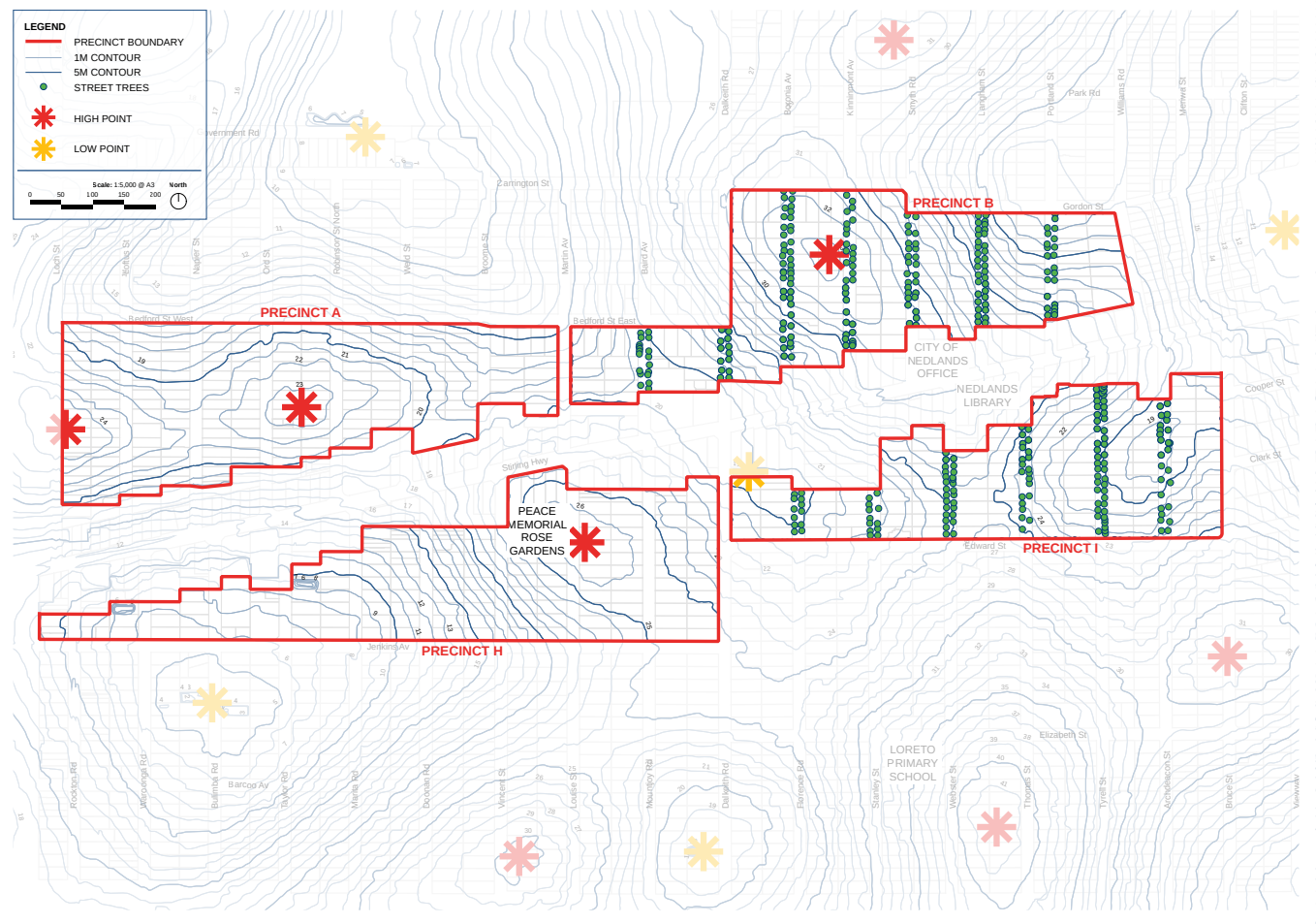


Figure 30. Site Analysis Map

3.6 Related Legislation

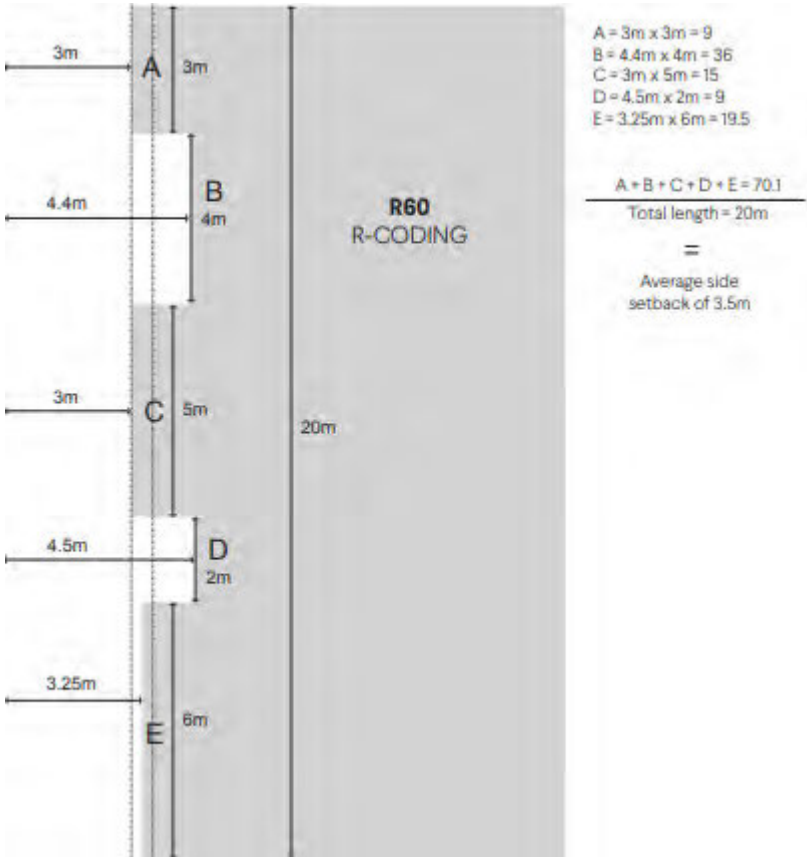
This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

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

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No. 3
- State Planning Policy 7.3 - Residential Design Codes - Volume 1
- State Planning Policy 7.3 - Residential Design Codes - Volume 2

3.7 Definitions

For this policy the following definitions apply:

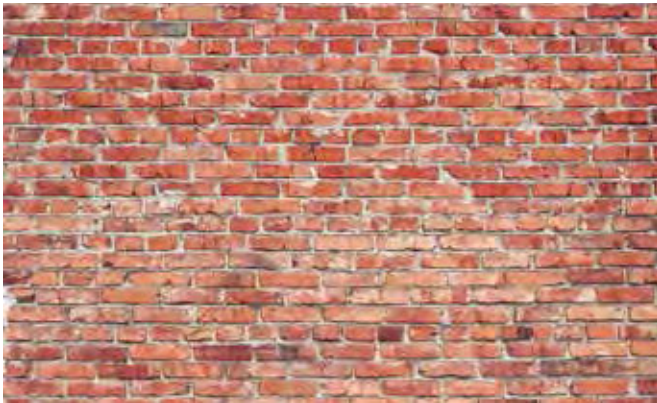
Definition	Meaning
Average setback	The aggregate of all individual wall lengths multiplied by the setback and setback, divided by the overall wall length:  A = 3m x 3m = 9 B = 4.4m x 4m = 36 C = 3m x 5m = 15 D = 4.5m x 2m = 9 E = 3.25m x 6m = 19.5 A + B + C + D + E = 70.1 Total length = 20m Average side setback of 3.5m
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.
High-Quality	A design element that is considered excellent by design review panel.
Overall height	The vertical distance between the highest point of a building's roof and the natural ground level directly below it, excluding minor projections.

Definition	Meaning
Predominant characteristics	More noticeable or important, or larger in number, than others. For the purposes of this policy, a characteristic present in 60 per cent or more of the properties on a street.
Quantitative Data	Relating to information that can be measured and shown in numbers or amounts.
Qualitative Data	Relating to information that cannot be easily measured, such as people's opinions and feelings, rather than on information that can be shown in numbers.
Significant Tree	Trees that meets 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
Sleeved parking	Sleeved parking is parking with part or all of the external edges featuring active uses such as residential units.
Transition Zones	The City of Nedlands Local Planning Strategy identifies transition zones as: Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g. height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate.
Unlikely to be changed	A site that contains three multiple dwellings, or three grouped dwellings or a parent lot that has been subdivided into three or more single houses.

A word or expression that is not defined in the Policy has the same meaning as it has in the R-Codes.

3.8 Appendix 2 - Colours and Materials Predominant in Melvista West

3.8.1 COLOURS AND MATERIALS



Face brick – commonly found on exterior walls of residential dwellings.



Terracotta tile – commonly used roof material on residential dwellings.

...Melvista West

7. Local Planning Scheme 3 – Draft Interim Local Planning Policy – Hollywood Central Transition Zone

Council Date	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Draft LPP – Hollywood Central Transition Zone
Confidential Attachments	Nil.

Councillor Hodsdon returned to the meeting at 7.30 pm.

Councillor Youngman – Financial Interest

Councillor Youngman disclosed a financial interest, his interest being that his mother owns property in the area. Councillor Youngman declared that he would leave the room during discussion on this item.

Councillor Youngman left the meeting at 7.42 pm.

Regulation 11(da) - Council's alternative recommendation was lost and no alternative motion was foreshadowed.

Moved – Councillor Wetherall

Seconded – Councillor Poliwka

That the Recommendation to Council be adopted subject to amending clause 2 as per below:

- 2. instructs the Chief Executive Officer to engage a consultant to prepare built form modelling which includes investigating appropriate transitioning associated with lots immediately adjacent to the Hollywood Central Zone, that face south onto Bedford Street and Carrington Street, and east onto Dalkeith Road. This is to be part of the modelling for Stirling Highway Precincts (East and West) as well as Hampden Road, Hollywood West and Hollywood East for the Transition Zone Local Planning Policies**

Lost 5/7

**(Against: Crs. Horley McManus Bennett Mangano
Coghlan Hay & Senathirajah)**

Recommendation to Council

Council:

1. prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Transition Zone (Hollywood Central) Local Planning Policy; and
2. instructs the Chief Executive Officer to engage a consultant to complete built form modelling, as part of the modelling for Stirling Highway Precincts (East and West) as well as Hampden Road and Hollywood East for the Transition Zone Local Planning Policies.

Executive Summary

The purpose of this report is for Council to prepare (adopt for advertising) the Hollywood Central Transition Zone Local Planning Policy.

This policy seeks to establish the local planning framework for the Hollywood Central Transition Zone. To do this the City is required to establish what the future desired context and character is for these areas and to provide design guidance and certainty for decision makers, the community, and developers in this area. In establishing the desired future character of the precinct, the policy will provide design guidance and built form requirements for development within the Transition Zones. These built form guidelines will balance the preservation of valued elements of built form character with the requirements of the existing local planning framework and associated zoning. These policies will provide a planning instrument to facilitate best practice design in delivering housing diversity in the context of areas which have been significantly up coded in density.

This policy is being presented to Council for consent to advertise to the community in draft format. Further built form modelling is required to be undertaken to test the existing planning framework as well as test the draft policy provisions being presented. This will be undertaken prior to finalising the policy and will be brought back to Council with the associated testing and modelling in its final version for adoption. The built form modelling will provide the necessary information to ascertain the most effective built form controls for this area. However, Administration also wishes to seek feedback on this draft concept from Council and the City's residents which may involve several rounds of consultation.

Background

With the gazettal of the Scheme in April 2019, density code increases were implemented across sections of the City of Nedlands. The density increases are concentrated around the areas of the City now known as Precincts, being

Town Centre, Stirling Highway East and West, Broadway, Hampden Road and Waratah Avenue.

The City's Local Planning Strategy identifies the areas directly adjacent to these Precincts as Transition Zones, and states the intention of them as:

"Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g., height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate."

Administration have identified several locations bordering the Precincts that have medium to high density coding that function as Transition Zones for low density areas. A suite of Local Planning Policies is being prepared to provide guidance on the preferred built form for these Zones. This will ensure that the desired character of these areas is identified and considered by future development.

Transition Zones Local Planning Policy Preparation Process

To ascertain the existing character of the area, Administration conducted built form character surveys in the Transition Zones. City staff and volunteers from the Urban Planning and Architecture departments at Curtin University and the University of Western Australia undertook the survey. Each street within the Transition Zones was walked, with each dwelling photographed and its features documented.

The data from this survey was collated into spreadsheets, and now offers meaningful information regarding the existing built form of the various Transition Zones. This data provides insight into the aspects of the street that contribute to its character. Key elements that the Policies should seek to retain were identified, such as significant front and rear setbacks, mature vegetation and discreet car parking structures. The Policies have been developed by utilising the information produced from this data.

The Transition Zones Policies will capture the following Transition Zones:

- Hollywood Central;
- Hollywood West;
- Melvista East;
- Melvista West; and
- Hollywood East – it is noted that this will be included in the Hampden Road Activity Centre, due to their proximity and shared unique architectural form.

During discussion around these policies between Administration and the Department of Planning, Lands and Heritage (DPLH), Administration has been advised that these policies will be required to be supported by rigorous built form modelling to support the proposed requirements. Built form modelling will provide a sound strategic planning framework to support the policy and provide it with statutory weight, which is vital in the event that the policy is tested in a legislative environment such as the State Administrative Tribunal. Further advice has been provided to the effect that built form controls, once developed, should be incorporated into the Scheme. The appropriate time to undertake scheme amendments will be once built form modelling and consultation have been finalised. Once provisions via scheme amendment have then been adopted and gazetted, those provisions can be removed from the local planning policies.

Community Engagement

A key element in formulating the Transition Zone Policies will be feedback received from the Nedlands community. The initial step in the community engagement program for these Policies has been the Transition Zones – Planning for the Future Your Voice page going live. This page includes a survey that community members can complete to share their thoughts on what they believe the valued elements of their local area are. This page also contains information on what Transition Zones and Precincts are, statements about the character of the Transition Zones, and FAQ's in relation to the local and state planning framework.

The feedback collected from this survey will be considered in conjunction with the feedback received during the draft Policy's advertising period. Once built form modelling and peer reviews have been completed, a community engagement program will be created by Administration. This program will bring the communities feedback, along with the built form modelling results, together to be presented to Council and the community in an interactive format. The end result of the community engagement program will be that the Policy has been through several rounds of engagement with both the Council and the community, maximising the transparency of the process.

Detail

This policy applies to all residential developments within the Hollywood Central Transition Zone. Hollywood Central is located within the Hollywood Ward, between the Hollywood West and Hollywood East Transition Zones and stretches between Martin Avenue and Williams Road.

Abutting the precinct to the north are R10 and R12.5 coded properties along Bedford Street, Carrington Street and Gordon Street, and to the south lies the Nedlands Town Centre and Stirling Highway East Precincts, with a density code of R-AC1. The lots within Hollywood Central are coded R160 abutting the Precincts, and then R60 as the Zone moves towards the low-density residential area to the north. A map of Hollywood Central is shown in Figure 1.

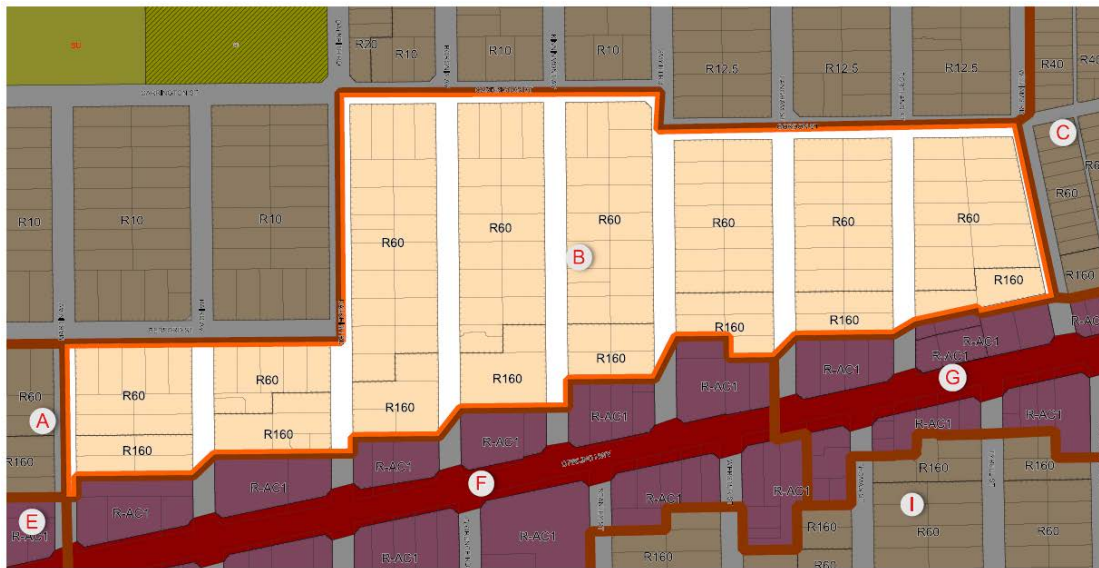


Figure 1 – Hollywood Central Transition Zone

The purpose of the Transition Zone Policies is to provide design guidance and built form provisions for residential developments within the Transition Zone. These built form requirements will aid in the preservation of valued elements of built form character within the Transition Zones. The policy is also intended to provide guidance to assist officers in assessing applications for residential developments within Hollywood Central.

The City has engaged consultant Hames Sharley to present the Policies in a professional typeset format, including mapping of the precinct areas. This mapping includes representations of the potential pattern of development within the Transition Zone in accordance with the built form provisions proposed. Presenting the Policy and mapping in this manner is intended to provide Council and the community with a tangible representation of the proposed built form controls and how they will translate into real world development outcomes. These provisions will be supported by the built form modelling that will form the testing part of the process of creating these Policies

Consultation

If Council resolves to prepare the draft Hollywood Central Transition Zone Policies, they will be advertised for 21 days in accordance with Schedule 2, Part 2, Division 2, Clause 4 of the Regulations, and the City's Local Planning Policy – Consultation of Planning Proposals. This will include a notice being published in the newspaper and details being included on the City's website (Your Voice engagement portal), a letter posted to all residents and property owners in the Policy area and a social media post.

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

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

Strategic Implications

How well does it fit with our strategic direction?

The City's Local Planning Strategy identifies urban growth areas and transition zones within the City, which have been reflected in rezoning and up-coding through the Scheme. This Policy provides design guidance for the transition zones, and facilitates urban growth identified in the Strategy in a manner that will impose minimal negative impacts on surrounding residential properties.

Who benefits?

The City and its residents will benefit from this Local Planning Policy. The Policy is intended to reduce the impact of grouped and multiple dwellings developments on single residential dwellings and will establish the position of desired future character for the area in the context of its transitioning nature from low density to more intense infill.

Does it involve a tolerable risk?

The Transition Zones Policies are considered to decrease the risks to the City and its residents that are associated with infill development.

Do we have the information we need?

Further information is required and can be obtained through built form modelling of the proposed provisions for the Transition Zones.

Budget/Financial Implications

Can we afford it?

The costs associated with this Local Planning Policy are in relation to advertising and built form modelling, both of which are included in the current year budget.

How does the option impact upon rates?

Nil.

Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2, Part 2, Clause 3(1) of the Regulations the City may prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area.

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

Conclusion

The Hollywood Central Transition Zones Policy provide design guidance and built form provisions to assist in retaining the valued character elements of the area.

In accordance with advice received from the WAPC, built form modelling is required to provide a sound strategic planning framework to support the policy and provide it with statutory weight, prior to final endorsement.

With the inclusion of thorough built form modelling and community consultation, the Policy will provide a robust strategic and statutory planning framework to guide development within the Transition Zone.

As such, it is recommended that Council endorses administration's recommendation to prepare (consent to advertise) the Transition Zones (Hollywood Central).



Draft Local Planning Policy – Hollywood Central Transition Zone

27 August 2020



Hollywood Central...

City of Nedlands

71 Stirling Hwy Nedlands WA 6009

9272 3500

council@nedlands.wa.gov.au

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1.0

Introduction

1.1 Introduction

1.1.1 PURPOSE

The purpose of this policy is to define a local planning framework that identifies the desired elements of local character for the Hollywood Central Transition Zone (Hollywood Central TZ). The policy is divided into two parts to provide built form guidance for single dwellings, grouped dwellings and multiple dwellings within this area, and promote the desired elements of local character. The first part augments the provisions of State Planning Policy 7.3 - Residential Design Codes – Volume 1, the second part augments State Planning Policy 7.3 - Residential Design Codes – Volume 2.

1.1.2 APPLICATION OF POLICY

1. This policy applies to all applications for residential development within the Hollywood Central Transition Zone. The Transition Zones are to function in accordance with the intent outlined in the City of Nedlands Local Planning Strategy, being:

“Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g., height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate.”

2. In accordance with Clause 7.3 of the R-Codes Volume 1, this Policy contains provisions that augment or replace the Deemed to Comply criteria set out in the R-Codes Volume 1. The Design Principles of the R-Codes Volume 1 remain and apply with some recommended additional design principles. If an element of the R-Codes Volume 1 is not included in this policy, it is not amended or replaced by this Policy and the Deemed to Comply provisions in the R-Codes Volume 1 remain and apply. Where single house and grouped dwelling developments are proposed all terms and definitions contained within Local Planning Scheme No. 3 and the R-Codes Volume 1 remain and apply.
3. In accordance with Clause 1.2 of the R-Codes Volume 2 this Policy contains provisions that augment or replace the Acceptable Outcomes set out in the R-Codes Volume 2. This Policy contains provisions that add to the Intent Statements, Design Guidance and Planning Guidance set out in the R-Codes Volume 2. The Element Objectives of the R-Codes Volume 2 remain and apply. If an element of the R-Codes Volume 2 is not included in this policy, it is not amended or replaced by this Policy and the Acceptable Outcomes in the R-Codes Volume 2 remain and apply. Where multiple dwelling developments are proposed all terms and definitions contained within Local Planning Scheme No. 3 and the R-Codes Volume 2 remain and apply.
4. Where this Policy is inconsistent with a Local Development Plan, Local Planning Policy or Precinct Plan that applies to a specific site, area, or element, the provisions of that specific Local Development Plan, Local Planning Policy or Precinct Plan shall prevail.

1.1.3 OBJECTIVES

1. To establish a local planning framework which provides guidance for establishing the desired future character of the area in context with its higher density zoning whilst respecting valued elements of existing neighbourhood character.
2. To ensure new development within the Hollywood Central Transition Zone is consistent with the provision of a gradual transition from high-rise, mixed-use development abutting Stirling Highway, to lower density, large lot suburban development.
3. To ensure new development is respectful of the desired future character and residential amenity of the Transition Zone.
4. To ensure new development is designed to maximise the residential amenity of the Hollywood Central Transition Zone and adjoining properties.
5. To ensure the appearance and design of new developments are of a high design quality.



2.0

Part One

Implementation

2.1 Existing Character

2.1.1 LOCATION

The Hollywood Central Transition Zone was developed during the early 20th century and is characterised by large residential lots and low rise, residential development. The precinct is located within the Hollywood Ward of the City of Nedlands Local Planning Scheme Area. The Transition Zone is located between the Hollywood West and Hollywood East Transition Zones and stretches between Martin Avenue and Williams Road. Abutting the precinct to the north are R10 and R12.5 coded properties along Bedford Street, Carrington Street and Gordon Street, and to the south lies the Nedlands Town Centre and Stirling Highway East Precincts. The topography of Hollywood Central is relatively flat, with a natural high point near the intersection of Carrington Street and Kinninmont Avenue.

2.1.2 HOLLYWOOD CENTRAL TRANSITION ZONE MAP

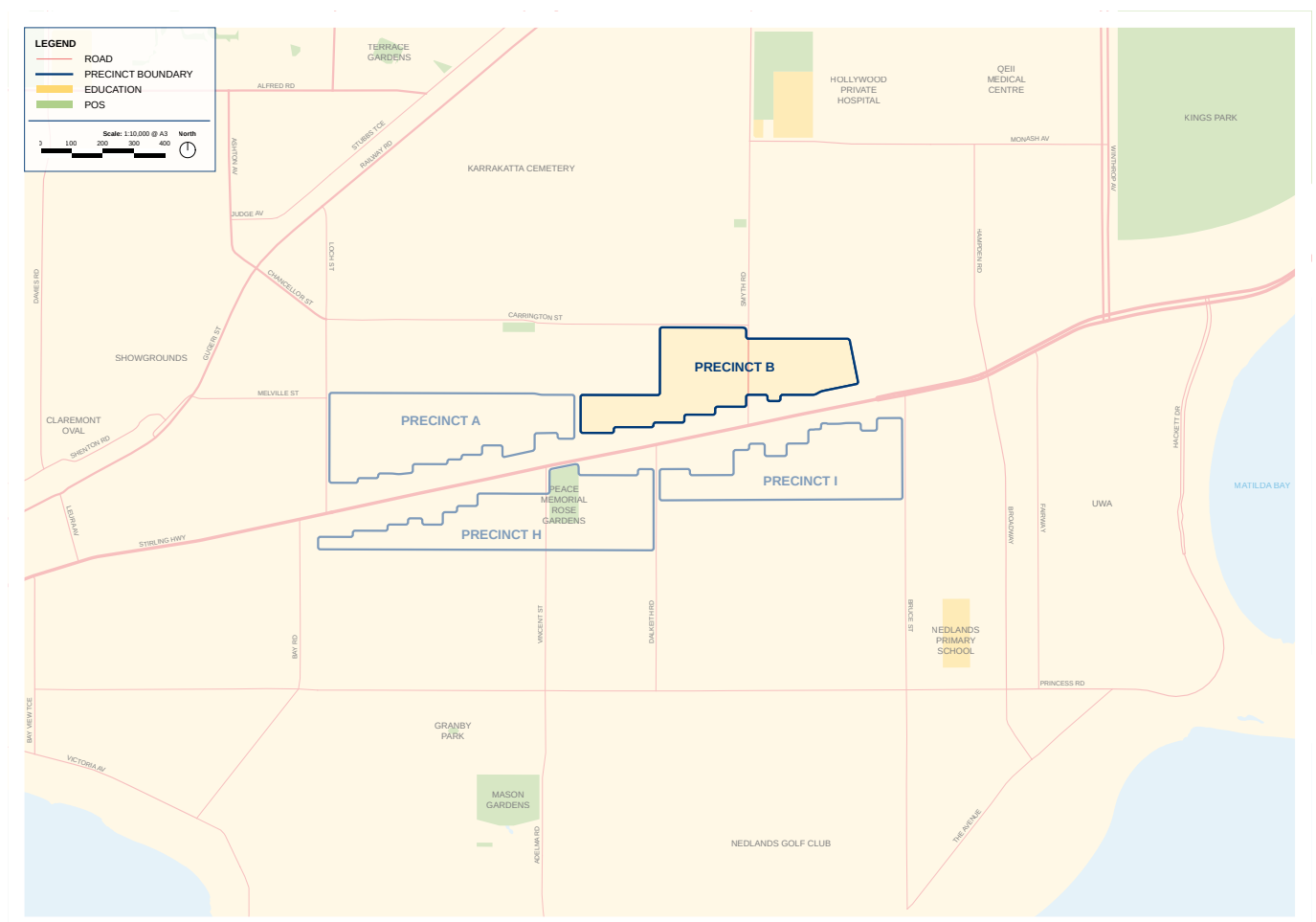


Figure 1. Hollywood Central Transition Zone Map

2.1.3 PREDOMINANT FEATURES

Due to the mixed nature of development in the area, only some built form characteristics are able to be deemed predominant (apparent in at least 60% of lots on the street). These predominant characteristics are:

CURRENT LOT CHARACTERISTICS

- Regular, grid like pattern of subdivision.
- Relatively large residential lots, typically over 1000m² with a pocket of lots approximately 900m² in area between Smyth Road and Portland Street.
- Street front vehicle access.
- Generous front and rear gardens.
- Lots generally orientated east-west.

CURRENT DWELLING TYPOLOGY

- Detached single dwellings.
- A mix of character and modern style building form. The California Bungalow, a popular style of housing in the inter war years (1920-1945), is noted as the dominant style of character home within the precinct.
- The most common building materials are face and rendered brick, with terracotta tile roofing.

CURRENT SETBACKS

- The standard street setbacks range from 3 to 6 meters.
- Front gardens are large and often heavily vegetated, with a number of mature trees.
- Side setbacks range from 0.5m to 2m, providing additional space for vegetation on the lots.

CURRENT BUILDING HEIGHTS

- Predominantly 1 and 2 storey single houses.

CURRENT ARCHITECTURAL STYLE AND FORM

- A mix of traditional and modern building forms are observed. Attributes related to the California Bungalow, a popular style of housing in the Inter-war years (1920-1945) are also evident. California bungalow is noted for its generous verandahs, open gardens, gabled roof and balanced composition.
- Tiled roofing.
- Vertical fenestration.
- Verandahs and awnings.

CURRENT STREETScape AND LANDSCAPE

- Vehicle storage is typically in the form of enclosed garages or free-standing carports.
- Most properties do not have any front fencing.
- The streets are lined with mature trees.
- The area has wide nature strips.
- Footpaths on one side of each road.
- Rear yards are generous in size and vegetated.

2.2 Desired Future Character Statement

The Hollywood Central Transition Zone will provide for more diverse housing options for residents, within a setting that maintains streetscapes with an open aspect and mature vegetation. Each lot shall provide appropriately sized front and rear setbacks that allow for significant mature vegetation to flourish. Developments shall be constructed using materials that are respectful of the local context, reinterpreting the traditional built form of the area through the use of historic materials in modern forms. Building height will remain relatively low where the development fronts the street, with greater heights to be located centrally within the lots.

The following are valued elements in the desired future character of Hollywood Central:

- a. Open, legible and attractive streetscapes;
- b. Mature vegetation interfacing with the lot boundary and street; and
- c. Aesthetic of the current architectural style and form being reinterpreted in a contemporary manner with the use of a high-quality palette of materials and finishes.

2.3 Augmented Provisions - Single Houses and Grouped Dwellings

Streetscape contexts and character	Medium Rise	Higher density urban residential
Site R-Coding	R60	R160
Minimum Primary Street setback	4m	4m
Minimum secondary street	1m	1m
Building height ¹	Wall height 8.5m (Overall height 10m)	Wall height 8.5m (Overall height 10m)
Boundary wall height	4m	4m
Side setbacks	Table 2a and 2b of R-Codes Volume 1	Table 2a and 2b of R-Codes Volume 1
Average rear setback	3m	3m

¹ Indicatively two storeys

Note: All other provisions applied in Tables 1, 2a and 2b of the Residential Design Codes Volume 1 apply.

Figure 2. Table 1 - Augmented site requirements for single houses and grouped dwellings

2.3.1 STREET SETBACK

INTENT

To ensure that street setbacks allow for the retention of significant vegetation on-site and deep soil area to establish mature trees.

To ensure that the street setback of new development does not unreasonably impact the streetscape.

To encourage contemporary designs that respond to, and interpret, the articulation and detail of the existing dwellings of the area and avoid 'faux' or 'mock' heritage style design or bulky / boxy designs that are unsympathetic to the area.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principles P2.1 and P2.2 of the Residential Design Codes - Volume 1 apply.

DEEMED-TO-COMPLY

Deemed-comply-criteria C2.2, C2.3 and C2.4 of Residential Design Codes Volume 1 apply.

Clause C2.1 of the Residential Design Codes – Volume 1 is augmented in the following way:

- Buildings are to be set back from the primary street boundary -
 - i. in accordance with Table 1 of this policy or at a minimum of 3m where an average street setback of 5m is provided; or
 - ii. the street setback may be reduced to 2m, or 1.5m to a porch, verandah, balcony or the equivalent where:
 - single houses or grouped dwellings result from the subdivision of an original corner lot, have their main frontage to the original secondary street and make provision for a right-of-way; or
 - iii. the street setback may be reduced to 1m for single houses or grouped dwellings that have their main frontage to a communal street, laneway, or right-of-way, subject to the requirements of any other element of the R-Codes or Building Code of Australia.

In addition to augmented C2.1 of this policy, and C2.2-C2.4 of the Residential Design Codes – Volume 1, the following supplementary deemed to comply criterion applies:

- With respect to grouped dwellings, buildings mass and form to achieve the following:
 - iv. development is to incorporate a palette of materials, consistent with the valued elements and Attachment 1 of this policy; and
 - v. facade articulation is to be achieved by the use of verandahs, varied materials and finishes, building wall articulation and stepped upper levels; and
 - vi. blank walls/facades are not to address the street.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P2.1 and P2.2 the following supplementary Design Guidance is provided:

- Roof form design shall respond to the existing streetscape character.
- Street setbacks of buildings to be sympathetic of the desired future character of the transition zone, consistent with the density code and the objectives of this policy.
- To ensure that street setbacks allow for the retention of significant vegetation on site and provide deep soil area to establish medium and large canopy trees.

ILLUSTRATION/IMAGE

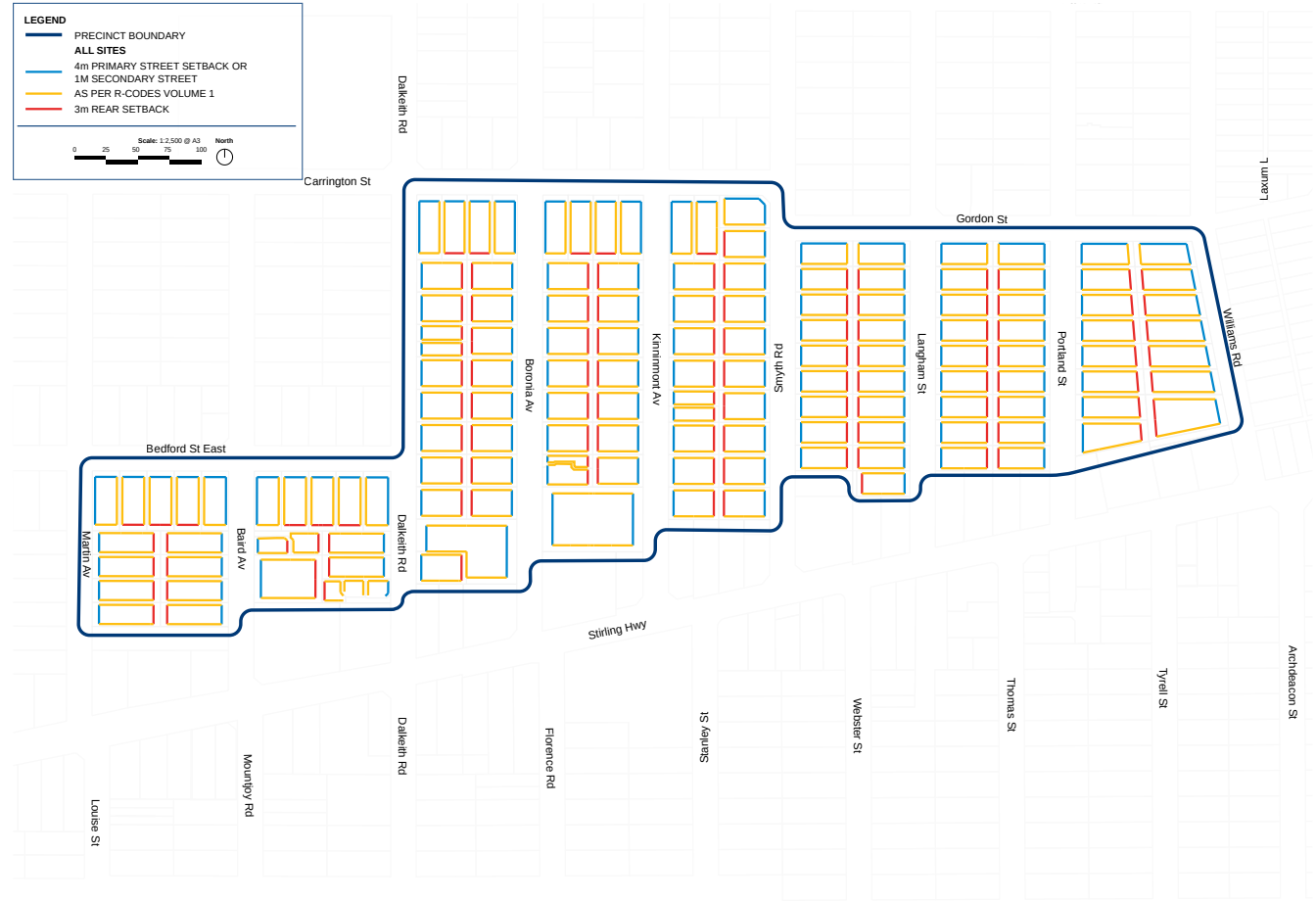


Figure 3. Single House and Grouped Dwellings - Setback Map

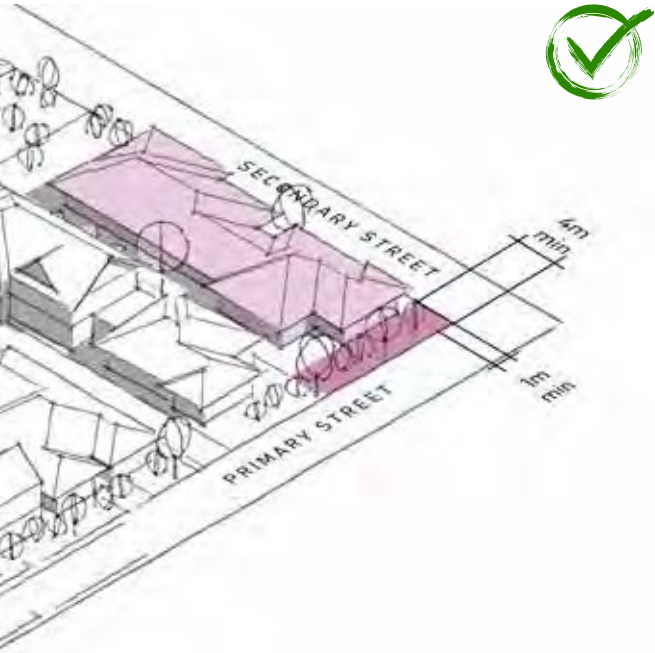


Figure 4. Single House and Grouped Dwellings - Street Setback Example Diagram

2.3.2 LOT BOUNDARY SETBACK

INTENT

The side and rear setbacks are to respond to the desired future character statement for the local area by incorporating deep soil areas and retaining any existing significant vegetation to soften the built form interface and mitigate perceived visual bulk or visual privacy impacts.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principles P3.1 and P3.2 of Residential Design Codes - Volume 1 apply.

DEEMED-TO-COMPLY

C3.1(ii-iv), C3.2 and C3.3 of the Residential Design Codes – Volume 1 apply.

Clause C3.1(i) of the Residential Design Codes – Volume 1 is augmented in the following way:

- Buildings that are setback from lot boundaries in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes Volume 1:
- Buildings set back from lot boundaries in accordance with Table 1 of this policy; and
- Buildings set back from lot boundaries in accordance with Table 2a and 2b of the Residential Design Codes Volume 1.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P3.1 and P3.2, the following supplementary Design Guidance is provided:

- Lot boundary setbacks are to respect the desired future character of the Transition Zone, consistent with the applicable density code.
- Lot boundary setbacks are to maximise the retention of existing healthy trees, where appropriate.

ILLUSTRATION/IMAGE

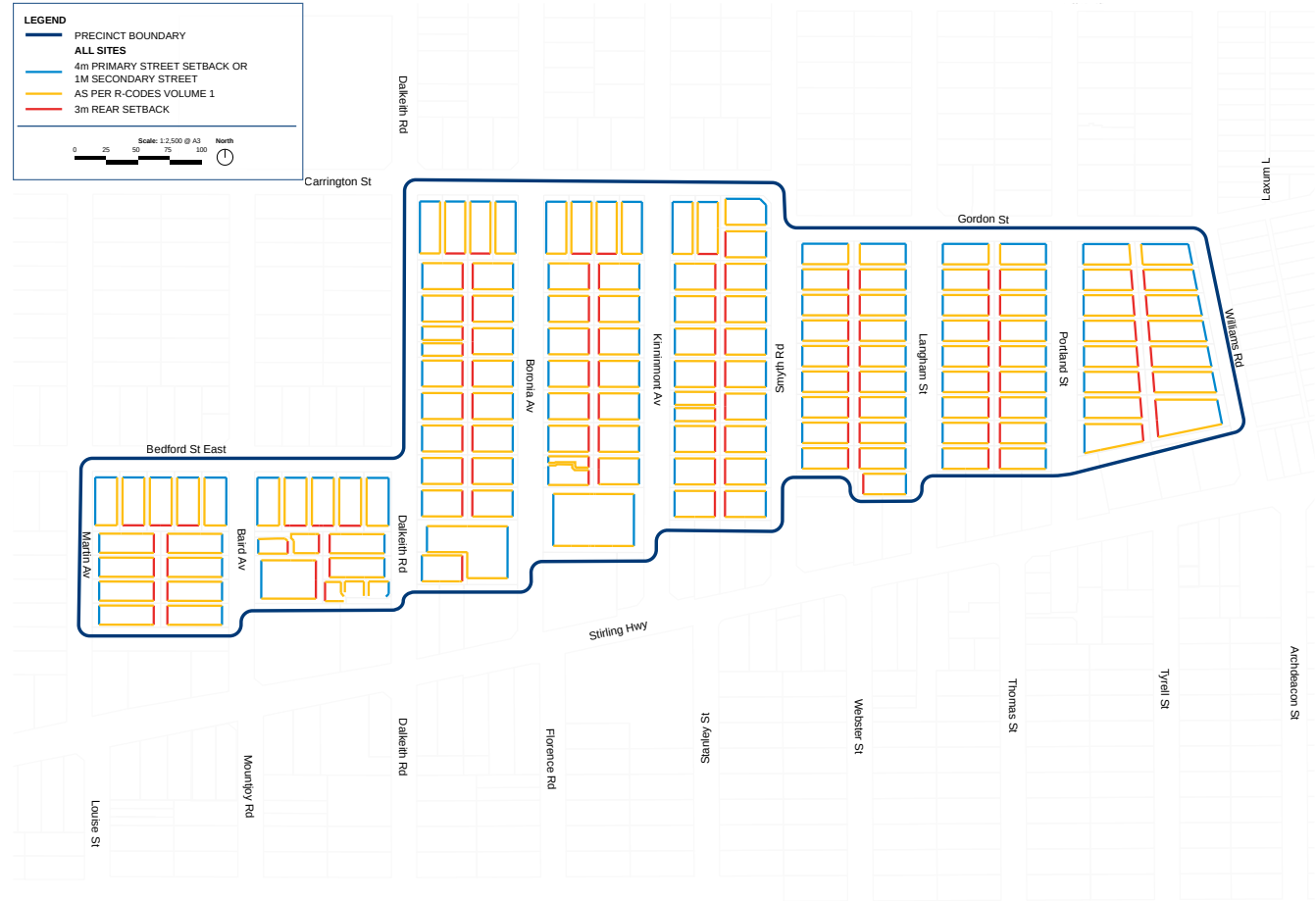


Figure 5. Single House and Grouped Dwellings - Setback Map

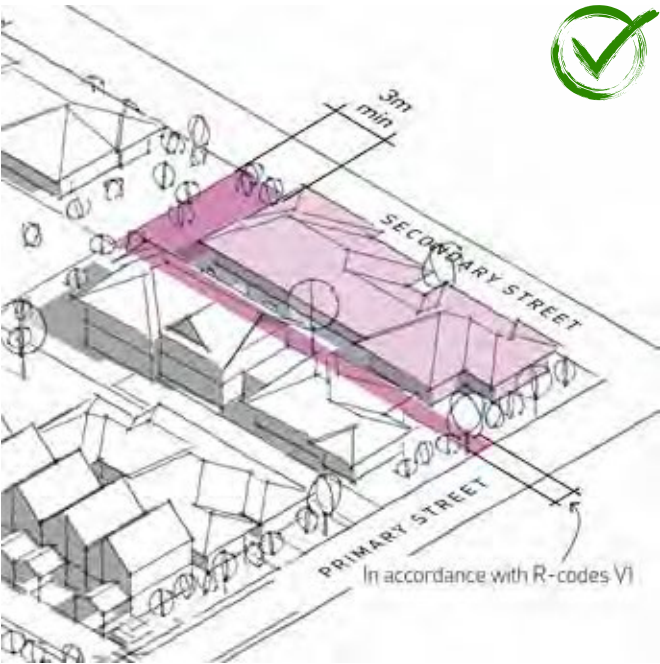


Figure 6. Single House and Grouped Dwellings - Lot Boundary Setback Example Diagram

2.3.3 BUILDING HEIGHT

INTENT

Maintaining an appropriate scale at the street interface is a key factor for the future development of the policy area. Therefore, building height of the development should be sympathetic to the existing and desired future character of local area.

OBJECTIVE

The objectives in clause 5.1 – Context apply.

DESIGN PRINCIPLES

Design Principle P6 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

Clause C6 of the Residential Design Codes – Volume 1 is augmented in the following way:

Building height of development to be in accordance with Table 1 of this policy, except where varied below:

- Buildings with a maximum wall height up to 10.5m (indicatively 3 storeys) and an overall height of up to 12m are permitted where they adjoin an existing three storey or higher building and/or a higher density code and where any of the following are demonstrated:
 - high-quality design as determined by a Design Review Panel; or
 - basement parking; or
 - the top floor of the front dwelling is recessed 3m from the street interface; or
 - a healthy medium to large tree is retained and supported by an arborist report, or a medium to large tree is proposed on the relevant lot; or
 - where Deep Soil Area exceeds 12% of the site area.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P6 the following supplementary Design Guidance is provided:

- Building height is respectful of the desired future character of the transition zone consistent with the applicable density code.
- The building height of development should avoid bulky or 'box-like' built forms that dominate the streetscape.
- The building height of development is encouraged to be consistent with the relevant density code and provide a gradual transition in the built form.

ILLUSTRATION/IMAGE

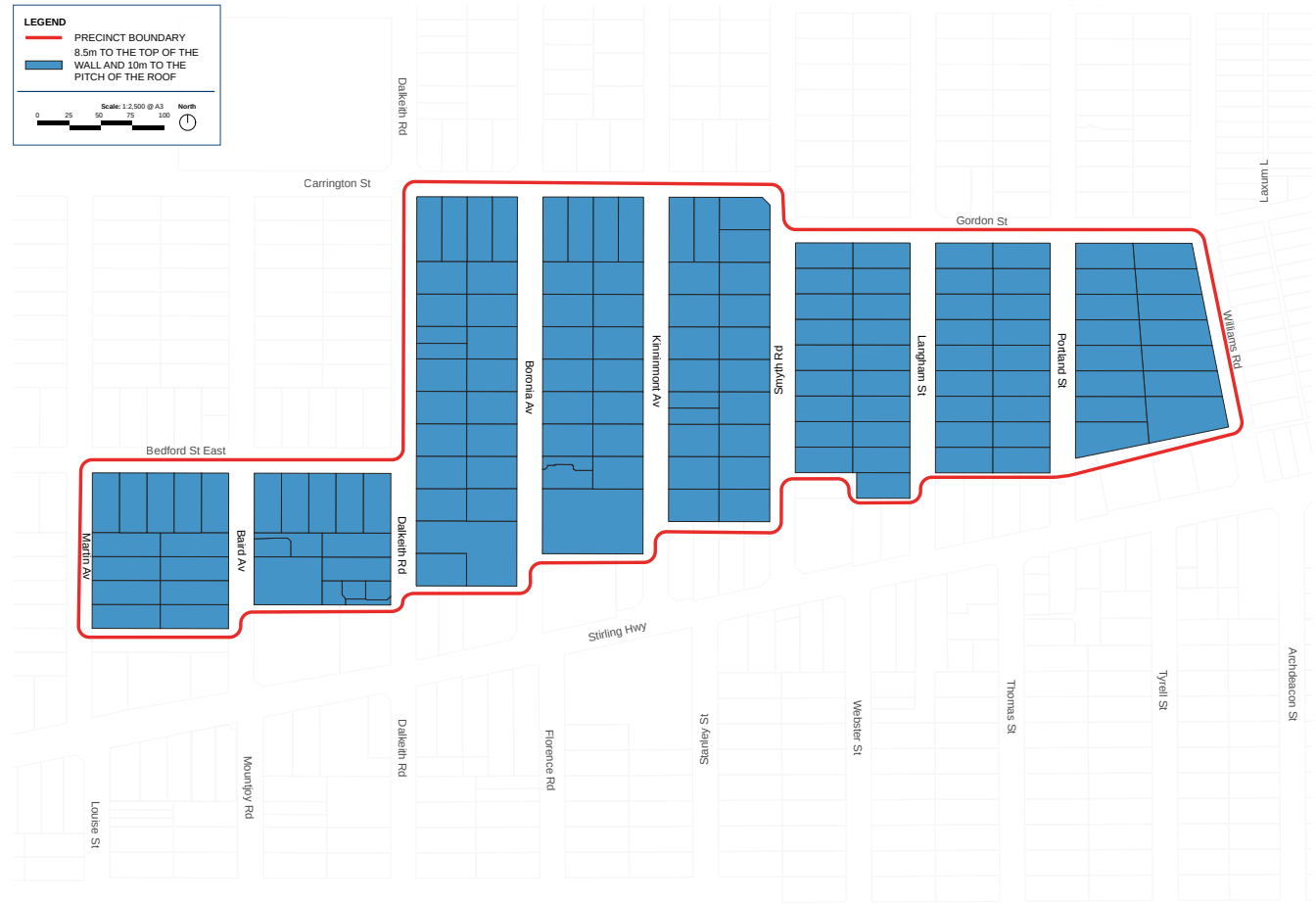


Figure 7. Single House and Grouped Dwellings - Building Height Map



Figure 8. Single House and Grouped Dwellings - Building Height Example Diagram

2.3.4 SETBACK OF GARAGES AND CARPORTS

INTENT

Design and location of car parking spaces minimises negative visual impacts on amenity and streetscape.

OBJECTIVE

The objective in clause 5.2 – Streetscape applies.

DESIGN PRINCIPLES

Design Principle P1 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

Clause C2.1 of the Residential Design Codes – Volume 1 is augmented in the following way:

- Carports to single houses set back from the primary street in accordance with clause 5.1.2 C2.1(i) of this policy and C2.1(ii-iv) of the Residential Design Codes Volume 1.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P1 the following supplementary Design Guidance is provided:

- That the location of car parking is consistent with the desired future character of the transition zone, consistent with the applicable density code and form of development.
- That car parking structures, and associated driveways do not dominate the streetscape.

ILLUSTRATION/IMAGE

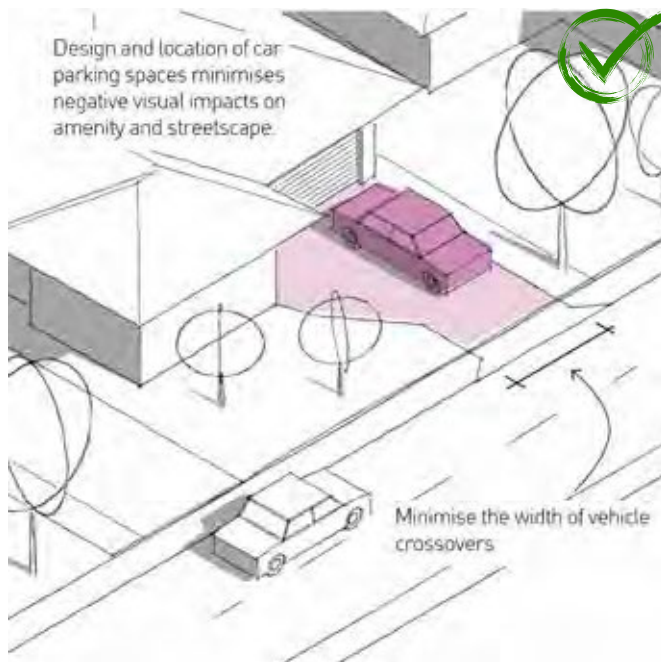


Figure 9. Single House and Grouped Dwellings - Setback of Garages and Carports Example Diagram

2.3.5 LANDSCAPING

INTENT

Pursuant to SPP7.0 – Design of the Built Environment, development is to incorporate landscaping to reinforce the existing leafy-green character of the transition zone.

A valued element of the Hollywood Central TZ area is the extent of vegetation within both private and public land. As such, the provision of soft landscaping with tree planting is encouraged, whilst limiting unnecessary hard-stand spaces where possible.

OBJECTIVE

The objectives in clause 5.3 – Site planning and design apply.

DESIGN PRINCIPLES

Design Principle P2 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

In addition to C2 of the Residential Design Codes – Volume 1 the following additional deemed to comply criteria apply:

- A landscaping plan completed by a qualified, practicing landscape architect or landscape designer is to be submitted with each grouped dwelling application. This plan is to include or demonstrate the following:
- a planting schedule that is consistent with the City's preferred species list, that details the common and botanical species names, exotic/native classification, the height and width at maturity, number of plants proposed and pot sizes (where relevant).
- a minimum of 40% of the front and rear setback area shall be provided as soft landscaping.
- Deep soil area and tree canopy to achieve the tables below:

Minimum deep soil area (DSA) and tree provision requirements for single and grouped dwellings in R40, R60, R80 and R160 transitional density areas

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

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

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

Tree sizes

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

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

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P2 the following supplementary Design Guidance is provided:

- Development is to prioritise the retention of existing significant trees and maintain the urban canopy.
- Landscaping is to be designed to reduce the impact of development on adjoining residential land and streetscape.
- Ensure that primary street setback areas contain healthy and appropriate trees that contribute to the desired future character of the area.
- Landscape design for common property, communal open space and private property is to contribute to the desired future character of the transition zone.
- Development is to minimise impermeable and hardstand areas within front and rear setbacks.
- Deep soil areas identified in the landscaping plan are to be appropriately located and dimensioned to support optimal growing conditions for the selected tree species.
- Site planning is to consider existing significant tree canopy and utilise preferred plant species, that are 'waterwise' or otherwise appropriate to the Western Australian climatic conditions.

ILLUSTRATION/IMAGE

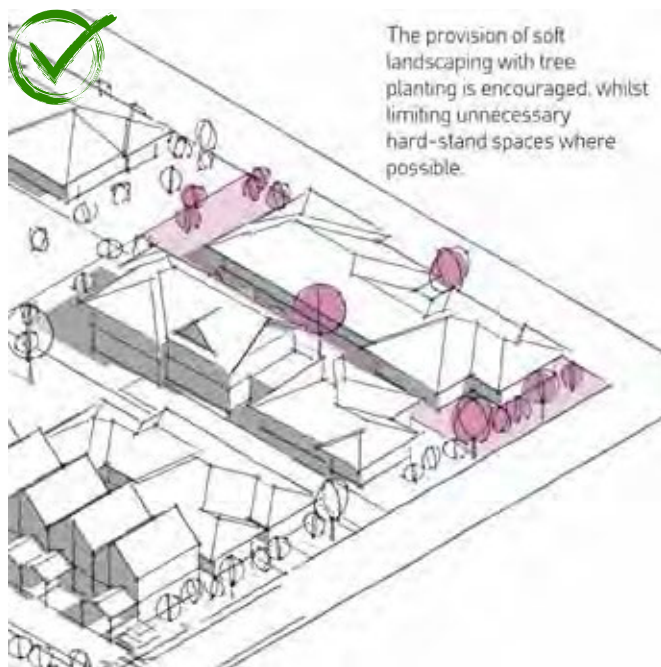


Figure 10. Single House and Grouped Dwellings - Landscaping Example Diagram

2.3.6 DESIGN OF CAR PARKING SPACES

INTENT

Design and location of car parking spaces minimises negative visual impacts on amenity and streetscape.

OBJECTIVE

The objective in clause 5.3 – Site planning and design applies.

DESIGN PRINCIPLES

Design Principle P4 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

In addition to C4.1-C4.3 the following deemed-to-comply criteria apply:

- Car parking areas are to be integrated into the building design and screened from view from the street and adjoining properties.
- Where parking spaces are located forward of the dwelling(s), permeable paving treatments and soft landscape screening to be provided.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

In addition to P4 the following supplementary Design Guidance is provided:

- To ensure that the design of car parking spaces is consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE



Figure 11. Single House and Grouped Dwellings - Building Height Example Diagram

2.3.7 VEHICULAR ACCESS

INTENT

To ensure that new development minimises the loss of street trees and maximise the area of green verge through relocation and consolidation of vehicle access.

OBJECTIVE

The objective in clause 5.3 – Site planning and design applies.

DESIGN PRINCIPLES

Design Principle P5.1 and P5.2 of Residential Design Codes - Volume 1 applies.

DEEMED-TO-COMPLY

C5.2 – C5.7 of the Residential Design Codes - Volume 1 apply.

C5.1 of the Residential Design Codes - Volume 1 is augmented in the following way:

- Access to on-site car parking spaces to be provided:
 - Where available, from a laneway/ right-of-way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street
 - From a secondary street where no right-of-way exists
 - From a primary street frontage where no secondary street, communal street or right-of-way exists; or
 - Where a laneway (secondary street) is identified in accordance with Clause 32.3 (1) of the Scheme, access to on site car parking spaces is to be provided from the ceded and constructed section of the laneway.

In addition to augmented C5.1 of this policy and C5.2 – C5.7 of the Residential Design Codes – Volume 1, the additional deemed-to-comply criteria apply:

- Car parking for grouped dwellings is to be accessed via a consolidated access point.
- Low voltage bollard lighting or similar, and wayfinding signage is to be provided to communal driveway access and rights of way to provide additional safety.

ADDITIONAL DESIGN GUIDANCE/HOUSING OBJECTIVES

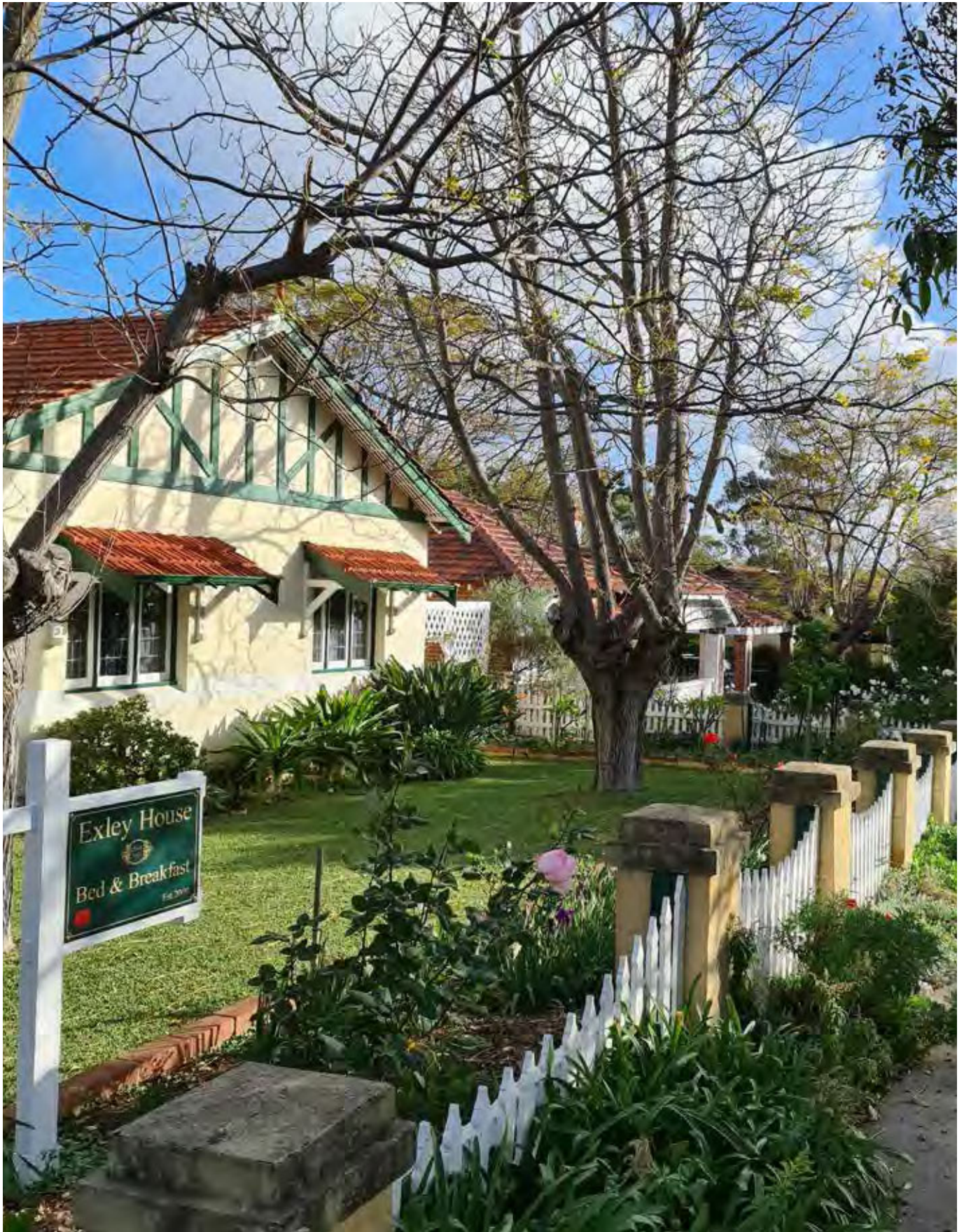
In addition to P5.1 and P5.2 the following supplementary Design Guidance is provided:

- To ensure that vehicle access is consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE



Single House and Grouped Dwellings - Vehicular Access Example Diagram



2.4 Augmented Provisions – Multiple Dwellings

Streetscape contexts and character	Medium Rise	Higher density urban residential
Site R-Coding	R60	R160
Building height ¹	3	5
Maximum height of street wall/ podium (storeys) ²	2	3
Boundary wall height ^{3,4}	1 storey (up to a maximum height of 4m)	1 storey (up to a maximum height of 4m)
Minimum primary and secondary street setbacks ⁵	4m	4m
Average street setbacks where building width exceeds 16m	6m	6m
Minimum side setbacks ^{3,4,6}	3m	3m
Average side setback where building length exceeds 16m	3.5m	4m
Minimum rear setbacks ⁶	6m	6m
Plot ratio ⁷	0.8	2.0

Notes:

¹ Indicatively the height per storey is 3m, with 2m provided for roof articulation. Rooftop habitable rooms (communal dining, gyms etc.) constitute a storey.

² Development above the street wall/podium is to be set back a minimum of 3m from the street wall/podium.

³ Boundary walls are only permitted on one boundary and shall not exceed 2/3 length.

⁴ Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions

⁵ Minimum secondary street setback 1.5m.

⁶ Boundary setbacks will also be determined by provisions for visual privacy and building separation provisions within the Residential Design Codes Vol. 2.

⁷ Refer to definitions for calculation of plot ratio in the Residential Design Codes Vol. 2.

Figure 12. Table 2 - Augmented Primary Control Table - Multiple Dwellings

2.4.1 BUILDING HEIGHT

INTENT

Residential Design Codes Volume 2 Intent Statement for Building height applies, with the following additional consideration provided:

- Building height is to achieve a gradual built form transition, sympathetic to the streetscape and adjoining properties and consistent with the desired future character of the transition zone.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O 2.2.1, O2.2.2, O2.2.3 and O2.2.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A2.2.1 is augmented in the following way:

A2.2.1 – Development complies with the building height provisions set out in Table 2 of this policy, except where modified by the supplementary Acceptable Outcomes below.

Supplementary Acceptable Outcomes:

A 2.2.2 - Development design to include street walls or podiums consistent with Table 2 of this policy.

A 2.2.3 - Development up to one (1) additional storey above the maximum building height provided for in Table 2 of this policy may be supported where the development site directly abuts land with a higher residential density code. The additional storey is to be:

- set back a further 3m than the street, side and rear setbacks set out in Table 2 of this policy; and
- The additional storey achieves the objectives of Element 3.2 – Orientation, Element 3.5 – Visual Privacy, Element 4.1 – Solar and daylight access.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Building height:

- Lightly framed, unenclosed balconies that do not contribute to bulk may extend forward of the required setback in A2.2.2 and A2.2.3.
- The indicative building height noted in Table 2 of this policy allows for 2m of roof articulation. This height is not to be used for the purpose of creating an additional storey (habitable dwellings).
- Building height is to be respectful of the desired future character of the transition zone, consistent with the applicable density code to achieve a gradual built form transition.
- Where a street wall or podium is not provided, development design is to be of pedestrian scale.
- Roof top communal open space is encouraged where it is sensitively located, away from adjoining properties and oriented towards the street.
- Contemporary roof forms that reference or reinterpret existing character elements and integrate with the streetscape are encouraged.
- Unarticulated, imposing or 'boxy' buildings are not consistent with the desired future character of the transition zone.

ILLUSTRATION/IMAGE

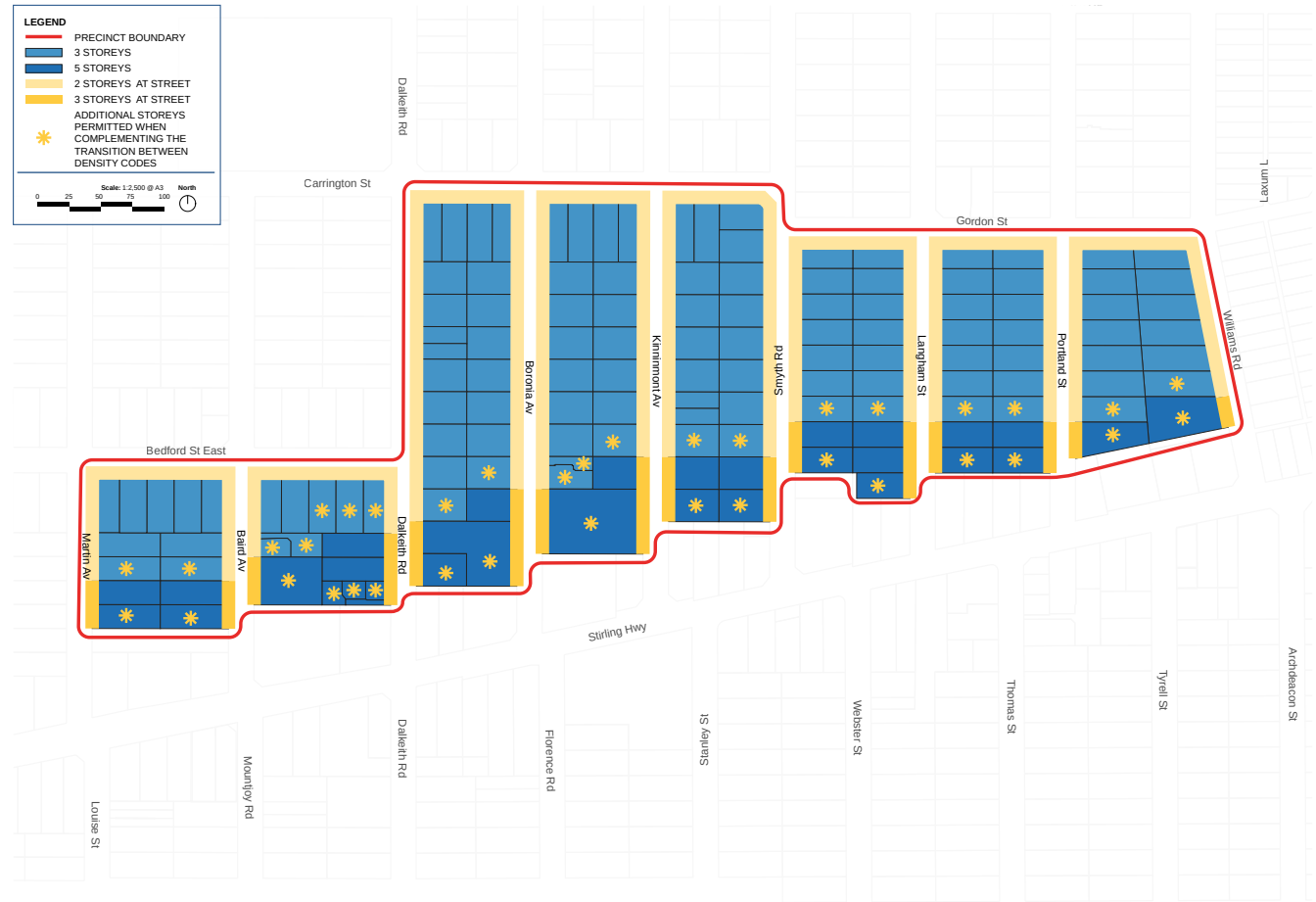


Figure 13. Multiple Dwellings - Building Height Map



Figure 14. Multiple Dwellings - Building Height Example Diagram

2.4.2 STREET SETBACK

INTENT

Residential Design Codes Volume 2 Intent Statement for Street setback applies with the following additional consideration provided:

- Consistent, generous street setbacks will provide designated areas for tree planting with access to midday winter sun.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O 2.3.1, O 2.3.2, O 2.3.3 and O 2.3.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A2.3.1 is augmented in the following way:

A 2.3.1 - Development complies with the street setback provisions set out in Table 2 of this policy, except where modified by the supplementary Acceptable Outcome below.

Supplementary Acceptable Outcomes:

A 2.3.2 - Development is set back from the street boundary in order to achieve the Objectives outlined in Element 3.2 – Orientation, Element 3.3 – Tree canopy and deep soil areas of the R-Codes Volume 2.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Street setback:

- Street setbacks are to be sympathetic to the desired future character statement of the transition zone.
- Appropriate street setbacks and/or arboricultural intervention are needed to ensure the retention of healthy significant trees close to the street boundary.
- Street setbacks are to maximise the provision of soft landscaping within the street setback and limit the extent of hardstand elements (paving, vehicle access, parking bays) where possible.
- Development is to be appropriately set back to maintain adequate midday winter sunlight to southern site's street setback area.

ILLUSTRATION/IMAGE

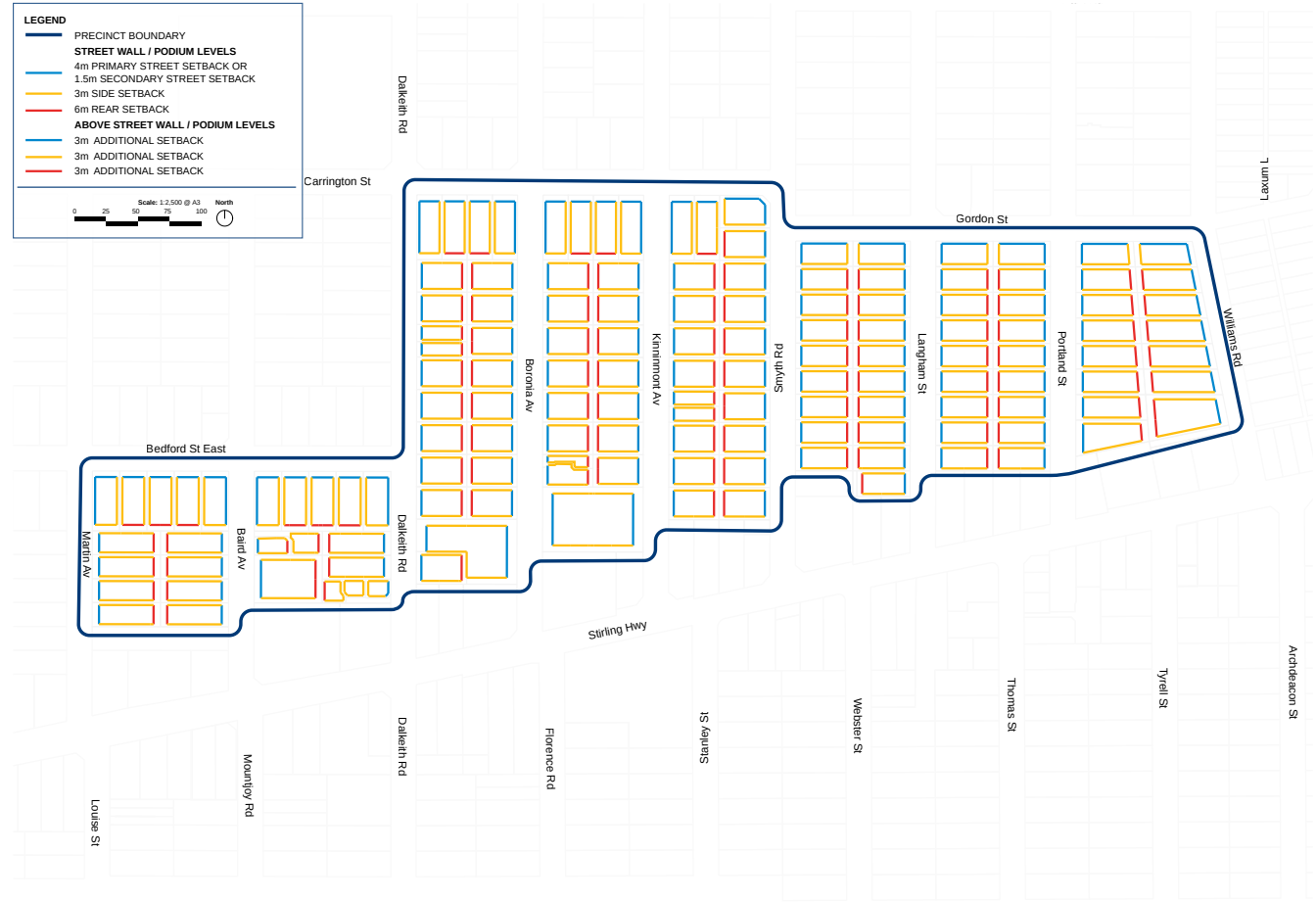


Figure 15. Multiple Dwellings - Setbacks Map

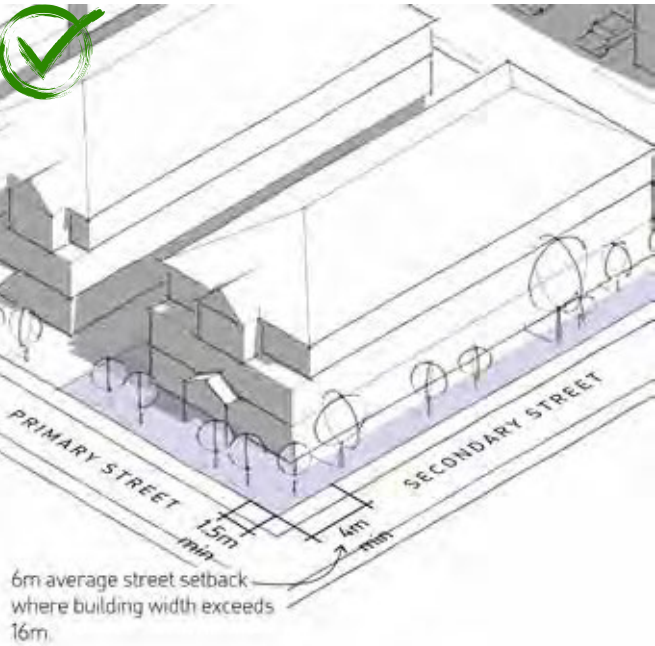


Figure 16. Multiple Dwellings - Street Setbacks Example Diagram

2.4.3 SIDE AND REAR BOUNDARY

INTENT

Residential Design Codes Volume 2 Intent Statement for Side and rear setbacks applies, with the following additional consideration provided:

- The side and rear street setbacks of the development are important places to locate deep soil areas, landscaping, tree canopy and maintain visual privacy. The side and rear setbacks of development within transition zone are to maintain the open and leafy-green character of the area. Generous rear setbacks throughout transition zone will ensure consistent designated areas for tree planting with access to winter sun.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O 2.4.1, O 2.4.2, O 2.4.3 and O 2.4.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A 2.4.1 and A 2.4.2 are replaced with the following:

A 2.4.1 - Development complies with the side and rear setbacks set out in Table 2 of this policy, except where modified by the supplementary provisions below.

A2.4.2 – Where proposed development is consistent with the permitted height provisions of this policy, the top floor wall (excluding private and or communal open space) shall be set back 3m greater than the required side and/or rear setbacks of Table 2 of this policy where it is adjacent to:

- land with a lower residential density code; or
- buildings that are unlikely to change.

Supplementary Acceptable Outcomes:

A 2.4.3 - Notwithstanding the requirements of A2.4.1 and A2.4.2 of this policy, development must also comply with the visual privacy setbacks set out in Table 3.5a of the R-Codes Volume 2.

A2.4.4 – Development is set back from the boundary in order to achieve the Objectives outlined in Element 2.7 Building separation, Element 3.5 Visual privacy, Element 3.3 Tree canopy and Deep soil areas, Element 4.1 Solar and daylight access and Element 4.11 Landscape design.

DESIGN GUIDANCE

The following Design Guidance is provided in relation to Side and rear setback:

- Buildings are to be set back from the side and rear boundary, consistent with the desired future character of the Hollywood Central TZ.
- Development is to be designed to minimise the impact of bulk and scale on future development on adjoining land with a lower density code or existing development that is unlikely to change.
- Due to the predominant east-west lot arrangement of lots, overshadowing is difficult to avoid. Development is to maintain generous front and rear setbacks to provide consistent designated areas for tree canopy and landscaping opportunity with access to winter sunlight.

ILLUSTRATION/IMAGE

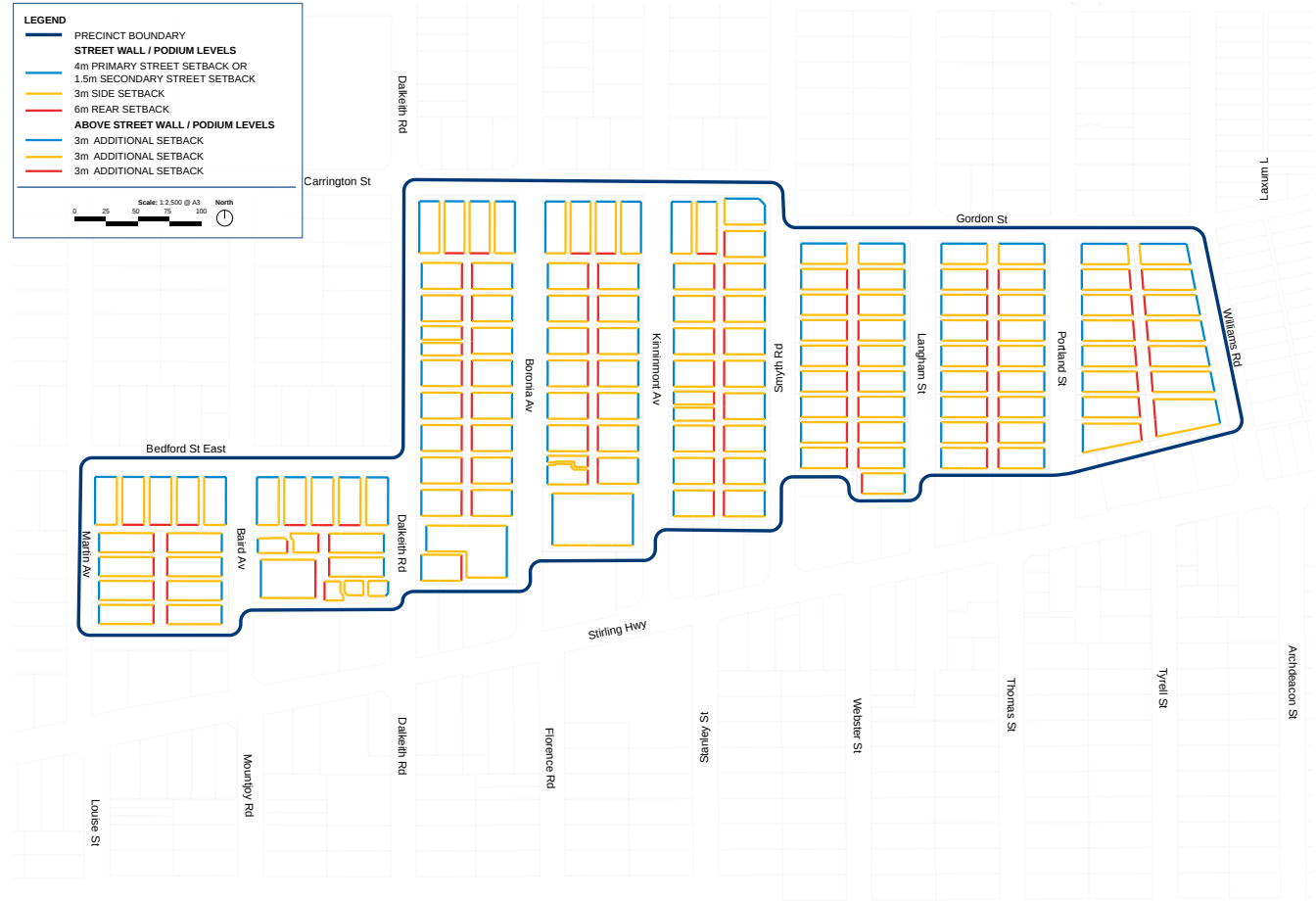


Figure 17. Multiple Dwellings - Setbacks Map

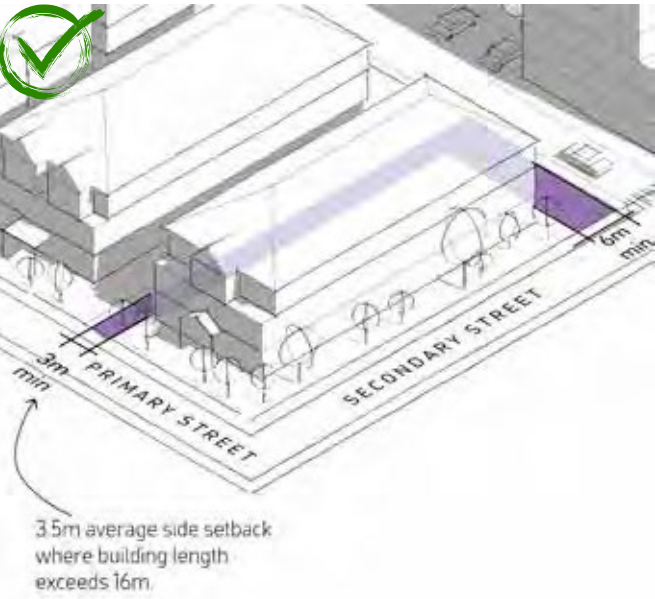


Figure 18. Multiple Dwellings - Side and Rear Boundary Example Diagram

2.4.4 TREE CANOPY AND DEEP SOIL AREAS

INTENT

Residential Design Codes Volume 2 Intent Statement for Tree Canopy and Deep Soil Areas applies with the following additional consideration provided:

- Mature canopy trees soften the bulk and visual privacy impact of apartment buildings, offer attractive outlook for residents, habitat for fauna and improve the urban heat island effect. There is an expectation that new development will feature existing or a new medium-to-large, mature canopy tree(s)

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O3.3.1, O3.3.2, O3.3.3 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.3.1, A3.3.2, A3.3.3, A3.3.4, A3.3.5, A3.3.6, A3.3.7 apply.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.3.1, DG3.3.2, DG3.3.3, DG3.3.4, DG3.3.5, DG3.3.6, DG3.3.7 apply.

Supplementary Design Guidance:

- Tree species are provided in accordance with the City's preferred tree species list.
- Table 3.3a sets out the minimum number of trees to be provided. Depending on the lot size, scale of development, tree age and species, additional canopy trees may be required to achieve the desired future character of the transition area.

ILLUSTRATION/IMAGE



Figure 19. Multiple Dwellings - Tree Canopy and Deep Soil Areas Example Diagram

2.4.5 VEHICLE ACCESS

INTENT

Residential Design Codes Volume 2 Intent Statement for Vehicle access applies, with the following additional consideration provided:

- Vehicle entry points are a defining feature of the façade. Vehicle entry and access should be consistent with the scale of development and should avoid dominating elements which affect the overall façade design and / or streetscape.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O 3.8.1 and O 3.8.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.8.2, A3.8.3, A3.8.4, A3.8.5, A3.8.6, A3.8.7 apply.

A3.8.1 is augmented in the following way:

A 3.8.1 - Vehicle access point limited to one opening with a maximum width of 6m per 20m street frontage that is visible from the street.

Supplementary Acceptable Outcomes:

A3.8.8 - Where a secondary street, including laneways, abuts the rear or side of the development site, vehicle access shall be gained via the existing laneway/secondary street.

A3.8.9 – Vehicle entries to be provided with doors or gates.

A3.8.10 – Vehicle entries are kept to a functional minimum relative to the traffic volumes, with in-built passing points where necessary.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.8.1, DG3.8.2, DG3.8.3, DG3.8.4 and DG3.8.5 apply.

Supplementary Design Guidance:

- Wayfinding cues, such as low-voltage bollard lighting, are to be provided to communal driveway access and rights of way to provide additional safety.
- Vehicle access and entry are to be designed to be consistent with the scale of development.

ILLUSTRATION/IMAGE

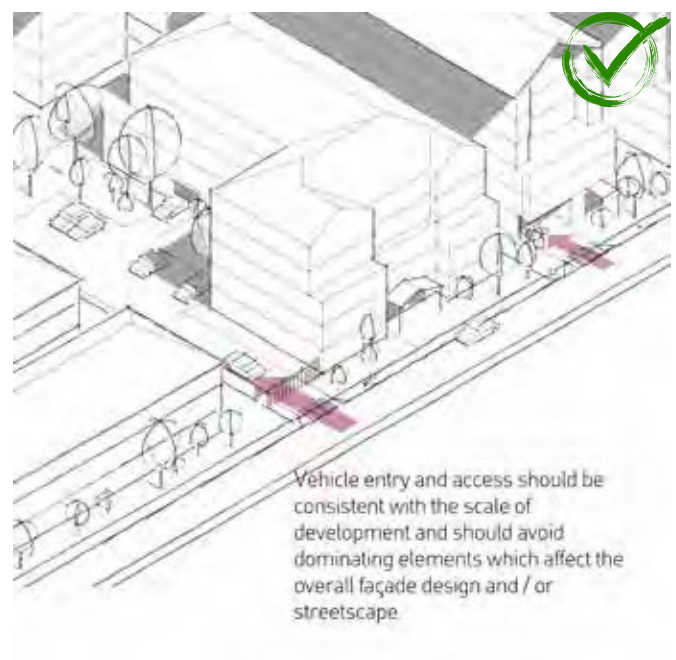


Figure 20. Multiple Dwellings - Vehicle Access Example Diagram

2.4.6 CAR AND BICYCLE PARKING

INTENT

Residential Design Codes Volume 2 Intent Statement for Car and bicycle parking applies.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O 3.9.1, O3.9.2, O3.9.3 O3.9.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A3.9.1, A3.9.2, A3.9.3, A3.9.4, A3.9.6, A3.9.8, A3.9.9, A3.9.10 apply.

A3.9.5 is augmented in the following way:

A3.9.5 - Car parking areas, including visitor bays, are not to be located within the street setback area and are not to be visually prominent from the street.

A3.9.7 is augmented in the following way:

A3.9.7 - Visitor parking is clearly visible from the vehicle entry point to the car parking area.

Supplementary Acceptable Outcomes:

A3.9.11 - At-grade and/or upper floor resident car parking areas are to be sleeved, integrated into the overall design and not visually obtrusive from the street.

A3.9.12 - Car parking space provision should not limit the provision of tree canopy and landscaping to the site.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG3.9.1, DG3.9.2, DG3.9.3, DG3.9.4, DG3.9.5, DG3.9.6, DG3.9.7 apply.

Supplementary Design Guidance:

- To ensure that the location and design of car parking spaces is consistent with the desired future character of the transition zone.
- Car parking areas to be designed to avoid nuisance, including acoustic and light emissions to adjoining properties.

ILLUSTRATION/IMAGE

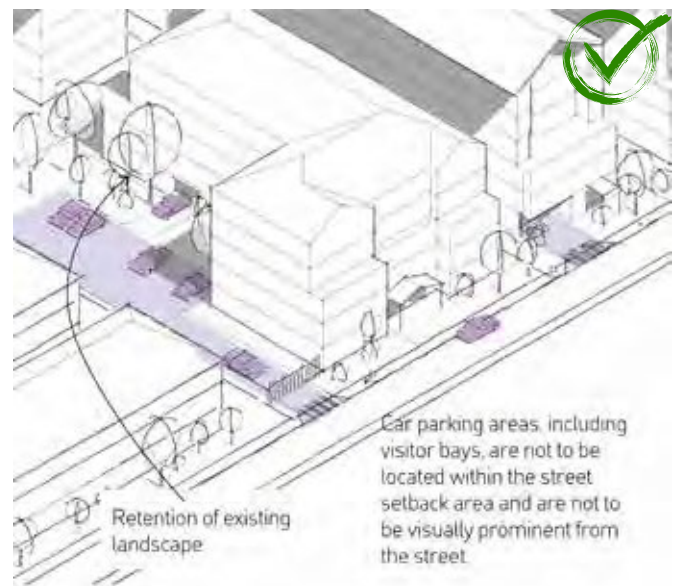


Figure 21. Multiple Dwellings - Car and Bicycle Parking Example

2.4.7 FAÇADE DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Façade Design applies.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O4.10.1 and O4.10.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.10.2, A4.10.3, A4.10.4, A4.10.5, A4.10.6 apply.

A4.10.1 is augmented in the following way:

A4.10.1

- Scaling, articulation, materiality and detailing that reflect the scale, character and function of the public realm and the desired future character.
- streetscape rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.
- responding to the desired future character by incorporating high quality materials and finishes that are sympathetic to the desired future neighbourhood character.

Supplementary Acceptable Outcomes:

A4.10.7 – Façade design is to be coherent, with a balanced composition of building elements to achieve scale, texture and rhythm, including expressions of horizontal and vertical elements in the streetscape.

A4.10.8 – Façade design is to include well defined entries that are integrated into the overall design.

A 4.10.9 - Development is to achieve pedestrian scale by incorporating podiums/street walls, with the remaining upper floors set back consistent with Element 2.2 – Building height.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG 4.10.1, DG 4.10.2, DG4.10.3, DG4.10.4, DG4.10.5 apply.

Supplementary Design Guidance:

- Development to incorporate design elements that achieve a fine urban grain pattern.
- Contemporary design is encouraged, with building materials, colours and finishes to reference those existing within the streetscape (refer Attachment 1).
- Design elements sympathetic to the existing locality are encouraged, 'faux' character details are not.

ILLUSTRATION/IMAGE

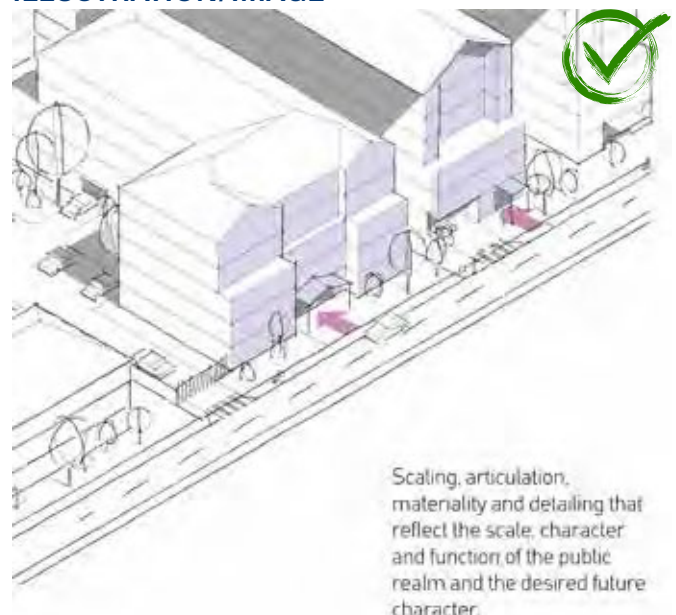


Figure 22. Multiple Dwellings - Façade Design Example Diagram

2.4.8 ROOF DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Roof design applies.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O4.11.1 and O4.11.2 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.11.2, A4.11.3 apply.

A4.11.1 is augmented in the following way:

A4.11.1 - The roof form or top of building complements the façade design and the desired future character of the transition zone.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance DG 4.11.1, DG 4.11.2, DG4.11.3, DG4.11.4 apply.

ILLUSTRATION/IMAGE



Figure 23. Multiple Dwellings - Roof Design Example Diagram

2.4.9 LANDSCAPE DESIGN

INTENT

Residential Design Codes Volume 2 Intent Statement for Landscape design applies.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O4.12.1, O4.12.2, O4.12.3, O4.12.4 apply.

ACCEPTABLE OUTCOMES

Residential Design Codes Volume 2 Acceptable Outcomes A4.12.2, A4.12.3, A4.12.4 apply.

A4.12.1 is augmented in the following way:

A4.12.1 – The submission of a landscaping plan prepared by a qualified, practicing landscape architect or landscape designer is to be submitted with each multiple dwelling application. The plan is to include a species list and irrigation plan demonstrating achievement of the Waterwise design principles. Vegetation selection is to include endemic and/or water wise, medium to large tree species, as per the City's list of preferred species and be suited to their location.

Supplementary Acceptable Outcomes:

A4.12.5 – Landscaped areas are designed and located to soften the visual privacy and bulk impact of new development.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance apply.

Supplementary Design Guidance:

- The use of appropriately sized planter boxes at the external edge of balconies is encouraged to soften the visual privacy impact of upper floor balconies on adjoining dwellings, irrespective of compliance with Table 3.5a of the R-Codes Volume 2.
- Where development is not able to achieve DSA in accordance with Table 3.3a of the Residential Design Codes Volume 2 due to the provision of basement parking, sufficient information, in relation to soil volume, depth and area and irrigation plan is to be included in the landscape plan to determine the viability of planting on structure.
- To maintain a leafy green desired future character, applicants shall propose soft landscaping within setback areas that includes the planting or retention of significant canopy trees. Where this cannot be achieved due to basement car parking, tree planting to be provided with the minimum soil standards outlined in Table 4.12 may be considered as an alternative method to achieving a significant canopy on site.

ILLUSTRATION/IMAGE



Figure 24. Multiple Dwellings - Roof Design Example Diagram

2.4.10 DEVELOPMENT INCENTIVES FOR COMMUNITY BENEFIT

INTENT

Residential Design Codes Volume 2 Intent Statement for Development Incentives for Community Benefit.

ELEMENT OBJECTIVES

Residential Design Codes Volume 2 Element Objectives O4.11.1 and O4.11.2 apply.

DESIGN GUIDANCE

Residential Design Codes Volume 2 Design Guidance PG2.8.1 and PG2.8.2 apply.

Supplementary Planning Guidance:

PG 2.8.3 - Where development:

- exceeds the intended building height A2.2.1 or A2.2.3 by up to a maximum of one storey; and/or
- is proposed on land coded R60 and has an assessed plot ratio of between 1.05:1 to a maximum of 1.3:1, or is proposed on land coded R160 and has an assessed plot ratio of between 2.25:1 to a maximum of 2.5:1 all the following is to be demonstrated:
 - i. A development lot size area is in excess of 2000m²; and
 - ii. The additional building height is designed and set back so as not be substantially visible from the street or adjoining properties; and
 - iii. Basement car parking; and
 - iv. For sites with existing significant tree(s), the retention of one viable medium or large mature significant tree;
 - v. Deep soil areas measuring 15% of the site area; and
 - vi. Dwelling diversity – the provision of:
 - 10% of 3-bedroom dwellings across the development and/or
 - 30% of dwellings achieving Silver requirements as defined in the Liveable Housing Design Guidelines and/or
 - 15% of dwellings designed to Platinum Level as defined in the Liveable Housing Design Guidelines;
 - vii. the additional building height meets the Objectives of Element 3.2; and
 - viii. High-quality design in respect to context and character, built form and scale, materials and finishes as considered by a Design Review Panel; and
 - ix. Achieves a 5 Green star energy efficiency measures (or equivalent to the City's satisfaction), confirmed by a qualified sustainability consultant; and
 - x. Additional water conservation measures, confirmed by a qualified sustainability consultant, demonstrating exceptional water management and conservation and a significant reduction in mains water use, consistent with the Tables below

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design and As-Built rating tool	5-star Green Star rating	Preliminary Sustainable Design Report prepared by a Green Star Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to be demonstrated eligibility for 5-star Green Star rating.
Life Cycle Assessment in Accordance with EN15978- Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to non-integrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies
Performance Requirement			
		Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)		< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.			



3.0

Part Two

Explanatory Report

3.1 Map of Hollywood Central Transition Zone

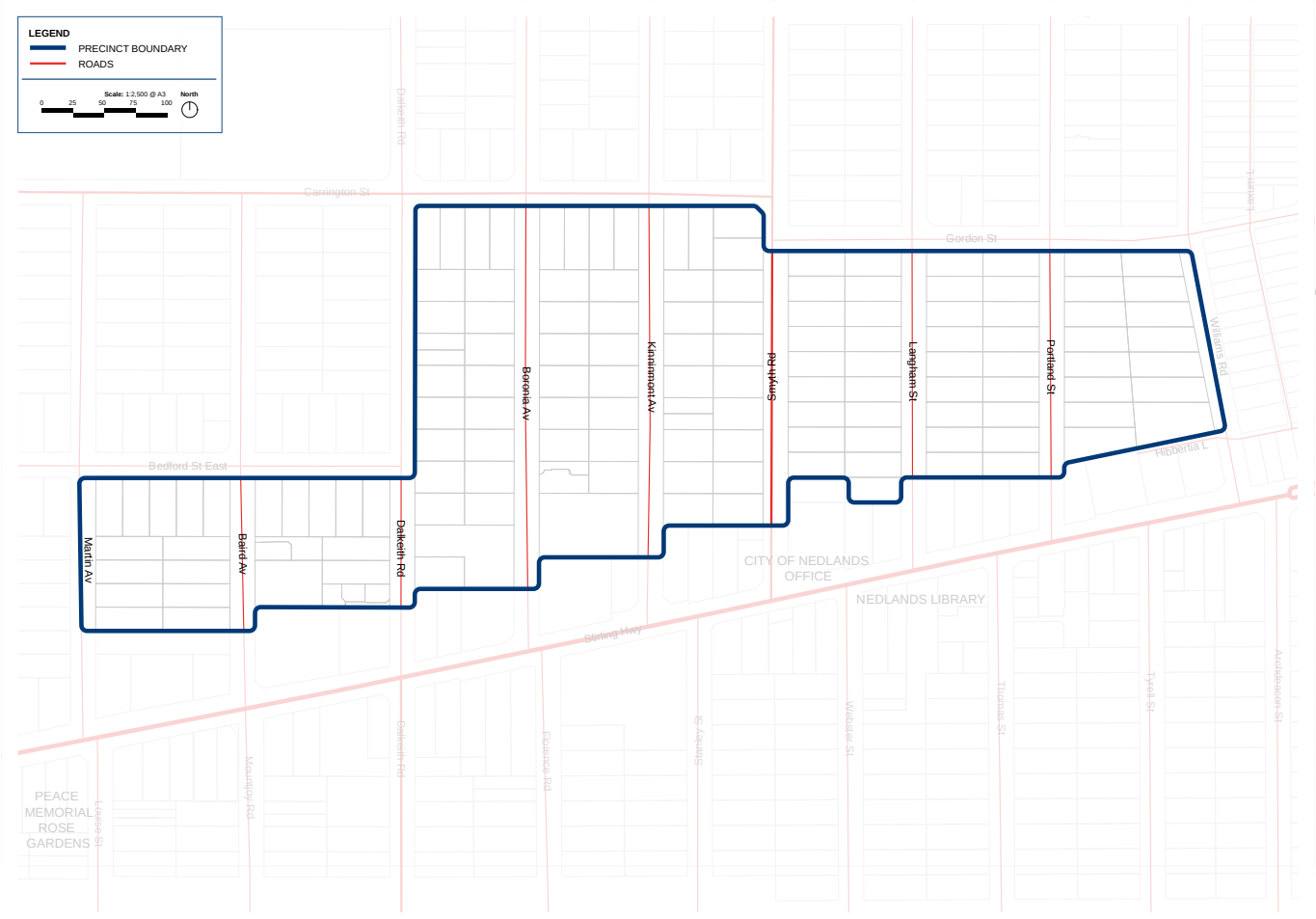


Figure 27. Hollywood Central

3.2 Methodology

3.1.1 DEFINITION OF CHARACTER

The basis of neighbourhood character is that every place has character regardless of its age or appearance. The character of an urban area is defined by the built form, and the age of the built environment in a specific place. The manner in which the built environment interacts with the topography, vegetation, land uses, demographics and streetscapes all contribute to the creation of a 'local character'.

Developments that respond sensitively to the surrounding existing context and valued elements of neighbourhood character are more likely to 'sit' comfortably within a place, and gain acceptance more easily from the local community.

By studying these elements of a place, we are able to gain an understanding of the local character. We are then able to use this understanding to guide the design of new developments so that they respond in a sensitive manner to the existing character.

3.1.2 METHODOLOGY USED TO COLLECT AND COLLATE DATA

To better understand the neighbourhood character of the Hollywood Central Precinct, the City undertook the following steps to collect quantitative and qualitative data to inform the final policy document:

- Built Form Audit: A lot by lot audit was undertaken that itemised the built form character of each dwelling in the precinct, including elements such as roof style, building materials, setbacks, and vegetation. This audit provided a statistical understanding of the range of characteristics that are evident in each street, which of these are most prevalent, and provided a numerical understanding of the existing character of the streetscape.
- Determination of Predominant Characteristics: The Cambridge English Dictionary defines predominant as: "more noticeable or important, or larger in number, than others". In the context of a streetscape, the City has determined that a predominant characteristic, to be larger in number than others, should be present in 60% or more of the dwellings on the street.
- Desktop Research: Some basic historical research was undertaken to provide an understanding of when and how the area evolved.

The City has used the quantitative (numerical data) and qualitative (qualities that are descriptive) information collected to inform built form design guideline requirements for the Transition Zone. These built form design guidelines seek to guide development to achieve the character identified in the Future Desired Character Statement.

3.3 Context

3.3.1 REGIONAL CONTEXT

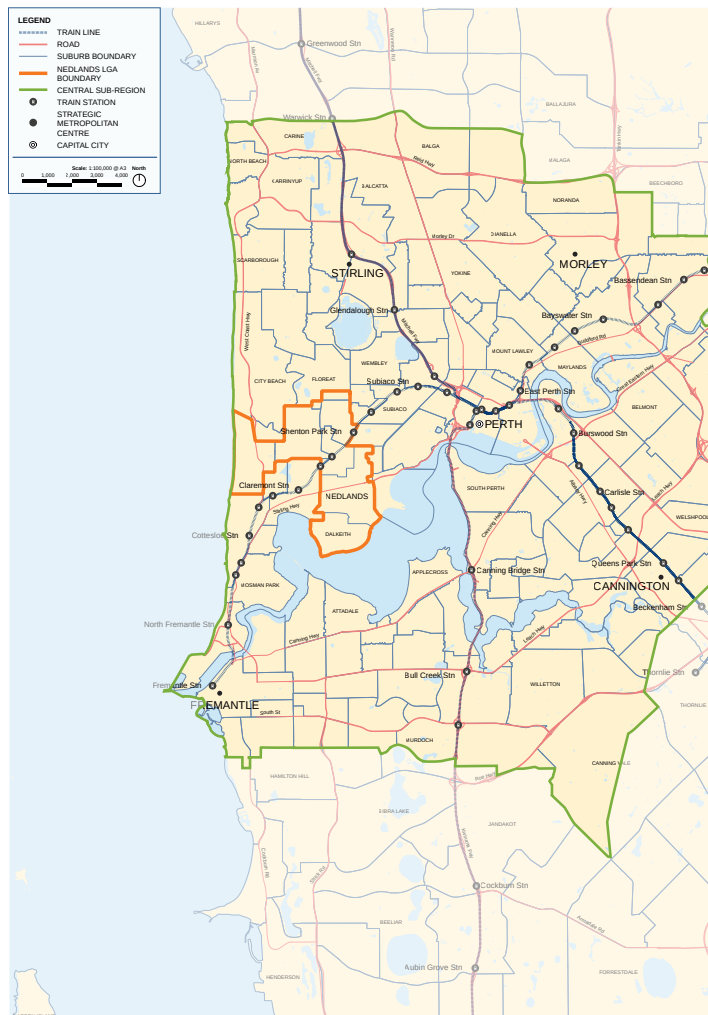


Figure 28. Regional Context

3.3.2 LOCAL CONTEXT

From 1985 until 2019 the City of Nedlands' former Town Planning Scheme No. 2 provided for a low residential density development pattern throughout the City's suburbs. In April 2019, the City adopted the new Local Planning Scheme No 3 (LPS3). While the majority of the City of Nedlands has retained the traditional low-density pattern, LPS3 does provide for significant density increases around major activity corridors including Stirling Highway, Broadway, Hampden Road and Waratah Avenue. Transitional Density Zones, as defined in the City's Local Planning Strategy, were provided by LPS3 to assist in achieving transitional height and density outcomes between the new high coded areas and the established lower coded areas.

3.4 Local Future Context

3.4.1 CITY OF NEDLANDS LOCAL PLANNING STRATEGY

The City of Nedlands Local Planning Strategy sets out the long-term strategic direction for land use and development within the City of Nedlands and has been prepared to reflect the community and Council vision for the future of the City.

The Local Planning Strategy specifies that Transition Zones shall exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. The suite of Transitional Zone Local Planning Policies will provide built form guidance for these Transition Zones.

3.4.2 PERTH AND PEEL @ 3.5 MILLION

Along with 18 other Local Government Areas, the City of Nedlands forms part of the 'Central sub-region' identified as part of the State Government's Perth and Peel @ 3.5 Million planning and infrastructure framework. This document provides a long-term growth strategy for land use and infrastructure provision for the Perth and Peel regions that are based on the vision of Directions 2031 and Beyond, which provided residential dwelling targets for both greenfield and established areas.

The Central sub-region includes the central business district (CBD) of Perth, has the highest population and employment densities and is the focus of the metropolitan public transit network.

3.5 Contextual Maps

3.5.1 SUB - REGIONAL CONTEXT MAP

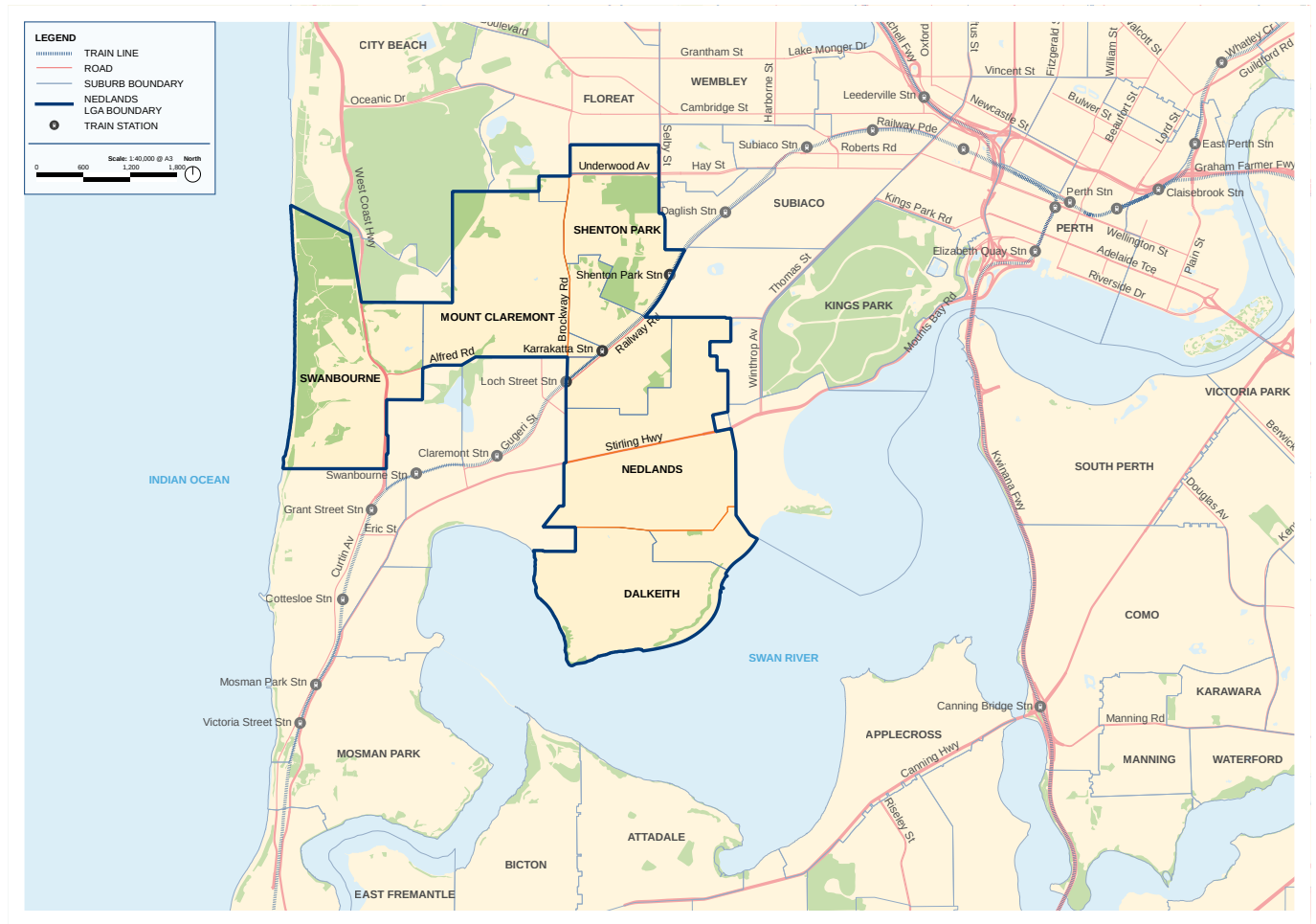


Figure 29. Sub-regional Context Map

3.5.2 ADOPTION OF LOCAL PLANNING SCHEME (APRIL 2019)

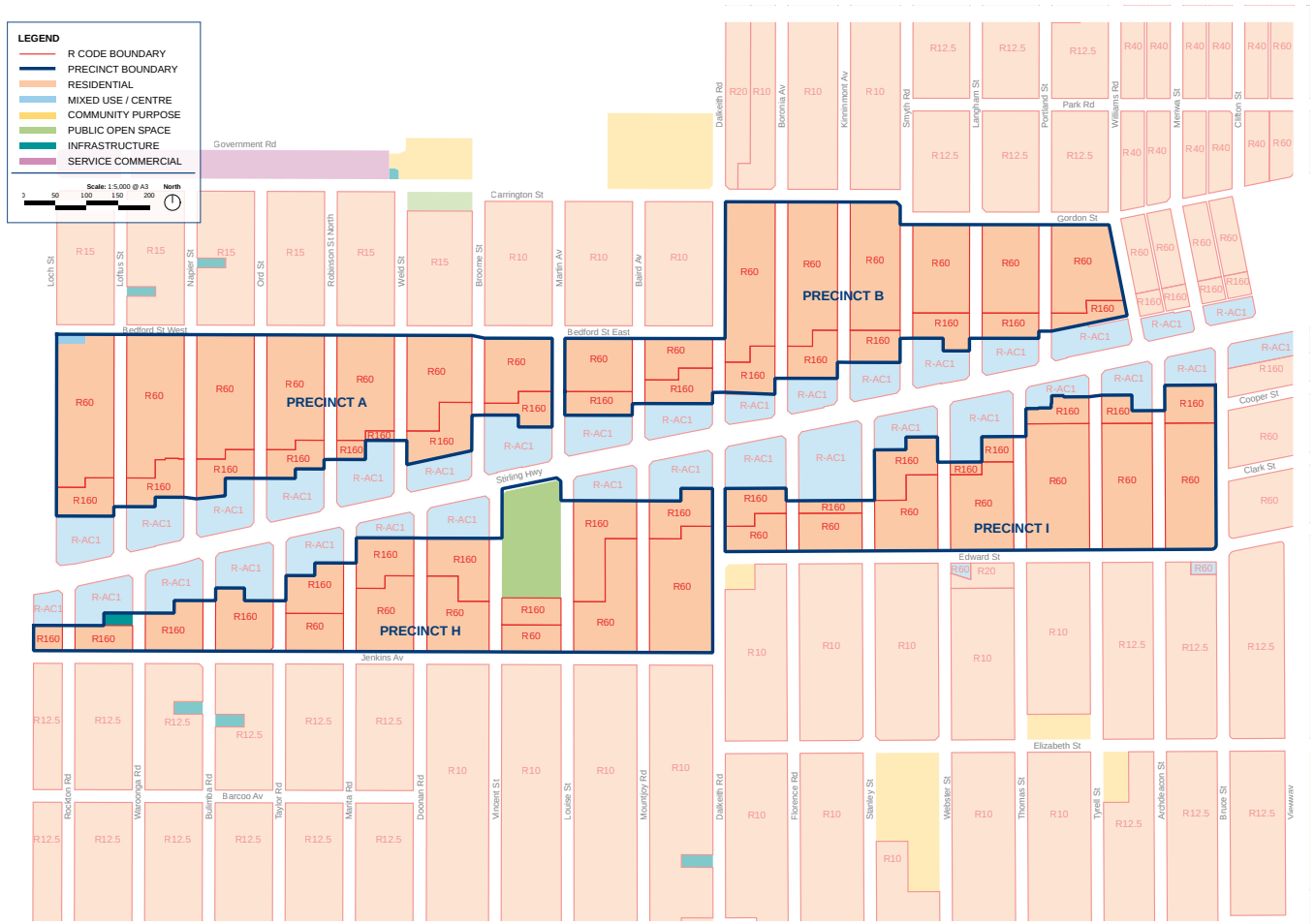


Figure 30. Local Planning Scheme Map



Transitional Zones Context Map showing all precincts on the one map



3.6 Related Legislation

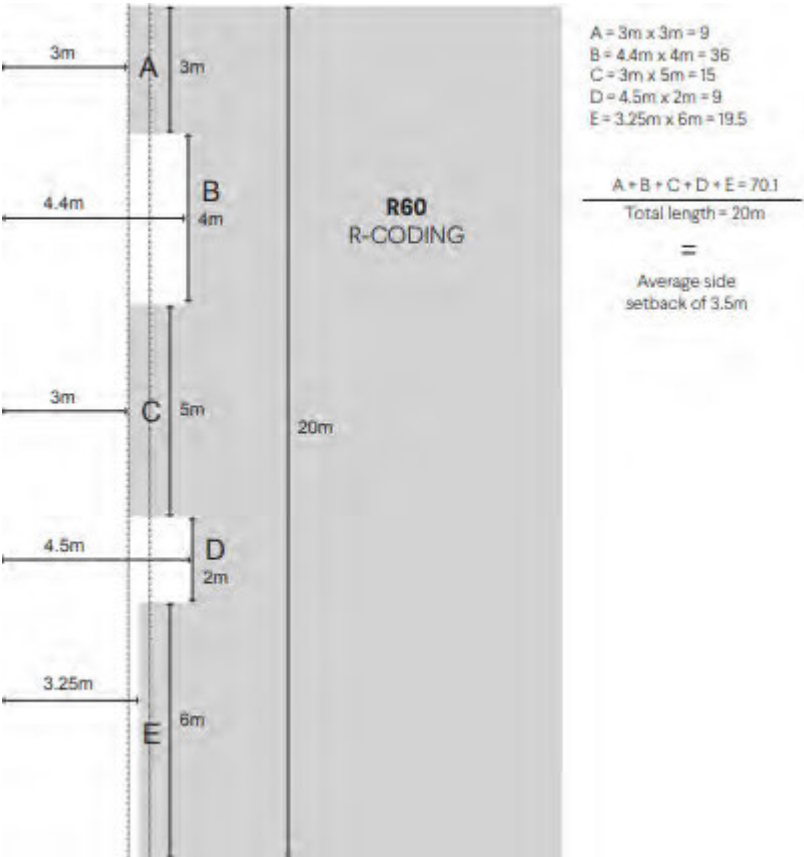
This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

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

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No. 3
- State Planning Policy 7.3 – Residential Design Codes – Volume 1
- State Planning Policy 7.3 - Residential Design Codes - Volume 2

3.7 Definitions

For this policy the following definitions apply:

Definition	Meaning
	The aggregate of all individual wall lengths multiplied by the setback and setback, divided by the overall wall length: 
Average setback	
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.
High-Quality	A design element that is considered excellent by design review panel.
Overall height	The vertical distance between the highest point of a building's roof and the natural ground level directly below it, excluding minor projections.

Definition	Meaning
Predominant characteristics	More noticeable or important, or larger in number, than others. For the purposes of this policy, a characteristic present in 60 per cent or more of the properties on a street.
Quantitative Data	Relating to information that can be measured and shown in numbers or amounts.
Qualitative Data	Relating to information that cannot be easily measured, such as people's opinions and feelings, rather than on information that can be shown in numbers.
Significant Tree	Trees that meets 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
Sleeved parking	Sleeved parking is parking with part or all of the external edges featuring active uses such as residential units.
Transition Zones	The City of Nedlands Local Planning Strategy identifies transition zones as: Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g. height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate.
Unlikely to be changed	A site that contains three multiple dwellings, or three grouped dwellings or a parent lot that has been subdivided into three or more single houses.

A word or expression that is not defined in the Policy has the same meaning as it has in the R-Codes.

...Hollywood Central



Please note: this item was brought forward see page 11.

8. Local Planning Scheme 3 – Draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands

Council Date	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Revised Draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands dated 11 August 2020 2. Original draft Local Planning Policy - Peace Memorial Rose Garden Precinct, Nedlands dated March 2020. 3. Revised policy with tracked changes dated 11 August 2020 4. Summary of Submissions 5. Heritage Council of WA advice
Confidential Attachments	1. Confidential Attachment – Submissions

9. Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward and Elizabeth Street

Council	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	PD15.20 – OCM April 2020
Attachments	1. Scheme Amendment No. 7 Justification Report 2. Scheme Amendment No. 7 Schedule of Submissions
Confidential Attachments	1. Scheme Amendment No. 7 Full Submissions 2. Petition Scheme Amendment No. 7

Councillor Youngman returned to the room at 7.46 pm

Regulation 11(da) - Council determined that it wished to support the Scheme Amendment in support of the community.

Moved – Councillor Wetherall
Seconded – Mayor de Lacy

Council:

1. pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports without modification Scheme Amendment No. 7 to amend Local Planning Scheme No. 3 as follows:
 - a. As detailed in Attachment 1 – Scheme Amendment No. 7 Justification Report
2. in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment No. 7 to the West Australian Planning Commission.

Amendment

Moved - Councillor Bennett

Seconded - Councillor Mangano

1. in clause 2 add the words “before the close of business Friday 4th September 2020”; and

The AMENDMENT was PUT and was

CARRIED 12/1
(Against: Cr. Wetherall)

2. add a clause 3 as follows:

3. instructs the CEO to hire an external planning consultant, to the satisfaction of the Mayor, to be the WAPC / DPLH liaison and presenter for all planning matters relating to SA7, so that the City may redirect resources to other priority planning matters.

The AMENDMENT was PUT and was

CARRIED 11/2
(Against: Crs. McManus & Poliwka)

The Substantive was PUT and was

CARRIED UNANIMOUSLY 13/-

Council Resolution

Council:

1. pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports without modification Scheme Amendment No. 7 to amend Local Planning Scheme No. 3 as follows:
 - a. As detailed in Attachment 1 – Scheme Amendment No. 7 Justification Report
2. in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment No. 7 to the West Australian Planning Commission before the close of business Friday 4th September 2020; and
3. instructs the CEO to hire an external planning consultant, to the satisfaction of the Mayor, to be the WAPC / DPLH liaison and presenter for all planning matters relating to SA7, so that the City may redirect resources to other priority planning matters.

Recommendation to Council

Council:

1. in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* does NOT support Scheme Amendment No. 7 to Local Planning Scheme No. 3 as detailed in Attachment 1 for the following reason:
 - a) The amendment is not based on sound town planning principles in accordance with Schedule 2, Part 2 Clause 3 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions as the City has not yet completed built form modelling or testing to establish suitability for the density codes that are proposed; and
 - b) The proposed scheme amendment is premature. Local Planning Scheme No. 3 was adopted in April 2019, changes in density should occur at the 5-year review cycle and therefore should not be supported at this time.

OR

Council:

1. Pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports without modification Scheme Amendment No. 7 to amend Local Planning Scheme No. 3 as follows:
 - a. As detailed in Attachment 1 – Scheme Amendment No. 7 Justification Report
2. In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment No. 7 to the West Australian Planning Commission.

Executive Summary

The purpose of this report is for Council to provide consent to adopt or refuse post advertising the proposed Scheme Amendment No. 7 to Local Planning Scheme No. 3 (LPS3).

At the Council Meeting held on the 25 February 2020, Council resolved to propose an amendment to lower the density code of properties within the Broadway Precinct along both Broadway and Kingsway. The amendment was then presented to Council on the 28 April 2020, where Council resolved:

Council Resolution

Council:

1. pursuant to Section 75 of the Planning and Development Act 2005, adopts an Amendment to Local Planning Scheme 3 by:
 - a) Changing the residential density coding of subject properties as follows:
 - Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
 - Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
 - Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
 - Number 5 Hillway, Nedlands from R-AC3 to R40
 - Numbers 69 to 139 Broadway, Nedlands from R-AC3 to RAC4;
 - Number 2 Edward Street from R-AC3 to R-AC4; and
 - Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to RAC4.
2. in accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City believes that the amendment is a Standard Amendment for the following reasons:
 - a) The amendment proposes a modified density code that remains consistent with the objectives identified in the scheme for that zone;
 - b) The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - c) The amendment is consistent with the Metropolitan Region Scheme that applies to the scheme area.
3. instructs the CEO to review and incorporate relevant content and justifications within the Rise Urban report “LPS 3 – Scheme Amendment No.7” into the Attachment 1 Scheme Amendment Justification Report to the satisfaction of the Mayor, noting that the Rise Urban report is based on the Feb 25 Council resolution and provides additional justification based on the Nedlands Local Planning Strategy endorsed by the WAPC in 2017;

Administration does not support the proposed Scheme Amendment because it is premature of built form modelling and testing which is currently being undertaken by the City.

Cognisant of the desire of the community to nevertheless press ahead with a scheme amendment, due to concerns with inappropriate development, an alternative recommendation is provided should Council wish to proceed with Scheme Amendment 7 at this time.

Details/Overview

At the April 2020 Council Meeting, Council was advised that Scheme Amendment No. 7 is complex in nature in line with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Council adopted the amendment as a standard amendment and advertise accordingly. Administration is concerned that the amendment is complex and therefore approval to advertise from the West Australian Planning Commission (the Commission) should have been sought and advertising should have been undertaken for 60 days. However, Administration has treated the amendment as standard in line with the April 2020 resolution.

Once Council has resolved to support or not support the amendment, copies of the amendment will be sent to the Commission in line with the Regulations. The Commission may then determine whether the amendment is standard or complex, in accordance with Clause 54 of the Regulations, and may direct the amendment to be treated as complex. If that is the case the following will take place:

If, on receipt of documents provided to it under regulation 53(1), the Commission considers that the amendment to local planning scheme is a complex amendment, the Commission may direct the local government –

- a) To readvertise the amendment as a complex amendment; or
- b) To take any other steps the Commission considers appropriate to advertise the amendment.

Readvertising the amendment would be for 60 days in line with the Regulations Part 5 Division 3 Section 54.

If the Commission are accepting of the amendment as a standard amendment, The Commission will then make a recommendation to the Minister. The Minister will then decide whether to support or not support the amendment.

The City's Local Planning Scheme No. 3 (LPS 3) came into effect April 2019. The City has been advised by the Department of Planning, Lands and Heritage (the Department) that density code changes should occur at the 5-year review cycle and not earlier and that any transitioning issues should take the form of revised built form controls, based on modelling and testing.

Requests to amend density coding prior to the 5-year review cycle should be accompanied by built form modelling, testing and thorough planning research. The City has currently engaged consultants to undertake built form modelling and traffic modelling for the City in the Broadway precinct. Adopting a change in density prematurely of the results of this built form modelling would undermine the work currently being undertaken and would therefore not provide a strong argument to substantiate changes in density coding. Through the built form modelling the City will have evidence-based research which will test three scenarios. This will test the building bulk and massing, as well as the transitioning impacts of current density coding to lower codes adjacent.

Once the built form modelling is complete, the City will be able to evaluate the three scenarios and correlate building envelope and primary controls into dwelling yield calculations. It will then be tested as to whether each tested scenario maintains the objective of providing the opportunity for maintaining the dwelling yield targets of Perth to Peel @ 3.5 million, and that the preferred scenario does not seek to wholesale lower density and dwelling yield target achievement.

The likely scenario is that the City, through refinement of the local planning framework, will achieve and strike a balance between providing development potential, diversity in housing, whilst achieving state planning objectives of increased infill targets. The balance will also include nuancing planning controls to ensure that transitioning impacts are minimised, that amenity impacts are ameliorated and where possible, interfacing between higher and lower R Codings is adequately separated, screened and adjoining lower coded properties are satisfactorily protected.

As this work is currently not finalised, it would be premature for the City to adopt a scheme amendment at this time. For an amendment to be taken seriously, and to have the strongest case for approval, the built form modelling and testing is needed, and this information form part of any justification report for density code changes. This information is also likely to provide the necessary information to substantiate built form controls that may not require density code changes, and that impacts currently being experienced or likely to be experienced from proposed developments can be mitigated through adequate nuanced local planning and built form controls.

Strategic Documents

Built Form Modelling / Distinctiveness Character Study

The City has engaged consultants at Hassell to complete a local distinctiveness study, context analysis and built form modelling to inform built form controls within the Broadway Precinct Local Plan. The intent of the distinctiveness study is to review the characteristics of the existing built form that inform the character of the place. The focus has been to uncover elements that make a positive contribution to local distinctiveness and the opportunities for enhancement. The local distinctiveness study and context analysis will be used to inform built form modelling, which will test different development scenarios for the precinct. Once these development scenarios are reviewed and explored through community engagement, a local precinct-based planning policy will be drafted for the precinct, which will define appropriate built form controls which are likely to form an amendment to the Scheme.

It is expected that built form controls will seek to ameliorate the impacts of harsh transitions in density coding, such as the RAC3 abutting R60 which provides for a default interface of 6 storey down to 3 storeys. The local distinctiveness study and context analysis were presented to Council at the 25 August 2020

Ordinary Council Meeting and a draft precinct planning policy and built form controls due to be presented to Council in October 2020. Any amendments to density before the completion of these studies would be premature and unlikely to be successful with the Department.

Specialised Activity Centre Plan

Land within the Crawley-Nedlands neighbourhood, which includes the University of Western Australia (UWA) and associated colleges, Broadway, Queen Elizabeth II Medical Centre (QEII MC) and Hollywood Hospital is identified as a Specialised Activity Centre under the State Government's Central Sub-Regional Planning Framework. In consultation with the City of Nedlands, the City of Perth and Department of Planning, Lands and Heritage have been working to prepare a Specialised Activity Centre Plan (SACP). The SACP aims at supporting the centre through the development of complementary activities that support the primary function of health, education, and research in addition to balancing future growth, built form outcomes and transport. Once prepared, the future SACP will affect the future planning and development of the locality which will be further guided by State Planning Policy 4.2 Activity Centres for Perth and Peel or equivalent replaced State Planning Framework and 7.2 Precinct Design. There is currently no set timeframe for the completion of the SACP as it is at a very preliminary stage. Any changes to density along Broadway should be made collaboratively with the City of Perth and the Department so that they are in line with this plan.

UWA and the City of Perth have made submissions to Scheme Amendment No. 7 stating that they do not support the amendment and that amendments should not jeopardise the future intent of this centre to become a globally competitive centre for health, medical, education, research and innovation.

Local Planning Strategy

The City's Local Planning Strategy (the Strategy) endorsed in 2017 suggested that the Hampden/Broadway Precinct should have medium intensity and be a low to medium rise urban growth area within the City. Although the density proposed in Scheme Amendment No. 7 could be argued as still achieving +- the objectives of the Strategy, this cannot be proven without built form modelling discussed above.

Residential Design Codes Volume 2

The Residential Design Codes discuss that an R-AC3 code is for mid-rise urban centres which the Broadway Precinct has been determined as under the Local Planning Strategy. The R-AC4 code suggested in the amendment is better used for smaller neighbourhood centres. In the Local Planning Strategy Broadway is described as an 'urban growth area' and 'low to medium rise'. In line with the *Residential Design Codes Volume 2* Appendix 2 this is in line with a mid-rise urban centre. This is described as having a context of approximately up to 6 storeys which has a direct street frontage and is often built to the boundary.

These centres are usually highly walkable with proximity to high frequency transit services, public open space and commercial and/or retail uses. Broadway fits within these parameters therefore an appropriate code for Broadway would be R-AC3 which it already is at present.

Perth and Peel @ 3.5 Million

Perth and Peel at 3.5 Million provides the City of Nedlands with a density target of 4320 additional dwellings by 2050. Local Planning Scheme No. 3 was described by the Minister as meeting the density targets prescribed to the City. Any reductions in density would need yield calculations to accompany the proposed changes to show that the density targets prescribed are still being met. The City has not undertaken any thorough studies to prove that the proposed density will still achieve density targets and thus may not be supported by the Commission and the Minister.

Consultation

Administration advertised the scheme amendment in line with the Regulations for a standard scheme amendment as resolved at the April 2020 Council Meeting. The amendment was advertised for a period of 42 days.

During the consultation period the City received 252 submissions of these 92% supported the amendment, with 6% objecting and 2% commenting. All submissions are provided in Attachment 2 of this report. All submissions were also provided to Council at the August 2020 Council Meeting in line with Council's July 2020 Notice of Motion. Since the August report the City has received three late submissions which have also been included in Attachment 2.

The City has also received a petition which objects to the scheme amendment and has 125 signatures. Many of the signatures are from owners, residents, and employees of properties along both Broadway and Hillway. The report which accompanies the petition echoes the same concerns raised in Submission number 247 a summary of which can be viewed in Attachment 2.

The City is aware of significant impetus from the community to move ahead with Scheme Amendment 7. An alternative recommendation has been written should Council wish to support these concerns, in the hope that the amendment is supported by the Minister, giving due regard to the City of Nedlands community.

Strategic Implications

How well does it fit with our strategic direction?

In order to meet the City's strategic priority of meeting dwelling targets in a considerate and appropriate manner, Council should defer any decision to seek density code changes until built form modelling has been completed and a

thoroughly tested scenario can be substantiated based on sound town planning principles.

Who benefits?

The proposed scheme amendment seeks to benefit those who wish to seek lower density within an area which has recently been upcoded as part of LPS3. Those who do not benefit are landowners who have bought properties with the intention to develop at the currently adopted density codes.

Does it involve a tolerable risk?

There are risks associated with undertaking scheme amendments to change density premature of the built form modelling work being finalised. The results of the built form modelling may suggest more appropriate alternatives than what is proposed in this current scheme amendment. This could result in a conflicting scheme amendment not aligning with a comprehensively researched and tested precinct structure plan or equivalent and associated scheme amendment to insert revised built form controls into LPS3 as an alternative to wholesale down coding with limited justification and evidence.

On the other hand, there are community concerns that the longer it takes for a scheme amendment to be put in place, then the greater the risk of inappropriate development, hence driving the need to put the scheme amendment in place at the earliest opportunity.

Do we have the information we need?

Without the built form modelling and thorough planning rationale the Council does not have substantive evidence to make an informed decision on the appropriateness of the proposed down-coding scheme amendment. It is therefore advised that the scheme amendment is premature in nature and should not be supported.

Budget / Financial Implications

Can we afford it?

There are no immediate costs associated with this scheme amendment. If the WAPC and the Minister approve the scheme amendment there will be a small fee associated with the publishing of the amendment.

How does the option impact upon rates?

There is no current impact upon rates. A reduced density coding will result in a decrease in the potential dwelling yield compared to redevelopment at current density coding.

Alternate Recommendation

In the event that Council wishes to support the amendment it will need to resolve as follows:

“Council:

1. Pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports without modification Scheme Amendment No. 7 to amend Local Planning Scheme No. 3 as follows:
 - a. As detailed in Attachment 1 – Scheme Amendment No. 7 Justification Report
2. In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment No. 7 to the West Australian Planning Commission.”

Conclusion

Administration advise Council that Scheme Amendment No. 7 is premature in nature. Pursuing an amendment to change density before receiving the results of the built form modelling could undermine the detailed work being undertaken in this precinct. Without the results of the built form modelling and testing, the City lacks the planning rationale to justify these changes at this time. Administration would recommend that no changes to density codes be undertaken prior to the completion of built form modelling and thorough planning rationale.



City of Nedlands
Local Planning Scheme No. 3

Amendment No. 7

Scheme Amendment to reduce the density codes on several sites within the City of Nedlands.

Planning and Development Act 2005

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

*City of Nedlands Local Planning Scheme 3
Scheme Amendment 7*

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

Changing the residential density coding of subject properties as follows:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
- Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
- Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
- Number 5 Hillway, Nedlands from R-AC3 to R40;
- Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4;
- Number 2 Edward Street, Nedlands from R-AC3 to R-AC4; and
- Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.

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

- (a) The amendment proposes a modified density code that remains consistent with the objectives identified in the scheme for that zone;
- (b) The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (c) The amendment is consistent with the Metropolitan Region Scheme that applies to the scheme area.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

City of Nedlands

Local Planning Scheme No. 3 – Scheme Amendment No. 7

Scheme Amendment Report

1.0 INTRODUCTION

Local Planning Scheme No. 3 (LPS3) was gazetted on 16 April 2019. Modifications from the Minister for Planning introduced changes to the Scheme that increased the density coding along Broadway and surrounding streets Kingsway, Hillway, Elizabeth Street and Edward Street, Nedlands as follows:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway: increased from R12.5 to R60;
- Numbers 1 to 5 Hillway: increased from R12.5 to R-AC3;
- Numbers 7 to 23 Hillway: increased from R12.5 to R60;
- Numbers 69 to 131 Broadway: increased from R35 to R-AC3;
- Numbers 133 to 139 Broadway: increased from R12.5 to R-AC3;
- Number 2 Edward Street: increased from R12.5 to R-AC3; and
- Numbers 1, 1A and 1B Elizabeth Street: increased from R35 to R-AC3.

The City of Nedlands Council resolved at its Council Meeting on 28 April 2020 to propose this amendment to change the current density codes for these properties to:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
- Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
- Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
- Number 5 Hillway, Nedlands from R-AC3 to R40;
- Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4;
- Number 2 Edward Street, Nedlands from R-AC3 to R-AC4; and
- Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.

Pursuant to regulation 35(2)(a), the amendment is considered to be a **‘standard’** amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- (a) The amendment proposes a modified density code that remains consistent with the objectives identified in the scheme for that zone;
- (b) The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (c) The amendment is consistent with the Metropolitan Region Scheme that applies to the scheme area.

2.0 PROPOSAL

The City proposes to change the density code for the following sites:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
- Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
- Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
- Number 5 Hillway, Nedlands from R-AC3 to R40;
- Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4;
- Number 2 Edward Street, Nedlands from R-AC3 to R-AC4; and
- Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.

3.0 JUSTIFICATION

Consideration as a standard amendment

Definition of Standard Amendment as per s.34 of the Regulations	Response
(a) <i>an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;</i>	With the exception of No.5 Hillway, which was incorrectly zoned Mixed Use in LPS3 the amendment does not propose to change the zoning of the land within the amendment area, and the amendment will not in any way prevent the land from being developed in accordance with the objectives of the Mixed Use and Residential zones respectively as identified in clause 16 of LPS3.
(b) <i>an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;</i>	The amendment is consistent with the City of Nedlands Local Planning Strategy, which was endorsed by the WAPC in September 2017. The Strategy identifies the Hampden/Broadway precinct as a medium intensity, low to medium rise Urban Growth Area. The changes to the residential density codings proposed by this amendment within the Mixed Use zone (from R-AC3 to R-AC4) are consistent with the strategic intent to create a low to medium rise growth area. The Strategy also identifies a neighbourhood centre (Broadway Fair) and a local centre (Broadway south) within the amendment area. Consistent with the designation of these centres, this amendment proposes to impose a residential density code of R-AC4, which is deemed by the Apartment Codes to be the most appropriate density code in and around neighbourhood and local centres. The Strategy identifies the Residential zoned portion of the amendment area as a 'Transition Zone' with the key objectives of ensuring the height, scale and bulk of

	redevelopment appropriately integrates back to the established residential character of the area, and to ensure a quick transition of built form to integrate back to the established residential character of the area. The proposed amendment is entirely consistent with this objective. Further discussion on the Local Planning Strategy is set out in subsequent sections of this report.
(c) <i>an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;</i>	The amendment will provide a form and scale of development that is consistent with the underlying Urban zone as identified in the Metropolitan Region Scheme.
(d) <i>an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;</i>	Not applicable. No Activity Centre Plan, Structure Plan or Local Development Plan applies to this area.
(e) <i>an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;</i>	The amendment proposes to reduce the intensity, bulk and scale of development within the amendment area by modifying the residential density codes. The changes to the residential density codes proposed by this amendment will not have any negative impact on properties within the scheme area that are not within the amendment area.
(f) <i>an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;</i>	The amendment does not propose to change the zoning or intent for the use of the land within the amendment area, and will result in a reduced scale of development that will continue to achieve key environmental, social, economic and governance objectives for this area.
(g) <i>any other amendment that is not a complex or basic amendment.</i>	The proposed amendment is not a basic or complex amendment having regard to the definitions in s.34 of the Regulations, and the justification set out above.

Planning Framework

The purpose of this amendment is to modify the residential density codes assigned to the southern end of Broadway and the residential properties immediately to the west in order to:

- a. Provide for a built form outcome that better responds to its context within an established area in proximity to a neighbourhood and local centre, whilst recognising that the intensity of land use along the Broadway corridor is currently, and will remain variable along its length; and
- b. Ensure a more suitable built form interface to the residential lots to the west that front Kingsway and Hillway.
- c. Better align the residential density codes with the intent of the Local Planning Strategy, being to deliver a low to mid rise urban corridor, whilst respecting the established local character.

This amendment has been prepared in accordance with the applicable requirements of the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015.

City of Nedlands Local Planning Strategy (WAPC, 2017)

The City of Nedlands Local Planning Strategy (“the Strategy”) was endorsed by the WAPC in September 2017. The Strategy sets out the City’s vision and principles for the future growth of the Nedlands municipality, and seeks to address the state planning framework that affects the City. The Local Planning Strategy gives clarity on how the City seeks to respond to the requirements of the State. The area subject to this amendment falls within two separate categories in the Strategy. The land fronting Broadway is classified as an Urban Growth Area, while the land fronting Hillway and Kingsway (generally) is classified as a Transition Zone. These two classifications are defined in section 4.1 of the Strategy as:

Urban Growth Areas will contain the most intense development in the City of Nedlands. Multiple dwellings (apartments), commercial and mixed-use developments will be the predominant development types in these areas. Development is not necessarily expected to be homogenous between Urban Growth Areas or even within Urban Growth Areas. Transition Zones will exist immediately adjacent to Urban Growth Areas for the purposes of creating a buffer between high intensity and low intensity development. This buffer will visually smooth the differences in built form (e.g., height, bulk etc.) and help mitigate any conflict between non-compatible land uses. It is expected the Transition Zones will contain mostly residential developments of multiple dwellings (apartments) and grouped dwellings (townhouses and similar). Some small-scale non-residential uses may still be appropriate.

Section 5.1 – Population and Housing, includes the following relevant strategic objectives (emphasis added):

- Pursue diverse high intensity development within Urban Growth Areas (particularly Stirling Highway).

- Develop appropriate Transition Zones of predominantly residential development adjacent to Urban Growth Areas to realise the conscious effort to maintain separation from existing high quality, low density residential areas.
- Aim to achieve residential densities within and in the immediate vicinity of Neighbourhood Centres in line with the scale of the particular centre.
- Maintain established residential urban areas to ensure the retention of the existing residential character and lot configurations.

In addition to the general objectives described above, the Strategy contains some specific strategies and objectives relating to specific precincts within the Strategy area. The land the subject of this amendment falls within both the Hampden/Broadway precinct, and the Nedlands South precinct. The key strategies for each of these precincts is set out over the page, with emphasis added to those considerations most relevant to this amendment.

Hampden/Broadway

Strategies:

- Plan Hampden/Broadway as a medium intensity, low to medium rise Urban Growth Area within the City of Nedlands.
- Provide a Transition Zone abutting Hampden/Broadway to quickly lower development intensity into the surrounding precincts.
 - Where applicable on Broadway, the significant east-west topography variation will function as the Transition Zone.
- Focus compatible development around identified residential and non-residential pockets, acknowledging that the intensity of redevelopment will vary in response to the predominant land use.
 - Hampden Road is encouraged to be predominantly non-residential with small scale tenancies and strong ground floor to street interaction.
 - Broadway is encouraged to provide greater residential development which may consist of a component of non-residential use.
 - In light of the above, provide flexibility to consider any redevelopment which demonstrates exemplar urban design and is sympathetic to the existing character of the area.
- Careful consideration will be given to short stay and alternative stay accommodation.
- 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.
- 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.

Nedlands South

Strategies:

- Retain and enhance the character and streetscape of the existing residential areas outside Urban Growth Areas and Transition Zones.

- Within the Transition Zones adjoining Stirling Highway, ensure the height, scale and bulk of redevelopment smoothly integrates back to the established residential character of the area.
 - o Facilitate medium rise, medium intensity predominately residential redevelopment within the First Transition Zone.
 - o Facilitate low rise, diverse residential built form within the Second Transition Zone.
- Within the Transition Zone adjoining Broadway, ensure the height, scale and bulk of redevelopment appropriately integrates back to the established residential character of the area.
 - o Ensure a quick transition of built form to integrate back to the established residential character of the area.
- 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.
- 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.

Draft Local Planning Policy Interim Built Form Design Guidelines – Broadway Mixed Use Zone (City of Nedlands 2020)

The City of Nedlands prepared and advertised the Draft Local Planning Policy Interim Built Form Design Guidelines – Broadway Mixed Use Zone in early 2020. This policy provides guidance on the planning and design of development within the Broadway Mixed Use Zone and includes a range of built form controls with respect to building height, setbacks, and protection of amenity.

At the time of writing this report, the draft Policy had not been formally adopted by the City, and has been referred to the WAPC in accordance with the requirements of section 1.2.3 of the Apartment Codes, as it proposes to vary provisions of the Apartment Codes.

Whilst there are some technical issues with the draft Policy that must be resolved before it can be formally adopted, it does establish a clear intent for how the City and the community views the local character within the amendment area, and the Broadway corridor in particular.

The proposed amendment seeks to formalise portions of the draft Policy through more appropriate channels, by modifying the underlying density codes that apply to the southern portion of the Broadway corridor. In particular, the R-AC4 coding proposed by this amendment will achieve a number of the same development standards / controls that were foreshadowed in the draft Policy, including:

- A rear setback of 6m (in lieu of a nil setback under the R-AC3 code); and
- A building height of 3-4 storeys in and around the neighbourhood and local centres on Broadway (in lieu of 6 storeys under the R-AC3 code).

Planning Justification

The following sets out the detailed planning justification for the proposed amendment, and considers the physical context of the amendment area, as well as the strategic planning context established by Perth and Peel @3.5 Million and the City's Local Planning Strategy.

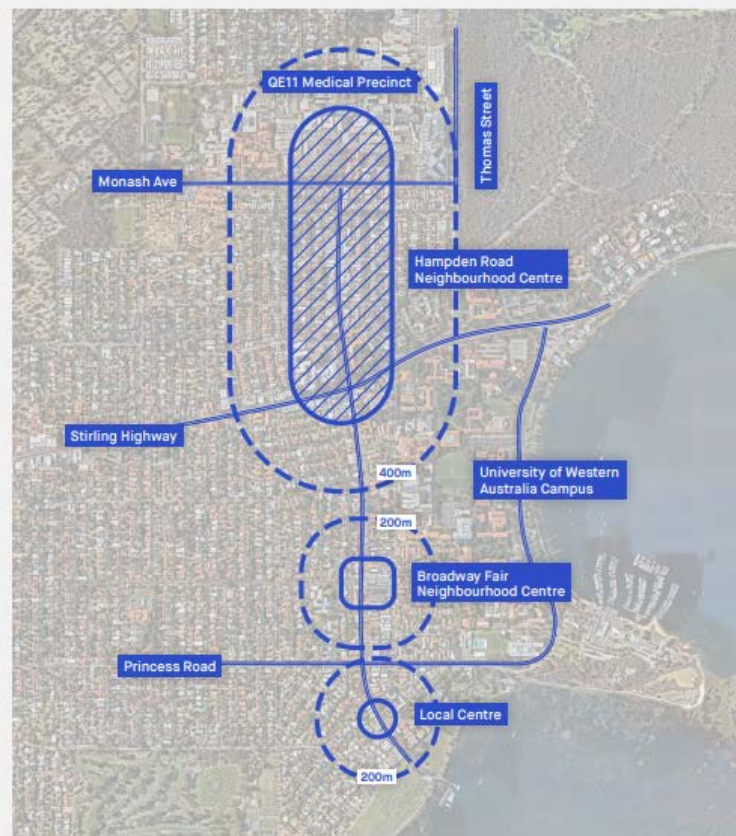
Context Analysis

In considering this amendment, it is important to assess the local context of the amendment area and the broader surrounds and determine whether the current planning framework provides a suitable response to the physical context, having regard to the recommendations of the Local Planning Strategy. The following section sets out an analysis of the physical and planning context of the amendment area and its surrounds, while a context plan has been prepared at Figure 1 to demonstrate graphically the local context. The analysis separates the amendment area into two sub-precincts:

- The Broadway Corridor - Those properties within the amendment area that are zoned Mixed Use and generally fronting Broadway; and
- The Transition Area - Those properties within the amendment area zoned Residential that abut the Broadway Corridor to the west and generally front Kingsway and Hillway.

These two sub-precincts are discussed separately below.

Figure 1: Context Plan



The Broadway Corridor

What is the local context?

Broadway is a mixed use corridor of approximately 1.5km in length, connecting Hampden Road and Stirling Highway to the north, with the Swan River at its southern end. LPS3 zones the full length of Broadway from Stirling Highway in the north to The Esplanade in the south as Mixed Use with a residential density code of R-AC3. Hampden Road, which is the continuation of Broadway to the north of Stirling Highway, also has a density code of R-AC3.

As one would expect from a corridor of this length, land use intensity varies considerably depending on proximity to key nodes of activity. The highest intensity uses along Broadway are located outside of the amendment area towards its northern end between Stirling Highway and Edward Street, in close proximity to three major strategic land uses, being QEII medical precinct, the Stirling Highway Activity Corridor, and the University of Western Australia. These three highly strategic land uses combine with the Hampden Road activity corridor to form a substantial node that generates significant movement and human activity. LPS3 provides a suitable planning response to the intensity of this activity node through the inclusion of a Mixed Use zone with a residential density code of R-AC3 in proximity to the node, forming a medium rise activity corridor.

As the gravitational pull of the node becomes weaker further south along Broadway, there is a noticeable diminishing of land use intensity on the western side. In the section of Broadway between Edward Street and Hillway, the land uses are predominantly suburban and residential in nature, with only isolated pockets of small-scale professional offices. The topography also becomes more apparent, with a significant upslope to the west from Broadway, and the existing homes sited in an elevated position towards the middle of the block – some 5-6 metres above the street level.

There are no significant nodes of activity (planned or existing) within this section that warrant or support the same scale and intensity of land use as the area's further north along Broadway. The Broadway Fair shopping centre is located within this section on the eastern side of Broadway, and is a designated Neighbourhood Centre in its own right, however is a relatively localised and small scale neighbourhood shopping centre and does not generate the same amount of activity and land use intensity as those areas closer to Stirling Highway.

South of Hillway there is a minor increase in commercial activity in the form of a small suburban local centre comprising an eclectic mix of single and two storey commercial and residential uses. This portion of Broadway is fairly typical of a small suburban local activity centre node and is distinct and separate from the rest of the Broadway corridor in this respect.

Is the current zoning and density coding appropriate in this context?

At present, LPS3 does not adequately recognise or respond to the varying scales of intensity along the Broadway corridor, and instead provides for a Mixed Use zoning

with a density code of R-AC3 along its entire length. Whilst the Mixed Use zone is the most appropriate zone for the Broadway corridor, both now and into the future, the residential density coding of R-AC3 does not respond well to the physical land use context of the corridor south of Edward Street, where the intensity of the land uses diminishes. Nor does it recognize the considerable topography change in this area. As noted in the Apartment Codes, The R-AC3 coding is intended to be used in “mid-rise urban centres”. The Broadway corridor is not, and nor is it intended to be a mid-rise urban centre for its full length. Section 5.9.8 of the Local Planning Strategy identifies the Broadway corridor as a medium intensity, low to medium rise Urban Growth Area and recognises the need for varying levels of intensity along the length of the corridor in response to the predominant land use. The Strategy identifies the Broadway Fair shopping centre as a Neighbourhood Centre, with a second smaller Local Centre located to the south of Hillway. These centres and the immediate surrounds warrant a zoning and density code that responds to the land use planning context. In this regard, it is important to note that Appendix 2 of the Apartment Codes (which was published after the gazettal of LPS3) recommends a density code of R-AC4 as the most appropriate coding for low to mid-rise development in and around neighbourhood (and local) centres. On this basis, it can be concluded that the R-AC3 density code is not the most appropriate density code having regard to the Local Planning Strategy. In addition, it is important to consider the built form controls that apply in the R-AC3 code by virtue of the Apartment Codes, and to consider these controls in the context of the significant topographical change to the west of Broadway and Hillway, and the need to quickly transition the scale of development back to a typical residential scale. The Apartment Codes requires building height to be measured from natural ground level at the point immediately below. This ensures that the maximum building height envelope increases along with the topography. This is further demonstrated in the image below.



Section of development proposal at 135 Broadway depicting natural ground level and default height limit – source: MAARCH, March 2020

The net result of the sloping site is that in the event that the building envelope is maximized, a 6 storey (21m) building can be ‘perched’ at the rear of the block, and can present as a much taller building because of the topography. This coupled with an as-of-right nil setback to the rear is likely to have a significant impact on the amenity of the single residential homes within the transition area to the west.

In light of the above, it is apparent that the R-AC3 code is not well suited to this section of Broadway in terms of the intensity of the land use, and its intended function as a low to medium-rise urban growth area. Furthermore, the default development controls for the R-AC3 code, with a 6 storey height limit and no rear setback requirement will have a significant impact on the amenity of adjoining properties.

In relation to number 5 Hillway specifically, this property has been incorrectly included as part of the Broadway mixed use corridor, and zoned Mixed Use R-AC3, despite being on a residential street and having no frontage with, or relationship to Broadway, and despite being shown as Transition Area in the Local Planning Strategy. It is clear that the location of the site is not well suited to mixed use development, or residential development of the same intensity as those properties fronting Broadway. As such, it is appropriate to rezone 5 Hillway from Mixed Use to Residential in keeping with the local character and context.

What is the most appropriate zoning and density coding for this area?

The proposed amendment will modify the residential density code from R-AC3 to R-AC4, in keeping with the recommended density code for land located within, and in close proximity to neighbourhood and local centres in the Apartment Codes. Furthermore, the amendment will rezone number 5 Hillway from Mixed Use to Residential R40 to include it in the Transition Area consistent with the Local Planning Strategy, and to ensure that commercial uses are located on properties that front Broadway. Given the presence of both a neighbourhood and a local centre within the amendment area, along with the absence of any higher-order density drivers that would justify a mid-rise urban centre in this location, the R-AC4 coding is more appropriate than its current zoning for this portion of Broadway in the context of both the Local Planning Strategy, and the Apartment Codes. Furthermore, the R-AC4 coding will result in a built form that is more consistent with the new buildings at the intersection of Broadway and The Avenue, which are 2-3 storeys when viewed from the street.

The Transition Area

The Transition Area comprises those properties within the amendment area that are currently zoned Residential, and generally 'back on' to those properties fronting Broadway.

What is the local context?

With the notable exception of the Kingsway Methodist Church, the Transition Area is characterised exclusively by residential lots ranging from 730m² to 880m² in area, and with established trees and 6m – 9m wide verges. The large majority of these lots contain substantial modern or renovated character homes.

The western side of Kingsway, although outside of the Transition Area, is very similar in character, with no discernible difference between the scale or intensity of development between the two sides.

There is a substantial change in topography between Kingsway / Hillway and Broadway with a fall of 7m – 12m from west to east. Both Kingsway and Hillway run perpendicular to the natural slope which creates a ‘viewing platform’ for properties on the east side of Kingsway towards the east and southeast. As a result, all dwellings constructed on Kingsway since its inception more than 100 years ago have been designed and oriented to take advantage of the iconic Perth city skyline and Swan River views. LPS3 allocates a residential density code of R60 to all of the lots within the Transition Area, while the lots on the western side of Kingsway are coded R12.5.

Section 5.9.11 of the Local Planning Strategy requires the Transition Area *to ensure the height, scale and bulk of redevelopment appropriately integrates back to the established residential character of the area.* The strategy goes on to recommend that the planning scheme *ensure a quick transition of built form to integrate back to the established residential character of the area.* The strategy does not provide any specific guidance as to how best to ensure this quick transition of built form, however, does note in section 5.9.8 that the *significant east-west topography variation will function as the Transition Zone.*



Is the current zoning and density coding appropriate in this context?

It is clear from the Local Planning Strategy that the purpose of designating an R60 coding along this portion of Kingsway and Hillway is less about achieving infill housing

targets, and more about providing a graduating scale of development between the Broadway corridor and the lower density residential areas to the west.

The default built form controls set out in the Apartment Codes provide a medium-rise 3 storey height limit and a maximum plot ratio of 0.8 in R60 coded areas. Presumably, the 3 storey height limit was considered to be an appropriate graduation in scale between the 6 storey height limit fronting Broadway, and the two storey height limit in the R12.5 coded areas to the west. This rather simplistic approach overlooks the fact that there is a significant change in topography between Broadway and Kingsway which, as noted in the Local Planning Strategy, functions as a transition zone on its own. As such the R60 coding serves little to no benefit as a transition zone at the rear of these properties, however has the potential to significantly impact on the established character streetscapes of Kingsway and Hillway if these areas are developed to a 3 storey R60 standard.

It is also important to consider the likely uptake of the R60 coding in this Transition Area. As noted above, these lots are predominantly characterised by substantial modern or renovated character homes, each of which would have a replacement value in the millions. The value of these properties and the economics of property development make it highly unlikely that these blocks will be developed as 3 storey multi-dwellings within the timeframe of the current planning scheme. On this basis, even if R60 coded multiple dwellings were considered to be the most appropriate built form outcome for this area, the likely take-up will be minimal for the foreseeable future, and as such, the R60 coding serves no benefit as a transition zone.

What is the most appropriate zoning and density coding for this area?

The R40 code is the most appropriate density code for the Transition Area. R40 allows for the consideration of single, grouped and low-rise multiple dwellings, with a default height limit of two storey and a maximum plot ratio of 0.6. The two-storey height limit is a more appropriate built-form response to the established residential character, whilst also allowing for a more intense form of residential density recognising the high amenity location in proximity to the Broadway Corridor, local and neighbourhood centre, and the views to the Swan River.

Development Control Comparison

The following tables summarise and compare the primary controls of the Apartment Codes for both the current and modified residential density codes. As demonstrated in the tables, the changes to the residential density code for both the Broadway Corridor and the Transition Area will result in some significant benefits / advantages with respect to responding to the local character, topography, established streetscapes and the need to transition quickly from the Mixed Use zone to the residential areas.

Broadway Corridor Primary Controls

Primary Control	R-AC4 (proposed)	R-AC3 (existing)	Comment
Building Height (storeys)	3	6	The reduced building height of 3 storeys is in-keeping with the scale of development anticipated in and around suburban neighbourhood and local centres, and is more appropriate having regard to the local context discussed in the previous section. It is also consistent with the recently completed mixed use buildings on the corners of Broadway and The Avenue at the southern end of Broadway, which are between 2-3 storeys.
Boundary wall height (storeys)	2	3	The minor reduction in the permissible boundary wall height is an appropriate response to the overall height limit, and will ensure that new buildings are of an appropriate bulk and scale.
Minimum primary street setbacks	2m or Nil (if commercial on ground floor)	2m or Nil (if commercial on ground floor)	No change – allows for activation of non residential uses at street level.
Minimum side setbacks	Nil	Nil	No change
Minimum rear setback	6m	Nil	6m rear setback requirement provides an improved opportunity to manage interface to the residential zoned properties to the rear. The 6m setback is consistent with the City of Nedlands draft Local Planning Policy <i>Interim Built Form Design Guidelines – Broadway Mixed Use Zone</i> .
Average side setback where building length exceeds 16m	N/A	N/A	
Plot ratio	1.2	2.0	A plot ratio of 1.2 is consistent with a density code of between R80-R100 (1.0 & 1.3 respectively) and provides sufficient flexibility to ensure that a range of residential and commercial uses can be delivered within the building envelope.

Transition Area Primary Controls

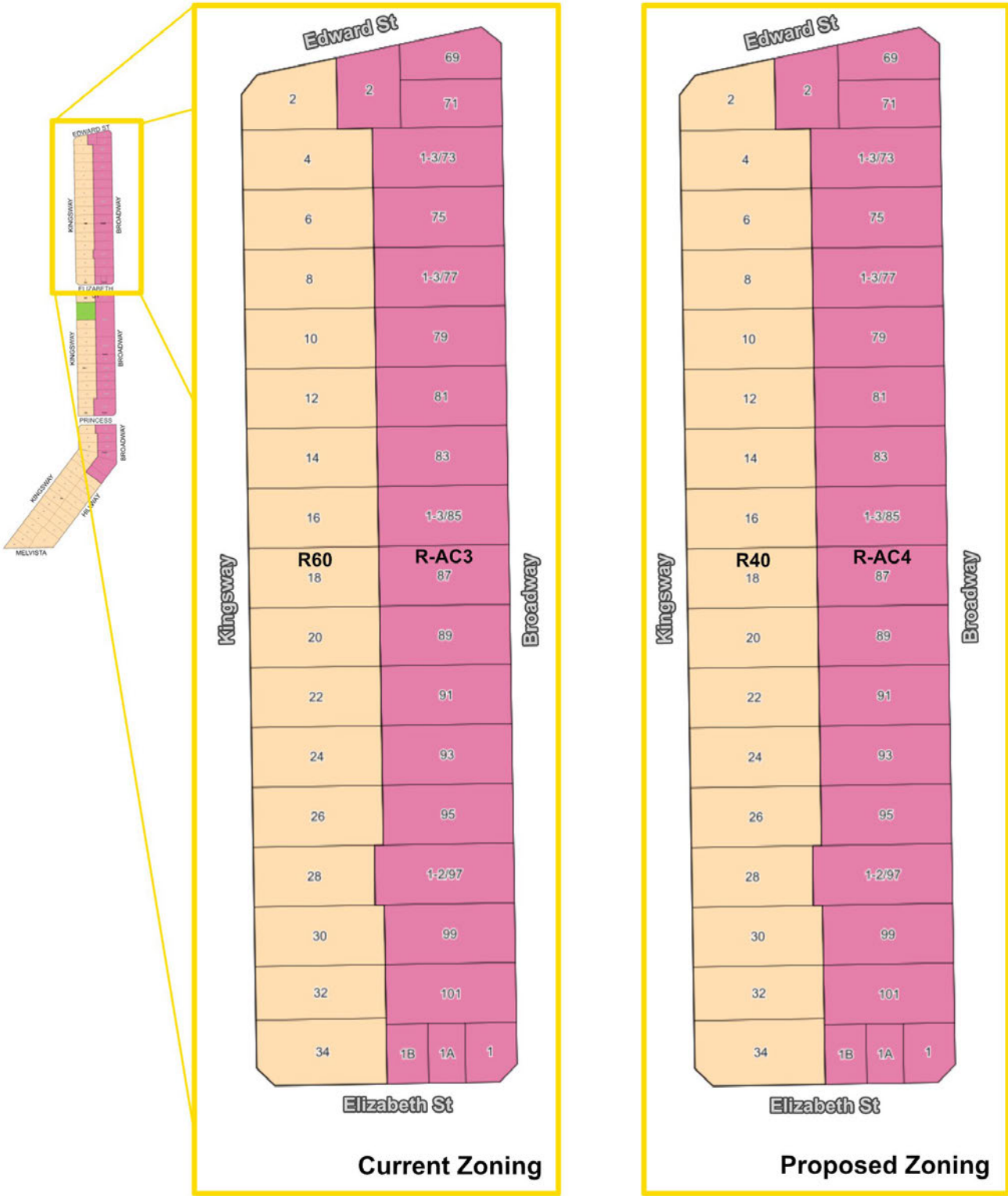
Primary Control	R40 (proposed)	R60 (current)	Comment
Building Height (storeys)	2	3	A 2 storey height limit provides an appropriate interface to the Kingsway and Hillway streetscapes and better delivers the key objective of the Local Planning Strategy, being to <i>ensure a quick transition of built form to integrate back to the established residential character of the area.</i>
Boundary wall height (storeys)	1 (up to one boundary, not exceeding 2/3 of boundary length)	1 (up to one boundary, not exceeding 2/3 of boundary length)	No change
Minimum primary street setbacks	4m	2m	The increased setback to Kingsway and Hillway is more consistent with the existing streetscape and will assist to retain the residential character of the area by retaining a more traditional 'front yard' and allowing improved opportunities for landscaping.
Minimum side setbacks	2m	3m	Minor change only
Minimum rear setback	3m	3m	No change
Average side setback where building length exceeds 16m	2.4m	3.5m	Minor change only
Plot ratio	0.6	0.8	The minor reduction in plot ratio is commensurate with the reduced building height (from 3 to 2 storey) and ensures that development is of an appropriate scale and intensity to provide a quick transition of built form back to the established residential character of the area.

3.0 CONCLUSION

This standard amendment is entirely consistent with the statutory and strategic planning framework – in particular, the provisions of the City of Nedlands Local Planning Strategy, and the WAPC's Central Sub-regional Framework. The amendment will continue to enable the sustainable growth of Broadway as a mixed use urban corridor – as envisaged in the Strategy and the Framework, whilst also striking a more suitable balance in managing the transition from Broadway into the residential properties within the transition area and into the established residential suburbs.

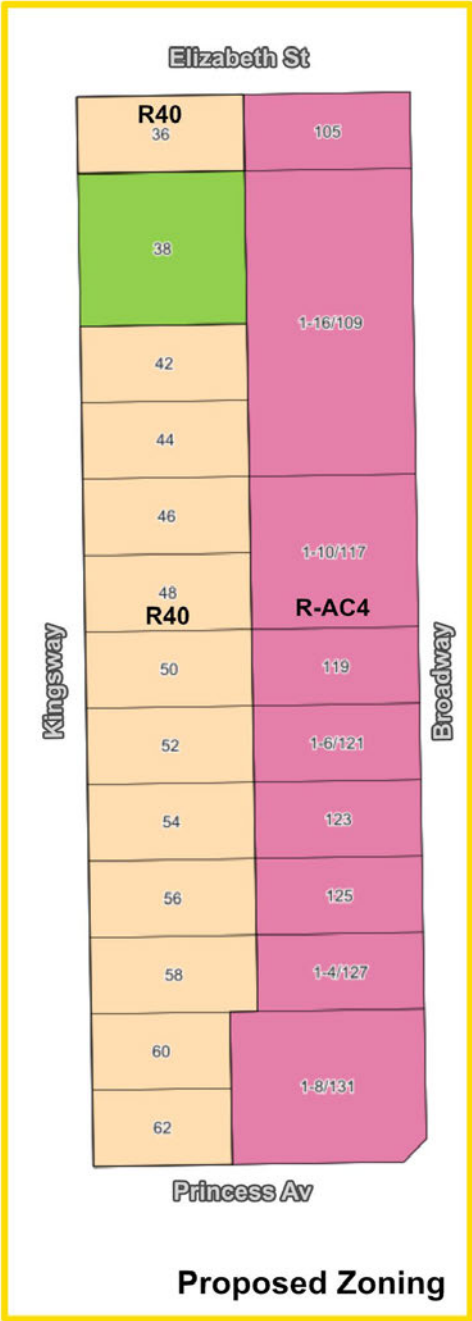
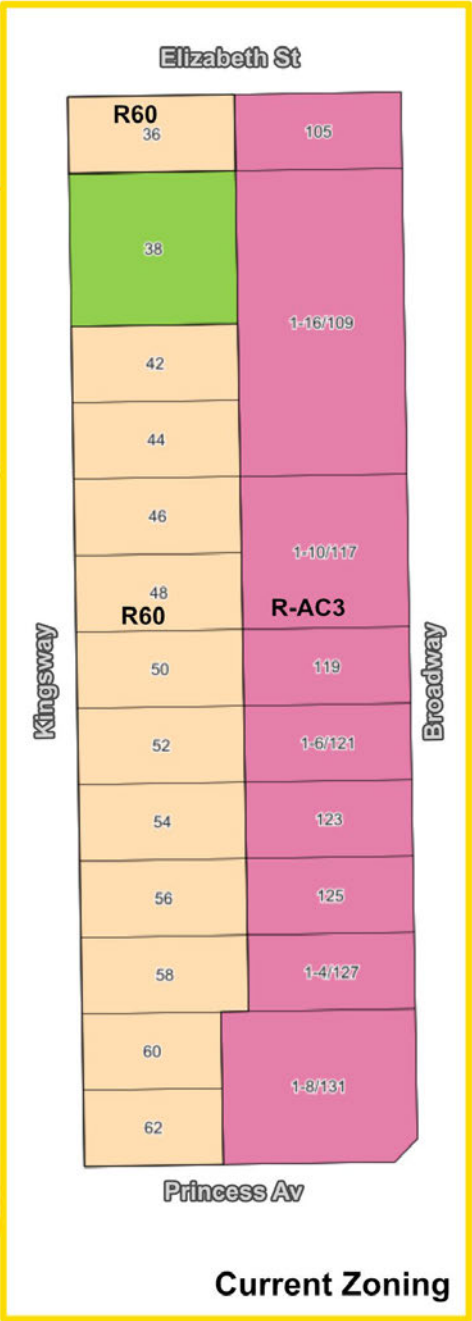
Appendix 1 - Maps of Proposed Density Changes

Kingsway/Broadway between Edward St and Elizabeth St



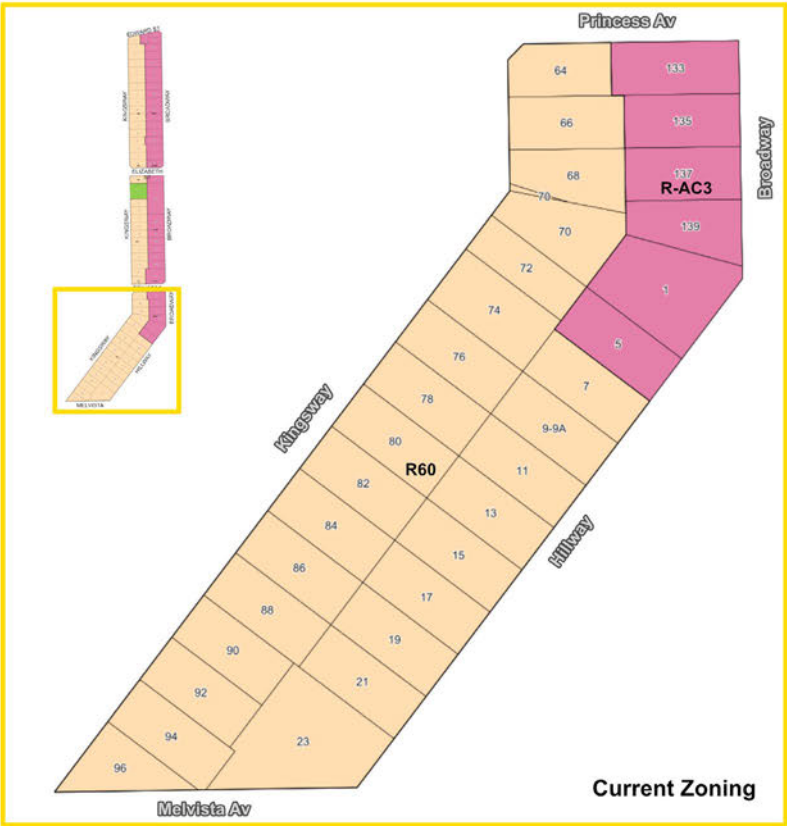
Appendix 1 (continued)

Kingsway/Broadway between Elizabeth St and Princess Av



Appendix 1 (continued)

Kingsway/Broadway/Hillway between Princess Av and Melvista Av



FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Nedlands at the Ordinary Meeting of the Council held on the 28 day of April, 2020.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Nedlands at the Ordinary Meeting of the Council held on the 28 day of April 2020, proceed to advertise this Amendment.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

DATE.....
FORM 6A - CONTINUED

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	1
Submitter Name:	Clive Willis
Submitter Address:	57 Kingsway, Nedlands, WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) support no objections b) huge positive impact on the amenity of existing and future residents in the area. c) create a smooth transition zone between the higher density City of Perth side of Broadway and the residential area in Nedlands	
Response to Submission	
a) Noted. b) Noted. c) Noted.	

Submitter Number:	2
Submitter Name:	Max Hipkins
Submitter Address:	36 Minora Road, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment b) Rear Setback in proposed R40 zone to ensure privacy for adjoining owners and to retain existing large trees on site, the minimum rear setback should be 6m	
Response to Submission	
a) Noted. b) Built form modelling is being undertaken within the area to assess what setbacks should be applied. This amendment does not seek to augment deemed to comply provisions of the Residential Design Codes but to change the codes designated on the parcels.	

Submitter Number:	3
Submitter Name:	John Henstridge
Submitter Address:	38 Kanimbla Road Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- a) Traffic issues.
- b) Overshadowing issues due to 6 storeys and higher.
- c) Issues with solar ventilation for adjoining properties.
- d) Broadway is not pedestrian friendly at present in relation to place and activity.
- e) Support the amendment.
- d) Needs to be a vision for Broadway created with the City of Perth so both sides of the road can integrate.

Response to Submission

- a) The City is undertaking traffic studies for the City as a separate process.
- b) Overshadowing is assessed as per the Residential Design Codes.
- c) Noted.
- d) Noted.
- e) The City is currently working with the City of Perth and other stakeholders to collaborate on work for the Broadway Precinct. Unfortunately, the City of Perth's planning timeframes and framework are behind the City's.

Submitter Number:	4
Submitter Name:	Humphrey Wine
Submitter Address:	26/35 Esplanade, 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) I support these proposals which will, if adopted, reduce the height and density of new-builds along Broadway and Hillway.	
Response to Submission	
a) Noted.	

Submitter Number:	5
Submitter Name:	David Bent
Submitter Address:	85 Bruce St Nedlands, WA, 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
Response to Submission	
a) Same as submission 1.	

Submitter Number:	6
Submitter Name:	Robert Michael Edel
Submitter Address:	1A Princes St Cottesloe WA 6011
Residence within 200m radius of Scheme Amendment area?:	No

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Object
Summary of Submission:	
a) Object to the proposed rezoning of 71 Broadway. b) Wanted to develop the site for low-rise retirement housing. c) By rezoning to R-AC4 the City of Nedlands will impose a 6m rear set back requirement on the property which will make the site undevelopable. d) I urge you to exclude 71 Broadway (and my neighbour at 69 Broadway) from the proposal. e) Unlike the rest of South Broadway (other than my adjoining neighbour at 69 Broadway) my property does not back onto a lower density residence on Kingsway, which is the main reason for the proposed reduction in density on South Broadway. 69 and 71 Broadway are the northern most properties on the boundary of South Broadway. They are the only South Broadway properties to back onto an R-AC3 block, (on Edward St). f) I urge the City to commence the proposed rezoning from 67 Broadway.	
Response to Submission	
a) Noted. b) Noted. c) Setbacks in the Residential Design Codes are discretionary. A developer must demonstrate that they meet the Element Objectives of the rear setback not a blanket 6m rear setback. d) The recoding of one property would create an adhoc planning outcome which would not be supported by Administration. e) Noted. f) Noted.	

Submitter Number:	7
Submitter Name:	Bridget Wambeek
Submitter Address:	22 Viewway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	8
Submitter Name:	Kylie Passage
Submitter Address:	80 Doonan Rd, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
Response to Submission	

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a) Same as submission 1.

Submitter Number:	9
Submitter Name:	Nick Chambers
Submitter Address:	76 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) I support the intentions of the proposed scheme amendment, that will satisfy the broader residential infill ambitions of government whilst also respecting the rights of existing property owners and the local community.	
b) Error "Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street)" I believe that this should instead state: "Numbers 1 to 3 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);" as 4 Hillway is in fact located on the southeast side of the street, and current zoned R60.	
Response to Submission	
a) Noted.	
b) These errors have been identified by Administration and will be noted in the final report to Council.	

Submitter Number:	10
Submitter Name:	Moya Wood
Submitter Address:	9 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Fully support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	11
Submitter Name:	Ronnie Goldberg
Submitter Address:	69 Broadway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) I strongly object to the proposed rezoning of 69 Broadway.	
b) Rezoning will reflect considerably on both the value of the property and will greatly limit any development potential.	
c) Wanted to develop the site for low-rise retirement housing.	
d) 6m rear setback as per R-AC4 would render the site undevelopable.	

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Response to Submission	
a) Noted.	
b) Property values unfortunately are not a planning consideration.	
c) Noted.	
d) Setbacks in the Residential Design Codes are discretionary. A developer must demonstrate that they meet the Element Objectives of the rear setback not a blanket 6m rear setback.	

Submitter Number:	12
Submitter Name:	Danielle Wright
Submitter Address:	60 Kingsway
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
b) Close proximity to primary school and kindergarten therefore no justification for high density.	
Response to Submission	
a) Noted.	
b) Noted.	

Submitter Number:	13
Submitter Name:	Nardia Smith
Submitter Address:	77 Merriwa Street, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) the area does not need fast food outlets should be premium food options for local community.	
Response to Submission	
a) Response to wrong scheme amendment not relevant to this amendment.	

Submitter Number:	14
Submitter Name:	Russell Hillman
Submitter Address:	2/109 Broadway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) Object to decrease in density.	
b) Broadway is perfect place for higher density due to its proximity to UWA, the City and a wealth of green amenity and the river.	

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- c) This proposal will severely impact us financially as it will be very difficult to break even on our investment.
- d) This proposal does not make sense in the face of the towers proposed for 97-105 Stirling Hwy and the 4 Storey Nursing home proposed for Betty St in Nedlands. Broadway is where these sorts of developments should take place.
- e) Many properties along Broadway are run down.

Response to Submission

- a) Noted.
- b) Noted.
- c) Property prices are not a planning consideration.
- d) Noted.
- e) Noted.

Submitter Number:	15
Submitter Name:	William Kendall
Submitter Address:	39 Esplanade
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) LPS 3 was well thought out and took a long time to implement by changing it again the uncertainty is increased. LPS 3 will work well as written.	
Response to Submission	
a) Noted.	

Submitter Number:	16
Submitter Name:	Dianne Allan
Submitter Address:	4b Alexander road Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Positive impacts on amenity. b) Ensure 6 storey or higher buildings not built next to family homes. c) Ensure a quick transition of built form to integrate back to the established residential character of the area. d) Reduce the overshadowing and overlooking of existing dwellings. e) Maintain the character of the area. f) Maintain the leafy green canopy of Nedlands I support sensible infill for the Nedlands area	
Response to Submission	
a) Noted. b) Building Height will be as per the Residential Design Codes. c) Noted. d) Overshadowing and overlooking will be as per the Residential Design Codes. e) Noted.	

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f) Noted.

Submitter Number:	17
Submitter Name:	Sharon McCleary
Submitter Address:	7 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Ensure 6+ storey buildings are not built next to family homes. b) Ensure a quick transition of built form to integrate back to the established residential character of the area. c) Consistent with the 'Transition Zones' approved in the Nedlands Local Planning Strategy 2017. d) Reduce overshadowing and overlooking of existing dwellings. e) Reduce privacy impact on existing families. f) Match the context and character of the area. g) Maintain the leafy green nature of Nedlands I also fully support the recommendations of 'Rise Urban Report'.	
Response to Submission	
a) Building Height will be as per the Residential Design Codes b) Noted. c) Noted. d) Overshadowing and overlooking will be as per the Residential Design Codes. e) Visual privacy will be as per the Residential Design Codes. f) Noted. g) Noted.	

Submitter Number:	18
Submitter Name:	William McCleary
Submitter Address:	7 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	19
Submitter Name:	Dominic McCleary
Submitter Address:	7 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes

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Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	20
Submitter Name:	Niamh McCleary
Submitter Address:	7 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	21
Submitter Name:	Rachel Palmer
Submitter Address:	69 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Ensure 6+ storey buildings are not built next to family homes.	
b) Reduce overshadowing and overlooking of existing dwellings.	
c) Reduce privacy impact on existing families.	
Response to Submission	
a) Building Height will be as per the Residential Design Codes.	
b) Overshadowing and overlooking will be as per the Residential Design Codes.	
c) Visual privacy will be as per the Residential Design Codes.	

Submitter Number:	22
Submitter Name:	Carl Robert Gazia
Submitter Address:	79 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Contain the increase in local traffic volumes on Broadway.	
b) Prevent buildings of excessive height overlooking and overshadowing homes in the area.	
c) Reduce adverse effects on the existing local green character and microclimate.	

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- d) Provide for development consistent with the 'Transition Zones' approved in the Nedlands Local Planning Strategy 2017.
- e) Lessen the adverse impact on privacy for established homeowners adjacent to developments.
- f) I also fully support the recommendations of 'Rise Urban Report

Response to Submission

- a) Traffic studies are being undertaken by the City.
- b) Building height, overshadowing, and overlooking will be as per the Residential Design Codes.
- c) Noted.
- d) Noted.
- e) Visual privacy will be as per Residential Design Codes.
- f) Noted.

Submitter Number:	23
Submitter Name:	John van Vilet
Submitter Address:	90 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
b) Same as submission 17.	
Response to Submission	
a) Same as submission 1.	
b) Same as submission 17.	

Submitter Number:	24
Submitter Name:	Robert Wilcox
Submitter Address:	17 Leon Road, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Submission made in relation to Alexander Rd amendment.	
Response to Submission	
a) Submission made on wrong amendment.	

Submitter Number:	25
Submitter Name:	Warrick
Submitter Address:	Doonan Rd, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support

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Summary of Submission:
a) Same as submission 17.
Response to Submission
a) Same as submission 17.

Submitter Number:	26
Submitter Name:	Sue Edwards
Submitter Address:	Doonan Road, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	27
Submitter Name:	David Bruce
Submitter Address:	85 Bruce St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	28
Submitter Name:	Rudolf Boeddinghaus
Submitter Address:	9 Granby Crescent Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
Response to Submission	
a) Same as submission 1.	

Submitter Number:	29
Submitter Name:	Michael Leung
Submitter Address:	47 Viewway, Nedlands

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) The amendment offers a reasonable compromise, allowing higher density residency in the area but avoiding the maximum building height of six storeys. b) Privacy, overlooking and overshadowing issues with 6 storeys and higher.	
Response to Submission	
a) Building height will be as per the Residential Design Codes. b) Visual privacy, overshadowing and overlooking will be as per the Residential Design Codes.	

Submitter Number:	30
Submitter Name:	Chrystle Hay
Submitter Address:	14 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
a) Properties on the south side of Hillway (i.e. same side as 14 Hillway) should remain at R60. b) At R60 any structures will not overshadow more than current structures. c) This would support increased density but not negatively affect community amenities as there will still be sufficient green space and keep with the character of the area as it is currently. d) Also setbacks and other restrictions should not be imposed as they are already determined by the R-codes.	
Response to Submission	
a) Noted. b) The City is currently undertaking built form modelling to inform appropriate densities in terms of impact on amenity of surrounding residential areas. c) Noted. d) Noted.	

Submitter Number:	31
Submitter Name:	Dale Harris
Submitter Address:	61 Melvista Avenue, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	32
Submitter Name:	Susan Gazia
Submitter Address:	79 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	33
Submitter Name:	Jack Edis
Submitter Address:	72 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	34
Submitter Name:	Andrew Edis
Submitter Address:	72 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	35
Submitter Name:	Jen Edis
Submitter Address:	72 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	36
Submitter Name:	Tim Russell
Submitter Address:	17 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 1.	
Response to Submission	
a) Same as submission 1.	

Submitter Number:	37
Submitter Name:	John McGuire
Submitter Address:	2 Granby Crescent, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	38
Submitter Name:	Malcolm McCulloch
Submitter Address:	91 Broadway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) I strongly object to the retrospective rezoning proposed by the Nedlands Council. b) In particular downgrading of Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4. c) Ad-hoc proposal without any prior consultation with the residents. d) Developments already occurring under R-AC3. e) Depreciate property values. f) Promote ad-hoc developments of R-AC3 v R-AC4. g) High density developments on the eastern (University) side of Broadway. h) Finally historically Broadway was always identified as a zone for higher density mixed use developments which now includes a major shopping centre.	
Response to Submission	
a) Noted. b) Noted.	

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- c) The advertising period is the opportunity for the community to provide their comments.
- d) Noted
- e) Property values are not a matter that can be considered by town planning.
- f) Noted.
- g) The City of Perth has not yet finalised their Local Planning Strategy.
- h) Broadway will still remain a higher density location under this Scheme Amendment.

Submitter Number:	39
Submitter Name:	Des Marsh
Submitter Address:	4 Bedford St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	40
Submitter Name:	Caroline Marsh
Submitter Address:	4 Bedford St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	41
Submitter Name:	Oliver Marsh
Submitter Address:	4 Bedford St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	42
Submitter Name:	Elizabeth Marsh
Submitter Address:	4 Bedford St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	43
Submitter Name:	Julian Goldsworthy
Submitter Address:	8 Archdeacon St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	44
Submitter Name:	Neal McNaughton
Submitter Address:	16 Viewway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	45
Submitter Name:	Sue Hobson
Submitter Address:	62 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	

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Response to Submission
a) Same as submission 17.

Submitter Number:	46
Submitter Name:	Helen Hollingshead
Submitter Address:	13 Birdwood Parade Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support

Summary of Submission:

- a) Support amendment.
- b) It is also necessary to limit unforeseen excessive development facilitated by the subsequent introduction of SPP 7.3 RDC Vol2 by the use of local Scheme Amendments to maintain and improve the amenity and character of Nedlands, and ensure good planning outcomes in a post COVID state.
- c) Density targets as set by WAPC are unrealistic in the timeframe.
- d) The Residential Design Codes Vol. 2 was gazetted after LPS 3 therefore was not considered in its creation.
- e) The new Residential Design Codes Vol 2 increased the density by at least two.
- f) New planning processes being introduced as part of Design WA, including “performance based” assessment in SPP 7.3 RDC Vol2, have never been implemented in Western Australia before, and Nedlands has the first LPS to be introduced under this scheme.
- g) Scheme Amendment No7, will maintain the intent of LPS3 as it was originally envisaged and implemented, prior to subsequent changes that have significantly affected the type and size of development that may be approved under the new system.
- h) COVID pandemic has meant that the density targets are now unrealistic and COVID safety issues with high rise.
- i) Workforce is changing and no longer needs to be close to the City.
- j) Topographical transition issues with transition from Broadway to Kingsway.
- k) This amendment will make setbacks more acceptable, reducing issues such as overshadowing and overlooking.
- l) Traffic issues.
- m) Parking issues.
- n) Maintain a balance with development on the lower eastern side of Broadway that is in the City of Perth, reducing the risk of a one-sided high-rise development strip with no street appeal or amenity.
- o) Support the recommendations of 'Rise Urban Report'

Response to Submission

- a) Noted.
- b) Noted.
- c) The targets set by the WAPC are mandatory for local governments. The WAPC have not stated that they will review these targets or that there is a need to change these targets.
- d) The changes made to the Residential Design Codes Vol 2 were aimed at making the document more site responsive rather than creating blanket codes and deemed to comply provisions. The change in Residential Design Codes should not

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affect the intent of LPS 3 as the document was advertised a year before the Scheme's gazettal and should be site responsive.

e) The changes made to the Residential Design Codes Vol 2 were aimed at making the document more site responsive rather than creating blanket codes and deemed to comply provisions.

f) Noted.

g) The changes made to the Residential Design Codes Vol 2 were aimed at making the document more site responsive rather than creating blanket codes and deemed to comply provisions. The change in Residential Design Codes should not affect the intent of LPS 3 as the document was advertised a year before the Scheme's gazettal and should be site responsive.

h) COVID is not a local government planning consideration.

i) The targets set by the WAPC are mandatory for local governments. The WAPC have not stated that they will review these targets or that there is a need to change these targets.

j) The City is undertaking separate built form studies for the area which will look into the issue and determine a suitable solution.

k) Setbacks will be assessed as per the Residential Design Codes and are discretionary.

l) The City is undertaking traffic studies throughout the City.

m) Developments will have to create parking in line with the City's Parking Policy and Residential Design Codes (if applicable).

n) The City is currently working with the City of Perth and other stakeholders to collaborate on work for the Broadway Precinct. Unfortunately, the City of Perth's planning timeframes and framework are behind the City's.

o) Noted.

Submitter Number:	47
Submitter Name:	John Hollingshead
Submitter Address:	13 Birdwood Parade Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	48
Submitter Name:	Rebecca Love
Submitter Address:	70 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	

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Response to Submission
a) Same as submission 46.

Submitter Number:	49
Submitter Name:	Anne Love
Submitter Address:	70 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	50
Submitter Name:	Ian Love
Submitter Address:	70 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	51
Submitter Name:	Scott Monro
Submitter Address:	74 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	52
Submitter Name:	Bronwyn Stuckey
Submitter Address:	26 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support

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Summary of Submission:
a) Support the Scheme Amendment no 7 for South Broadway. b) The present zoning is not consistent with the Local Planning Strategy. c) The present zoning of R-AC3 is not appropriate for a medium intensity local area d) Traffic issues. e) Topography should be considered to help density transition.
Response to Submission
a) Noted. b) Noted. c) Noted. d) The City is undertaking traffic studies separate to this work for the whole City. e) The City is currently undertaking built form modelling for Broadway. This will take into account the topographical differences and appropriate built form controls for this.

Submitter Number:	53
Submitter Name:	Rod White
Submitter Address:	59 Kingsway Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	54
Submitter Name:	Kate White
Submitter Address:	59 Kingsway Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	55
Submitter Name:	Charlotte White
Submitter Address:	59 Kingsway Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support

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Summary of Submission:
a) Same as submission 17.
Response to Submission
a) Same as submission 17.

Submitter Number:	56
Submitter Name:	Alex Stuckey
Submitter Address:	90 Meriwa St, Nedlands, 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	57
Submitter Name:	Michelle Stuckey
Submitter Address:	90 Meriwa St, Nedlands, 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	58
Submitter Name:	Dr Aaron Simpson
Submitter Address:	7 Minora Rd Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I support the amendments given the significant implications to the local area should the current proposal proceed without modification.	
Response to Submission	
a) Noted.	

Submitter Number:	59
Submitter Name:	Donna Mak
Submitter Address:	29 Cooper St Nedlands

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17	
Response to Submission	
a) Same as submission 17	

Submitter Number:	60
Submitter Name:	Sue Skull
Submitter Address:	13 Tyrell St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17	
Response to Submission	
a) Same as submission 17	

Submitter Number:	61
Submitter Name:	Travis Hydzik
Submitter Address:	[REDACTED]
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) Concerned with how Council will meet infill targets.	
b) Without alternatives to increase infill I cannot support this amendment.	
Response to Submission	
a) Density changes will only be supported by the Minister if Directions 2031 targets are still achieved.	
b) Noted.	

Submitter Number:	62
Submitter Name:	Shane Cassey
Submitter Address:	39 Mountjoy Road Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	63
Submitter Name:	Margaret Walsh
Submitter Address:	3/30 Baird Ave, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	64
Submitter Name:	Ana Bromfield
Submitter Address:	70 Louise Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	65
Submitter Name:	Robyn Hancock
Submitter Address:	66 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) If these developers can run riot Nedlands will be destroyed.	
b) We can't cope with any more traffic, schools are full.	
Response to Submission	
a) Developers will be required to follow the Residential Design Codes and other planning instruments applicable.	
b) Traffic studies are being conducted by the City. The density increases under LPS 3 were referred to the Department of Education.	

Submitter Number:	66
Submitter Name:	Chris Corbett
Submitter Address:	40 Kinninmont Ave Nedlands WA 6009

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	67
Submitter Name:	Yean Lin McVee
Submitter Address:	24 Kingsway, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	68
Submitter Name:	Paul Albert
Submitter Address:	24 Bulimba Road Nedlands WA
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	69
Submitter Name:	John Cornelius
Submitter Address:	52 Gallop Road Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	70

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Submitter Name:	Brock Keymer
Submitter Address:	4/152 Broadway, Crawley 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	71
Submitter Name:	Marina Dunne
Submitter Address:	7 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	72
Submitter Name:	Jonathan Carapetis
Submitter Address:	13 Tyrell St, Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	73
Submitter Name:	Ella Blythe
Submitter Address:	7 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	74
Submitter Name:	Jennifer Golding
Submitter Address:	33 Circe Circle
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	75
Submitter Name:	Tony Holmes
Submitter Address:	56 Melvista Ave, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	76
Submitter Name:	TONIA MCNEILLY
Submitter Address:	71 DOONAN ROAD NEDLANDS
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	77
Submitter Name:	David Joyce
Submitter Address:	100 Webster St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	78
Submitter Name:	Jim Hancock
Submitter Address:	66 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Preservation of the Nedlands suburb.	
Response to Submission	
a) Noted.	

Submitter Number:	79
Submitter Name:	Prue Edis
Submitter Address:	97 Thomas St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) The developments are too large for the suburb.	
b) They interfere enormously with the enjoyment of the surrounding homes.	
c) No consideration has been taken to the neighbour's lack of privacy and encroachment.	
Response to Submission	
a) Developers will be required to follow the Residential Design Codes and other planning instruments applicable.	
b) Noted.	
c) Setbacks and visual privacy are assessed as per the Residential Design Codes.	

Submitter Number:	80
Submitter Name:	Deborah Lord
Submitter Address:	8 Archdeacon St Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	81
Submitter Name:	Dianne Warner
Submitter Address:	16 Kathryn Crescent, Dalkeith WA 60

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	82
Submitter Name:	Neroli Wood
Submitter Address:	5/45 Kinninmont Ave, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	83
Submitter Name:	David Townsend
Submitter Address:	4 Broome St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	84
Submitter Name:	Michael Davis
Submitter Address:	64 The Avenue, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	85

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Submitter Name:	Nicky Giovkos
Submitter Address:	52 Louise Street, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	86
Submitter Name:	Susan Stevens
Submitter Address:	65 Melvista Ave, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	87
Submitter Name:	Susanne Taylor
Submitter Address:	78 Hobbs Ave Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	88
Submitter Name:	Grant Keady
Submitter Address:	14 Viewway, Nedlands, 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) The Kingsway properties should remain appropriate for families as the school is in this street, and the lower density has been sought by many of the present residents in Kingsway.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

b) Reduction in the height of buildings on single blocks in Broadway may also be appropriate, with some concessions for slightly higher when on 2 or more adjacent blocks.

Response to Submission

a) Noted.

b) This amendment doesn't seek to alter provisions of the Residential Design Codes it merely seeks to change the codes designated on sites.

Submitter Number:	89
Submitter Name:	Catie Robins
Submitter Address:	10 Edward Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	90
Submitter Name:	David Blythe
Submitter Address:	7 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	91
Submitter Name:	Janet O'Neill
Submitter Address:	12 Davies Road, Dalkeith, 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	92
Submitter Name:	Jane Leaversuch

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Submitter Address:	78 Doonan Road, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	93
Submitter Name:	Mia Leaversuch
Submitter Address:	78 Doonan Road, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	94
Submitter Name:	Sarah Leaversuch
Submitter Address:	78 Doonan Road, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	95
Submitter Name:	Brody L.
Submitter Address:	68 Broadway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) No objections.	
Response to Submission	
a) Noted.	

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Submitter Number:	96
Submitter Name:	Estefania Hagemann
Submitter Address:	2/ 77 Broadway, Nedlands, WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	97
Submitter Name:	Ian Hobson
Submitter Address:	62 Kingsway, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	98
Submitter Name:	Nola Willis
Submitter Address:	2 Bedford St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I fully support amendments to Scheme amendment 7 as detailed in the South Broadway scheme amendment submission by People For Responsible Development.	
Response to Submission	
a) Noted.	

Submitter Number:	99
Submitter Name:	David Lord
Submitter Address:	21 Alexander Road Dalkeith WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	

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Response to Submission
a) Same as submission 17.

Submitter Number:	100
Submitter Name:	Jan Lord
Submitter Address:	21 Alexander Road Dalkeith WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	101
Submitter Name:	Robert Edis
Submitter Address:	97 Thomas Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Broadway already has major traffic problems. Increasing the volume of traffic with high rise buildings will only aggravate the problem.	
b) Re-zoning to 3 storey buildings would be more appropriate	
Response to Submission	
a) Traffic studies are being undertook separately by the City.	
b) Building height will be assessed as per the Residential Design Codes.	

Submitter Number:	102
Submitter Name:	Marcey spilsbury
Submitter Address:	41 Portland street
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	103
Submitter Name:	Libby Newman
Submitter Address:	22 Louise st

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	104
Submitter Name:	Katie Bourke
Submitter Address:	14 Loftus St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	105
Submitter Name:	Andrew Pratt
Submitter Address:	19 Viewway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	106
Submitter Name:	Erica Shellabear
Submitter Address:	53 Archdeacon St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	107

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Submitter Name:	Heather + Angus Macdonald
Submitter Address:	34 Tareena Street Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	108
Submitter Name:	Paul Zilko
Submitter Address:	1 Browne Avenue, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Wrong place to put tall buildings. b) Overlooking loss of solar coverage issues c) Lead to massive traffic problems in the area d) If infill is a necessity, which is debatable, then it should be done in a stepped-up fashion, such as that seen at the Dalkeith shopping area developments	
Response to Submission	
a) Building height will be assessed as per the Residential Design Codes. b) Visual privacy and solar ventilation will be assessed as per the Residential Design Codes. c) Traffic studies are being conducted separately by the City. d) Noted.	

Submitter Number:	109
Submitter Name:	Julia Zilko
Submitter Address:	1 Browne Ave, Dalkeith WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Wrong place to put tall buildings. b) Overlooking loss of solar coverage issues c) Considering we are not allowed to sub divide a corner block, which would be far more harmonious to the neighbours and surrounding properties	
Response to Submission	
a) Building height will be assessed as per the Residential Design Codes. b) Visual privacy and solar ventilation will be assessed as per the Residential Design Codes.	

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c) Lot size is based on the Residential Design Codes and approved by the west Australian Planning Commission.

Submitter Number:	110
Submitter Name:	Tom Robins
Submitter Address:	10 Edward Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	111
Submitter Name:	Joshua Robins
Submitter Address:	10 Edward Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	112
Submitter Name:	Sam Robins
Submitter Address:	10 Edward Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	113
Submitter Name:	Benjamin Kahn
Submitter Address:	8 Viking Rd Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support

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Summary of Submission:
a) Same as submission 46.
Response to Submission
a) Same as submission 46.

Submitter Number:	114
Submitter Name:	UWA
Submitter Address:	35 Stirling Highway, Crawley
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) The amendment is complex in line with the Planning and Development (Local Planning Scheme) Regulations 2015. b) The proposed modification disregards the properties proximity to the Specialised Activity Centre of The University of WA and Queen Elizabeth II Medical Centre precinct. c) Reduction in height of developments on Broadway at the rear will be a better way to transition the developments rather than reducing the density code. d) It is more appropriate to re-code the properties on the western side of Kingsway between Edwards Street and Princess Road to R-40 to provide a second transitional band to preserve the streetscape, with the two storey height limit in keeping with the maximum building height in the adjacent R-12.5 code areas which share a rear boundary. d) Topography variations will function as the transition zone.	
Response to Submission	
a) Noted. b) The area is still proposed to have a medium density outcome based on this amendment. Which will still allow for development in line with a small, localised centre. c) The City is currently undertaking built form studies which will look at the density codes as well as the topography and character of the area. This study will provide a built form controls taking into account these factors. d) The City is currently undertaking built form studies which will look at the density codes as well as the topography and character of the area. This study will provide a built form controls taking into account these factors.	

Submitter Number:	115
Submitter Name:	Nick Palmer
Submitter Address:	69 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) The reduced allowable height is essential to ensure a balanced series of development which both enhance the area a respect the surroundings	

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Response to Submission
a) Building height will be assessed as per the Residential Design Codes.

Submitter Number:	116
Submitter Name:	Andrea Hewitt
Submitter Address:	10 Hobbs Avenue Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I support the proposed amended height restrictions for the above South Broadway planning submission.	
Response to Submission	
a) This amendment seeks to change the density code assigned not the height requirements as set by the Residential Design Codes. Building height will be assessed as per the Residential Design Codes.	

Submitter Number:	117
Submitter Name:	Anna Lee
Submitter Address:	76 Doonan Road, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	118
Submitter Name:	Ross Lee
Submitter Address:	76 Doonan Road, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	119
Submitter Name:	Samantha Lee
Submitter Address:	76 Doonan Road, Nedlands

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	120
Submitter Name:	Michael Robins
Submitter Address:	151 Stubbs Terrace, Daglish
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	121
Submitter Name:	Shannon McVee
Submitter Address:	16 Allerton Way Booragoon WA 6154
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	122
Submitter Name:	Hilaire Natt
Submitter Address:	2 Archdeacon Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	123

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Submitter Name:	James Natt
Submitter Address:	2 Archdeacon Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	124
Submitter Name:	Gillian Rhodes
Submitter Address:	21 Princess Rd
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	125
Submitter Name:	Martin Stuckey
Submitter Address:	26 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) It will reduce overshadowing and overlooking in adjacent residences	
b) It will help preserve the character of the area.	
c) It will have less impact on motor traffic congestion in the area, especially on Broadway.	
d) I strongly support the amendment.	
Response to Submission	
a) Visual privacy and solar ventilation will be assessed as per the Residential Design Codes.	
b) Noted.	
c) Traffic studies are being conducted separately by the City.	
d) Noted.	

Submitter Number:	126
Submitter Name:	John Carstens
Submitter Address:	20 Kingsway

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) I object specifically to the reduction in Density Codes from R60 to R40 at 20 Kingsway (as well as the proposed reduction of the Density Codes along the rest of Kingsway). b) The intensity of land uses in the adjoining properties in Broadway Street is a major concern. c) Development, investment, and employment must be encouraged so I am pro-development. d) R40 does not provide adequate transition to medium rise development on Broadway. e) Properties on the eastern side of Kingsway are also close to major arterial roads, the Perth CBD, UWA, major hospitals, major planned developments.	
Response to Submission	
a) Noted. b) Noted. c) Noted. d) The City is currently undertaking built form modelling studies to determine appropriate transitions in built form. e) Noted.	

Submitter Number:	127
Submitter Name:	Tim
Submitter Address:	16 Allerton Way Booragoon WA
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	128
Submitter Name:	Justin Kennedy
Submitter Address:	25 Louise Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	129
Submitter Name:	Peter Coghlan
Submitter Address:	37 Bulimba Rd
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	128
Submitter Name:	Carmen Tutor
Submitter Address:	8A Alexander road Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support Council Recommendation.	
Response to Submission	
a) Noted.	
Submitter Number:	129
Submitter Name:	Graeme Hatton
Submitter Address:	10 Loftus Street Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	130
Submitter Name:	Jane Hollingshead
Submitter Address:	13/18 St Johns Wood Boulevard Mount
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) No objections.	
Response to Submission	
a) Noted.	

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Submitter Number:	131
Submitter Name:	Tom McVee
Submitter Address:	24 Kingsway NEDLANDS
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	132
Submitter Name:	Anthony William F. Stroud
Submitter Address:	72 Viewway Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	133
Submitter Name:	Sarah Flanagan
Submitter Address:	5 Granby Cres Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	134
Submitter Name:	Emma Rose
Submitter Address:	21 Mountjoy road
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	135
Submitter Name:	Simon Edis
Submitter Address:	72 Kingsway
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	136
Submitter Name:	Katelyn Keymer
Submitter Address:	72 Kingsway
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	137
Submitter Name:	Brock Keymer
Submitter Address:	4/152 Broadway
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	138
Submitter Name:	James Paxton
Submitter Address:	4 Renown Ave Claremont
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I object to the proposed scale of development.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
a) Noted.

Submitter Number:	139
Submitter Name:	Gisela Birch
Submitter Address:	90 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	140
Submitter Name:	Jason Connop
Submitter Address:	13 Whittlesford st, E Vic Park
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I support this submission. It is important than any development is built responsibly and that means taking account of the heights of residential houses locally.	
Response to Submission	
a) Noted.	

Submitter Number:	141
Submitter Name:	Michael Cahill
Submitter Address:	65 Melvista Ave
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Will maintain character of area.	
b) New developments should "blend in" not redefine the character and context in terms of height setbacks and the like.	
Response to Submission	
a) Noted.	
b) Building height and setbacks will be assessed as per the Residential Design Codes.	

Submitter Number:	142

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Submitter Name:	Ruby Turnbull
Submitter Address:	13 Whittlesford st, E Vic Park
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Need to respect privacy of existing residents. b) Green leafy suburb.	
Response to Submission	
a) Visual privacy is assessed as per the Residential Design Codes. b) Noted.	

Submitter Number:	143
Submitter Name:	Paul and Jo-Ann Connop
Submitter Address:	13 Hamelin Drive, Lake Coogee
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Too many developments in Nedlands. b) Protect visual privacy and low building heights.	
Response to Submission	
a) The City cannot stop applicants putting in applications for developments. b) Building height and visual privacy will be assessed as per the Residential Design Codes.	

Submitter Number:	144
Submitter Name:	Rebecca Connop
Submitter Address:	13 Hamelin Drive, Coogee
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I am writing in support of this amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	145
Submitter Name:	Andrew Bell
Submitter Address:	79 Archdeacon St Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support

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Summary of Submission:
a) Same as submission 17.
Response to Submission
a) Same as submission 17.

Submitter Number:	146
Submitter Name:	Hugo Passage
Submitter Address:	80 Doonan Rd, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	147
Submitter Name:	Isaac Passage
Submitter Address:	80 Doonan Rd, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	148
Submitter Name:	Tristan Harris
Submitter Address:	39 Padstow Street Karrinyup
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Protect building height and visual privacy.	
Response to Submission	
a) Building height and visual privacy will be assessed as per the Residential Design Codes.	

Submitter Number:	149
Submitter Name:	Jurgen Passage
Submitter Address:	80 Doonan Rd, Nedlands

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46	

Submitter Number:	150
Submitter Name:	Marion Cahif
Submitter Address:	8B Alexander Road, Dalkeith WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	151
Submitter Name:	Graham Cuckow
Submitter Address:	39 Portland street, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	152
Submitter Name:	Geoffrey Cahif
Submitter Address:	8B Alexander Road, Dalkeith WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	153

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Submitter Name:	Jonathan and Linley Dodd
Submitter Address:	74 Louise Street, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	154
Submitter Name:	Catherine Matthys
Submitter Address:	22 Cooper St Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	155
Submitter Name:	Alison Harris
Submitter Address:	39 Padstow street, Karrinyup 6018
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support this amendment. .	
Response to Submission	
a) Noted.	

Submitter Number:	156
Submitter Name:	Daniel Cahill
Submitter Address:	65 Melvista Avenue Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Worried about wind corridor.	
b) Issues with visual privacy and sunlight.	
c) Fully support amendment.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- a) Not a planning consideration.
 b) Solar ventilation and visual privacy will be assessed as per the Residential Design Codes.
 c) Noted.

Submitter Number:	157
Submitter Name:	Terena Solomons
Submitter Address:	6 Brockman Ave
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) Increased traffic issues.	
Response to Submission	
a) The City is undertaking separate traffic studies.	

Submitter Number:	158
Submitter Name:	Clive Trott
Submitter Address:	7 Goldsmith Rd, Claremont WA 6010
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	159
Submitter Name:	Elizabeth Trott
Submitter Address:	7 Goldsmith Rd, Claremont WA 6010
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	160
Submitter Name:	Jodie Monro
Submitter Address:	74 Kingsway Nedlands

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Create a smooth transition. b) Ensure 6+ storey buildings are not built next to family homes c) 5 Hillway should have a residential zone.	
Response to Submission	
a) Noted. b) Building height will be assessed as per the Residential Design Codes. c) Noted.	

Submitter Number:	161
Submitter Name:	Diane Sinagra
Submitter Address:	46 Jutland Parade
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46	
Response to Submission	
a) Same as submission 46	

Submitter Number:	162
Submitter Name:	Hal Monro
Submitter Address:	74 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	163
Submitter Name:	Mem Monro
Submitter Address:	74 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	

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a) Same as submission 17.

Submitter Number:	164
Submitter Name:	Sasha Monro
Submitter Address:	74 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	165
Submitter Name:	Anne Hilson
Submitter Address:	65 Matlock Street Mount Hawthorn
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	166
Submitter Name:	Mick Hilson
Submitter Address:	65 Matlock Street Mount Hawthorn
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	167
Submitter Name:	Damian Meaney
Submitter Address:	38 Dalkeith Road Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	

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a) Same as submission 17.
Response to Submission
a) Same as submission 17.

Submitter Number:	168
Submitter Name:	Tom Salter
Submitter Address:	62 Louise St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	169
Submitter Name:	Elizabeth Salter
Submitter Address:	62 Louise St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	170
Submitter Name:	Jamie Salter
Submitter Address:	62 Louise St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	171
Submitter Name:	Sandra Salter
Submitter Address:	62 Louise St Nedlands
Residence within 200m radius of Scheme Amendment area?:	No

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Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	172
Submitter Name:	Rebecca Khew
Submitter Address:	8 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) I support the amendment to reduce the existing coding for properties on Broadway from R-AC3 to R-AC4. b) The difference between the height limits, plot ratios and set-back requirements results in development proposals for Broadway which would severely reduce the amenity of Kingsway properties. c) The Kingsway properties will suffer from a lack of privacy, loss of sky due to the imposing nature of the developments, and overshadowing issues. d) Traffic issues. e) Noise issues.	
Response to Submission	
a) Noted. b) Building height, plot ratios and setbacks will be assessed as per the Residential Design Codes. c) Overshadowing and visual privacy will be assessed as per the Residential Design Codes. d) The City is undertaking overall traffic studies separately for the City. e) Noise is not a planning consideration this is a health requirement.	

Submitter Number:	173
Submitter Name:	Lillian Sung
Submitter Address:	86 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 172.	
Response to Submission	
a) Same as submission 172.	

Submitter Number:	174
Submitter Name:	Andrew Edwards
Submitter Address:	14 Doonan Rd Nedlands

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Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Current transition too harsh. b) Amendment will provide for better built form while in line with LPS 3 and Strategy.	
Response to Submission	
a) Noted. b) Noted.	

Submitter Number:	175
Submitter Name:	Maree Devitt
Submitter Address:	32 Cooper St Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	176
Submitter Name:	Marianne and Hugo Bombara
Submitter Address:	23 Hillway Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) The time for amendments is in the planning process or during a scheme review, not a year into the scheme. b) The purpose of LPS3 is to replace a very outdated TPS2, in line with present and future shire and state requirements. c) The density increase in Broadway will service QE11 Medical Centre- the largest in the Southern Hemisphere and the State's biggest employer, Hollywood Hospital, UWA, UWA/QE11 Health/Education/Research Hub, Proximity to CBD, Metro Area Express, Public Transport. d) The purpose of the new scheme is to provide the framework for more intense and varied land use. e) The purpose of designating a R60 coding along this portion of Kingsway and Hillway is less about achieving infill housing targets and more about providing a graduating scale of development between the Broadway corridor and the lower density residential areas to the South, and it does that perfectly. f) R40 will not provide an adequate transition.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- a) Noted.
b) Noted.
c) Noted.
d) The mixed-use zone will aim to provide for varying land uses along Broadway.
e) The City is undertaking separate built form studies for the area which will look into the issue and determine a suitable solution.
f) The City is undertaking separate built form studies for the area which will look into the issue and determine a suitable solution.

Submitter Number:	177
Submitter Name:	Kirsten McGuire
Submitter Address:	2 Granby Crescent, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	178
Submitter Name:	Harvey Salter
Submitter Address:	27 Louise Street Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	179
Submitter Name:	Jody Salter
Submitter Address:	27 Louise Street Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	180

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Submitter Name:	Maria Cristina McVee
Submitter Address:	16 Allerton Way, Booragoon WA 6154
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	181
Submitter Name:	Mike Stevens
Submitter Address:	7/46 Bridgewater Crescent Karrinyup
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support the amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	182
Submitter Name:	Barry Hart
Submitter Address:	16 Allerton Way, Booragoon WA 6154
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	183
Submitter Name:	Julie Clark
Submitter Address:	36 Louise Street, Nedlands, WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

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Submitter Number:	184
Submitter Name:	Cyril Connop
Submitter Address:	21 Whitley Crescent Karrinyup
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	185
Submitter Name:	Peter Robins
Submitter Address:	10 Edward Street, Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	186
Submitter Name:	Joan Robins
Submitter Address:	10 Edward Street, Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	187
Submitter Name:	Chris Porter
Submitter Address:	1A Park Avenue Crawley WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) I support reduction in density codes and the protection of privacy.	
Response to Submission	
a) Noted.	

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Submitter Number:	188
Submitter Name:	Marguerite Sharman
Submitter Address:	37 Boronia Ave Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) This Scheme will provide a much better transition between the eastern side of Broadway (City of Perth), west Broadway and Kingsway due to the rising topography of the land in that area. b) Over shadowing, overlooking and loss of privacy issues. c) It will also provide more suitable setbacks to allow transition between existing residences and thus better integrate with the character and streetscape along Broadway. d) Without this amendment the City of Nedlands would be facing the probability of many 6/7 storey developments along Broadway. e) Traffic issues.	
Response to Submission	
a) Noted. b) Overshadowing and visual privacy will be assessed as per the Residential Design Codes. c) Setbacks will be assessed as per the Residential Design Codes. d) Building height will be assessed as per the Residential Design Codes e) The City is undertaking overall traffic studies separately for the City.	

Submitter Number:	189
Submitter Name:	Emma Davies
Submitter Address:	25 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	190
Submitter Name:	Nicholas Earner
Submitter Address:	25 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

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a) Same as submission 46.
Response to Submission
a) Same as submission 46.

Submitter Number:	191
Submitter Name:	Tony LEAVERSUCH
Submitter Address:	78 Doonan Road NEDLANDS
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	192
Submitter Name:	Joshua Davies
Submitter Address:	25 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	193
Submitter Name:	Soni Bailey
Submitter Address:	Unit 1/152 Broadway, Crawley
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) I don't believe that high rise apartment buildings have a place in a residential area such as Broadway Nedlands/Crawley.	
Response to Submission	
a) Noted.	

Submitter Number:	194
Submitter Name:	Zoe Earner
Submitter Address:	25 Kingsway, Nedlands

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	195
Submitter Name:	Merran Smith
Submitter Address:	36 Minora road Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Object
Summary of Submission:	
a) Support amendment.	
b) The zoning increases imposed by LPS3 are excessive.	
Response to Submission	
a) Noted.	
b) Noted.	

Submitter Number:	196
Submitter Name:	Paul Sharman
Submitter Address:	37 Boronia Ave., Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	197
Submitter Name:	Isabel Earner
Submitter Address:	25 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	198
Submitter Name:	Dominic Johnston
Submitter Address:	12 Kingsway, Nedlands, WA, 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) This amendment prepares for a better transition. b) Traffic and parking issues. c) This matter needs to be raised directly with Rita Saffiotti and the Premier to help them understand the level of community anger over this matter.	
Response to Submission	
a) Noted. b) The City is undertaking separate traffic studies for the City. Parking requirements are to be in line with the City's Parking LPP. c) Noted.	

Submitter Number:	199
Submitter Name:	John Leaversuch
Submitter Address:	31 Stirling Rd Swanbourne
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	200
Submitter Name:	Bradley Johnston
Submitter Address:	12 Kingsway, Nedlands, WA, 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 198.	
Response to Submission	
a) Same as submission 198.	

Submitter Number:	201
Submitter Name:	Guat Lan Johnston
Submitter Address:	12 Kingsway, Nedlands, WA, 6009

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Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 198.	
Response to Submission	
a) Same as submission 198.	

Submitter Number:	202
Submitter Name:	Ben Stuckey
Submitter Address:	26 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Traffic issues.	
Response to Submission	
a) The City is undertaking separate traffic studies for the City.	

Submitter Number:	203
Submitter Name:	Dagmar Mather
Submitter Address:	35 Florence rd , Nedlands . 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	204
Submitter Name:	Adam Entwistle
Submitter Address:	64 Stuart Street, Maylands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 198.	
Response to Submission	
a) Same as submission 198.	

Submitter Number:	205

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Submitter Name:	Margaret Stuckey
Submitter Address:	26 Kingsway Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Traffic issues.	
Response to Submission	
a) The City is undertaking separate traffic studies for the City	

Submitter Number:	206
Submitter Name:	Sandra Johnston
Submitter Address:	64 Stuart Street, Maylands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 198.	
Response to Submission	
a) Same as submission 198.	

Submitter Number:	207
Submitter Name:	Anne Christine Potts
Submitter Address:	23 Mountjoy Road Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

Submitter Number:	208
Submitter Name:	Gwenyth Graham
Submitter Address:	14 Kingsway, Nedlands, WA, 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 198.	
Response to Submission	
a) Same as submission 198.	

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Submitter Number:	209
Submitter Name:	Virginia Campbell
Submitter Address:	62 Goldsmith Road, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	210
Submitter Name:	Kaye Macpherson-Smith
Submitter Address:	29 Webster Street, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	211
Submitter Name:	Megan Joyce
Submitter Address:	100 Webster st, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	212
Submitter Name:	Leland Stanford POTTS
Submitter Address:	23 Mountjoy Rd Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 46.	
Response to Submission	
a) Same as submission 46.	

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Submitter Number:	213
Submitter Name:	Ian Campbell
Submitter Address:	62 Goldsmith Road, Dalkeith
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	214
Submitter Name:	Susan Warner
Submitter Address:	29 Mountjoy Road Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	215
Submitter Name:	Roger Smith
Submitter Address:	29 Webster St, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	216
Submitter Name:	Tom Warner
Submitter Address:	29 Mountjoy Road Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	

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Response to Submission
a) Same as submission 17.

Submitter Number:	217
Submitter Name:	Todd Allen
Submitter Address:	55 Doonan Rd, Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	218
Submitter Name:	Yvonne Hart
Submitter Address:	26 Mann Street, Cottesloe 6011
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	219
Submitter Name:	Emma Storey
Submitter Address:	11B Hudson Street Bayswater
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	220
Submitter Name:	Lara Mahon
Submitter Address:	4/135 Carr St West Perth 6005
Residence within 200m radius of Scheme Amendment area?:	No

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Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	221
Submitter Name:	Mark Nolan
Submitter Address:	22 Mantua Crescent Churchlands 6018
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	222
Submitter Name:	Leith Landauer
Submitter Address:	9 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	223
Submitter Name:	Nicholas Wambeek
Submitter Address:	22 Viewway in Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
b) More appropriate height.	
Response to Submission	
a) Noted.	
b) Noted.	

Submitter Number:	224
Submitter Name:	Dr Alice Phua

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Submitter Address:	12D/25 Victoria Avenue Claremont 6010
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted	

Submitter Number:	225
Submitter Name:	Patricia Russell
Submitter Address:	18 Stanley ST Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	226
Submitter Name:	David Indermaur
Submitter Address:	Viewway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	227
Submitter Name:	Katie Nolan
Submitter Address:	22 Mantua Crescent, Churchlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

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Submitter Number:	228
Submitter Name:	Kristie Denham
Submitter Address:	8 Cherry Road, Woodlands, WA 6018
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	229
Submitter Name:	Kevin Mahon
Submitter Address:	17 Highbury St Floreat, WA 6014
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	230
Submitter Name:	Erin O'Brien
Submitter Address:	Viewway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Support amendment.	
Response to Submission	
a) Noted.	

Submitter Number:	231
Submitter Name:	Cecile Leach
Submitter Address:	39 Florence Rd Nedlands
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Unknown
Summary of Submission:	
a) No more than 3 storeys on Broadway.	

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- b) Overlooking issues.
- c) Traffic issues.
- d) Parking issues.
- e) Noise issues.

Response to Submission

- a) Building height is assessed in line with the Residential Design Codes.
- b) Visual privacy is assessed in line with the Residential Design Codes.
- c) The City is undertaking traffic studies as part of separate work.
- d) Parking for developments will need to be in accordance with the City's Parking Policy and Residential Design Codes (where applicable).
- e) Noise is not a planning consideration, it is dealt with by the Health Act.

Submitter Number:	232
Submitter Name:	Anthony and Kellie Hasluck
Submitter Address:	49 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) We fully support the proposal to change this zoning to R40 as a far better transition for density for Nedlands. b) We also support the proposal to reduce areas of R-AC3 zoning to R-AC4 zoning as the best answer to establishing greater density with minimal impact, partly because of the unique, steeply sloping topography of the land between Broadway and Kingsway. c) Substantial 6 & 7 storey buildings will not be built next to traditional family homes. d) The proposal is consistent with the Transition Zones in the Nedlands Planning Strategy 2017.	
Response to Submission	
a) Noted. b) The City is undertaking separate built form studies for the area which will look into the issue and determine a suitable solution. c) Building height is assessed in line with the Residential Design Codes and is discretionary. d) Noted.	

Submitter Number:	233
Submitter Name:	Andrew Mackellar
Submitter Address:	96 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

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- a) It makes more sense for City of Perth for example to increase density in areas bordering Nedlands than to destroy the family orientated nature of Kingsway and Hillway.
- b) Issues with amenity, restriction of sunlight, and loss of privacy associated with apartment developments.
- c) The amendment creates a better transition of density.
- d) Restrict car parking allowance in proposed developments to not exceed the current capacity - typically 2 vehicles per block.
- e) Traffic issues.
- f) Noise issues.
- g) Developments must include grey water recycling systems so as not to overburden the water and wastewater infrastructure in the area.
- h) Developments must include solar and battery grid connected systems so as not to overburden the electricity distribution infrastructure.
- i) Development must include electric vehicle recharging facilities to demonstrate Nedlands' Councils green development credentials and support a reduction in the emissions of carbon from Nedlands as a whole.

Response to Submission

- a) Noted the City cannot dictate where another local government chooses to place density.
- b) Solar ventilation, amenity and visual privacy are assessed in accordance with the Residential Design Codes and other relevant planning instruments.
- c) The City is currently undertaking built form studies to determine appropriate scales of built form for transitioning the density.
- d) Car parking is assessed in accordance with the City's Parking Policy and the Residential Design Codes. Parking ratios are based on the use of commercial and the number of units in a development not how many lots the development is constructed on.
- e) The City is undertaking traffic studies as part of a separate body of work.
- f) Noise is not a planning consideration it is managed under the Health Act.
- g) Apartments must satisfy the element objectives of section 4.16 Water Management and Conservation of the Residential Design Codes Vol 2.
- h) Apartments must satisfy the element objectives of section 4.15 Energy Efficiency of the Residential Design Codes Vol 2.
- i) Administration proposed electric vehicle charging through an earlier version of the City's Parking Policy which was altered at Council.

Submitter Number:	234
Submitter Name:	Aimee Dale
Submitter Address:	56 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) I support this amendment except for the changes to the zoning on Kingsway/Hillway due to a gradual transition and better spread of density.	
Response to Submission	
a) Noted.	

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Submitter Number:	235
Submitter Name:	Richard Stallard
Submitter Address:	80 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Property value decrease. b) Privacy being lost due to height of buildings. c) The likely future demand for high-density apartment style is much reduced, due to the 2019-2020 Corona Virus Pandemic. d) Lack of market interest in high rise development. e) More potential for retention of existing large trees and/or deep soil areas for new plantings. f) Less traffic issues.	
Response to Submission	
a) Property values are not a planning consideration. b) Visual privacy is assessed in line with the Residential Design Codes. c) COVID is not a local government planning consideration. d) Market interest is not a planning consideration. e) The Residential Design Codes Vol 2 takes into account deep soil planting zones and encourages retention of mature vegetation. f) The City is undertaking traffic studies as part of a separate body of work.	

Submitter Number:	236
Submitter Name:	Qiang Ye
Submitter Address:	21 Viewway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	237
Submitter Name:	Philippa Daly Smith
Submitter Address:	13 Commercial Rd Shenton Park WA 6008
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	

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Response to Submission
a) Same as submission 17.

Submitter Number:	238
Submitter Name:	Peter Smith
Submitter Address:	13 Hillway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Unknown
Summary of Submission:	
a) Infill propositions only favour short term opportunist developers. b) The proposed LPS 3 Scheme amendment No 7; already represents a massive compromise and significant degradation to the environment and as such must be supported as a minimum amendment to earlier extreme infill propositions/plans.	
Response to Submission	
a) Noted. b) Noted.	

Submitter Number:	239
Submitter Name:	John Nelson
Submitter Address:	103A Bruce Street Nedlands 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	240
Submitter Name:	Councillor Fergus Bennett
Submitter Address:	133 Broadway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17. b) The topography with steep escarpment change in the land level prevents the use of laneways. Which will mean multiple crossovers to Broadway. c) Front setbacks are not enough. d) Less intense development with less commercial would reduce the impact on this pedestrian friendly boulevard. e) Issues associated with underground carparking due to high water table and geology.	

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- f) Less intense development will also provide more space for deep soil areas.
 g) Follow up scheme amendment should apply to the up-zoned properties between Hillway and the Esplanade. It should also be AC4 with R40.
 h) Primarily short term accommodation towers should be prohibited.

Response to Submission

- a) Same as submission 17.
 b) Laneways are not proposed as part of this work. The Residential Design Codes encourages consolidated access.
 c) Front setbacks are assessed in line with the Residential Design Codes. The City is currently undertaking built form modelling studies to assess the appropriate built form based on the character of the area.
 d) Noted. The objectives of the Mixed-Use zone are for a mixture of commercial and residential uses.
 e) Car parking is not mandated underground. Although it is encouraged to be placed out of view from the street to improve amenity.
 f) Deep soil areas are mandated through the element objectives of Residential Design Codes Vol 2. The City is also pursuing Scheme Amt No. 9 which will mandate deep soil areas for grouped and single dwellings is approved.
 g) Follow up amendments are not part of this amendment.
 h) Short term accommodation uses such as Holiday House, Holiday Accommodation and Serviced Apartments are a discretionary use within the Mixed-Use Zone. A scheme amendment would need to be pursued to prohibit these.

Submitter Number:	241
Submitter Name:	Alan Nicoll & Lorraine Ironside
Submitter Address:	15 Viewway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) The amendment will result in better integration of the mixed-use buildings along the Southern Broadway corridor with these residential streets behind. b) Topographical differences between Broadway and Kingsway lend itself to an appropriate natural transition. c) Ensure that 6-storey buildings are not built next to family homes with the attendant concerns of overshadowing and loss of privacy to the adjoining properties.	
Response to Submission	
a) Noted. b) The City is currently undertaking built form studies to determine appropriate transitions based on character and topographical differences. c) Building height, overshadowing and visual privacy are assessed in line with the Residential Design Codes and the City's planning framework.	

Submitter Number:	242
Submitter Name:	Element

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Submitter Address:	On behalf of No.137 Broadway, No. 93-95 Broadway
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) No 5 Hillway is incorrectly referenced as being changed from Mixed Use to Residential, however, the resolution only indicates a density code change from 'R-AC3' to 'R40' and not a change to the underlying zone. In addition, it is stated that the zoning for No. 5 Hillway as Mixed Use is 'incorrectly applied', however the lot was identified with a 'Mixed-Residential' zone within Council's initiated Local Planning Scheme No. 3 (LPS 3) and with a 'Mixed Use' zone within the advertised version of LPS 3. As such, the suggestion that the inclusion of No. 5 in the Mixed-Use zone is a 'mistake' is incorrect. The zoning also aligns with the extent of the Mixed-Use zone on the adjacent site to the south (Lot 732) which is currently used for non-residential purposes. b) Amendment is proposed as Standard but should be Complex as is inconsistent with the Local Planning Strategy and objectives of the Mixed-Use zone. c) Amendment is inconsistent with the Local Planning Strategy, and the intention for Hampden Broadway as 'Urban Growth Areas'. Amendment does not accord with the development intent for the 'Urban Growth Areas' in terms of height and intensity. d) The area affected by the amendment is in the UWA-QEII Specialised Centre catchment area and Broadway is required to provide sufficient development potential to meet the Centre's housing needs. e) The Southern end of Broadway is appropriate for development, due to its topography making it appropriate for development with additional height, and the Local Planning Strategy identifying the need for a Local Centre at the southern end of Broadway. f) Reducing the density to RAC4 is not appropriate as SPP 7.3 states a 'High-density urban centre' is applicable to 'designated specialised centres', with appropriate densities ranging from R-AC3 to RAC1. The location of the amendment area, either within the Specialised Centre or its 'immediate catchment', in addition to proximity to the Neighbourhood and Local Centres supports the existing density of 'R-AC3'. g) The amendment fails to acknowledge the parameters of SPP7.3 and attempts to manage density in a blunt manner, rather than using the controls of the SPP7.3 to appropriately manage development. h) The topography between streets may be managed through a policy or the proper use of SPP 7.3 Vol 2 rather than this amendment. SPP7.3 Vol 2 provides parameters through which issues with topography and development can be managed. Reduced density is not required to manage topography matters. i) The density transitions currently in place are appropriate and can be managed through SPP 7.3 Vol 2 through its reference to character and context. j) The amendment is not compatible with the retail core at Myers St/Princess Rd proposed in the City of Perth's Draft Local Planning Strategy.	

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- k) The amendment is not consistent with the building height supported by Council when Council endorsed LPS3 in December 2016. 6 storeys was supported at this time, which was consistent with the City's Local Planning Strategy.

Response to Submission

- a) This error has been identified by Administration and will be noted in the final Council report.
- b) Noted.
- c) Noted.
- d) Noted.
- e) The City is currently undertaking built form studies to determine appropriate transitions based on character and topographical differences.
- f) Noted.
- g) Noted.
- h) The City is currently undertaking built form studies to determine appropriate transitions based on character and topographical differences.
- i) Noted.
- j) Noted.
- k) Noted.

Submitter Number:	243
Submitter Name:	Zakari Blythe
Submitter Address:	31 Hillway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	244
Submitter Name:	Mrs Joan E. Thatcher
Submitter Address:	11 Hackett Road, Dalkeith, WA 6009
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Support
Summary of Submission:	
a) No 6-storey building can be built next to family homes.	
b) Maintain leafy green character of Nedlands.	
Response to Submission	
a) Building height is assessed as per the Residential Design Codes and is discretionary.	
b) The Residential Design Codes Vol 2 discusses deep soil planting zones and preservation of mature vegetation.	

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Submitter Number:	245
Submitter Name:	City of Perth
Submitter Address:	City of Perth
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
a) The City notes that the officer's report to Council identifies that the proposed amendment is not consistent with the endorsed Local Planning Strategy and its vision for South Broadway to be a medium intensity, medium rise urban growth area. b) It is critical that any changes to the planning framework in this area do not jeopardise the future intent of this centre to become a globally competitive centre for health, medical, education, research and innovation. c) It is important that the City of Perth and the City of Nedlands continue to work closely together. d) Any changes to the planning framework need to consider the broader implications on long-term planning endeavours.	
Response to Submission	
a) Noted. b) Noted. c) The City will continue to work with all relevant stakeholders in relation to developing the overall vision for the Broadway Precinct. d) Noted.	

Submitter Number:	246
Submitter Name:	Steven and Jennifer Lai
Submitter Address:	73 Kingsway, Nedlands WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	247
Submitter Name:	Planning Solutions
Submitter Address:	On behalf of Lot 544 (105) Broadway, Nedlands, and Lot 553 (123) Broadway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	

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- a) Reducing the density along Broadway to R-AC4 is contrary to the Mixed Use zone objectives of LPS3, as it will inhibit new development from providing a “significant residential component” whilst providing for a “variety of active uses on street level”.
- b) The size, proximity and connectivity of the UWA-QEII Specialised Centre (a major activity and employment generator) in relationship to the Broadway Mixed Use precinct.
- c) The future role and character of the Broadway Fair Neighbourhood Centre needs to be considered.
- d) Existing “low intensity development” along Broadway is the result of restrictive low intensity density coding under the previous City of Nedlands TPS2, and is not necessarily reflective of future desired densities and character.
- e) The amendment report mischaracterises the “urban context” of Broadway under State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments. The correct “urban context” is Mid-Rise Urban Centre, which plans for up to 6 storeys.
- f) The sloping topography of the land between Broadway and Kingsway serves to moderate building heights and bulk along Broadway.
- g) The protection of private views along Hillway and Kingsway is not a sound planning justification for such a retrograde density reduction.
- h) A7 is properly classified as a ‘complex amendment’, and has been incorrectly presented as a ‘standard amendment’ within the amendment report.
- i) The current R-AC3 density coding applicable to the Mixed Use zone supports the 4,320 dwelling target set by the Central Sub-Regional Planning Framework, and provides housing choice to attract people to the UWA-QEII Specialised Centre.
- j) A sound planning rationale for the reduction of density has not been presented. The current densities prescribed by LPS3 are entirely appropriate.

Response to Submission

- a) R-AC4 developments will still be able to meet the objectives of the mixed use zone with both residential and commercial components.
- b) Noted.
- c) The City is currently working with the City of Perth and other stakeholders to collaborate on work for the Broadway Precinct. Unfortunately, the City of Perth’s planning timeframes and framework are behind the City’s
- d) Noted.
- e) Noted.
- f) The City is undertaking separate built form studies for the area which will look into the topographical differences and determine a suitable solution.
- g) Noted.
- h) Noted.
- i) Noted.
- j) Noted.

Submitter Number:	248
Submitter Name:	Liew Ing ONG
Submitter Address:	15 Kingsway, Nedlands, WA 6009
Residence within 200m radius of Scheme Amendment area?:	Yes

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Support/Object/Comment:	Support
Summary of Submission:	
a) Traffic issues. b) 6 storey buildings will have an adverse effect on their neighbours with loss of privacy, overshadowing on the back gardens and loss of solar powered cells utility. c) The massive buildings will be out of character to the area. d) Backyard swimming pools along Kingsway [East] will lose all their privacy. e) Overshadowing from these tall buildings will affect the gardens along Kingsway.	
Response to Submission	
a) The City is currently undertaking traffic studies as part of a separate body of work. b) Building height, overshadowing and visual privacy are assessed in line with the Residential Design Codes and the City's planning framework. c) The City is currently undertaking built form studies to determine appropriate transitions based on character and topographical differences. d) Visual privacy is assessed in accordance with the Residential Design Codes and the City's planning framework. e) Overshadowing is assessed in accordance with the Residential Design Codes and the City's planning framework	

Submitter Number:	249
Submitter Name:	Hock Lai Ong
Submitter Address:	15 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a). Buildings too high and will intrude on the privacy of neighbours b) Overshadowing of natural light and to deny solar power to the neighbours with solar cells c) Traffic issues. d) The sizes of the buildings will be out of character to the area. e) Increased noise levels and rubbish waste in the area with more people.	
Response to Submission	
a) Building height is assessed as per the Residential Design Codes. b) Overshadowing is assessed as per the Residential Design Codes. c) The City is undertaking traffic studies as part of a separate body of work. d) The City is undertaking built form modelling as part of a separate body of work. e) Noise is not a planning consideration and is dealt with under Health Legislation.	

Submitter Number:	250
Submitter Name:	Laurel de Vietri
Submitter Address:	47 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support

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Summary of Submission:	
a) High density too much in this area and creates issues with huge, bulky, overshadowing constructions. b) Traffic issues. c) Our leafy streets are an attraction and one reason people live here. The more high-density buildings that appear, the more trees disappear, and along with them, the wildlife.	
Response to Submission	
a) Building bulk, height and overshadowing are assessed as per the Residential Design Codes and the City's planning framework. b) The City is undertaking traffic studies as part of a separate body of work. c) Street trees are not able to be removed without the City's approval. Deep soil areas are mandated through the element objectives of Residential Design Codes Vol 2. The City is also pursuing Scheme Amt No. 9 which will mandate deep soil areas for grouped and single dwellings is approved.	

Submitter Number:	251
Submitter Name:	Janette Offermann
Submitter Address:	-
Residence within 200m radius of Scheme Amendment area?:	-
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17. b) Do not want high density close to primary school.	
Response to Submission	
a) Same as submission 17. b) Noted.	

Submitter Number:	252
Submitter Name:	Christine Warnick
Submitter Address:	48 Viewway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) 6 storeys is too high and will destroy the character of the area. b) Traffic issues of narrow streets. c) Parking issues relating to students parking for longer than allowed in timed free parking areas. d) Overshadowing and privacy issues due to height of buildings. e) Noise issues.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- a) The City is undertaking separate built form studies for the area which will look into the issue and determine a suitable solution. Building height will be assessed as per the Residential Design Codes and are discretionary.
- b) The City is undertaking traffic studies throughout the City.
- c) Developments will have to create parking in line with the City's Parking Policy and Residential Design Codes (if applicable). Issues with timed parking not being properly policed needs to be reported to the City's Rangers.
- d) Visual privacy and overshadowing are assessed as per the Residential Design Codes and the City's planning framework.
- e) Noise is not a planning consideration and is managed by the Health Act.

Late Submissions

Submitter Number:	253
Submitter Name:	Wing Cheong Chiu and Peggy Chiu
Submitter Address:	64 Kingsway, Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
a) Object the rezoning of Kingsway proposed in this amendment. b) The sprawling development with low intensity in the Perth Metropolitan Area is destructive to natural environments, wasteful of resources and significantly increased pollution. c) Nedlands is now a tired suburb in need of renovation and rebuilding. d) Rezoning to higher and medium density in selected areas provides incentive for property owners and developers to engage in urban rejuvenation. e) If Kingsway properties are rezoned to R40 the transition between Broadway and lower density will be too abrupt. f) R40 will reduce the incentive and create poor quality products that the objectors to R60 are trying to avoid. g) If Kingsway is recoded to R40 the properties will be overshadowed by those on Broadway without the opportunity to do much with the R40 land. h) Property values on Kingsway will depreciate.	
Response to Submission	
a) Noted. b) Noted. c) Noted. d) Noted. e) The City is currently undertaking built form modelling which will help to suggest the appropriate transition between Broadway and Kingsway. f) Noted. g) Overshadowing will be assessed as per the Residential Design Codes. h) Property values are not a valid planning consideration.	

Submitter Number:	254

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Gwenyth Alison Graham
Submitter Address:	14 Kingsway Nedlands
Residence within 200m radius of Scheme Amendment area?:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
a) Same as submission 17.	
Response to Submission	
a) Same as submission 17.	

Submitter Number:	255
Submitter Name:	Main Roads
Submitter Address:	Don Aitken Centre, Waterloo Crescent, East Perth
Residence within 200m radius of Scheme Amendment area?:	No
Support/Object/Comment:	Comment
Summary of Submission:	
a) Would prefer a neighbourhood centre node to be developed along Broadway. Not directly adjacent to Stirling Highway. This node would be ideal for further intensification.	
b) Ribbon development along Stirling Highway is not encouraged. Instead density should be concentrated in specific nodes. Away from Stirling Highway such as a civic heart/town centre.	
c) More concentrated development along Broadway is encouraged. This will encourage walkability, place making opportunities and appropriate access.	
Response to Submission	
a) Noted.	
b) Noted.	
c) Noted. Built form modelling is being undertaken by the City which will suggest where intensification of land uses are appropriate.	

10. Local Planning Scheme 3 – Local Planning Policy - Residential Aged Care Facilities – Final Adoption

Council Date	3 September 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Special Council Meeting 4 August 2020
Attachments	1. Draft Residential Aged Care Facilities LPP 2. Summary of Submissions
Confidential Attachments	1. Full Submissions

Regulation 11(da) - Council determined that the amendments provided further clarification to the Local Planning Policy.

Moved – Councillor Coghlan
Seconded – Councillor Mangano

That the Recommendation to Council be adopted subject to:

- Delete 4.3.3 2) b)(i) and replace with the following:**

“(i) 9 m minimum street set back for land coded R 10- R 15; 6 m minimum street setback for land coded R20 ;4m minimum street setback for land coded R30 to R35; 6m side and rear boundary setbacks; and “
- Add “4.3.3 3) Any boundary wall shall be minimised by the building design and shall not exceed the acceptable outcome standard under the R-Codes”**
- Add the following sentence to the end of 4.3.4 1) “The LDP must be consistent with the requirements of the following provisions of this Policy.”**
- Clarification Note:**
Paragraph “4.3.4 2) (v) A minimum 50% of site area provided as open space is required” was omitted from the Agenda Papers but was correctly included in Attachment 1.
- Add the following words to the beginning of 4.6.1 paragraph 2 “Windows to habitable rooms and unenclosed”**

6. **Modify clause 4.8.1 to read “Delivery loading and building service areas are to be located so that they are not visible from the street or adjacent to adjoining residential properties.”**
7. **Modify clause 6.2 to read “All Residential Aged Care Facilities are to be advertised in accordance with the requirements of the Local Planning Policy-Consultation of Planning Proposals.”**

CARRIED UNANIMOUSLY 13/-

Council Resolution

Council resolves to adopt the Residential Aged Care Facilities Local Planning Policy, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i) with the following changes:

1. **Delete 4.3.3 2) b)(i) and replace with the following:**

“(i) 9 m minimum street set back for land coded R 10- R 15; 6 m minimum street setback for land coded R20 ;4m minimum street setback for land coded R30 to R35; 6m side and rear boundary setbacks; and “
2. **Add “4.3.3 3) Any boundary wall shall be minimised by the building design and shall not exceed the acceptable outcome standard under the R-Codes”**
3. **Add the following sentence to the end of 4.3.4 1) “The LDP must be consistent with the requirements of the following provisions of this Policy.”**
4. **Clarification Note:**
Paragraph “4.3.4 2) (v) A minimum 50% of site area provided as open space is required” was omitted from the Agenda Papers but was correctly included in Attachment 1.
5. **Add the following words to the beginning of 4.6.1 paragraph 2 “Windows to habitable rooms and unenclosed”**
6. **Modify clause 4.8.1 to read “Delivery loading and building service areas are to be located so that they are not visible from the street or adjacent to adjoining residential properties.”**
7. **Modify clause 6.2 to read “All Residential Aged Care Facilities are to be advertised in accordance with the requirements of the Local Planning Policy-Consultation of Planning Proposals.”**

Recommendation to Council

Council resolves to adopt the Residential Aged Care Facilities Local Planning Policy, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i).

Executive Summary

The purpose of this report is for Council to consider submissions on the Residential Aged Care Facilities Local Planning Policy (the Policy). It is proposed that the policy be adopted without modification. A copy of the draft Policy is included as Attachment 1.

The purpose of this policy is to provide development provisions for Residential Aged Care Facilities within the City of Nedlands.

If Council chooses to adopt this Policy, it must be taken into consideration by the decision maker in determining a Development Application. The Policy recommended for adoption in this report will have effect once the notification of adoption is published in a local newspaper.

Background

At the Council Meeting 17 December 2019 Council resolved to prepare and advertise the Local Planning Policy - Residential Aged Care Facilities for a period of 21 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4 (the Regulations).

It was noted in a memorandum to Council on the 15 April 2020 that during the advertising period errors had been identified in the advertised LPP by Administration. These errors included that where a site was greater than 2000m², the primary controls were advertised as being 3 storeys and plot ratio of 0.8, in lieu of 4 storeys with a plot ratio of 1.0.

At the Council Meeting on 28 April 2020 Council resolved to adopt the Local Planning Policy – Residential Aged Care Facilities and include the provisions that had not been advertised, being the 4 storey height limit and plot ratio of 1.0 in the adopted version.

The Policy was first tested in the assessment of a JDAP development application for a Residential Aged Care Facility proposal at 16-18 Betty Street and 73-75 Doonan Road Nedlands. During the application process, several key built form elements that the LPP did not adequately address were identified.

Administration then received legal advice which identified that certain provisions of the former Local Planning Policy – Residential Aged Care were not appropriate to be applied to commercial development. Due to this, Administration proposed amendments to the Policy that applied built form provisions consistent with the proposed Scheme Amendments No. 10 and 11 as presented to Council on 28 July 2020.

A Council Workshop was held by Administration on 27 July 2020 to explain in detail the proposed amendments to the Policy and the proposed Scheme Amendments 10 and 11. The City's legal representative was also in attendance at this workshop to provide the Council with legal advice on the difference between rescinding and revoking a Local Planning Policy.

At the Ordinary Council Meeting on 28 July 2020, an alternative recommendation was moved, and Council resolved to revoke the existing Local Planning Policy - Residential Aged Care Facilities in accordance with Schedule 2, Clause 6(b) of the Regulations. A notice of the revocation of the Policy was published in The Post newspaper on Saturday 1 August 2020.

A new Residential Aged Care Facilities Policy was then prepared and reviewed by Council's legal representatives. The final version of this new Policy, inclusive of modifications suggested by Council's legal representatives, was endorsed for advertising by Council at the Special Council Meeting on 4 August 2020. Advertising has now been completed and the Policy is now presented for Council's final endorsement.

Detail

The advertised draft Policy retains many design elements of the former Residential Aged Care Facilities Local Planning Policy. New provisions relate to the following clauses:

- 3.0 – Objectives
- 4.2 – Policy Measures
- 4.3 - Design Requirements
- 4.6 - Visual Privacy
- 4.7 - Landscaping
- No longer includes Boundary Fencing
- 4.11 – Location of Vehicular Access and Car Parking
- 5.0 – Primary Controls Table
- 7.0- Additional Development Requirements
- 11.0 - Legislation
- 12.0 – Definitions

Clause 3.0 - Objectives

A new objective 3.2 has been included relating to streetscape character as follows:

- 3.2 To ensure the building design and appearance of Residential Aged Care Facilities responds to and enhances the distinctive elements of the existing streetscape character using sympathetic building materials and building style.

Clause 4.2 – Policy Measures

A new policy measure has been included as 4.2.1, relating to the preferred location for the establishment of Residential Aged Care Facilities:

4.2.1 RAC Facilities are preferred to be located:

- on a lot which has no more than two boundaries to an adjacent residential lot;
- within proximity to an area of public open space; and
- within proximity to relevant amenities including hospitals, medical centres, shopping precincts and high frequency bus routes.

4.3 – Design Requirements

All Design Requirements contained within clause 4.2 of the former LPP are proposed to be deleted and replaced with the following provisions:

- 4.3.1 In accordance with clause 32.4(5) of LPS 3, where applied for in the Mixed-Use zone, Residential Aged Care Facilities shall comply with relevant development standards of the R-AC density coding applicable to the subject site.
- 4.3.2 In relation to an application for a RAC Facility on land coded R10, R12.5, R15, R20, R30 and R35, subject to Western Australian Planning Commission (**WAPC**) approval, a Local Development Plan (**LDP**) may be required (as provided for in Part 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations)*). The purpose of an LDP is to provide specific guidance for RAC Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP must be consistent with the requirements of the following provisions of this Policy.
- 4.3.3 1) Where there is no approved Structure Plan, LDP, Precinct Plan and/or Activity Centre Plan, or specific local planning policy to the site, RAC Facility applications are to comply with the R-Codes where relevant except where varied by the following provisions of this clause:
- 2) In relation to land coded R10 to R35:
- a) A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from Natural Ground Level (**NGL**) apply. (A 'storey' is as defined in the R-Codes); and
 - b) The following setbacks shall apply:
 - (i) 6m minimum street setback; and

- (ii) 6m side and rear boundary setbacks.
 - c) Maximum plot ratio of 1.0 applies.
 - d) A minimum 50 percent of site area provided as open space is required.
- 4.3.4 In relation to land zoned Residential, with no R Coding shown on the Scheme Map, RAC Facilities are to comply with the following provisions of this clause:
 - 1) Where the requirement of an LDP is indicated in LPS 3, subject to the approval of the City and the WAPC pursuant to deemed clause 47(d), a LDP is to be prepared. The purpose of the LDP is to provide specific guidance for future development on the land affected by A9 and to ensure the achievement of orderly and proper planning outcomes.
 - 2) Where there is no approved LDP, structure plan, and/or activity centre plan, the following development standards apply:
 - a) An R-Code of R12.5 applies in respect of residential land use and development (i.e. non RAC Facility applications).
 - b) The following provisions apply in respect of RAC Facility land use and development:
 - (i) A minimum 6m street setback applies; and
 - (ii) Minimum 6m side and rear boundary setbacks apply; and
 - (iii) A maximum building height of two storeys with an external wall height of 8.5m and maximum overall height of 10m applies, as measured from NGL. (A 'storey' is as defined in accordance with the R Codes); and
 - (iv) A maximum plot ratio of 1.0 applies.

Clause 4.6 – Visual Privacy

All Visual Privacy requirements contained within clause 4.5 of the former LPP are proposed to be deleted and replaced with the following provisions under clause 4.6:

- 4.6.1 Where located adjacent to residential properties, RAC Facilities are to be designed so that windows to habitable rooms are as defined by the National Construction Code - Building Code of Australia.

Outdoor active habitable space (balconies, decks, verandas and the like) which have a finished floor level more than 0.5 metres above NGL and overlook any part of any other residential property behind its street setback line, are to:

- be setback in accordance with the cone of vision, from the lot boundary, of the residential density code; or

- be set back in direct line of sight within the cone of vision from the lot boundary at a minimum distance of 6m for habitable room windows and 7.5m for unenclosed outdoor active habitable space (where the site is not subject to a residential density code); or
- where the visual privacy setback cannot be achieved, permanent screening or obscured glazing to a minimum height of 1.6m above finished floor level should be provided to restrict views within the cone of vision from any habitable room window or unenclosed outdoor active habitable space.

Clause 4.7 – Landscaping

Modification to the wording contained within former clause 4.6.5 (Landscaping) of the former LPP and the insertion of an additional clause 4.7.6:

- 4.7.5 Where an open-air car parking facility or area is provided at ground level a landscaping plan shall be provided demonstrating appropriate planting of 1 mature tree per every 6 car parking bays; and
- 4.7.6 Mature trees and landscaping are encouraged on site to provide buffering between the facility and any adjacent residential properties.

Boundary Fencing – all provisions from former LPP removed

Deletion of all provisions contained under clause 4.7 (Boundary Fencing) in the former LPP and to renumber the remaining provisions accordingly.

Clause 4.11 – Location of Vehicular Access and Car Parking

Modification and addition of car parking provisions to include the following:

- 4.11.2 Vehicle parking areas and structures shall be provided at basement level and/or integrated into the design of the building and screened from view of the neighbouring residential properties. The design and location of vehicle parking should minimise negative visual and environmental impacts on amenity and the streetscape.
- 4.11.4 Visitor car parking areas located within the front setback area shall be setback from the front property boundary behind a soft landscaping strip a minimum of 1.0 metre in width.
- 4.11.5 Where applications for RAC Facilities uses are listed as 'A' in the Zoning Table of LPS3 or where a variation is proposed to this Policy, applications are to be advertised in accordance with the requirements of the Local Planning Policy- Consultation of Planning Proposals.

4.11.6 Staff parking bays shall be located on site.

Clause 5.0 – Primary Controls Table

Inclusion of Clause 5.0 and 5.1 Primary Controls Table outlining the development requirements for Residential Aged Care Facilities established on residential sites coded R40 to R160.

	R40	R50	R60	R80	R100	R160
Building height (storeys)	2	3	3	4	4	5
Boundary wall height (storeys) ^{1, 2}	1 ³	1 ³	1 ³	2 ³	2 ³	2 ³
Minimum primary and secondary street setback	4m ⁴	2m	2m	2m	2m	2m
Minimum side setback	2m	3m	3m	3m	3m	3m
Minimum rear setback	3m	3m	3m	3m	6m	6m
Minimum average side/rear setback where building length exceeds 16m	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m
Plot Ratio ⁵	1.0	1.0	1.0	1.0	1.3	2.0
Open Space ⁶	50%	40%	40%	30%	25%	25%
Notes	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 ⁴ Minimum secondary street setback 1.5m. ⁵ Refer to definitions for calculation of plot ratio. ⁶ Open space percentage is the percentage of site area to be retained as open space.					

Clause 7.0 – Additional Development Application Requirements

Modification to former clause 6.2 of the former LPP which includes changes to the existing wording or a new provision added under new Clause 7.2:

- Hours of operation of the Residential Aged Care Facility;
- Hours of visitation and number of visitors permitted at any time;
- Staff numbers;
- Any supplementary or incidental uses, and supporting evidence that those uses are appurtenant to the predominant use of “Residential Aged Care”

11.0 – Legislation

Correct references to Local Planning Policies relating to Parking, Consultation of Planning Proposals and Signs have been included.

It is noted that different levels of government each have a role to play in legislating the development of Residential Aged Care Facilities. Local Government deals with the building and planning standards under the Building Code of Australia (BCA) and the Planning and Development Act 2005 (P&D Act). Higher levels of control including subsidising of services, developing Federal policy and assessing services to ensure quality standards are governed by the Federal Government. The State Government’s Department of Health are responsible for licensing nursing homes and assessing the facilities prior to granting approval to operate. This LPP is developed at a Local Government level, and therefore focusses on those elements dealt with under the BCA and P&D Act.

12.0 – Definitions

Additional definitions included and contained within Clause 12.1 as follows:

- Incidental Use (inclusive of footnote 1)
- Plot Ratio

Removal of existing definitions that were contained within former Clause 11.1 of the former LPP as follows:

- Multiple Dwellings
- Resident
- Visitor
- Staff

Additional clause 12.2 added –

A word or expression that is not defined in this policy –

- Has the same meaning it has in Local Planning Scheme No. 3; or
- If it not defined in the Local Planning Scheme No. 3 it has the same meaning it has in the R-Codes.

Justification:

The proposed modifications to Clause 4.3 Design Requirements of the former LPP are intended to achieve the following outcomes:

- The City has an existing provision within LPS 3 that applies residential design requirements to non-residential development within the Mixed Use, Local Centre and Neighbourhood Centre Zones (Clause No 32.4(5)). The City is progressing a scheme amendment (Scheme Amendment No 11) to apply the R- Codes to non-residential development where it is proposed in the Residential Zone. This LPP has been written in accordance with the requirements of this Scheme Amendment.
- As a non RAC and where development standards are not otherwise provided for in an approved Structure Plan, Local Development Plan, Local Planning Policy and or activity centre plan, Residential Aged Care Facility developments in the Mixed Use Zone are to be consistent with clause 32.4(5) of LPS3, being subject to the relevant standards of the R-Codes.
- On land coded between R10 and R35, Residential Aged Care Facility development may be subject to the preparation of a Local Development Plan to account for the different operational, access, parking and servicing needs of this commercial use and the sensitive interfacing considerations in surrounding traditional residential areas.
- Where a Local Development Plan is not provided or adopted, Residential Aged Care development is to comply with the relevant R-Code provisions with the exception of Building Height, Setbacks, Plot Ratio and Open Space. The justification for these provisions includes:
- The proposed maximum building height is consistent with the City's Local Planning Policy Residential Development: Single and Grouped Dwellings, being the typical form and style of development in the City's traditional residential neighbourhoods.
- A minimum 6m street setback is proposed. The setback applies to all street frontages and although less than the traditional 9m front setback which applies to the surrounding land pursuant to clause 26(1)(a)(i) of LPS3, it strikes a balance between the primary and secondary street setbacks permitted under the LPS3 and R-Codes Vol. 1, noting the affected land has three road abutments. At 6m, the street setback will likely provide for sufficient landscaping opportunity and streetscape activation generally consistent with the existing character of the area and future expectations for the R12.5 coding.
- Together with proposed setbacks and plot ratio (not currently provided for under R-Codes Vol. 1), it is unlikely that a height above 2 storeys (10m) could be achieved. The proposed maximum height is generally consistent with the City's Local Planning Policy: Residential Development: single and

grouped dwellings and the R-Codes Vol.1 as applicable in the surrounding neighbourhood (coded R10-R12.5) and on the adjoining land to the north (coded 12.5).

- The proposed setbacks are less than the minimum 9m primary street achievable under LPS3 for land coded R10 to R15, but are with primary street setbacks under the R-Codes for land coded R15, R20 and R25, and marginally more generous than land coded R30 to R40 where a 4m setback applies.
- The proposed setbacks are sufficiently dimensioned to achieve a vegetated 'garden' interface to the street, allowing for deep soil planting areas that support canopy tree planting. The physical separation to the side and rear will also allow for vegetated side and rear gardens that are consistent with a residential setting and may assist with the buffering and sleeving of a Residential Aged Care Facility's operational, accessing and servicing needs.
- A maximum plot ratio of 1.0 is proposed for sites with a density code of R80 and below. Notwithstanding the affected land area, this plot ratio is considered appropriate to the maximum height, setback standards and a commercial use. The plot ratio applicable to a commercial use under LPS3 is the ratio of the entire floor area of a building to the area of land within lot boundaries i.e. the calculation includes communal or common areas used by aged care residents, service and machinery, air-conditioning and equipment rooms, space below natural ground level, parking below ground, storage areas and lobbies, balconies and courtyards or roof top terraces.
- The proposed open space requirement represents the effective average anticipated for residential development on land coded R10 to R35. It is considered appropriate to achieving a future building envelope within a residential context.
- Land coded R40 – R160 RAC Facility development will otherwise comply with the relevant provisions of the R-Codes Vol.2.

With respect to the remaining modifications to the former LPP, the proposed changes are intended to address the following issues:

- Clause 4.6 Visual Privacy: These changes have been included to minimise potential adverse impacts on the privacy of adjoining dwellings and private open spaces.
- Clause 4.7 Landscaping: Additional landscaping requirements have been included to ensure an appropriate landscaping buffer interface is achieved for existing and adjoining Residential zoned land.
- Boundary fencing: Clauses 4.7.1 to 4.7.3 of the former LPP have been removed in this new version as boundary fencing is governed by separate

legislation under the *Dividing Fences Act 1961* and the City's Fill & Fencing Local Planning Policy has been revoked.

- Clause 4.11 Location of Vehicular Access and Car Parking: Additional items have been added to preference basement car parking, require parking to be screened from public view, and require staff parking to be provided on site.
- Clause 5.0 – Primary Controls Table: An additional controls table has been included to provide development provisions for Residential Aged Care Facilities on lots with a density code of R40 – R160.
- Clause 7 Additional Development Application Requirements: Additional operational items have been included to ensure these are reflected within any prospective application.
- Clause 11 Legislation: Correct references to relevant local planning policies have been included.
- Clause 12 Definitions: Additional definitions have been included which reflect incidental uses and plot ratio, which were not previously defined. In addition, Clause 11.2 clarifies where terms are undefined in the Policy, the LPS3 definitions prevail over any definition which may be contained within the R-Codes. Definitions relating to Multiple Dwelling, Resident, Visitor and Staff have been removed.

Administration's Comments following Advertising

At the time of writing this report a common request in the community submissions received was for the Policy's front setback requirement to be adjusted from 6m to 9m. The consensus behind this request was to keep setbacks consistent with residential development setbacks.

This request is in relation to Clause 26(1) of the Scheme, which requires a minimum front setback of 9m on lots coded R10, R12.5 and R15, other than those lots identified in Schedules 2 and 3 of the Scheme (St John's Wood and Hollywood respectively).

This Policy relates to all Residential Aged Care Facilities proposed within Nedlands on land zoned Residential or Mixed-Use. This Policy is intended to consider a range of scenarios and their setback needs. In a Residential area coded R20, R30 or R35, the front setback requirements of the R-Codes require a 6m (R20) or 4m (R30-R35) setback. The Policy is therefore imposing a greater front setback in these areas than the State Planning legislation.

It is considered that a 9m front setback would only be in keeping with some residential areas of Nedlands. In locales that are not coded R10, R12.5 or R15, an increased front setback of 9m is likely to be viewed as overly onerous in a judicial setting. The likelihood of this requirement being supported in a development application scenario in JDAP or the State Administrative Tribunal is considered to be low.

Administration recommends that Council do not change the front setback requirements of the Policy. 6m is considered a compromise that is adequate to provide a generous front setback area, while also being reasonable in terms of State Planning legislation.

Consultation

This policy was advertised from the 8 August 2020 until the 29 August 2020 in accordance with the City's Consultation Local Planning Policy and Schedule 2, Part 2, Clause 4 of the Regulations. A notice was published in the newspaper, and details were included on the City's Your Voice engagement portal and the City's social media accounts. Emails were also sent to the members of the Nedlands Mailing List and all submitters to the application for a Residential Aged Care Facility at 16-18 Betty Street and 73-75 Doonan Road Dalkeith.

Due to the timeframe in which this LPP is being returned to Council for consideration post advertising, the advertising period has not closed at the time of writing this report.

A late attachment will be provided with a summary of all submissions received as of the closing time, being 5pm, 29 August 2020.

As per Residential Design Codes Volume 1 2019 Clause 7.3.2, this policy may be adopted by the Council without further consent from the WAPC, as it proposes no variations to the built form requirements of the Residential Design Codes for residential development.

Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

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

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

Administration recommends that the Council proceed with the Policy without modification.

Strategic Implications

How well does it fit with our strategic direction?

The objectives for the Residential zone within the City's Local Planning Scheme requires non-residential uses and their built form to be compatible with the residential landscape where they are proposed in a residential area. The objectives for the Mixed-Use zone includes the requirement that development should be of an appropriate scale to the desired character of the area. The proposed amendments to the LPP provide built form controls that will guide Residential Aged Care Facilities to sit comfortably within the City's strategic direction for these zones.

Who benefits?

The community benefits from the amendments to this LPP, as it imposes built form controls for Residential Aged Care Facilities where they are proposed within the Residential and Mixed-Use zones.

Does it involve a tolerable risk?

This LPP is not considered to pose a strategic risk to the City.

Do we have the information we need?

Yes.

Budget/Financial Implications

Can we afford it?

The costs associated with this Local Planning Policy are in relation to advertising and legal advice.

How does the option impact upon rates?

As above.

Conclusion

The draft Residential Aged Care Facilities Local Planning Policy provides development provisions for operators seeking to establish Residential Aged Care Facilities within the City of Nedlands.

Administration recommends that Council resolves to adopt the Policy without modification, as per the Resolution:

1. Proceed to adopt the Residential Aged Care Facilities Local Planning Policy, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i).

The Policy will provide a thorough strategic framework to guide development of Residential Aged Care Facilities within Nedlands. As such, it is recommended that Council endorses Administration's recommendation to adopt the Policy without modifications.

LOCAL PLANNING POLICY – RESIDENTIAL AGED CARE FACILITIES

1.0 PURPOSE

- 1.1 The purpose of this Policy is to provide guidance and development requirements relevant to applications for Residential Aged Care Facilities (RAC Facilities) within the City of Nedlands

2.0 APPLICATION OF POLICY

- 2.1 This Policy applies to all applications for RAC Facilities in Residential and Mixed-Use zones. A RAC Facility is defined in Local Planning Scheme No 3 (LPS3) as:

“a residential facility providing personal and/or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.”

- 2.2 Where this Policy is inconsistent with a Local Development Plan, Local Planning Policy or Precinct Plan that applies to a specific site or area, the provisions of that specific Local Development Plan, Local Planning Policy or Precinct Plan shall prevail.

3.0 OBJECTIVES

- 3.1 To ensure the appearance and design of RAC Facilities are of a high quality and do not have an undue impact on the residential or mixed use amenity of the area by way of building bulk and scale, noise, traffic, or parking.
- 3.2 To ensure the building design and appearance of RAC Facilities responds to and enhances the distinctive elements of the existing streetscape character.
- 3.3 To establish a clear framework for the assessment and determination of applications for RAC Facilities.

4.0 POLICY MEASURES

- 4.1 A RAC Facility is listed as an ‘A’ use within the Residential and Mixed-Use zones in LPS 3. An ‘A’ use is defined in LPS 3 as:

‘a use which is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions’.

An 'A' use will be advertised in accordance with the City's Local Planning Policy – Consultation of Planning Proposals and may be considered where the following requirements of this Policy are met.

4.2 Location Requirements

4.2.1 RAC Facilities are preferred to be located:

- on a lot which has no more than two boundaries to an adjacent residential lot; and
- within proximity to an area of public open space, hospitals, medical centres, shopping precincts and high frequency bus routes.

4.3 Design Requirements

4.3.1 In accordance with clause 32.4(5) of LPS 3, where applied for in the Mixed-Use zone, RAC Facilities shall comply with relevant development standards of the R-AC density coding applicable to the subject site.

4.3.2 In relation to an application for a RAC Facility on land coded R10, R12.5, R15, R20, R30 and R35, subject to Western Australian Planning Commission (**WAPC**) approval, a Local Development Plan (**LDP**) may be required (as provided for in Part 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (**LPS Regulations**)). The purpose of an LDP is to provide specific guidance for RAC Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP must be consistent with the requirements of the following provisions of this Policy.

- 4.3.3 1) Where there is no approved Structure Plan, LDP, Precinct Plan and/or Activity Centre Plan, or specific local planning policy to the site, RAC Facility applications are to comply with the R-Codes except where varied by the following provisions of this clause:
- 2) In relation to land coded R10 to R35:
- a) A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from Natural Ground Level (**NGL**) apply. (A 'storey' is as defined in the R-Codes); and
 - b) The following setbacks shall apply:
 - (i) 6m minimum street setback; and
 - (ii) 6m side and rear boundary setbacks.
 - c) Maximum plot ratio of 1.0 applies.
 - d) A minimum 50 percent of site area provided as open space is required.

4.3.4 In relation to land zoned Residential, with no R coding shown on the Scheme Map, RAC Facilities are to comply with the following provisions of this clause:

- 1) Where the requirement of an LDP is indicated in LPS 3, subject to the approval of the City and the WAPC pursuant to deemed clause 47(d), a LDP is to be prepared. The purpose of the LDP is to provide specific guidance for

future development on the land affected by A9 and to ensure the achievement of orderly and proper planning outcomes.

- 2) Where there is no approved LDP, structure plan, and/or activity centre plan, the following development standards apply:
 - a) An R-Code of R12.5 applies in respect of residential land use and development (i.e. non RAC Facility applications).
 - b) The following provisions apply in respect of RAC Facility land use and development:
 - (i) A minimum 6m street setback applies; and
 - (ii) Minimum 6m side and rear boundary setbacks apply; and
 - (iii) A maximum building height of two storeys with an external wall height of 8.5m and maximum overall height of 10m applies, as measured from NGL. (A 'storey' is as defined in accordance with the R Codes);
 - (iv) A maximum plot ratio of 1.0 applies; and
 - (v) A minimum 50% of site area provided as open space is required.
 - c) Any boundary wall shall be minimised by the building design and shall not exceed the acceptable outcome standard under the R-Codes.

4.4 Streetscape Character

- 4.4.1 The scale, design and siting of RAC Facilities shall have regard to the existing neighbourhood character and amenity and be designed to reflect a residential building from the street(s), particularly regarding the elements in the following clause 4.5:

4.5 Building and roof form

- 4.5.1 Building height and setback, with height situated on the site to minimise amenity impacts to neighbouring properties and the streetscape; and
- 4.5.2 Design detail, including façade articulation, verandas, window and door style and placement, are intended to be sympathetic to the amenity of the locality; and
- 4.5.3 Building materials, colours and finishes should not detrimentally affect the development's interface with the public domain.

4.6 Visual Privacy

- 4.6.1 Where located adjacent to residential properties, RAC Facilities are to be designed so that windows to habitable rooms are as defined by the National Construction Code - Building Code of Australia.

Outdoor active habitable space (balconies, decks, verandas and the like) which have a finished floor level more than 0.5 metres above (NGL) and overlook any part of any other residential property behind its street setback line, are to provide

permanent screening or obscured glazing to a minimum height of 1.6 metres above finished floor level to restrict views within the cone of vision from any habitable room window or unenclosed outdoor active habitable space.

4.7 Landscaping

4.7.1 A high quality of landscaping shall be provided to soften the appearance of the development, screen car parking areas and provide an attractive aspect that is compatible with the streetscape and amenity of surrounding residential properties.

4.7.2 A minimum of twenty-five per cent (25%) of the site area is to be landscaped, and a minimum of fifty per cent (50%) of the front setback area is to be soft landscaping.

4.7.3 The development is to be designed to maximise the retention of existing mature trees on the site as well as existing Council verge trees.

4.7.4 Where a vehicle access way or car parking area is located adjacent to any residential property and is unable to be located elsewhere, it shall be setback behind a planted perimeter strip of at least 1.0 metre in width between the car park/vehicular access way and any adjoining residential property.

4.7.5 Where an open-air car parking facility or area is provided at ground level a landscaping plan shall be provided demonstrating appropriate planting of 1 mature tree for every 6-car parking bays; and.

4.7.6 Mature trees are encouraged on site to provide buffering between the facility and any adjacent residential properties.

4.8 Location of Building Services and Bin Storage Area

4.8.1 Delivery, loading and building service areas are to be located so that they are not visible from the street or adjoining residential properties.

4.8.2 Bin storage areas are to be appropriately screened and located so that they do not negatively impact the amenity of surrounding residential properties by way of visual nuisance, odours or other impacts.

4.8.3 A waste management plan, detailing the management and removal of waste from the site, is required to be submitted as part of a development application in accordance with the City's Local Planning Policy Waste Management and Guidelines.

4.9 Traffic Impact

4.9.1 A Transport Impact Statement (TIS) or Transport Impact Assessment (TIA) prepared by a suitably qualified independent traffic consultant is required to be submitted as part of a development application, which assesses the likely traffic

impact associated with the proposed RAC Facility development in accordance with WAPC Guidelines.

4.10 Pedestrian Access

4.10.1 Pedestrian entrances into buildings shall be clearly identified to provide a well-designed and welcoming public domain interface for all users.

4.10.2 Levels shall allow dignified and equitable accessibility and unobstructed activity to flow between the development and the public domain at ground floor.

4.10.3 Pedestrian pathways on the site shall be clearly identifiable, linked with public pedestrian pathways and clearly separated from vehicle access roads, to provide a functional and safe passage to the development.

4.11 Location of Vehicular Access and Car Parking

4.11.1 Vehicle parking shall be contained on-site to avoid street and verge parking associated with the use.

4.11.2 Vehicle parking areas and structures shall be provided at basement level and/or integrated into the design of the building and screened from view of the neighbouring residential properties. The design and location of vehicle parking should minimise negative visual and environmental impacts on amenity and the streetscape.

4.11.3 Visitor parking in the front setback of the lot may be considered by the City, where satisfactory landscaping is provided.

4.11.4 Visitor car parking areas located within the front setback area shall be setback from the front property boundary behind a soft landscaping strip a minimum of 1.0 metre in width.

4.11.5 Staff parking bays shall be located on site

4.11.7 Parking ratios shall be in accordance with the City's Local Planning Policy Parking.

4.12 Signage

4.12.1 All signage associated with a RAC Facility shall be in accordance with the requirements of the City's Local Planning Policy - Signs and shall be provided as part of the development application. Where final specifications are unknown, a Signage Details Form identifying the location, size and type of external signage to be installed on the building/site is to be submitted to Council as part of the development application.

5.0 PRIMARY CONTROLS TABLE

5.1 The below table outlines the primary controls required for Residential Aged Care Facilities on sites with a density code of R40 to R160.

	R40	R50	R60	R80	R100	R160
Building height (storeys)	2	3	3	4	4	5
Boundary wall height (storeys) ^{1, 2}	1 ³	1 ³	1 ³	2 ³	2 ³	2 ³
Minimum primary and secondary street setback	4m ⁴	2m	2m	2m	2m	2m
Minimum side setback	2m	3m	3m	3m	3m	3m
Minimum rear setback	3m	3m	3m	3m	6m	6m
Minimum average side/rear setback where building length exceeds 16m	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m
Plot Ratio ⁵	1.0	1.0	1.0	1.0	1.3	2.0
Open Space ⁶	50%	40%	40%	30%	25%	25%
Notes	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 ⁴ Minimum secondary street setback 1.5m. ⁵ Refer to definitions for calculation of plot ratio. ⁶ Open space percentage is the percentage of site area to be retained as open space.					

6.0 CONSULTATION

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

- 6.2 Where applications for Residential Aged Care Facilities uses are listed as 'A' in the Zoning Table of LPS3 or where a variation is proposed to this Policy, applications are to be advertised in accordance with the requirements of the Local Planning Policy- Consultation of Planning Proposals.

7.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

- 7.1 In addition to the general requirements for an application for Development Approval, a Traffic Impact Statement of Assessment is required in accordance with Clause 4.9.1 of this policy.
- 7.2 The following matters are to be addressed in the applicant's supporting report:
- Hours of operation of the Residential Aged Care Facility;
 - Hours of visitation and number of visitors permitted at any time;
 - Staff numbers;
 - Resident numbers;
 - Parking management plan;
 - Landscaping plan;
 - Acoustic report;
 - BAL Assessment and Bushfire Management Plan where a subject site is designated as within a Bushfire Prone Area; and
 - Any supplementary or incidental uses, and supporting evidence that those uses are appurtenant to the predominant use of "Residential Aged Care"

8.0 OTHER CONSIDERATIONS – ENGINEERING AND TECHNICAL SERVICES, HEALTH AND BUILDING APPROVAL

- 8.1 The applicant is advised to consult the City's Building Services & Environmental Health Services to determine if a Building Permit, Food Business Registration or Aquatic facilities approval is required for a residential aged care facility.

9.0 VARIATIONS TO POLICY

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

10.0 BUSHFIRE MANAGEMENT

- 10.1 Where a property is within a designated Bushfire Prone Area, applications for development approval will be required to comply with State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP 3.7), and any building requirements as required by the Building Code of Australia.
- 10.2 RAC Facilities are a vulnerable land use under SPP3.7 and may require a Bushfire Management Plan (BMP) submitted by a certified Level 2 or 3 Bushfire Management Consultant to the satisfaction of the City. Where a property is within a Bushfire Prone Area the application may require a referral to the Department

of Fire and Emergency Services (DFES). The City will take into consideration comments from DFES in making their determination.

11.0 LEGISLATION

11.1 This Policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the LPS Regulations.

11.2 The process for preparing a LDP is set out in Schedule 2 Part 6 of the LPS Regulations.

11.3 This Policy should be read in conjunction with the following additional planning instruments, and its requirements apply unless otherwise specifically stipulated elsewhere in this Policy:

- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No. 3
- State Planning Policy 7.3 – Residential Design Codes
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Local Planning Policy - Parking
- Local Planning Policy - Consultation of Planning Proposals
- Local Planning Policy - Signs

12.0 DEFINITIONS

12.1 Words or expressions in the following table, when used in this Policy, have the meanings assigned to them in the table:

Definition	Meaning
Residential Aged Care Facility	As per LPS 3, being, a residential facility providing personal and/or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.
Incidental Use	Incidental and ancillary amenities and land-uses associated with and supporting residential aged care facilities and retirement villages (for example medical consulting room, pharmacy, café and the like) that are accessible for residents only should be considered and determined under the above new land-use definitions ¹ .
Vulnerable Land Use	As per SPP 3.7 - Planning in Bushfire Prone Areas, being, a use where persons may be less able to respond in a bushfire emergency, including:

	Land uses and associated infrastructure that are designed to accommodate groups of people with reduced physical or mental ability such as the elderly, children (under 18 years of age), and the sick or injured in dedicated facilities such as aged or assisted care, nursing homes, education centres, family day care centres, child care centres, hospitals and rehabilitation centres.
Major Opening	A window or similar opening to residential or care rooms, operational rooms or amenities (including common areas, dining rooms and recreation areas) frequented by staff and/or residents of the development, that have a finished floor level raised 0.5 metres or more above NGL which overlooks any part of an adjoining residential property behind its street setback area, and has a sill level of less than 1.6m.
Plot Ratio	As per the definition in LPS3.

Footnote:

¹ Amenities and land uses associated with and supporting residential aged care facilities and retirement villages that are accessible to both residents and the general public should be considered as separate use classes and determined in accordance with the land use classification table under the local planning scheme.

12.2 A word or expression that is not defined in this Policy –

- Has the same meaning it has in Local Planning Scheme No. 3; or
- If it not defined in the Local Planning Scheme No. 3 it has the same meaning it has in the R-Codes.

Council Resolution Number	
Adoption Date	
Date Reviewed/Modified	

Summary of Submissions

Total Number of Submissions Received – 331

Total Number of Submissions Received that Support - 288

Total Number of Submissions Received that Object - 34

Total Number of Submissions Received for Comment – 5

Total Number of Submissions Received for Support, Object - 1

Not specified - 3

Submitters have been advised of the 3 September Special Council Meeting date and will be informed of the process as it progresses.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	1
Submitter Name:	Sally Ferguson
Submitter Address:	6 Bostock Road Nedlands
Residence within City of Nedlands?	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
All draft planning policies should state a definite period of time, namely 6 months for residents and/or concerned parties, to digest the documents and make comments or a submission to Council. Draft planning policies should include a register of affected property owners, indicating Council's dated notification to owners of a planned development and a dated acknowledgement once owners have responded.	
Response to Submission	
Local Planning Policies are advertised in accordance with the timeframes set out in the Planning and Development (Local Planning Schemes) Regulations 2015 (advertising for 21 days). The City's Local Planning Policy – Consultation of Planning Proposals dictates that area and neighbours who are required to be consulted for each proposal.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	2
Submitter Name:	Melissa Cooney
Submitter Address:	31 Davies Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Front set back should be 9 meters as per all residential buildings.	
Response to Submission	
This LPP is in relation to all potential Residential Aged Care Facilities in Nedlands, as the use may be considered within the Residential and Mixed-Use zones in the City. This LPP is not only in relation to the site at Betty St/Doonan Rd where a Residential Aged Care Facility has been proposed. Not all residential areas have the requirement for a 9-metre front setback. Clause 26(1) of the City's Local Planning Scheme No 3 requires a 9m front setback for areas coded R10, R12.5 and R15. All other zones for residential land require a setback as per the R-Codes, which is 6m or less. The setbacks proposed are intended to strike a balance between the development not having an undue impact on the amenity of the streetscape, while still providing parameters within which development can reasonably be designed.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

T

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	3
Submitter Name:	Anant Hegde
Submitter Address:	6B Waroonga Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The setback from the street should be 9m instead of 6m as proposed.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	4
Submitter Name:	Kate Bailey
Submitter Address:	77 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support the new framework.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	5
Submitter Name:	Danny Meneghello
Submitter Address:	31 Philip Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	6
Submitter Name:	Dan Meredith
Submitter Address:	67 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I totally oppose infill in Nedlands. Take a look at suburbs that have done this in WA (Innaloo, Scarborough) to see the long term social and financial impact of pursuing this policy.	
Response to Submission	
Noted. This Local Planning Policy is in regard to built form requirements for Residential Aged Care Facilities. This policy does not deal with infill residential development.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	7
Submitter Name:	Sarah Flanagan
Submitter Address:	5 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I would prefer a 9m set back was applied to be the same as the surrounding residential blocks.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	8
Submitter Name:	Grace Flanagan
Submitter Address:	5 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I support the current proposed LPP for Residential Aged Care Facilities - Aug 4 2020 I would prefer to see a 9m set back applied.
Response to Submission
Same as Submission 2.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	9
Submitter Name:	Jack Flanagan
Submitter Address:	5 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the current proposed LPP for Residential Aged Care Facilities - Aug 4 2020 I would prefer to see a 9m set back applied.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	10
Submitter Name:	Fred Wehr
Submitter Address:	73 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections, and thanks to the council for hearing the community.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	11
Submitter Name:	John Copeland
Submitter Address:	39 Goldsmith Road Dalkeith
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	No objection.
Response to Submission	Noted.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	12
Submitter Name:	David Flanagan
Submitter Address:	5 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	I would like to express strong support for the draft planning policy with one change being the setback should be the same as per normal residential homes at 9 metres. this would be in keeping with the amenity of the street.
Response to Submission	Same as Submission 2.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	13
Submitter Name:	Kathryn Michael
Submitter Address:	25 Hope Street Mosman Park
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	No objections.
Response to Submission	Noted

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	14
Submitter Name:	Grant Keady
Submitter Address:	14 Viewway Nedlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I generally support the policy.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	15
Submitter Name:	Karen Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The 6-meter set back is inconsistent with the residential setting and should be 9 meters.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	16
Submitter Name:	Anthony Orchard
Submitter Address:	46 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Improved controls on developments to keep with the local neighbourhood.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	17
Submitter Name:	Danielle Wright
Submitter Address:	60 Kingsway Nedlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission: Two Submissions	
I support the draft LPP Residential Aged Care Facilities. I support the draft LPP (aged care facilities) however with the following comment: where zoning is up to R35, setbacks should be consistent with those of the neighbouring properties as it is a low density land use area.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	18
Submitter Name:	Lycia Morris
Submitter Address:	12 Bostock Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new draft policy.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	19
Submitter Name:	Simon Growden
Submitter Address:	77 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	20

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Ernest Tan
Submitter Address:	61 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	21
Submitter Name:	Kylie Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the proposed Aged Care Facility LPP. However, I believe the following issues should be addressed: The setback of 6m should be amended to 9m, consistent with surrounding residential properties in residential areas.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	22
Submitter Name:	Jurgen Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) I support the Residential Aged Care Facilities LPP and commend Council for revoking the previous inappropriate policy. 2) I believe the setback in residential areas should be 9m, in keeping with the surrounding streetscape.	
Response to Submission	
1) Noted. 2) Same as Submission 2.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	23
Submitter Name:	Hugo Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the changes.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	24
Submitter Name:	Isaac Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the changes. No objections.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	25
Submitter Name:	Tracy Peter
Submitter Address:	47 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new planning policy for aged care in Nedlands.	
Response to Submission	
Noted.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	26
Submitter Name:	James Robinson
Submitter Address:	66 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Much improved.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	27
Submitter Name:	Rosalind Smith
Submitter Address:	7 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
These changes make much more sense than the previous one.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	28
Submitter Name:	Doug Philippides
Submitter Address:	17 Davies Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections to the proposed variation.	
Response to Submission	
Noted.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	29
Submitter Name:	Robyn Morgan
Submitter Address:	23/69 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Setback?????? 9 meters.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	30
Submitter Name:	Denise Breen
Submitter Address:	Archdeacon Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I generally support the draft LPP but would like to see setbacks at 9m not 6m. 9m is consistent with existing residential setback requirements.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	31
Submitter Name:	Di Warner
Submitter Address:	16 Kathryn Crescent Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	32
Submitter Name:	Marcey Spilsbur
Submitter Address:	41 Portland Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support revised policy on aged care developments.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	33
Submitter Name:	Doreen Lim
Submitter Address:	8 Brahea Place Mount Claremont
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1. I am a city of Nedlands rate payer and also a parent and grand parent of a young family who worked and saved hard to buy a residential home in low zoning Nedlands land , so do not wish to see any high residential aged care building crammed onto < R30 residential areas. 2. Recently, due to the COVID 19 pandemic, it has found that large scale big box institutional care for old people is no longer fit for purpose. 2 storeys maximum height is good. 3. Research by Flinders University has shown smaller scale home-like care facility can provide a better quality of life for the aged where residents can live in more home like environment. 4. Aged care residents require outdoor space surrounding their place of living, a 9-metre setback will be preferable, but 50 % open space is good. 5. Onsite Car park dedicated for 24/7 staff plus sufficient number of visitors parking to avoid verge or street parking is good.	
Response to Submission	
1. Noted. 2. Noted. 3. Noted, however this is not a relevant planning consideration. This research should be taken into account by developers. 4. Same as Submission 2 and Noted. 5. The LPP requires parking to be retained on site.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	34
Submitter Name:	Pat Manolas
Submitter Address:	55 Archdeacon Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I am generally pleased with the new LPP. My only concern is the proposed 6m front setback requirement.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	35
Submitter Name:	David Robb
Submitter Address:	160A Victoria Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I am very supportive on the new LPP, which will balance the needs of aged care within Nedlands with the reasonable expectations of the community, landowners and neighbours to any development. I would prefer a 9m street setback, the same as for residential property.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	36
Submitter Name:	Jan Robb
Submitter Address:	160A Victoria Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I am very supportive on the new LPP, which will balance the needs of aged care within Nedlands with the reasonable expectations of the community, landowners	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

and neighbours to any development. I would prefer a 9m street setback, the same as for residential property.

Response to Submission

Same as Submission 2.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	37
Submitter Name:	Laura Triglavcanin
Submitter Address:	10 Watkins Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	38
Submitter Name:	Ariane Van Der Peyl
Submitter Address:	68 Riley Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I strongly believe the setback should be kept at 9 metres, Not 6. We want building in harmony with the existing surroundings. The set back is a most important measure, not be fiddled with.	
Response to Submission	
Same as Submission 2.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	39
Submitter Name:	Jon Van Der Peyl
Submitter Address:	68 Riley Road Dalkeith
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I strongly believe the setback should be kept at 9 Metres, Not 6. We want building in harmony with the existing surroundings. The set back is a most important measure, not be fiddled with.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	40
Submitter Name:	Timothy Dawe
Submitter Address:	63 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I have no objection in principle with Oryx developing an aged care facility between Doonan Rd and Betty St but I am concerned with the bulk of the building and the height. It has long been intended that Council-owned land would assist in developing Melvista Lodge. I have said before, it seems an ideal opportunity to incorporate the old nursing home into the project. On a related matter, like most residents, I am incensed at the appalling way required public comment was handled to this point. Without knowing all the facts it has the appearance of arrogance, incompetence, possibly collusion or even corruption.	
Response to Submission	
This Local Planning Policy is in relation to all Residential Aged Care Facility proposals in Nedlands, not just the Betty/Doonan site where the Residential Aged Care Facility is proposed by Oryx. Consultation of the previous LPP was undertaken in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 (advertising for 21 days) and the City's Local Planning Policy – Consultation of Planning Proposals, being available for comment on the City's YourVoice website. Notices were placed in The Post and on the City's website and noticeboard during this time.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	41
Submitter Name:	Pauleen Gates
Submitter Address:	34 Omaroo Terrace City Beach
Residence within Nedlands?	No

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
No objections but would like to query why the inconsistency of setback from existing residential properties.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	42
Submitter Name:	David Axworthy
Submitter Address:	120 Princess Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support in general the proposal but would prefer the setback to be the same as that applicable to the adjoining residences i.e. 9 metres.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	43
Submitter Name:	Dianne Axworthy
Submitter Address:	120 Princess Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I would prefer the setback be 9 meters in keeping with the setback for residential blocks.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	44
Submitter Name:	Anne Soo
Submitter Address:	73 Melvista Avenue Nedlands

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Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the proposal but believe the setbacks in R 10 to R 30 should be 10 metres so as the match the residential setbacks.	
Response to Submission	
The residential setbacks in lower density codes are 9m, however R20-R30 sites are a 6m and 4m setback as per the R-Codes – please see response to Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	45
Submitter Name:	Gerald William Soo
Submitter Address:	73 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support the policy but believe the setbacks in R20 to R 30 blocks should be 10 Metres in keeping with the other properties.	
Response to Submission	
The residential setbacks in lower density codes are 9m, however R20-R30 sites are a 6m and 4m setback as per the R-Codes – please see response to Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	46
Submitter Name:	Mark Meneghello
Submitter Address:	67 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Objections: 1. The front building setback requirement should be 9 meters to be the same as any other residential property in Nedlands. 2. Staff parking must be fully contained onsite to preserve street parking for residents and their visitors.	
Response to Submission	
1. Same as Submission 2	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

2. The LPP requires parking to be contained on site.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	47
Submitter Name:	Jane Meneghello
Submitter Address:	67 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Objections: 1. The front building setback requirement should be 9 meters to be the same as any other residential property in Nedlands. 2. Staff parking must be fully contained onsite to preserve street parking for residents and their visitors.	
Response to Submission	
Same as Submission 46.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	48
Submitter Name:	Scott Phung
Submitter Address:	68 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The setback of 6m seems to be inconsistent with the required setup of residential properties on the same street and potentially next to these age care facilities.	
Response to Submission	
Same as Submission 2.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	49
Submitter Name:	Dale Harris
Submitter Address:	61 Melvista Avenue Nedlands
Residence within Nedlands?	Yes

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Support/Object/Comment:	Support
Summary of Submission:	
I support the Council's new LPP for Aged Care. The previous LPP, which Council revoked, was manifestly deficient and I thank the Mayor and Council for moving quickly to rectify matters. I would like Council to consider applying a 9m setback as this would be consistent with the residential zoning set back requirements.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	50
Submitter Name:	Lanie Byk
Submitter Address:	3 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support these changes in the hope that will in part aid to protect the character of Nedlands, especially against the likes of the Oryx monstrosity planned for Betty St/Doonan Rd.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	51
Submitter Name:	calfreezy
Submitter Address:	4 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Unknown
Summary of Submission:	
Don't need this big old age care facility compromising my living environment.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	52

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Patricia Le
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support the new aged care LPP, except for the proposed 6m front setback requirement. For issues of driveway safety, pedestrian safety and respect of streetscape - the setback from the street should be the same as residential setback of 9m. Respecting the current residential setback of 9m will reduce/prevent issues of overlooking, shadowing and help maintain area for gardens/ established trees/open space for aged care residents/staff/visitors.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	53
Submitter Name:	Hoang Dinh
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support the new aged care LPP. *Comment on the proposed variation regarding front setback: for issues of driveway safety, pedestrian safety and respect of streetscape - the setback from the street should be the same as residential setback of 9m. Respecting the current residential setback of 9m will reduce/prevent issues of overlooking, shadowing and help maintain area for gardens/ established trees/open space for aged care residents/staff/visitors.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	54
Submitter Name:	Tri Le
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support the new aged care LPP. *Comment on the proposed variation regarding front setback: for issues of driveway safety, pedestrian safety and respect of streetscape - the setback from the street should be the same as residential setback of 9m. Respecting the current residential setback of 9m will reduce/prevent issues of overlooking, shadowing and help maintain area for gardens/ established trees/open space for aged care residents/staff/visitors.

Response to Submission

Same as Submission 2.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	55
Submitter Name:	Luke
Submitter Address:	8 Brahea Place Mount Claremont
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I am City of Nedlands ratepayer. My family and I are residents of the City, we invest our savings in low zoning density for life. Do not wish to see multi storey > 2 storeys aged care residence in < R 30 zoning area. I support the revised LPP residential aged care facilities planning policy 4 August 2020, although 9 m setbacks would have been preferred.	
Response to Submission	
Noted and Same as Submission 2.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	56
Submitter Name:	Poh Lian Suan
Submitter Address:	73 Meriwa Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No comments.	
Response to Submission	
N/A	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	57
Submitter Name:	Anna Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: - Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. - Includes a maximum building height of two storeys and 10m. - Includes a maximum plot ratio of 1.0 - Includes a minimum 50% of site area provided as open space. - However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
1) The LPP proposed does not remove the potential for a Residential Aged Care Facility to be established on a 2000m² site. 2) Setbacks – see Submission 2 response.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	58
Submitter Name:	Samantha Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: - Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. - Includes a maximum building height of two storeys and 10m.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- Includes a maximum plot ratio of 1.0
- Includes a minimum 50% of site area provided as open space.
- However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.

Response to Submission

1) Same as Submission 57

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	59
Submitter Name:	Emina Lester
Submitter Address:	23 Bernard Street Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:	
- Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. - Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space. - However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	60
Submitter Name:	Robina Black
Submitter Address:	14 Princes Street Cottesloe
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	

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I support the local planning policy.
Response to Submission
Noted.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	61
Submitter Name:	Ross Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: - Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. - Includes a maximum building height of two storeys and 10m. - Includes a maximum plot ratio of 1.0 - Includes a minimum 50% of site area provided as open space. - However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	62
Submitter Name:	Kate Robinson
Submitter Address:	66 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Whilst broadly supportive and noting it is a huge improvement on the previous proposal, I believe the setback should be 9m not 6m, the same as all residential housing.	
Response to Submission	
Same as Submission 2	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	63
Submitter Name:	David Southam
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission: Two Submissions	
I fully support the LPP amendments other than one matter. Given all of Nedlands blocks have 9m setbacks, I believe 6m is incorrect and there appears to be no logic in this number. I therefore respectfully request that the 6m set back is amended to 9m to ensure consistency in Nedlands.	
I support the policy other than the proposed 6m setback. It should be 9m like all other Nedlands properties which ensures built form remains consistent	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	64
Submitter Name:	Jennifer Golding
Submitter Address:	33 Circe Circle Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the revised Aged Care LPP and commend the City of Nedlands for listening to the community, abandoning the previous policy and formulating a new policy that fulfils most of the requirements of ratepayers for a fair and practical policy to guide all future developments. I strongly urge the SDAU to be guided by this new policy.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	65

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Tonia McNeilly
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Fully support but FRONT SET BACKS MUST BE IN KEEPING WITH RESIDENTIAL HOMES at 9mt to protect streetscape, provide a line of sight down the steep hill which already has significant traffic from the retirement village and local bus route. A 6mt setback will cause potential traffic hazards for all residents reversing from their driveways and navigating around parked cars and buses as well as make the small narrow street look out of place and overbearing. Please remember there is a pedestrian footpath running in front of the proposed building down to Masons Gardens which will be rendered useless to the public with a 6mt front setback.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	66
Submitter Name:	Myles McNeilly
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Fully support but FRONT SET BACKS MUST BE IN KEEPING WITH RESIDENTIAL HOMES at 9mt to protect streetscape, provide a line of sight down the steep hill which already has significant traffic from the retirement village and local bus route. A 6mt setback will cause potential traffic hazards for all residents reversing from their driveways and navigating around parked cars and buses as well as make the small narrow street look out of place and overbearing. Please remember there is a pedestrian footpath running in front of the proposed building down to Masons Gardens which will be rendered useless to the public with a 6mt front setback.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	67
Submitter Name:	Rhani Valentine

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Fully support but FRONT SET BACKS MUST BE IN KEEPING WITH RESIDENTIAL HOMES at 9mt to protect streetscape, provide a line of sight down the steep hill which already has significant traffic from the retirement village and local bus route. A 6mt setback will cause potential traffic hazards for all residents reversing from their driveways and navigating around parked cars and buses as well as make the small narrow street look out of place and overbearing. Please remember there is a pedestrian footpath running in front of the proposed building down to Masons Gardens which will be rendered useless to the public with a 6mt front setback.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	68
Submitter Name:	Kath Hewett
Submitter Address:	19a Dover Crescent
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	69
Submitter Name:	John Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I generally support the draft LPP but believe that the mandated setback for any aged care development on Betty and Doonan should be 9m, rather than the proposed 6m, to ensure consistency with all of the residential dwellings located on Betty Street and Doonan Road.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Same as Submission 2.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	70
Submitter Name:	Briony Lee
Submitter Address:	5 Loma Street Cottesloe
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	71
Submitter Name:	Annette O'Brien-Oxley
Submitter Address:	65 Goldsmith Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I am very pleased that you listened to the rate payers and adapted the City's Aged Care Policy LPP to a better option for the community. Thank you.	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	72
Submitter Name:	Chantel Baker
Submitter Address:	39 First Avenue Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Comments
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Fully support but FRONT SET BACKS MUST BE IN KEEPING WITH RESIDENTIAL HOMES at 9mt to protect streetscape, provide a line of sight down the steep hill which already has significant traffic from the retirement village and local bus route. A 6mt setback will cause potential traffic hazards for all residents reversing from their driveways and navigating around parked cars and buses as well as make the small narrow street look out of place and overbearing. Please remember there is a pedestrian footpath running in front of the proposed building down to Masons Gardens which will be rendered useless to the public with a 6mt front setback.

Response to Submission

Same as Submission 2.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	73
Submitter Name:	Ted Graham
Submitter Address:	42 Marita Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support for the new Aged Care LPP with the condition that the setback be changed from 6 to 9metres, to be in full alignment with the rest of Nedlands.	
Response to Submission	
Same as Submission 2.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	74
Submitter Name:	Jane Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:	
- Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

height more appropriate for the character and streetscapes of the local areas. - Includes a maximum building height of two storeys and 10m. - Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space. - However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.
Response to Submission
Same as Submission 57.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	75
Submitter Name:	Sarah Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	76
Submitter Name:	Mia Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0. Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	77
Submitter Name:	Jeremey Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0. Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	78
Submitter Name:	Rudolf Boeddinghaus
Submitter Address:	9 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
This is a great improvement on the revoked previous LPP. The only curious thing about it is the setback of 6m. Is this a typographical error? I assume it was meant to be 9m, as for the residential properties.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	79
Submitter Name:	Deborah Lord
Submitter Address:	8 Archdeacon Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space.	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	80
Submitter Name:	Sharmistha Bose
Submitter Address:	20 Allenby Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Includes max height of 2 storeys	
Response to Submission	
Noted.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	81
Submitter Name:	Megan Joyce
Submitter Address:	100 Webster Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The proposed plan is more suitable for aged care development in a residential area in relation to the allowed height and space requirements. It allows aged care services to be provided without materially reducing the impact of residing in Nedlands.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	82
Submitter Name:	Louis Zammit
Submitter Address:	14 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections.	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	83
Submitter Name:	Rebecca Ostergaard
Submitter Address:	93 Bruce Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Western Australia	
Response to Submission	
N/A	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	84
Submitter Name:	Julian Goldsworthy
Submitter Address:	8 Archdeacon Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands	
Response to Submission	
Same as Submission 57	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	85
Submitter Name:	Susan Stevens
Submitter Address:	65 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I would like to thank the Council for taking the opportunity to revoke the original LPP and replace it with a plan that is more in keeping with the local residential area. To that effect, I support the new LPP for Aged Care with the following minor amendment. That setbacks be aligned with the R12.5 code of 9 metres not the 6 metres that is quoted. Once again thank you.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	86
Submitter Name:	Wendy Keswick
Submitter Address:	5a Brown Street Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
No objections	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	87
Submitter Name:	Jason Connop
Submitter Address:	13 Whittlesford Street East Victoria Park
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I am writing in support of the new LPP for Aged Care with a minor qualifier regarding setbacks. If they could align with the other houses it would make it more consistent for street view etc. 9m not 6m. Thanks

Response to Submission

Same as Submission 2

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	88
Submitter Name:	Daniel Cahill
Submitter Address:	65 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I am writing in support of the new LPP for Aged Care with a minor qualifier regarding setbacks. If they could align with the other houses it would make it more consistent for street view etc. 9m not 6m. Thanks

Response to Submission

Same as Submission 2

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	89
Submitter Name:	Elizabeth McCall
Submitter Address:	24 Leon Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:

- Provides certainty for residents as it prevents aged care facilities proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. - Provides design directives to require aged care facilities developed in residential areas within the City of Nedlands to be of a size, scale and height more appropriate for the character and streetscapes of the local areas.
- Includes a maximum building height of two storeys and 10m.
- Includes a maximum plot ratio of 1.0
- Includes a minimum 50% of site area provided as open space. These basic standards are necessary for residents but also for those living in aged care and their families.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

However, the setback for developments in residential areas should be consistent with the surrounding homes
 - that is a 9 metre set-back which applies to all residential property in the City of Nedlands. Aged Care in Residential Areas should be a great outcome if it provides a continuity of experience and ability to live in or near local areas. However, the Aged Care development should not override the design directives that exist in the local community areas where it plans to integrate.

Response to Submission

Same as Submission 57

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	90
Submitter Name:	David Lord
Submitter Address:	21 Alexander Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I strongly support this draft planning policy as it sets out some clear limits including a maximum height, maximum plot ratio and a requirement for 50% of the area to be open space. Accordingly, any build will, in terms of size, scale and bulk, be much more likely to complement the amenity of the area by being consistent with the context and character of a residential community.

Response to Submission

Noted

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	91
Submitter Name:	Jan Lord
Submitter Address:	21 Alexander Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

This draft planning document sets out very clear expectations and limits. Developments planned for the care of the elderly within their community must complement the context and character of a residential setting and add to its amenity. Maximum building heights, a plot ratio of 1 and substantial open space [50% of land area] will ensure appropriate size, scale and bulk of buildings

Response to Submission

Noted

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	92
Submitter Name:	Dan Meredith
Submitter Address:	67 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I object to the proposed 6m front setback requirement. My view is this should be 9m as per all residential blocks in the City of Nedlands. There is no good reason why this developer should be allowed special dispensation from this requirement that the rest of the residents in the suburb have not been afforded. This sends a clear message that any rule can be overlooked as long as your pockets are deep enough. Same rules should apply for all.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	93
Submitter Name:	Angela Searle
Submitter Address:	1a Senate Street Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Aged Care LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	94
Submitter Name:	Robert Vagnoni
Submitter Address:	38 Hobbs Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Object

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
Setback - this should be 9m as per all residential blocks in the City of Nedlands
Response to Submission
Same as Submission 2

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	95
Submitter Name:	Maureen Caffin
Submitter Address:	10/69 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	96
Submitter Name:	Michael Tan
Submitter Address:	156 Adelma Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	97
Submitter Name:	Tony Gates
Submitter Address:	34 Omaroo Terrace City Beach
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I support the changes to the LPP With one reservation in relation to the inconsistency of the setbacks to previous residents.

Response to Submission

Same as Submission 2

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	98
Submitter Name:	Kathryn Michael
Submitter Address:	25 Hope Street Mosman Park
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
Please approve	
Response to Submission	
Noted	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	99
Submitter Name:	Vincent Mort
Submitter Address:	17 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Except for the proposed 6m front setback requirement. Our view is this should be 9m as per all residential blocks in the City of Nedlands.	
Response to Submission	
Same as Submission 2.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	100
Submitter Name:	Andrew Birch
Submitter Address:	94 Stanley Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	103
Submitter Name:	Emily Meneghello
Submitter Address:	6/9 Dover Road Scarborough
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Aged Care LPP except for the proposed 6m front setback. This should be 9m as per all residential blocks in the City of Nedlands.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	104
Submitter Name:	Mary Meneghello
Submitter Address:	52 Cobb Street Scarborough
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Aged Care LPP except for the proposed 6m front setback. This should be 9m as per all residential blocks in the City of Nedlands.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	105
Submitter Name:	Francene Leaversuch
Submitter Address:	183 Herbert Road Shenton Park
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support this local planning policy.	
Response to Submission	
Noted.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	106
Submitter Name:	Michael Cahill
Submitter Address:	65 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Clause 4.2.1 RAC Facilities are preferred to be located: - on a lot which has no more than two boundaries to an adjacent residential lot; and - within proximity to an area of public open space, hospitals, medical centres, shopping precincts and high frequency bus routes. The term “within proximity” is undefined and somewhat vague. In essence any site can be claimed to be “within proximity” regardless of distance. R-Codes Vol 1 Part 5 section 5.5.2 P2 uses the term “close proximity” which although still undefined introduces some “reasonableness” bounds. Section 5.3.3 C3.1 offers useful guidance in terms of its reference to “250m from a high frequency bus route”. Such a criterion seems reasonable in terms of access to public open space and a high frequency bus route; with the high frequency bus route enabling further access to hospitals, medical centres and shopping precincts. If this were adopted the second bullet point could read: - within 250m of an area of public open space and a high frequency bus route which provides easy access to local hospitals, medical centres and shopping precincts. 2) Clauses 4.3.3 and 4.3.4 To be consistent with LPS3, Part 1 section 9; R-Codes Vol 1, Part 5 section 5.2 (a) and Draft Position Statement: Residential aged care, section 5.2, minimum setbacks under clauses 4.3.3 2) b) (i) and 4.3.4 2) b) (i) of the draft LPP – Residential Aged Care should be increased from 6m to 9m. 3) Clause 4.9.1 Delete the words “Transport Impact Statement (TIS) or”. Developers should provide a detailed Traffic Impact Assessment (TIA) which integrates with the NCC’s own traffic model. A TIS on its own is of very little value in assessing the impact a development will have on neighbourhood traffic. 4) Clause 4.11 Clause 4.11.7 is inconsistent with clauses 4.11.1 and 4.11.5. The LPP - Parking Table 1 requires “a minimum of 12 car parking bays or 1 per every 4 beds (whichever is greater)”. It appears that this requirement may have been derived from R-Codes Vol 2 Table 3.9:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

“1 bedroom dwellings—0.75 bays per dwelling

Visitors—1 bay per four dwellings up to 12 dwellings, and

1 bay per eight dwellings for the 13th dwelling and above”

modified to delete the requirement for resident car bays, as residents do not hold drivers’ licences, and to increase the visitor bay requirement above that required for apartment blocks – which is logical given that visitors will come to residents rather than vice versa.

Hence, for residential aged care, the LPP—Parking seems only to cater for visitors and does not address the need for staff parking. For residential aged care current total staffing ratios are typically 0.6:1—i.e. 0.6 full-time staff per resident. This covers nursing, administration and support services. Following release of the findings by the Royal Commission into Aged Care Quality and Safety staffing ratios are likely to increase to around 0.85. Allowing for the fact that not all staff will drive to work the ratio of 0.75 bays per dwelling in R-Codes Vol 2 Table 3.9 seems about right to cater for staff parking needs.

To be consistent with the LPP-RAC clauses 4.11.1 and 4.11.5 the LPP-Parking Table 1 for the category “Residential Aged Care” should be revised to:

- staff parking – a minimum of 0.75 bays per bed
- visitor parking – a minimum of 12 bays or 1 bay per 4 beds (whichever is greater)

5) Clause 7.2

Bullet point 3—staff numbers per shift as well as total numbers will be a more useful guide for assessing traffic impacts. Further, shift changeover times and durations should also be included in the applicant’s supporting report so the impact on other community services can be assessed—e.g. day care and school drop off/ pick-up times.

6) Pandemic Plan

Given the problems that have arisen in NSW and Victoria particularly with Residential Aged Care facilities and the COVID-19 pandemic it would be prudent for the LPP to request a COVID-19/Pandemic Plan as part of the supporting documentation which demonstrates how the proponent will contain an outbreak and prevent it from impacting the local community.

Response to Submission

- 1) An LPP provides guidance but is also required to be flexible to allow design of development to fit within different locations. Within proximity has been utilised to provide some flexibility within the LPP.
- 2) See response for Submission 2.
- 3) The City’s Engineering team will review a TIS and request further documentation if required.
- 4) Parking is required as per the LPP-Parking and takes into account staff, residents and visitors.
- 5) Further information may be requested from applicants once the application has been received.
- 6) Pandemics are not a relevant planning consideration in this context. Residential Aged Care Facilities are required to comply with State and Federal health legislation in order to be approved to operate.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	107
Submitter Name:	Banafsheh Driver
Submitter Address:	18 Minora Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	108
Submitter Name:	Paul White
Submitter Address:	24 Leon Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. Includes a maximum building height of two storeys and 10m. Includes a maximum plot ratio of 1.0 Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	109
Submitter Name:	Andrew Byk
Submitter Address:	3 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
We are hopeful that these amendments will stop any out of scale multi story developments being placed amid residential community. We wish to age in place but not somewhere that is totally out of place in our community, especially with the current COVID considerations and aged care.	
Response to Submission	
The draft LPP seeks to encourage residential aged care facilities to be designed in a manner that is cognisant of the amenity of the residential areas in Nedlands.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	110
Submitter Name:	Di Allan
Submitter Address:	4b Alexander Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the New Draft LPP for Residential Aged Care Facilities. A much improved policy that the local community will support. I do believe the minimum setbacks for any of the facilities should be the same as for all residents ie 9 metres not 6 metres.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
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Submitter Number:	111
Submitter Name:	Brian and Robin Burton
Submitter Address:	14 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	114
Submitter Name:	Rebecca Murphy
Submitter Address:	49 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I strongly object to this proposal. This type of facility should be built in appropriate area which can sustain the logistical requirements of such a facility and with the ability to cope with extra traffic, parking etc. This is not a residential area. At a minimum a 9 metre set back is essential and 50% open space consisting of LANDSCAPING essential.	
Response to Submission	
Residential Aged Care Facilities are able to be considered in the Residential Zone as per the City's Local Planning Scheme No 3 . In relation to the setbacks, please see Response to Submission 2. In relation to landscaping please see Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	115
Submitter Name:	David van der Walt
Submitter Address:	45 Watkins Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I have no objections would however prefer the setbacks to be greater than proposed.	
Response to Submission	
Same as Submission 2.	

Submissions Received	
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Submitter Number:	11
Submitter Name:	Kirsten McGuire
Submitter Address:	2 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I support the Draft Local Planning Policy Residential Aged Care Facilities: 4 August 2020. The idea that any residential land within the City of Nedlands is currently vulnerable to the development of a 5 level Aged Care Hospital such as the one proposed by Oryx Communities is completely unacceptable, and certainly not in the interests of ratepayers. Furthermore, I support the requirement for any developments to have a landscaped area of 50%, and a setback of 9 metres.

Response to Submission

Regarding setbacks, see response to Submission 2.
Regarding landscaping see response to Submission 115.

Submissions Received

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Submitter Number:	117
Submitter Name:	Tim Cummins
Submitter Address:	36 Marita Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9m setback to apply as per all other built form in the area	
Response to Submission	
Same as Submission 2	

Submissions Received

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Submitter Number:	118
Submitter Name:	Arash Kalani
Submitter Address:	67 Dalkeith Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support responsible development.	
Response to Submission	
Noted	

Submissions Received

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Submitter Number:	119
Submitter Name:	Robyn Morgan

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	23/69 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Set back of proposed building should be at 9 meters same as all properties on Betty & Doonan Roads.	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	120
Submitter Name:	Libby Newman
Submitter Address:	22 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the updated LPP which encourages greater setbacks and reduced height in a residential area. Traffic and parking would be improved with this LPP. Trees maintained and deep soil areas improved. Thank you	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	121
Submitter Name:	Sally Ferguson
Submitter Address:	6 Bostock Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I object to the section of the new draft which would allow a reduced setback from 9 metres to 6 metres for any new proposed development. Rules are rules. Rules, regulations and laws are set in place for a community to abide by and under no consideration should a party be given entitlement to their advantage, thereby disadvantaging others. Council should be steadfast in their duty to uphold the current regulations.	
Response to Submission	
Same as Submission 2	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	122
Submitter Name:	Robyn Hancock
Submitter Address:	66 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Bulk height setbacks amenity privacy. Destroying Nedlands	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	123
Submitter Name:	Shannon Kissane
Submitter Address:	4A Goldsworthy Road Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	124
Submitter Name:	Elaine Jacoby
Submitter Address:	29 Jutland Parade Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
The future development requires a 9 m set back as is presently enforced for other dwellings in the area. Open space is paramount and must be on site at least 50% of the site. Elderly people need to be able to get outside and enjoy nature	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

and not need to cross a busy road to Masons Gardens. Landscaping of the site should be conducive to a relaxed lifestyle we would all like in our closing days with easy walking paths and scented plants.

Response to Submission

Setbacks – see response for Submission 2

Significant open space and landscaping are requirements of the proposed LPP.

Submissions Received

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Submitter Number:	125
Submitter Name:	Helen Forbes
Submitter Address:	36 Langham Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
More open landscaping required and request 9m setback.	
Response to Submission	
Same as Submission 2.	
Same as Submission 115.	

Submissions Received

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Submitter Number:	126
Submitter Name:	Tracy Peter
Submitter Address:	47 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9 metre setback & 50% open space landscaped	
Response to Submission	
Same as Submission 2.	
Same as Submission 115.	

Submissions Received

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Submitter Number:	127
Submitter Name:	Pat Manolas
Submitter Address:	55 Archdeacon Street Nedlands

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Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
In keeping with our lovely leafy suburb, 9 metre setback and at least 50% of open space to be landscaped is essential.	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
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Submitter Number:	128
Submitter Name:	Kathryn Anne Soo
Submitter Address:	73 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Do not want to lie next to a 6-storey building. We pay good money to live in this area and this sort of facility will devalue our home and privacy.	
Response to Submission	
Property values are not a relevant planning consideration. Visual privacy requirements are included in the LPP.	

Submissions Received	
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Submitter Number:	129
Submitter Name:	Norm Roberts
Submitter Address:	Dalkeith Road
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	130
Submitter Name:	Keith Lightfoot
Submitter Address:	3 Venn Street Peppermint Grove
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
9meter setback	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	131
Submitter Name:	Fiona Stewart
Submitter Address:	52 Vincent Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	132
Submitter Name:	Pippa Stewart
Submitter Address:	52 Vincent Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential	
Response to Submission	
Same as Submission 2.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Same as Submission 115.

Submissions Received

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Submitter Number:	133
Submitter Name:	Anthony Holmes
Submitter Address:	56 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Set back should be same as all rest blocks in Nedlands	
Response to Submission	
Same as Submission 2	

Submissions Received

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Submitter Number:	134
Submitter Name:	Ann Walker
Submitter Address:	2 George Avenue Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the proposed Draft Local Planning Policy Residential - Aged Care Facilities, with the exception that the building front set-back should be 9.00m and NOT 6.00m, as proposed.	
Response to Submission	
Same as Submission 2	

Submissions Received

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Submitter Number:	135
Submitter Name:	Harry Holmes
Submitter Address:	56 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Keep set back in line with all residential blocked at 9m	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Same as Submission 2

Submissions Received	
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Submitter Number:	136
Submitter Name:	Ella Holmes
Submitter Address:	56 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Set back maintained at 9m in line with other residential blocks in Nedlands	
Response to Submission	
Same as Submission 2	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	137
Submitter Name:	Noel Youngman
Submitter Address:	1 Colin Street Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
There should remain at a minimum 40% open space for landscaping and tree retention, this can be achieved with setbacks and requiring garden areas for patients to enjoy the outdoors.	
Response to Submission	
Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	138
Submitter Name:	Lynette Power
Submitter Address:	16 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I support the draft planning policy for residential aged care facilities dated 4th August 2020. However, I would like to see the standard 9 metre setbacks retained and at least 50% of open space retained for landscaping.

Response to Submission

Same as Submission 2.

Same as Submission 115.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	139
Submitter Name:	Philip Golding
Submitter Address:	33 Circe Circle Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I have no objection to the Draft LPP. Setback is essential to protect neighbouring properties and the relevant precinct.	
Response to Submission	
Noted and same as Submission 2	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	140
Submitter Name:	Ronald Burt
Submitter Address:	3 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Need 50% open space with gardens or grass and a minimum 9m set back	
Response to Submission	
Same as Submission 2.	
Same as Submission 115.	

Submissions Received

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Submitter Number:	141
Submitter Name:	Digby Sutherland
Submitter Address:	21 Edward Street Nedlands

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Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the policy as it is important to have aged care within our suburb that is of reasonable height and scale and does not impact on the privacy of residents. In addition I believe the street setbacks should be 9m with considerable landscaping.	
Response to Submission	
Same as Submission 2	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	142
Submitter Name:	Linda Hart
Submitter Address:	57 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Objection To the proposal in current form as per previous submissions proposed variations. All architectural drawing and plans submitted for planning consideration must represent the 'complete' picture of buildings proposed i.e all levels including those not to be inhabited such as for air-conditioning and roof levels. 'Set back' of ALL buildings in the City should be the same i.e residential properties the same as commercial and vice versa that should be 9m. Different set back will destroy the streetscape and for some private residence reduce the views and light. Planning should involve a high percentage of outdoor space within the design and the block that contains the building. Plans must not utilise existing 'green' sites such as local parks to make the suggestion that they are building green/outdoor spaces this is misleading. Commercial premises of this size must be handled by experts in hospital/medical architecture and planning that are able to provide the local residents with clear and factual information. Traffic management studies should incorporate the whole of the City and not the isolated areas under development. Nedlands is turning into a mario cart precinct with so many roundabouts, sleeping policemen, and countless other road calming mechanisms.	
Response to Submission	
1) A complete set of drawings/plans is a requirement for all DAs; 2) Setbacks – see response to Submission 2 3) Open space is a requirement of the LPP 4) Landscaping on site is a requirement of the LPP 5) Commercial premises such as these are dealt with by the Local Government and JDAP, unless they elect to be determined by the State Government's State Development Assessment Unit.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- | |
|---|
| 6) Traffic Impact Statements and related documents are a requirement of the LPP and all large scale development applications. |
|---|

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	14
Submitter Name:	Melissa Alder
Submitter Address:	61 Watkins Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

Generally, I am happy with the development controls proposed in the new draft Aged Care LPP - however, I am of the view that a 9m set back is essential, with 50% open space consisting of landscaping being essential.

Response to Submission

Same as Submission 2.

Same as Submission 115.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	144
Submitter Name:	Steve Thomas
Submitter Address:	43 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

9mt set back is essential and 50% open space consisting of landscaping is essential

Response to Submission

Same as Submission 2.

Same as Submission 115.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	145
Submitter Name:	Nicky Giovkos
Submitter Address:	52 Louise Street Nedlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
We support the proposed LPP subject to the following essential amendments: - a 9 meter set back as per all other NEDLANDS homes. - 50% open space consisting of LANDSCAPING that is consistent with the NEDLANDS landscape.	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	146
Submitter Name:	Paul Bradshaw
Submitter Address:	66 Viking Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
If an aged care facility is required the a 9mt set back is essential and 50% open space consisting of LANDSCAPING is essential to maintain the street appeal.	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	147
Submitter Name:	Charles Murphy
Submitter Address:	49 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9m set back is essential and 50% open space consisting of LANDSCAPING essential	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	148
Submitter Name:	Roger Hart
Submitter Address:	57 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
It is inappropriate in the area of Nedlands to have less than a 9m set-back. Furthermore it is important to suit the leafy nature of the suburb to have 50% of the property area for landscaping.	
Response to Submission	
Same as Submission 2. Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	149
Submitter Name:	Julie Easton
Submitter Address:	72 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
It is essential that the Oryx development Doonan Rd- Betty St aged Residence/hospital building should have a 9 meter set back in line with other properties in Nedlands & that there must be a 50% open space allocation to ensure space for landscaping.	
Response to Submission	
This draft LPP is in relation to all potential proposed Residential Aged Care Facilities in Nedlands. It is not specifically for the proposed Oryx development. Setbacks - same as Submission 2. Setbacks - same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	150
Submitter Name:	Christian Tara
Submitter Address:	51 Riley Road Dalkeith

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential.	
Response to Submission	
Same as Submission 2.	
Same as Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	151
Submitter Name:	Tom Stynes
Submitter Address:	14 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the revised policy as substantially more suitable than the previous policy	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	152
Submitter Name:	Brett Burden
Submitter Address:	43 Browne Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9metre set backs remain on these tiny residential streets and that 50% open space is landscape.	
Response to Submission	
Same as Submission 2.	
Same as Submission 115.	

Submissions Received	
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	153
Submitter Name:	Tiphonie Burden
Submitter Address:	43 Browne Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The 9metre ruling on these small streets are imperative.	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	154
Submitter Name:	Noel Clarke
Submitter Address:	36 Rockton Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Must comply with same setback conditions and parking regulations as property owners in Nedlands the proposed building is not suitable for the area.	
Response to Submission	
This draft LPP is in relation to all potential proposed Residential Aged Care Facilities in Nedlands. It is not specifically for the proposed Oryx development. Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	155
Submitter Name:	Arlette Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The setback should be at least 9metres and it should have 50% landscaped open space.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	156
Submitter Name:	Stephen Graham
Submitter Address:	53 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
In line with other residential design requirements, a 9 meter street front setback is essential to maintain the existing local amenity. Also, 50% open space consisting of landscaping should be required.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	157
Submitter Name:	Kirsten van der Walt
Submitter Address:	126 Princess Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of landscaping is essential.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	158
Submitter Name:	Natasha Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

9-meter setback essential and 50% open space consisting of landscaping essential.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Submissions Received

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Submitter Number:	159
Submitter Name:	Sarah Orchard
Submitter Address:	Doonan Road Nedlands
Residence within Nedlands?	Nedlands
Support/Object/Comment:	Support
Summary of Submission:	
Nine metre setback	
Response to Submission	
Setbacks – see response to Submission 2	

Submissions Received

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Submitter Number:	160
Submitter Name:	Max Hipkins
Submitter Address:	36 Minora Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the proposed LPP with the following amendments:	
1. The landscaping requirement should be increased to a minimum of 35% of site area, with at least half being in deep soil. Landscaping is an important requirement because of its therapeutic qualities.	
2. All other site controls (eg. plot ratio, site cover, setbacks, height, carparking, etc) should be based on what is appropriate for the precinct, not according to the use ie. if in a residential area, they should be the same as residential site controls; in commercial areas they should follow commercial site controls.	
Response to Submission	
1) Landscaping is required to be a minimum of 25% of the site area, a generous proportion of the site. Increasing this as a mandatory requirement may negatively impact on the quality of development provided.	
2) The LPP has reduced development requirements as it is written for Residential Aged Care Facilities proposed in residential and mixed use areas.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	163
Submitter Name:	Chai Lim
Submitter Address:	58 Riley Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	161
Submitter Name:	Julieanne O'Dea
Submitter Address:	82 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
9 metre setback, 50% open space	
Response to Submission	
Setbacks – see response to Submission 2 Open Space – see Submission 57.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	162
Submitter Name:	Heather Stynes
Submitter Address:	14 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
9 metre setback and 50%landscaping important for the area and residents who have paid to live here. Density hospital age care will take away from the area and increase traffic, create parking and access issues as not planned properly with the	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

size of the streets. Low level residential aged care would be more appropriate.
Response to Submission
Setbacks – see response to Submission 2
Landscaping – see response to Submission 115.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	163
Submitter Name:	Julie Clark
Submitter Address:	36 Louise Street Nedlands (two submissions)
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Aged care facilities need to fit in with the surrounding residential area in terms of setbacks. Such facilities should have at least 50% open space with landscaping for the benefit of aged care residents and the residents of surrounding properties.	
Response to Submission	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	164
Submitter Name:	Anant Shivram Hegde
Submitter Address:	6B Waroonga Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9 m setback and 50% open space including landscaping essential.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	165
Submitter Name:	Penelope Kapinkoff
Submitter Address:	7 Watkins Road Dalkeith

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
An aged care facility more in keeping with surrounds. One to two stories 9mt set back 50% open space consisting of landscaping	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	166
Submitter Name:	Diem Vo
Submitter Address:	58 Riley Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
Developments should have the same set back regulations as per residential ie 9m and needs open space. We need large developments to look a part of the streetscape and not just concrete buildings.	
Response to Submission	
Setbacks – see response to Submission 2	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	167
Submitter Name:	Wilber Andrews (two submissions)
Submitter Address:	141 Waratah Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Unknown
Summary of Submission:	
I support the new LPP that is much improved and sets out to respect the residential nature of our streets and sets a clear framework for the assessment and determination of future applications for aged care facilities. Some of the design requirements include: ☐ A maximum building height of two storeys and 10m ☐ 9m front and side setbacks - suggested ☐ Maximum plot ratio of 1.0 ☐ Minimum 50% of site area provided as open space.	
Response to Submission	

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Setbacks - see response to Submission 2

Submissions Received

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Submitter Number:	168
Submitter Name:	Andrew Lim
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support this proposal. It is a much better proposal than the previous and now revoked policy- more in line with the amenity of the City of Nedlands. I would however comment that a variation be made - that the setbacks are in keeping with the current residential setback of 9m, and 50% of open space with landscaping is essential.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Submissions Received

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Submitter Number:	169
Submitter Name:	Andrew Lim
Submitter Address:	56/85 Monash Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support the proposal however suggest some variations- 9m setbacks to align with residential property in the city.

Response to Submission

Setbacks – see response to Submission 2

Submissions Received

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Submitter Number:	170
Submitter Name:	Deanne Bailey
Submitter Address:	76 Thomas Street Nedlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I agree with this latest submission against this. At a minimum it must have1. 50% Open Space consisting of landscaping. 2. 9 metre setback	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	171
Submitter Name:	Julie Verley
Submitter Address:	27 Lovegrove Close Mount Claremont
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objection	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	172
Submitter Name:	Luke
Submitter Address:	68 Vincent Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential COUNCIL MEETINGS MUST NOT BE PRIVATE WHAT DO YOU THINK THIS IS THE SOVIET UNION? THEY MUST BE HELD PUBLICLY AND OPENLY.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Council Meetings - noted	

Submissions Received	
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	173
Submitter Name:	Matthew Sheminant
Submitter Address:	79 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt set back is essential and 50% open space consisting of LANDSCAPING essential.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	174
Submitter Name:	David Austin
Submitter Address:	44 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Paramount importance to remedy Council Planning errors and remove the unintended consequences allowing inappropriate land use and prevent opportunistic development such as the totally inappropriate Oryx Communities proposal ("mini cruise ship") which the Royal Commission is indicating would be obsolete and not fit for purpose post Covid-19. In relation to that proposal in particular it exhibits clear breaches of required set - backs, height limitation, open space requirements and other planning issues.	
Response to Submission	
Pandemic plans are not a planning requirement. Aged Care Facilities are required to comply with State and Federal health legislation to be permitted to operate	

Submissions Received	
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Submitter Number:	175
Submitter Name:	Michele Davis (three submissions)
Submitter Address:	19 Doonan Road
Residence within Nedlands?	Yes
Support/Object/Comment:	Object

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
Commercially run establishments need to confirm with the existing rules & regulations for all residential adjacent buildings. The appeal of the location (Dalkeith/Nedlands) is because it is a residential setting therefore 9m setback, build envelope & height restrictions need to be applied.
Response to Submission
Setbacks – Same as Submission 2. Setbacks and height are prescribed in the proposed LPP.

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	176
Submitter Name:	Janet Weeden
Submitter Address:	40 Marita Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
Any policy for residential aged care facilities must include a 9m set back if the site is in a residential street. Also appropriate landscaping so that it fits into the residential streetscape. For the same reason there should be a height restriction of no more than 3 storeys. The policy should also include a requirement for adequate on site parking for staff, the many family and friends who will visit the complex and stay for extended periods and visiting support services eg priests, residents GPs, activity organisers. The policy should also require an under cover entrance with easy and close access to a parked vehicle bay to enable frail residents to be able to enter and leave the facility without risk of falling, getting wet in the rain etc.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115 Parking is as per the requirements of the LPP Parking and is required to be on site.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	177
Submitter Name:	Robyn Kidd
Submitter Address:	62 Melvista Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

9 metre set back if essential in a residential area. Also 50% open space consisting of landscaping should be mandatory.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Submissions Received

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Submitter Number:	178
Submitter Name:	Libby Rayner
Submitter Address:	10 Victoria Avenue Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:	
• Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.	
Response to Submission	
Same as Submission 57	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	179
Submitter Name:	Evonne Howgate
Submitter Address:	235 Hamersley Road Subiaco
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
Support	
Response to Submission	
Noted	

Submissions Received

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Submitter Number:	180
Submitter Name:	Simone Janney

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	10 Victoria Avenue Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. • Includes a maximum building height of two storeys and 10m. • Includes a maximum plot ratio of 1.0 • Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	181
Submitter Name:	Julie Quan Sing – Rowlands
Submitter Address:	1 Sutcliffe Street Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
In relation to the Oryx Development on Betty and Doonan Streets, I wish to firstly support the new LPP. I understand that the LLP will disable proposed developments such as the Oryx proposal. Should this development go ahead, there is the potential for such developments to occur anywhere else in Dalkeith. This suburb should be retained as that a suburb not an inner-city built-up area. Secondly there are two specific concerns I have in relation to the 9-metre set back and the inclusion of 50% open space. These should be compulsory inclusions and essential. Thirdly, I have been informed of the ridiculous consideration that the reading and analysis of 500 submissions in relation to the Oryx proposal requires outsourcing at a considerable cost to us the rate payers. I assume that there are well paid staff and a highly qualified CEO (who is remunerated rather substantially) who should have the capacity to undertake such a task and dedicate time within their work-load in an efficient and effective manner.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Outsourcing submissions – the submissions were reviewed and summarised by the City's planning team.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	182
Submitter Name:	Robert Weeden
Submitter Address:	40 Marita Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the: LOCAL PLANNING POLICY – RESIDENTIAL AGED CARE FACILITIES With regard to Item 4.11: There should be provision for vehicles to pickup/dropoff residents in a covered area with easy access to the street. eg a semicircular drive at the front of the facility to enable residents and visitors to comfortably access vehicles (or provide ambulance access) in different weather conditions. General comment: Any RAC Facility design should take into consideration the findings of the latest Royal Commission. In other words the LPP should be further modified when the Royal Commission findings are released and any new proposal should be postponed until the release of these findings.	
Response to Submission	
Pandemic plans are not a planning requirement. Aged Care Facilities are required to comply with State and Federal health legislation to be permitted to operate	

Submissions Received	
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Submitter Number:	183
Submitter Name:	Alex Meneghello
Submitter Address:	67 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Aged Care LPP except for the proposed 6m front setback. This should be 9m, the same as all residential blocks in Nedlands.	
Response to Submission	
Setbacks – see response to Submission 2	

Submissions Received	
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	184
Submitter Name:	James McAllister
Submitter Address:	27 Taylor Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I am very strongly opposed to the current High Care multi story development proposed for the site between Doonan Road and Betty Street, south of Princess Road for the following reasons: - The structure proposed clearly does not in any way blend in with the largely residential aspect of the neighbourhood - The setback from the road is not the 9 metre mandatory distance in conventional houses - The parking bay allocation of 26 is completely inadequate. With 24 hour coverage for the residents, there will be overlap of necessary staff, including Registered Nurses, Administration and Management personnel, Kitchen staff and general carers. The most likely form of transport to the site will be by car, hence there will be overflow parking in the street and surrounding areas. On weekdays and weekend, where it you would expect 30- 50% of the residents will have visitors, this will put extra pressure on parking. - The regular requirement to have trucks or vans arriving with catering and medical supplies for the proposed 96 residents will also create increased traffic flow and congestion in the streets. In addition to this the removal of waste, via truck, and the occasional requirement of fuel for the generators will create logistical headaches for the neighbours close by the facility. - The air conditioning system, most likely to be on the roof of the complex, is likely to be noisy and will require regular service from air conditioning / water treatment companies. - The real estate value of the adjacent houses is likely to drop significantly due to the congestion in the area, with prospective home owners no doubt preferring to reside in quieter streets with less noise and work related traffic	
Response to Submission	
- This LPP is in relation to all proposed Residential Aged Care Facilities in Nedlands, it is not specific to the Betty/Doonan proposed development. - Setbacks – see Submission 2. - Parking is as per the requirements of LPP – Parking and is required to be on site. - Waste and traffic management plans are required to be submitted for consideration as part of all large scale Development applications, and are a requirement of the proposed LPP. - Property values are not a relevant planning consideration.	

Submissions Received

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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	185
Submitter Name:	Susie
Submitter Address:	Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9 Metre Set back essential 50% open space consisting of landscaping essential	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	186
Submitter Name:	Simone Vitali
Submitter Address:	66 Oakover Street East Fremantle
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:	
Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.	
Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas.	
Includes a maximum building height of two storeys and 10m.	
Includes a maximum plot ratio of 1.0	
Includes a minimum 50% of site area provided as open space.	
However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9-metre set-back as applies to all residential property in the precinct.	
Response to Submission	
Same as Submission 57	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	187
Submitter Name:	Tracey McMahon
Submitter Address:	4 Nardina Crescent Dalkeith

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Support maximum of two stories, retain mature trees, 50% of site open space and setback in line with the residential community of Nedlands - 9 m	
Response to Submission	
Noted. Setbacks – see response to Submission 2	

Submissions Received	
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Submitter Number:	188
Submitter Name:	Charles Merriam
Submitter Address:	77 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I generally support the Draft Local Planning Policy Residential Aged Care Facilities dated 4 August 2020, but: - a 9 m setback is essential, both for the amenity of the residents of the facility and for the amenity of the residents of the local area; and - 50% open space consisting of landscaping is essential, both for the amenity of the residents of the facility and for the amenity of the residents of the local area	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	189
Submitter Name:	Janet O'Neill
Submitter Address:	12 Davies Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9m setbacks required 50% landscaping open space required	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	190
Submitter Name:	Beverley Riemer
Submitter Address:	5 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the policy with amendment to 9m setbacks in keeping with residential areas	
Response to Submission	
Setbacks – see response to Submission 2	

Submissions Received	
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Submitter Number:	191
Submitter Name:	Nicole Hemsley
Submitter Address:	9 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new LPP for Aged Care Development in Nedlands. As a property owner who lives near to the proposed Aged Care Development planned for the Betty/Doonan St site, I felt that the last LPP left our neighboured open to overdevelopment. The new LPP will ensure that any planned developments within a residential area will be subject to height and setback restrictions which will be in keeping with our streetscapes and blend with the homes around it. The new plot ratio restriction also safeguards against over-development. The landscaping requirements are good news for our leafy, garden suburb. Many thanks to our planning department for these revisions.	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	192

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Lynette Edwards
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the LPP in most parts except there needs to be a 9mt set back. This is essential. At least 50% of the site requires open space consisting of LANDSCAPING essential for the residents to access open space. This will enable the built form to blend more readily with the surrounding residential homes and will reflect best practice in aged care built form. Monstrous boxes of bulk that take up the majority of the site with little landscaping and outdoor garden amenity are not best practice in aged care. and our elderly deserve better.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
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Submitter Number:	193
Submitter Name:	Jennifer Falkner
Submitter Address:	68 Vincent Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Hi, Vincent St is already a very busy street. I don't wish for it to get busier. Thanks	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	194
Submitter Name:	Brian O'Donnell
Submitter Address:	41 Watkins Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support this	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	195
Submitter Name:	Lachlan Southam
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the LPP in most parts except there needs to be a 9mt set back. This is essential. At least 50% of the site requires open space consisting of LANDSCAPING essential for the residents to access open space. This will enable the built form to blend more readily with the surrounding residential homes and will reflect best practice in aged care built form. Monstrous boxes of bulk that take up the majority of the site with little landscaping and outdoor garden amenity are not best practice in aged care. and our elderly deserve better.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	196
Submitter Name:	Gwendolyn Jacobs
Submitter Address:	4 Kathryn Crescent Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I expect 50% open space to be landscaped, parking to be 1 to 2 and 9MT SETBACKS FROM STREET ARE IMPERATIVE	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	197
Submitter Name:	Fiona Allan
Submitter Address:	59 Wood Street Swanbourne

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.	
Response to Submission	
Same as Submission 57	

Submissions Received	
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Submitter Number:	198
Submitter Name:	Lauren Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The Oryx development at Betty St/Doonan Road should have a 9 metre setback to be consistent with other buildings in the area.	
Response to Submission	
This LPP is in relation to all Residential Aged Care Facilities developments in Nedlands. Setbacks – see response to Submission 2	

Submissions Received	
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Submitter Number:	199
Submitter Name:	Lynette Edwards
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
-9mtr setback as a minimum to ensure amenity and control bulk in residential area, -at least 50% of the site needs to be landscaped to ensure elderly have access to open space and gardens for wellbeing -parking needs to be allocated 1 for 2 for amenity in these very narrow residential streets	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP - Parking	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	200
Submitter Name:	Katelyn Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The Oryx development at Betty St and Doonan Road, should be subject to the same zoning and setbacks at other properties which surround it.	
Response to Submission	
This LPP is in relation to all Residential Aged Care Facilities developments in Nedlands. Setbacks – see response to Submission 2	

Submissions Received	
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Submitter Number:	201
Submitter Name:	Anne
Submitter Address:	17 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Expect 50% open space to be landscaped, parking to be 1 to 2 and 9MT SETBACKS FROM STREET ARE IMPERATIVE	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	202
Submitter Name:	Austin Southam
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
9 metre setback required for amenity to be maintained 1 for 2 parking bays as currently inadequate at least 50% landscaping required for wellbeing of the aged and amenity.
Response to Submission
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP - Parking

Submissions Received	
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Submitter Number:	203
Submitter Name:	Kate Atkinson
Submitter Address:	15 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
expect 50% open space to be landscaped, parking to be 1 to 2 and 9MT SETBACKS FROM STREET ARE IMPERATIVE	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP - Parking	

Submissions Received	
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Submitter Number:	204
Submitter Name:	Thomas Nielsen
Submitter Address:	97 Victoria Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I think at least 50% open space should be landscaped, parking to be 1 to 2, 9 metres setbacks from the street.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP - Parking	

Submissions Received
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

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Submitter Number:	205
Submitter Name:	Priscilla Lee
Submitter Address:	51 Archdeacon Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9metre set back is essential and 50% open space consisting of LANDSCAPING is essential	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	206
Submitter Name:	Norbert Riemer
Submitter Address:	5 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the policy, particularly 50% open space. However, setbacks should be increased to 9m in keeping with residential areas.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
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Submitter Number:	207
Submitter Name:	Carmen Tutor
Submitter Address:	8A Alexander Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support amended plans compliant with 50% open space with landscaping, parking 1-2 and 9 meters setbacks to maintain the streetscape.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Setbacks – see response to Submission 2
 Landscaping – see response to Submission 115.
 Parking is in accordance with the City's LPP - Parking

Submissions Received

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Submitter Number:	208
Submitter Name:	Denita Slatter
Submitter Address:	20 Chester Road Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Object

Summary of Submission:

I expect 50% open space to be landscaped, parking to be 1 to 2 and 9MT SETBACKS FROM STREET ARE IMPERATIVE and no land grab for the tenants effected. I expect open information and councillors to attend meetings. I also think that venues need to change to accomodate locals to attend all meetings.

Response to Submission

Setbacks – see response to Submission 2
 Landscaping – see response to Submission 115.
 Parking is in accordance with the City's LPP – Parking
 Council meetings - noted

Submissions Received

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Submitter Number:	209
Submitter Name:	Victoria M Nielsen
Submitter Address:	97 Victoria Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

Nine meter setbacks from the street is important, as is 50% open space to be landscaped.

Response to Submission

Setbacks – see response to Submission 2
 Landscaping – see response to Submission 115.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	210
Submitter Name:	Lee-Ann Sinagra
Submitter Address:	13 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
My comments on the project are – I expect the project to have at least 50 % open space and to be landscaped. Parking - should be 1 to 2 . 9m setbacks from street are imperative.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP - Parking	

Submissions Received	
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Submitter Number:	211
Submitter Name:	Laura Fender (two submissions)
Submitter Address:	37 Leon Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The new plan is more in keeping with the local environment and respects neighbouring properties.	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	212
Submitter Name:	Mario Faugno
Submitter Address:	74 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I strongly support the draft LPP as issued. In particular I strongly support the maximum 2 storey and maximum overall height limit set out in the draft. I believe the minimum set back however must be in keeping with existing residential set backs in the street and so it is imperative for the set back to be a minimum of 9m instead of current draft 6m. Also I believe there should be at least 50% open green landscaped space.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Submissions Received

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Submitter Number:	213
Submitter Name:	Wes De Pardo
Submitter Address:	11 Glengariff Drive Floreat
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
9m street setback is essential and at least 50% open scape with landscaping	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received

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Submitter Number:	214
Submitter Name:	Laurence Riemer
Submitter Address:	15 Iris Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Increase setbacks from 6m in the draft policy to 9m to match the streetscape.	
Response to Submission	
Setbacks – see response to Submission 2	

Submissions Received

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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	215
Submitter Name:	Mohan Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I strongly object to a residential care facility being simply built on an ad hoc basis in a residential area. Aged care facility provision is a contentious issue with a terrible lack of a long term definitive plan. This proposed facility should be scrapped completely. Should those in decision making bodies decide to go ahead, then the building facility should conform to the R10/12.5 residential zoning requirements of residential buildings in this area and includes: 1) 9 metre front set backs 2) height restrictions, 3) 50% open space landscaping necessities, 4) traffic impact confirmations (there are children in this area and a pre-primary school within 100m of this proposed non-residential facility); it should clearly state that this will not become a hazardous traffic area to the residents and the children 5) and last but not least the health impact Declarations of COVID and its safety to the people in this area and the party that will become responsible for this very important health aspect. (No buck passing on this aspect). If the Developers and Owners of this site want to proceed with modified aged care facilities within the restrictions of the current residential building requirements, so be it but they must assume all responsibilities and problems that arise from building and managing an aged care facility that is simply thrown in amongst a long standing residential area. I support the building of homes for residential use limited to R10/R12.5 restrictions. I strongly object to an aged care facility in any form on this specific site.	
Response to Submission	
1) Same as Submission 2 2) Height restrictions included in the LPP 3) Open space and landscaping requirements included in the LPP 4) Traffic impact statements are required to be provided with all applications 5) Residential Aged Care Facilities are required to comply with State and Federal legislation in regard to health and safety requirements. 6) This development is for all Residential Aged Care Facility proposals in Nedlands, not specifically the Betty/Doonan site.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	216
Submitter Name:	Shirlyn Riemer
Submitter Address:	15 Iris Avenue Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
Increase the setback from 6m in the draft policy to 9m to match the streetscape.
Response to Submission
Setbacks – see response to Submission 2

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	217
Submitter Name:	Catherine Cooke
Submitter Address:	12 Garland Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I expect 50% open space to be landscaped, parking to be 1 to 2 and 9MT SETBACKS FROM STREET ARE IMPERATIVE	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	218
Submitter Name:	Anette Schoombee
Submitter Address:	30 Circe Circle Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
There should be a 9m set back from the street and adequate open spaces for landscaping - at least 50%.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	219
Submitter Name:	Nicole Jones

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	59 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I Expect 50% open space to be landscaped 9MT SETBACKS FROM STREET ARE IMPERATIVE	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	220
Submitter Name:	Paris Bovell
Submitter Address:	59a Adderley Street Mount Claremont
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No objections	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	221
Submitter Name:	Rebecca Faugno (two submissions)
Submitter Address:	74 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I strongly support the Draft LPP. In particular, for land coded R10 to R35, I strongly support the maximum building height of 2 storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from NGL. I believe this is essential to ensure consistency with existing height and streetscape and preservation of local amenity. I believe it is imperative, however, that the minimum front setback be 9m and not 6m. This is to ensure consistency with the existing streetscape and preservation of the character and amenity of the locale. I request that this change please be made. I	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

also believe a maximum of 50% of landscaped green space is essential both for consistency with local amenity, and for the wellbeing of ultimate residents of the facility and their families and visitors.

I think it is critical that the building height is capped at no more than 2 storeys with a maximum external wall height of 8.5m and maximum overall height of 10m.

This is so that any developments under the policy fit with the existing streetscape. Please make the minimum front set back 9m and not 6m, so that it is consistent with existing streetscape.

I strongly support a requirement for at least 50% green space.

I think this is very important both to preserve local amenity and so that future residents can connect with the outside world and families, visitors and children can have a place to be with their loved ones when they visit.

Response to Submission

Setbacks – see response to Submission 2

25% landscaping is included as a requirement of the LPP - Submission 57 and 114

Submissions Received

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Submitter Number:	22
Submitter Name:	Mattia Faugno
Submitter Address:	74 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the LPP	
Response to Submission	
Noted	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	223
Submitter Name:	Nicola Wehr
Submitter Address:	73 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Agree with the proposal but expect that these facilities should be required to (1) have 9 m setbacks from the road in keeping with the neighbourhood characteristic and (2) increase the requirement for green space to avoid overbuilding a residential area.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Setbacks – see response to Submission 2
Landscaping – see response to Submission 115

Submissions Received	
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Submitter Number:	224
Submitter Name:	Ernest Tan
Submitter Address:	61 Thomas Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
50% open space to be landscaped, adequate setbacks from the road to prevent overshadowing	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	225
Submitter Name:	Clara Murchison
Submitter Address:	7 John Street Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Object
Summary of Submission:	
N/A	
Response to Submission	
N/A	

Submissions Received	
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Submitter Number:	226
Submitter Name:	Louise Sparrow
Submitter Address:	80 Mountjoy Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
Views have already been expressed that an aged care property in any predominantly residential area is inappropriate. There is considerable foot and road traffic, pollution (solid water and other potentially hazardous waste) in increased amounts and the proposed area is already properly occupied by homesites and will vastly reduce the amenity of the street, the homes immediately nearby and the neighbourhood. Unsafe use of the road crossings for children and with several aged care homes within a short distance away the demand for a Western Suburbs location is already well served by many other established homes. The dangers of high rise, density and lack of suitable pandemic policy and management in aged care is now a known risk from the experiences of homes and their residents over East. Locating a structure in a poorly ventilated low-lying area when space around such a facility should be essential for landscaping, air quality and general amenity would be deleterious to the health of the residents and care staff additionally. Sanitariums have traditionally located in elevated areas where residents may have plenty of fresh air and exercise in a safe healthy environment - compromising on this ideal is not necessary where there are fine examples of such sites (Montgomery House for example, or Weare).
Response to Submission
Traffic, waste and noise management plans are required to be submitted with a DA for a Residential Aged Care Facility as per the LPP. Pandemic plans are not a planning requirement. Aged Care Facilities are required to comply with State and Federal health legislation to be permitted to operate

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	227
Submitter Name:	Newton Gillies
Submitter Address:	59 Riley Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Policy helps to reduce the impact on the local area from the development of larger scale residential aged care facilities	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	228
Submitter Name:	Chase Christian
Submitter Address:	3/4 Mountjoy Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	229
Submitter Name:	Peter Nguyen
Submitter Address:	22A Belgrave Street Maylands
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
9 metre setback is essential and 50% open space consisting of landscaping is essential	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	230
Submitter Name:	Benjamin Lam
Submitter Address:	61 Riley Road, Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
setback should be 9m in line with other properties and there should be 50% open space.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Setbacks – see response to Submission 2
Landscaping – see response to Submission 115

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	231
Submitter Name:	Rod White
Submitter Address:	59 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	232
Submitter Name:	Angeline Lai
Submitter Address:	48 Roseberry Avenue South Perth
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I expect 50% open space to be landscaped, parking to be 1 to 2 and 9m setbacks from street are imperative	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	
Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	233
Submitter Name:	Graham Cuckow
Submitter Address:	39 Portland Street Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	234
Submitter Name:	Melissa Narbey
Submitter Address:	41 Florence Rd Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	N/A
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	235
Submitter Name:	Ramin Gharbi
Submitter Address:	71 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
I request 50% landscaping of open space, car parking ratio of 1 to 2, 9 metre front set backs, 10m height restriction	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking Height restriction is as per the LPP.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	236
Submitter Name:	Richard Rowlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	1 Sutcliffe Street, Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the LPP and congratulate the Council for their efforts. I am concerned about the setback and believe setbacks should be in accordance with what is demanded by the council for all residents/developers within a street/suburb. There should also be open spacing and landscaping of between 30% and 50% .	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	237
Submitter Name:	Jonathon and Linley Dodd
Submitter Address:	74 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
We fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	238
Submitter Name:	Gerald Soo
Submitter Address:	73 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Need 50% landscaping of open space Car parking ratio of 1 to 2 9 metre Front set back	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	239
Submitter Name:	Jaime Reynolds
Submitter Address:	49 Marita Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the LLP however I would expect future aged care developments to fulfil the following: 50% open space to be landscaped and for new developments to have 9m setbacks from the street.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	240
Submitter Name:	Felicity Zimmermann
Submitter Address:	37 Portland Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the proposal	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	241
Submitter Name:	Christine Cuckow
Submitter Address:	39 Portland Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	242
Submitter Name:	Tania Butler
Submitter Address:	69 Vincent Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Multiple concerns including traffic management, parking, waste removal, privacy, noise during construction.	
Response to Submission	
1) Traffic management plan included as requirement of LPP 2) Parking is as per LPP – Parking 3) Waste Management Plan requirement of LPP 4) Privacy – visual privacy requirements included in LPP 5) Noise during construction – construction management plans are required by the City's Building team prior to construction commencing.	

Submissions Received	
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Submitter Number:	243
Submitter Name:	Andrew Edis
Submitter Address:	72 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	244
Submitter Name:	Jack Edis
Submitter Address:	72 Kingsway Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	245
Submitter Name:	Jen Edis
Submitter Address:	72 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	246
Submitter Name:	Stuart Moran
Submitter Address:	45 Florence Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	247
Submitter Name:	Simon Edis
Submitter Address:	72 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I fully support the Residential Aged Care Facilities LPP
Response to Submission
Noted

Submissions Received	
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Submitter Number:	248
Submitter Name:	Emma Davies
Submitter Address:	25 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	249
Submitter Name:	Brad Forbes
Submitter Address:	36 Langham Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	250
Submitter Name:	David Hillman
Submitter Address:	1 Granby Crescent, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Please ensure at least 9 metre setbacks (as per surrounding housing), 50% open space, parking with at least 1 bay per 2 residents

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Parking is in accordance with the City's LPP – Parking

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	251
Submitter Name:	Nicholas Earner
Submitter Address:	25 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I fully SUPPORT the Residential Aged Care Facilities LPP

Response to Submission

Noted

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	252
Submitter Name:	Joshua Davies
Submitter Address:	25 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

I fully SUPPORT the Residential Aged Care Facilities LPP

Response to Submission

Noted

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	253
Submitter Name:	Neville Gibbs
Submitter Address:	15 Finsbury Grove Mt Claremont
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I would also support 9m setbacks as per single residential properties	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	254
Submitter Name:	Graeme Hatton
Submitter Address:	10 Loftus Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	255
Submitter Name:	Zoe Earner
Submitter Address:	25 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	256
Submitter Name:	Matthew McNeilly
Submitter Address:	71 Doonan Road, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS**Summary of Submission:**

Generally support the advertised Local Planning Policy - RAC Facilities with the following amendments:

To be consistent with LPS3 and R-codes, minimum setbacks under clauses 4.3.3 2) b) (i) and 4.3.4 2) b) (i) should be increased from 6m to 9m.

Under clauses 4.3.3 2) b) (v) and 4.3.4 2) b) (v) - a minimum 50% of site area provided as landscaped, green open space for the use of residents, not car parking.

Under clause 4.11 - all parking should be located off street and in a basement level. Parking should be provided at a ratio of 1 bay for every 4 aged care beds (visitor parking), plus 1 additional bay for every staff member (single shift). By way of example, for a 90 bed facility, 22 bays would be required for visitors plus another 30 bays (est. per shift) for staff, so a minimum total of 52 bays.

A clause requiring an applicant to provide a pandemic plan demonstrating how the applicant will contain a disease outbreak including measures to prevent it from impacting local residents and the broader community.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115

Parking is required as per the City's LPP – Parking

Pandemic plans are not a planning requirement. Aged Care Facilities are required to comply with State and Federal health legislation to be permitted to operate.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	257
Submitter Name:	Isabel Earner
Submitter Address:	25 Kingsway, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	258
Submitter Name:	Sean Tanner

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Address:	13 Fourth Avenue, Mount Lawley
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support	
Response to Submission	
Noted	

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	259
Submitter Name:	Katie Bourke
Submitter Address:	14 Loftus Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	260
Submitter Name:	Kerry Revell
Submitter Address:	47 Waroonga Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The following are considered essential as part of the revised LPP Residential Aged Care Facilities:	
- parking ratio of 1 to 2 is required - 9 mt set backs from the street is essential - plus 50% open space consisting of landscaping is also essential.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115	
Parking is in accordance with the City's LPP – Parking	

Submissions Received

Disclaimer: the following is a summary of submissions received.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	261
Submitter Name:	Isaac Davies
Submitter Address:	25 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	262
Submitter Name:	Betty Ryan
Submitter Address:	75 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
There should be 50% open space with landscaping There should be a car parking ratio of 1 to 2 There should be 9 m setbacks	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	263
Submitter Name:	Rachel Scogna
Submitter Address:	22/591 Hay St Jolimont
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
No objections, I support	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	264
Submitter Name:	L Kaye Macpherson-Smith
Submitter Address:	29 Webster Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	265
Submitter Name:	Elizabeth Griffin
Submitter Address:	77 Circe Circle Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Needs to have minimum 9 m setback not 6 m	
Response to Submission	
Same as Submission 2	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	266
Submitter Name:	Sue Hobson
Submitter Address:	62 Kingsway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully SUPPORT the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	267
Submitter Name:	Tim Morrison (two submissions)
Submitter Address:	8 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I request 50% landscaping of open space, car parking ratio of 1 to 2 and 9 metre setbacks	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	268
Submitter Name:	Liz
Submitter Address:	77 Webster Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
-50% landscaping of open space -car parking ratio of 1 to 2 -9m front setbacks	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	269
Submitter Name:	Tapley
Submitter Address:	14 Flametree Bend
Residence within Nedlands?	No
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I would like to see the policy have the following criteria: - parking of a 1 to 2 ratio - 50% of open space to be landscaped - 9m setback from the street (with the set back not to include above ground parking) - restricted building height - design to be sympathetic and complimentary to the historic nature of the area.
Response to Submission
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115 Parking is in accordance with the City's LPP – Parking Height – restriction of building height included in the LPP

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	270
Submitter Name:	Bobbie
Submitter Address:	5 Caladenia Parade Mt Claremont
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9m setback and more landscaping preferable	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	271
Submitter Name:	Mark Taylor
Submitter Address:	41 Doonan Road, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Generally supportive.	
Response to Submission	
Noted	

Submissions Received
Disclaimer: the following is a summary of submissions received.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	272
Submitter Name:	Colleen
Submitter Address:	17 Haddon Court Mitcham Victoria
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
As a regular visitor to Nedlands I would hope that the unique characteristics of the area, ie quiet tree lined streets of mostly single storey residences, lots of parks and green spaces can be maintained. As a woman in my 70s I would also wish that any aged care residences are built to be aesthetically pleasing, providing green views and places to enjoy the benefits of nature, and small enough to feel homely ie not a large multi storied and impersonal edifice which institutionalises the elderly.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	273
Submitter Name:	Robert
Submitter Address:	77 Melvista Ave, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1. There should be 50% open space with landscaping 2. There should be 9 metre setbacks 3. There should be a car park ratio of 1:2	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	274
Submitter Name:	Marie Merriam
Submitter Address:	77 Melvista Avenue Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
1. There should be 50% open space with landscaping 2. There should be 9 metre setbacks 3. There should be a car park ratio of 1:2	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	275
Submitter Name:	Merran Smith
Submitter Address:	36 Minora Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
The policy should ensure that all site controls applicable to any residential aged care developments including height, front, rear and side setbacks and plot ratios are the same as those that apply to adjacent properties.	
Landscaping including deep spoil planting should be at least 15%.	
There should also be sufficient onsite parking to accommodate all staff as well as deliveries, visitors etc.	
While a policy may be helpful, the real issue is that residential aged care facilities are private businesses that need to operate at scale to make a profit. It is simply not appropriate for private aged care businesses to be located in single residential areas. They should not go ahead unless there is proper consultation with impacted residents and appropriate zoning. Controls should be put in place to ensure that the sort of residential aged care development being progressed in the single residential area in Melvista between Betty and Doonan Streets cannot happen elsewhere in Nedlands. This development would not have been possible under LPS2 and should never have been allowed to proceed.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115 Parking is as per the requirements of LPP-Parking Residential Aged Care Facilities are permitted to be proposed in residential and mixed-use areas and must be considered by the City under LPS3. LPS2 has been revoked and is no longer a relevant planning document.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	276
Submitter Name:	Rhodita Zammit
Submitter Address:	14 Thomas Street South Perth
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:	
Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.	
Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas.	
Response to Submission	
Same as Submission 57	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	277
Submitter Name:	Peter Coghlan
Submitter Address:	37 Bulimba Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support The RACF - LPP and the 50% open space on the site should be landscaped.	
Parking is being defined in a separate RACF Parking LPP however, within the main LPP parking should be generous. The ratio should be as low as 1 car bay for every 2 beds this allows enough parking for allied health, visitors and staff.	
There needs to be generous parking due to staff handover periods and with shift work people need the option to drive.	
I support the provisions of fitting into the amenity of the area including the use of sympathetic building materials and design. 9MT Setbacks are essential as this will allow the RACF to fit in with the existing streetscape and not look out of place.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	
Parking is in accordance with the City's LPP – Parking	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submissions Received	
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Submitter Number:	278
Submitter Name:	Graham Crooke
Submitter Address:	81 Melvista Avenue, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I do not want an enormous facility built in a quiet residential area next to a retirement home! In the future, please show some respect for your residents and ratepayers!	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	279
Submitter Name:	LM Cheng
Submitter Address:	40 Taylor Road, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Requesting 50% of open space with car ratio of 1 to 2 and 9 metres front setbacks. Thanks.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115 Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	280
Submitter Name:	Jennifer Lord
Submitter Address:	37 Thomas St Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: • Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. • Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. • Includes a maximum building height of two storeys and 10m. • Includes a maximum plot ratio of 1.0 • Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands. I also strongly support full community consultation.
Response to Submission
Same as Submission 57

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	281
Submitter Name:	Janet Watkins
Submitter Address:	6 Leopold Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
This is a good framework, but increased setbacks of 9 metres to the street, & more parking, a ratio of 1-2, & larger areas of landscaping, up to 50% is required to ensure a satisfactory result overall.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	
Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	282
Submitter Name:	Lucinda Suleski
Submitter Address:	37 Thomas St Nedlands

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: • Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. • Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. • Includes a maximum building height of two storeys and 10m. • Includes a maximum plot ratio of 1.0 • Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.	
Response to Submission	
Same as Submission 57	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	283
Submitter Name:	Steve Suleski
Submitter Address:	37 Thomas St Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: • Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. • Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. • Includes a maximum building height of two storeys and 10m. • Includes a maximum plot ratio of 1.0 • Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Same as Submission 57

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	284
Submitter Name:	Isabella Suleski
Submitter Address:	37 Thomas St Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it: • Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential. • Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas. • Includes a maximum building height of two storeys and 10m. • Includes a maximum plot ratio of 1.0 • Includes a minimum 50% of site area provided as open space. However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands. I also believe in full community consultation.	
Response to Submission	
Same as Submission 57	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	285
Submitter Name:	Konstantin Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Please don't approve this on our quiet neighbourhood street.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

The LPP is in relation to Residential Aged Care Facilities that may be proposed within the City of Nedlands, it is not specific to Betty Street.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	286
Submitter Name:	Clive Trott
Submitter Address:	7 Goldsmith Road, Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support

Summary of Submission:

I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:

Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.

Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas.

Includes a maximum building height of two storeys and 10m.

Includes a maximum plot ratio of 1.0

Includes a minimum 50% of site area provided as open space.

However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.

Response to Submission

Same as Submission 57

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	287
Submitter Name:	Elizabeth Trott
Submitter Address:	7 Goldsmith Road, Claremont
Residence within Nedlands?	No
Support/Object/Comment:	Support

Summary of Submission:

I support the new Nedlands Local Planning Policy Residential Aged Care Facilities as it:

- Removes the possibility that an aged care facility could have been proposed for any 2,000 square metre site anywhere in the City, even if zoned residential.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

- Includes design directives which ensure that aged care facilities developed in residential areas within the City of Nedlands will be of a size, scale and height more appropriate for the character and streetscapes of the local areas.
- Includes a maximum building height of two storeys and 10m.
- Includes a maximum plot ratio of 1.0
- Includes a minimum 50% of site area provided as open space.

However, I believe that the setback for developments in residential areas should be consistent with the surrounding homes, being a 9 metre set-back as applying to all residential property in the City of Nedlands.

Response to Submission

Same as Submission 57

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	288
Submitter Name:	Marilyn Knox
Submitter Address:	65 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

Summary of Submission:

Residents of aged-care facilities deserve to live in a residence in which they have easy and adequate to the outdoors for the benefit of their mental and physical health. Therefore, I believe that the planning policy should specify that 50% of the site should be designated as open space.

Secondly, adequate parking spaces for the number of residents, staff and service vehicles of all kinds is a necessity if the surrounding streets are not to become parking lots, which is a definite imposition on the area. For every two cars for residents, staff and service vehicles there should be one usable parking space.

Lastly, 9mt setbacks on the frontage of the site will match the standard established in Nedlands as a green suburb, a condition so necessary in the time of climate change and increasing temperatures.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Parking is in accordance with the City's LPP – Parking

Submissions Received

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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	289
Submitter Name:	Simone Smith
Submitter Address:	5 Taunton Way Karrinyup
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I am very pleased that the LPP was revoked and the changes made that should have been addressed by the City's planning department way before Oryx lodged a DA. For your planning department to have sat with this with no R codes on a residential street is proof to the community you have an incompetent planning team and your Director of Planning should be reprimanded. So in addition to the changes you have made you now need to ensure that any development has 9mt setbacks from the front street, adequate secure staff and visitor parking In addition the city should not be recommending any aged care facility until the royal commission is released which we now know will recommend small private facilities and in home care. The 50% open space must be landscaped open space	
Response to Submission	
Setbacks – see submission 2 The requirements of the Royal Commission are not relevant to planning decisions and legislation. The outcomes of the Royal Commission will influence State and Federal government policy the Residential Aged Care Facility must comply with to operate. Open Space – see response to submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	290
Submitter Name:	Rosalind Smith
Submitter Address:	7 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Western Australia	
Response to Submission	
N/A	

Submissions Received
Disclaimer: the following is a summary of submissions received.

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	291
Submitter Name:	Paul Schmiede
Submitter Address:	44 Webster Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
9mt setbacks – adequate car parking – 50% landscaped open space are all required. These types of developments need to be in harmony with the overwhelming nature of the area. The council needs to pick-up its game with this sort of stuff. What happened with Oryx should never have been allowed to happen.	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	292
Submitter Name:	Tony Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	293
Submitter Name:	Marilyn
Submitter Address:	43 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support 9mt setbacks, adequate car parking spaces and at least 50% landscaped open space.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Setbacks – see response to Submission 2
Landscaping – see response to Submission 115.
Parking is in accordance with the City's LPP – Parking

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	294
Submitter Name:	John Leaversuch
Submitter Address:	31 Stirling Road
Residence within Nedlands?	No
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	295
Submitter Name:	Yasmin Gharbi
Submitter Address:	71 Louise Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I think this is excellent, as looking forward I would love my father to continue to live in a suburb he loves with care and compassion.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	296
Submitter Name:	Andrew Edwards
Submitter Address:	14 Doonan Rd Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I fully support the draft LPP on Residential Aged Care Facilities. I consider that the LPP provides a reasonable planning framework for the development of residential aged care facilities within the City of Nedlands.
Response to Submission
Noted

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	297
Submitter Name:	YY
Submitter Address:	40 Taylor Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Suggest 50% landscaping of open space, car park ration of 1 to 2, 9 metres front set backs	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	298
Submitter Name:	Kath Leys
Submitter Address:	37 Philip Road, Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I APPROVE / SUPPORT the Draft Local Planning Policy (LPP) for Residential Aged Care (RAC) Facilities, however I formally request the following amendments be noted on my submission:	
Amendment #1: PARKING: That 1 car parking bay be required for every 2 beds.	
Amendment #2: LANDSCAPING: That a MINIMUM of 50% of the site area is to be LANDSCAPED.	
AMENDMENT #3: SETBACKS: That a minimum of 9 METRE be applied for STREET SETBACK.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I approve /support the Draft LPP for RAC Facilities for the following reasons:

- Ensures the appearance and design of RAC Facilities are of a high quality and do not have an undue impact on the residential, or mixed use, amenity of the area by way of building bulk and scale, noise, traffic, or parking.
- Ensures the building design and appearance of RAC Facilities responds to and enhances the distinctive elements of the existing streetscape character.
- Establishes a clear framework for the assessment and determination of applications for RAC Facilities.

Response to Submission

Setbacks – see response to Submission 2

Landscaping – see response to Submission 115.

Parking is in accordance with the City's LPP – Parking

Submissions Received

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Submitter Number:	299
Submitter Name:	Lupo Guerrero
Submitter Address:	46 Taylor Rd Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
50% landscaping of open space, car parking ratio of 1 to 2, 9 m Front Setbacks	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	
Parking is in accordance with the City's LPP – Parking	

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	300
Submitter Name:	John McGuire
Submitter Address:	2 Granby Crescent, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
We support the adoption of the LPP.	
we further request the following amendments:	
Clause 4.2.1	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

RAC Facilities are preferred to be located:

- on a lot which has no more than two boundaries to an adjacent residential lot; and
- within proximity to an area of public open space, hospitals, medical centres, shopping precincts and high frequency bus routes.

The term “within proximity” is undefined and somewhat vague. In essence any site can be claimed to be “within proximity” regardless of distance.

R-Codes Vol 1 Part 5 section 5.5.2 P2 uses the term “close proximity” which although still undefined introduces some “reasonableness” bounds. Section 5.3.3 C3.1 offers useful guidance in terms of its reference to “250m from a high frequency bus route”. Such a criterion seems reasonable in terms of access to public open space and a high frequency bus route; with the high frequency bus route enabling further access to hospitals, medical centres and shopping precincts. If this were adopted the second bullet point could read:

- within 250m of an area of public open space and a high frequency bus route which provides easy access to local hospitals, medical centres and shopping precincts.

Clauses 4.3.3 and 4.3.4

To be consistent with LPS3, Part 1 section 9; R-Codes Vol 1, Part 5 section 5.2 (a) and Draft Position Statement: Residential aged care, section 5.2, minimum setbacks under clauses 4.3.3 2) b) (i) and 4.3.4 2) b) (i) of the draft LPP – Residential Aged Care should be increased from 6m to 9m.

Clause 4.9.1

Delete the words “Transport Impact Statement (TIS) or”. Developers should provide a detailed Traffic Impact Assessment (TIA) which integrates with the NCC’s own traffic model.

A TIS on its own is of very little value in assessing the impact a development will have on neighbourhood traffic.

Clause 4.11

Clause 4.11.7 is inconsistent with clauses 4.11.1 and 4.11.5.

The LPP - Parking Table 1 requires “a minimum of 12 car parking bays or 1 per every 4 beds (whichever is greater)”. It appears that this requirement may have been derived from R-Codes Vol 2 Table 3.9:

“1 bedroom dwellings—0.75 bays per dwelling

Visitors—1 bay per four dwellings up to 12 dwellings, and

1 bay per eight dwellings for the 13th dwelling and above”

modified to delete the requirement for resident car bays as residents do not hold drivers’ licences and to increase the visitor bay requirements above that required for apartment blocks – which is logical given that visitors will come to residents rather than vice versa.

Hence the LPP—Parking seems only to cater for visitors and does not address the need for staff parking. For residential aged care current total staffing ratios are typically 0.6:1—i.e. 0.6 full-time staff per resident. This covers nursing, administration and support services. Following release of the findings by the Royal Commission into Aged Care Quality and Safety staffing ratios are likely to increase to around 0.85. Allowing for the fact that not all staff will drive to work the ratio of

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

0.75 bays per dwelling in R-Codes Vol2 Table 3.9 seems about right to cater for staff parking needs.

Clause 7.2

Bullet point 3—staff numbers per shift as well as total numbers will be a more useful guide for assessing traffic impacts.

Further, shift changeover times and durations should also be included in the applicant's supporting report so the impact on other community services can be assessed—e.g. day care and school drop off/ pick-up times.

Pandemic Plan

Given the problems that have arisen in NSW and Victoria particularly with Residential Aged Care facilities and the COVID-19 pandemic it would be prudent for the LPP to request a COVID-19/Pandemic Plan as part of the supporting documentation which demonstrates how the proponent will contain an outbreak and prevent it from impacting the local community.

City Planning and Role Delineation

Residential aged care facilities have differing levels of care from Independent Living Units to Low Care to High Care. Each different level of care will, by nature, require a differing level of building servicing and building resilience. High Care facilities will require higher levels of servicing due to the care needs of the patients as well as their level of vulnerability. This has been exacerbated during COVID 19. The higher level of resilience will necessitate a building with access to greater support infrastructure for maintenance. Within this context High Care facilities should be located within zones in the City of Nedlands that are provided with the higher infrastructure resilience. Hospital/healthcare precincts are designed with higher levels of resilience, including access to more resilient HV power supply, communications networks, supplier access for medical gases and diesel storage (for standby generators) and fire brigade access. Efficient and effective city structure planning requires therefore that facilities of like use should be grouped together in close proximity. Within this context ILU care and low care could be readily accommodated in residential zones whilst High Care should be located in closer proximity to health precincts, and not within residential zones.

Response to Submission

See response to Submission 108.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	301
Submitter Name:	Peter Robins
Submitter Address:	10 Edward Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Response to Submission
Noted

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	302
Submitter Name:	Joan Robins
Submitter Address:	12 Edward Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	303
Submitter Name:	David Townsend
Submitter Address:	4 Broome Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Fully support this. We need sensible development which fits into the surrounding suburb. Don't believe developers who say I am against higher density. We don't want to go back to 60 / 70 s housing as done in the UK. The architects of the day told people how great it was and how wrong were they. The old high density low level terraced houses are the popular ones today.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	304
Submitter Name:	Catie Robins
Submitter Address:	10 Edward Street Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	305
Submitter Name:	Sam Robins
Submitter Address:	10 Edward Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	306
Submitter Name:	Tom Robins
Submitter Address:	10 Edward Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	307
Submitter Name:	Joshua Robins
Submitter Address:	10 Edward Street Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Summary of Submission:
I fully support the Residential Aged Care Facilities LPP.
Response to Submission
Noted

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	308
Submitter Name:	Kirshten Guerrera
Submitter Address:	46 Taylor Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1. 50% landscaping of open space 2. car parking ratio of 1 to 2 3. 9 metre front set back	
Response to Submission	
Setbacks – see response to Submission 2 Landscaping – see response to Submission 115. Parking is in accordance with the City's LPP – Parking	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	309
Submitter Name:	Laura Cutland
Submitter Address:	81 Melvista Avenue, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I find it incredible that the owner of a couple of blocks in a residential area can nevertheless apply to build a multi-storey facility that would be hugely disruptive to the area. Thank you for correcting this oversight.	
Response to Submission	
Noted	

Submissions Received	
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Submitter Number:	310

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Pamela Burt
Submitter Address:	3 Granby Crescent Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
50% open landscaping and 9m setback	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	311
Submitter Name:	Sheridan J Keenihan
Submitter Address:	58 Goldsmith Road Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the proposal to increase the setbacks and require more parking spaces.	
Response to Submission	
Noted	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	312
Submitter Name:	Alex Shepherd
Submitter Address:	83 Vincent Street, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the limit on scale and bulk of developments within residential zonings. This restriction will be essential in respecting and valuing the existing fabric of our community as it invariably develops. To this end I support a maximum building height of 2 storeys and 10m ht in our residential areas. I support recognition of existing setbacks within our residential areas and the stated minimum 6m front and side setbacks will be imperative to successfully integrating higher density developments.	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

I support provision of minimum 50% open space to provide the necessary setting in keeping with residential design provisions.

I support maximum plot ratio of 1.0 which is incredibly generous with regard to the extra potential for shared and common space provision.

Parking provision, covered by the LPP Parking is also an imperative consideration in successfully integrating these higher density developments and it is my hope that the recent amendments to the relevant LPP (Parking) will also address provisions for these developments.

Response to Submission

Noted

Submissions Received

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Submitter Number:	313
Submitter Name:	Edward Herron
Submitter Address:	91 Melvista Avenue, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
Aged Care Facilities planned to be built Doonan and Betty opposite Mason Gardens should be restricted to 10 mts high and 50% open space	
Response to Submission	
Noted	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	314
Submitter Name:	Andrew Morrissey
Submitter Address:	83 Vincent St, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support the newly drafted LPP on Aged Care. I support maximum building height of 2 storeys and 10m ht. I support minimum 6m front and side setbacks. I support minimum 50% open space. I support maximum plot ratio of 1.0. I support the above inclusions to the new LPP Aged Care as an improved framework to safeguard residential areas from inappropriate commercial development.	
Response to Submission	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Noted

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	315
Submitter Name:	Virginia Campbell
Submitter Address:	62 Goldsmith Rd Dalkeith
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support but am also of the view that there must be 9m street setbacks so that (point 4.4) the streetscape character can be achieved as intended and the existing neighbourhood character and amenity be retained as stated to be an important objective. There must be adequate parking on site and 50% landscaped open space.	
Response to Submission	
Setbacks – see response to Submission 2	
Landscaping – see response to Submission 115.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	316
Submitter Name:	Jan Offerman
Submitter Address:	45 Viewway Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I fully support the Residential Aged Care Facilities LPP	
Response to Submission	
Noted	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	317
Submitter Name:	Robert McLellan
Submitter Address:	Unit 9 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Support/Object/Comment:	Support
Summary of Submission:	
Betty/Doonan are narrow streets unsuited to commercial developments. Nursing home on site should have a 9m setback which should not count as open space.	
Response to Submission	
This Policy is for all Residential Aged Care Facility proposals throughout Nedlands, it is not specifically for the Betty/Doonan site. Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	318
Submitter Name:	Kathleen Reynolds
Submitter Address:	Unit 21 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
The facility proposed by Oryx at Betty/Doonan remains inappropriate. The whole project would impact unfavourably on my right to a peaceful rest of life.	
Response to Submission	
This Policy is for all Residential Aged Care Facility proposals throughout Nedlands, it is not specifically for the Betty/Doonan site.	

Submissions Received	
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Submitter Number:	319
Submitter Name:	Robyn Morgan
Submitter Address:	Unit 23 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Full 9m setback	
Response to Submission	
Same as Submission 2	

Submissions Received	
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Submitter Number:	320

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Name:	Lillian Maitland
Submitter Address:	Unit 19 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
NA	
Response to Submission	
NA	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	321
Submitter Name:	Colette Lucienne Pugin
Submitter Address:	Unit 13 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
NA	
Response to Submission	
NA	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	322
Submitter Name:	Maureen Caffin
Submitter Address:	Unit 10 Melvista Lodge, 69 Melvista Ave, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Setback should be the same as other buildings in Doonan and Betty Streets i.e. 9 metres.	
Response to Submission	
This Policy is for all Residential Aged Care Facility proposals throughout Nedlands, it is not specifically for the Betty/Doonan site. Same as Submission 2.	

Submissions Received	
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	323
Submitter Name:	Gurdeep Singh
Submitter Address:	Unit 12 Melvista Lodge, 69 Melvista Ave, Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
NA	
Response to Submission	
NA	

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	324
Submitter Name:	Davina Hannaford
Submitter Address:	Unit 4 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Set back to be 9 metres	
Response to Submission	
Same as Submission 2.	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	325
Submitter Name:	W.A Vernon
Submitter Address:	Unit 5 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
NA	
Response to Submission	
NA	

Submissions Received	
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ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Submitter Number:	326
Submitter Name:	Bette Menagh
Submitter Address:	Unit 1 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
NA	
Response to Submission	
NA	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	327
Submitter Name:	Cannot determine.
Submitter Address:	Unit 4 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
The following have not been resolved: - staffing and resident numbers; - Parking proposed - Incidental use is ambiguous - Noise will be all day with staff, deliveries, rubbish, DRs and visitors - In truth how many levels will there be?	
Response to Submission	
The draft LPP requires these details to be outlined in the application.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	328
Submitter Name:	Jim Lang
Submitter Address:	Unit 2 Melvista Lodge, 69 Melvista Ave Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Traffic congestion on neighbouring Betty/Doonan roads.	
Response to Submission	

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This Policy is for all Residential Aged Care Facility proposals throughout Nedlands, it is not specifically for the Betty/Doonan site. Each development will be required to submit a traffic management plan that will be assessed by the City's Engineering and Planning teams to determine its effectiveness.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	329
Submitter Name:	Planning Solutions on behalf of Oryx Communities
Submitter Address:	16-18 Betty Street and 73-75 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object

Summary of Submission:

- LPP is directly targets to constrain development of site to such an extent that a permitted land use cannot be feasibly achieved.
- LPP is reactive with no legitimate planning purpose.
- Clause 4.2 severely constrains the location of RACF's to a very limited number of sites within the City. This approach is counter to table 3 of the City's Local Planning Scheme 3 (LPS3, scheme) which allows the development of a RACF on any land zoned 'Residential' and 'Mixed Use'.
- The policy cannot include provisions that constrain or otherwise fetter the development of the subject site for a permitted use under the scheme.
- Clause 4.3.4 specifically applies to the subject site as it is zoned 'Residential' with no R-code and contains default provisions that apply specifically to the subject site including setbacks, height and plot ratio constraints and open space requirements.
- The above default provisions would severely constrain the development of the site for a functional RACF to the extent that the use would be unviable. The consequence of the site-specific controls is that a land use which is otherwise permitted cannot be developed. This does not serve a valid planning purpose.
- The default provisions can be varied by the implementation of a Local Development Plan (LDP) as indicated by clause 4.3.4(1). The clause references the 'Additional Use' area 'A9' and indicates an LDP is necessary to guide the development of the subject site. However, an LDP cannot be required by a policy as it is not one of the criteria set out by clause 47 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs). LDP an unnecessary additional layer, serving no planning purpose.
- The LPP definition of "plot ratio" references the scheme definition. The LPP fails to acknowledge the R-Codes definition of "plot ratio area" which also applies under LPS3. This is because the R-codes are read into the scheme. Given a RACF is a "residential facility", and the purpose of the R-codes is to control "residential development", and the development is on land zoned

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‘Residential’, it follows that the R-codes definition of “plot ratio area” best applies to a RACF developed on the subject site.
Response to Submission
- The LPP is in relation to all proposed Residential Aged Care Facilities in the City of Nedlands. The requirements of the LPP will affect all current and future proposals for development, not just the development at the Betty St/Doonan Rd site. - The LPP provides additional built form requirements for Residential Aged Care Facilities in Nedlands but does not seek to contradict Table 3 of LPS3. - It is acknowledged that a LDP requires the WAPCs consent. This requirement is proposed to be included as a Scheme Amendment, which would require WAPC consent prior to being included in the Scheme. - A Residential Aged Care Facility is a commercial development, not a residential development. The Scheme definition is the most appropriate terminology for use with this LPP.

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	330
Submitter Name:	Rowe Group on behalf of landowner of 71 Doonan Road Nedlands
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Support
Summary of Submission:	
- The City’s previous LPP – Residential Aged Care Facilities (in the form adopted at its May 2020 Council meeting) facilitated built form outcomes for the subject site which were totally unacceptable in the context of the surrounding locality, comprising single residential development with density codings of R10 and R12.5. - Support new version of LPP with modification: - Clause 4.3.4 (2) of the Draft LPP specifically relates to the subject site, given that it has no R-Coding shown on the Scheme Map and there is presently no approved LDP, structure plan, and/or activity centre plan applicable. Clause 4.3.4(2)(b) outlines the development provisions to be met within any application and these provisions will preserve the existing amenity of the surrounding residential locality, subject to the minimum street setback as specified in (b)(i) being increased from 6m to 9m. The effect of this change would achieve compatibility with established streetscape, demonstrate consistency with Clause 26(1)(a)(i) of the City’s LPS3, imposing a 9m front setback and ensure that any bulk and scale impacts associated with development on the subject site are minimised, in view of the increased wall and overall heights	
Response to Submission	
- See response to Submission 2 in relation to setback requirements.	

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Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	331
Submitter Name:	Element on behalf of Lisle Villages Inc.
Submitter Address:	69 Melvista Avenue Nedlands
Residence within Nedlands?	Yes
Support/Object/Comment:	Object
Summary of Submission:	
- The draft LPP seeks to implement a maximum building height of 2 storeys. This is a substantial reduction from the City's previous Residential Aged Care Facilities LPP which was adopted as recently as 29 April 2020 and provided for a building height of 4 storeys to be considered at the site. - The draft Policy also proposes much greater street and side lot boundary setback requirements from what was contained in the original policy (i.e. 6m in lieu of 2m-3m). - The characteristics of the subject site, being significant lot area (i.e. 4,392m²), positioning in the street block, being separated by road from neighbouring low density residential lots to the east and west, directly interfacing public open space to the south, should provide for a four storey building height to be considered. - It is these unique attributes which would provide building massing to be appropriately managed on site to provide for a positive built form outcome. - It is further considered that abutting lots immediately to the north (also subject to the Additional Use No.9 Local Planning Scheme No.3 provisions) can provide an appropriate built form transition to the neighbouring northern lower density residential lots. - Subject site currently occupies an aged care facility (Melvista Lodge) which offers residents access to local amenities including high quality public open space and the Waratah Avenue Centre. - A bus stop is directly outside the facility and offers public transport options to the QUEII medical precinct, Claremont Shopping Centre and the CBD. The site is highly appropriate to accommodate a Residential Aged Care Facility, and the planning framework and associated development controls should provide for increased development opportunities. As such it is requested the controls under Clause 4.3.4 2b) are revised to provide for a 4-storey building height with additional guidance to manage built form, streetscape and building interface, to be addressed as part of any future proposal. - Plot ratio of 1.0, a minimum of 50% open space and a maximum height of 2 storeys provides for a fixed built form outcome and is not supported. A plot ratio of 1.0 and a 4-storey height limit (as was contained within the original policy) provides for building bulk to be distributed on the site and minimise bulk to the street. - Under Clause 4.3.4(2)(a) the draft Policy seeks to apply a density code of R12.5 to the subject site for the purposes of residential development proposals. As the policy is only applicable to Residential Aged Care	

ATTACHMENT 1 – SCHEDULE OF SUBMISSIONS

Facilities, the City cannot apply this provision through the draft policy which does not apply to residential development. It is therefore requested this provision is removed. Furthermore, as discussed above, built form can be managed effectively on site to provide for increased development opportunities without impacting on the character of the locality. - Limiting the residential development potential of the site restricts opportunities for the development of 'Aged/dependent persons dwellings' or other innovative options such as integrated developments with Residential Aged Care and Residential units. We additionally note that as Clause 4.3.4 applies to sites without an R-Code that clause 2(c) is not operational as an acceptable outcome is not prescribed. - Amendment No.10, recently adopted by the City for advertising in April 2020, and draft LPP both seek to provide for the preparation of a LDP to set out controls for the site which amends the applicable default provisions. We support the City's position that an LDP may be prepared for the site noting that approval to prepare an LDP will still be required from the WAPC. Support for the preparation of an LDP is premised on future redevelopment of the subject site occurring independently of the abutting sites with the A9 Additional Use immediately north.
Response to Submission
- The proposed draft LPP is relevant to all Residential Aged Care Facilities proposed in the residential and mixed-use zones within the City, not just the A9 sites. - However, in relation to the A9 sites, its proximity to the low density R12.5 lots has led to the decrease in height and plot ratio and increase in open space and setback requirements. These built form requirements are considered to influence development to be more in keeping with the amenity and low-density residential streetscape of the area. - Under Clause 4.3.4(2)(a) the draft Policy seeks to apply a density code of R12.5 – this is noted and will be further investigated by administration. - Clause 4.3.4 2(c) – this is noted and will be further investigated by administration. - It is acknowledged that a LDP requires the WAPCs consent. This requirement is proposed to be included as a Scheme Amendment, which would require WAPC consent prior to being included in the Scheme.

11. Lot 3 (no. 3/29) Asquith Street, Mt Claremont – Change of Use from Lunch Bar to Restaurant Use

Council	3 September 2020
Applicant	Glenn Chapman
Landowner	Van Sau Le and Thi Ngoc Bich Ho
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Type Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
Reference	DA20-51047
Previous Item	Nil
Delegation	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Plans 2. Proposal Report 3. Car Management Plan 4. Noise Management Plan 5. Liquor Management Plan 6. Summary of Submissions
Confidential Attachments	1. Submissions (CONFIDENTIAL)

Regulation 11(da) - Council determined that the parking shortfall was manageable in terms of the proposed land use and therefore the proposal should be approved.

Moved – Councillor McManus

Seconded – Councillor Smyth

Council Resolution

Council approves the development application for Lot 3 (no. 3/29) Asquith Street, Mt Claremont – Change of Use from Lunch Bar to Restaurant Use received on 16 July 2020 in accordance with the plans date stamped 16 July 2020 and amended plans dated 6 August 2020 attached hereto and subject to the following conditions:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. This development approval only pertains to a Change of Use to Restaurant as defined in the City of Nedlands Local Planning Scheme No 3.**
- 3. A maximum of 70 seats shall be available for customers of the Restaurant premises at any given time.**
- 4. Prior to the commencement of the use, a Universal Access Toilet being provided within the existing toilet facilities on the property. (Refer to Advice Note a.)**
- 5. The approved Restaurant is to operate:**
 - Sunday – Thursday between 2:30pm to 9:30pm (alfresco area until 8:30pm); and**
 - Friday – Saturday between 12pm to 10:30pm (alfresco area until 9:00pm).**
- 6. Pedestrian access is to be maintained at all times adjacent to the alfresco dining area (Refer to Advice Note b.)**
- 7. Prior to the commencement of the approved Restaurant use, a Waste Management Plan must be prepared to the satisfaction of the City of Nedlands. It must include the following detail:**
 - a. the location of bin storage areas and bin collection areas;**
 - b. the number, volume and type of bins, and the type of waste to be placed in the bins;**
 - c. management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and**
 - d. frequency of bin collections.**

The approved use must operate in accordance with the Waste Management Plan at all times, for the duration of the use. (Refer to Advice Note c.)
- 8. Bin stores must be located behind the street alignment so as not to be visible from a street or public place and constructed in accordance with the City's Health Local Law 1997. (Refer to Advice Note (d).)**
- 9. All entertainment must only be provided inside the premises and be restricted to low level background music only, sufficient to allow normal conversation to occur. (Refer to Advice Note e.)**

- 10. Service and/or delivery vehicles must not service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless prior approval from the City of Nedlands is granted.**

Advice Note:

- a. In relation to Condition 4, accessible sanitary facilities for people with disabilities is required under the Australian Standards AS1428 due to the numbers of patrons (70 Patrons and 8 Staff) for the Restaurant premises. A Universal Access Toilet will be required to be constructed in accordance with Part F2.3, Part F2.4 and Part F2.5 of the National Construction Code – Building Codes of Australia Vol. 1 2019 (NCC BCA, Vol.1 2019). A building permit is required to be obtained for the construction/works prior to being undertaken with the City's Building Services.**
- b. In relation to Condition 6, pedestrian accessibility adjacent to the alfresco dining area is to be in accordance with NCC BCA, Vol.1 2019.**
- c. In relation to Condition 7, the applicant is advised that the waste management plan is required to include but is not limited to the following details:**
- Details of collection times and methods;**
 - A noise management plan detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 for any waste proposed to be collected between the hours of 7pm to 7am;**
 - Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles; and**
 - Methods to ensure all waste is to be placed in a tidy and orderly manner in and around the bin storage areas and vicinity of the site.**
- d. In relation to Condition 8, the restaurant premises is to be provided with a bin store which meets the following requirements:**
- Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;**
 - 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;**
 - Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;**
 - Easily accessible to allow for the removal of the receptacles; and**
 - Provided with a tap connected to an adequate supply of water.**

- e. In relation to Condition 9, all noise levels must comply with the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) which includes the Restaurant premise and alfresco dining area.
- f. A separate development application is required to be submitted to and approved by the City prior to increasing seating numbers.
- g. An application for Occupancy Permit with an associated Certificate of Building Compliance (BA18) shall be lodged with the City's Building Services for approval to formalise the works and operations for the Restaurant use.
- h. The Restaurant premises require facilities to be provided in accordance with Part F2.3 and Table F2.3 of the NCC BCA, Vol.1 2019 as follows:
 - Male facilities (including staff), 1 pan, 1 urinal and a washbasin.
 - Female facilities (including staff), 2 pans, 1 washbasin; and
 - Staff and public may share facilities under Part F2.3.d.
- i. Commercial clean and pest treatment of kitchen to occur (before opening) with certificates provided to the City's Health Services.
- j. Prior to commencing the Restaurant, the premises shall receive an inspection from an Environmental Health Officer at the City which cites that the Food Business may commence.
- k. This decision does not obviate rights and responsibilities of strata owners under the Strata Titles Act 1985, which may require additional consultation and/or permissions from the stratum, prior to the commencement of works.
- l. The applicant is advised that a Liquor License is required from the Department of Local Government, Sport and Cultural Industries in accordance with the Liquor Control Act 1988.
- m. Advertising signage does not form part of this application and may be require separate development approval.
- n. Any relevant COVID-19 safety measures shall be adhered to in accordance with Western Australian Government's issued guidelines and advice including the preparation of a COVID Safety Plan in line with the current COVID Safety Guidelines: Food and Licensed Venues.
- o. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.

- p. The applicant is advised that all development must comply with this planning approval and approved plans at all times. Any development that is not in accordance with the planning approval, including any condition of approval, may be subject to further planning approval by the City.**

CARRIED UNANIMOUSLY 13/-

Recommendation to Council

Council refuses the development application dated 16 July 2020 for a Change of Use from 'Lunch Bar' to 'Restaurant' use at Lot 3 (No. 3/29) Asquith Street, Mt Claremont for the following reasons:

1. The proposal does not satisfy Schedule 2 Clause 67 (x) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the development will have a detrimental impact upon the amenity of locality including adjacent residential R20 zoned lots.
2. The proposal does not satisfy Clause 9(a) – Aims of Scheme under the Local Planning Scheme No. 3 as the development will not protect and enhance the local character and amenity of the area, as a result of the 29 car parking bay shortfall proposed, exacerbating the already limited car parking provided in the Local Centre area.
3. The proposal does not satisfy the community vision for the Local Centre which is to protect the established character and streetscape of the residential areas in accordance with Clause 9(b) – Aims of Scheme under the Local Planning Scheme No. 3.
4. The development will increase the car parking shortfall for the site which will adversely impact the amenity of the adjoining residential area surrounding the Local Centre in accordance with Clause 16 – Zone Objectives of the Local Planning Scheme No. 3.
5. The proposal does not satisfy the objectives of the City's Local Planning Policy – Parking as the proposal results in an increased 29 car bay shortfall and is unable to provide adequate parking onsite.

1.0 Executive Summary

The purpose of this report is for Council to determine a Development Application received from the applicant on 16 July 2020 and amended plans received on 6 August 2020 for a Change of Use from 'Lunch Bar' to 'Restaurant' use at Lot 3 (No. 3/29) Asquith Street, Mt Claremont (the subject site).

The 16 July 2020 and 6 August 2020 plans were advertised to adjoining neighbours in accordance with the City's Local Planning Policy - Consultation of Planning Proposals. At the close of the advertising period 8 submissions were received (4 in support, 1 partial support and 3 objections).

It is recommended that this application be refused as the proposed increase in parking shortfall of 29 car bays resultant from the Change of Use application, is likely to result in adverse impacts on the local amenity. The City's Technical Services Unit has also identified that the parking issues around the Asquith Street local centre could be exacerbated by the increased car parking shortfall identified as part of the development application.

2.0 Background

3.1 Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Local Centre
R-Code	R60
Land area	2023m ²
Additional Use	No
Special Use	No
Local Development Plan	No
Structure Plan	No
Land Use	Existing – Lunch Bar
	Proposed – Restaurant
Use Class	Proposed – 'P' permitted

3.2 Locality Plan

The land subject to this application is Unit 3/29 Asquith Street, Mount Claremont (the subject site).

The property No. 29 Asquith Street, Mt Claremont is a local centre and is bound by Annie's Playschool and a public playground at No. 25 Strickland Street on the northern boundary, Strickland Street on the eastern boundary, Asquith Street on the southern boundary and Olearia Lane on the western boundary.



Figure 1 – Zoning Map



Figure 2 – Aerial Map

The property No. 29 Asquith Street, Mt Claremont is an existing Mixed Use Development containing 10 non-residential tenancies on the ground floor facing Asquith Street and Strickland Street and four residential units on the second level facing Strickland Street. The Mount Claremont Village Bakery, Deli Chicchi, Mount Claremont Pharmacy and Mount Claremont Post News and Gift store are a few businesses currently operating on the site.

The property is also identified as being located within the Mt Claremont West Precinct under the City's Local Planning Strategy.

There are 12 on-street car bays abutting the eastern frontage of the site and another 12 on-street car bays abutting the southern frontage of the site. There is also a dedicated public car parking area containing 18 car bays located to the west of the site at the corner of Rochdale Road and Asquith Street, which is owned by the City.

On 21 July 2020, the City issued a temporary approval for a Change of Use from 'Lunch Bar' to 'Restaurant' use for the subject site (DA20-51035). The temporary approval is only valid for a period of 4 months and permits a maximum of 20 patrons at the premises. This temporary approval ceases on 18 November 2020.

3.0 Application Details

The applicant seeks development approval for a Change of Use from 'Lunch Bar' to 'Restaurant' use. Details of the proposal is as follows:

- The restaurant will seat up to 70 people at one time (50 persons inside and 20 persons outside in alfresco area).
- The restaurant will employ a total of 8 staff members including 3 chefs.
- Business trading hours are:
 - Sunday – Thursday between 2:30pm to 9:30pm (alfresco area closes at 8:30pm); and
 - Friday – Saturday between 12pm to 10:30pm (alfresco area closes at 9:00pm).
- Background music is proposed to be played inside the restaurant only.
- No car parking is proposed as part of this application.

Due to the proposed permanent increase in patron numbers (up to 70 persons), the applicant has agreed to provide a Universal Access Toilet (UAT) for people with disabilities in accordance the National Construction Code – Building Codes of Australia 2019 (BCA). The proposed UAT addition will be located within the existing toilet facilities between Unit 3 and 4 of the property.

The application was referred internally to the City's Technical Services, Building and Environmental Health Departments for comment. Both the City's Building Services and Health Services Units are satisfied with the addition of a UAT to facilitate the permanent increase in patron numbers for the proposed development required under the BCA. The application was not supported by the City's Technical Services Department on account of the lack of onsite car parking.

4.0 Consultation

The proposal seeks a car parking variation under the *Local Planning Policy – Parking*. The development application was therefore advertised in accordance with the *City's Local Planning Policy – Consultation of Planning Proposals* by

way of letter for 14 days within a 100m radius of the subject site. The application was advertised to 91 landowners and occupiers.

During this advertising timeframe a total of 8 submissions were received (4 in support, 1 conditional support and 3 objections). The main issues raised in the submissions relate to:

- Car parking / Traffic;
- Trading hours;
- Noise impact;
- Liquor License;
- Waste Management; and
- Alfresco dining area concerns.

Due to the length of submissions, the summary of submissions is presented as a separate attachment to this report. Refer to **Attachment 6** for the submission table which outlines the comments received and administration's response to each submission.

All issues raised from the submissions have been considered under the report.

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

5.0 Assessment of Statutory Provisions

6.1 Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, clause 67 (Matters to be considered by local government) stipulates those matters that are required to be given due regard to the extent relevant to the application. The City has assessed the application in accordance with the Local Planning Schemes (LPS) Regulations, the assessment of which is provided in the table below against the relevant provisions:

Provision	Assessment
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	Refer to Section 6.2.1 below for an assessment against clause 9 of the City's Local Planning Policy No.3 (LPS3) – Aims of Scheme.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme	Nil.

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;	
(c) any approved State planning policy;	Nil.
(g) any local planning policy for the Scheme Area;	The development proposal has been assessed in accordance with the City's <i>Local Planning Policy – Parking and Local Planning Policy – Waste Management</i>. The proposal will result in a car parking shortfall.
(m) 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;	The Zoning Table in LPS3 classifies all Restaurant uses as a 'P' permitted use in the Local Centre Zone, subject to meeting any relevant standards and requirements of the Scheme. Whilst the suitability of the land use is not in question, the proposal must also be assessed against scheme provisions relating to car parking. Clause 32.1 (1) requires that <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> Council must also consider clause 32.2 where the City <i>may permit part or all of the shortfall to be provided through an agreement to share car parking space(s) on an adjacent site (shared site)</i>. Currently there is no shared car parking agreement between the City and the property at No. 29 Asquith Street, Mt Claremont. The proposed Restaurant use will operate in an existing tenancy (Unit 3) with no modifications to the tenancy's external façade.

	The proposed addition of the UAT located in the existing toilet facilities area will unlikely result in changes to the built form of the existing Mixed Use Development.
(n) 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) The proposal is not considered to have any environmental impacts. (ii) The City considers the proposed Restaurant use is consistent with the Local Centre character. (iii) The proposal will provide employment and consolidate the Asquith Street Local Centre which is an identified active focal point for the local community.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation should be preserved.	The proposal does not impact upon any vegetation nor street trees within the immediate vicinity.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	The proposed Restaurant use supports Asquith Street local centre, consistent with the objectives of the Mt Claremont West Precinct under the City's Local Planning Strategy by offering a local dining experience to the community. However, whilst the proposed Restaurant use is not considered to adversely affect the community vision for the development of the precinct. The associated car parking shortfall of 29 car bays will impact upon the residential amenity surrounding the Asquith Street local centre, resulting in the likelihood of vehicles spilling over into nearby residential streets and further exacerbating the limited car parking available on the property No. 29 Asquith Street, Mt Claremont (only 8 car parking bays available) and pressure on the City's on-street car parking bays around the local centre.

6.2 Local Planning Scheme No. 3

6.2.1 – Clause 9: Aims of the Scheme

Requirement	Proposal	Satisfies
a) Protect and enhance local character and amenity	The Asquith Street local centre itself is characterised with a mixture of shops, liquor store, Restaurant/Cafes and residential units. To the west of the subject site is a small pocket park and public car park containing 18 bays on zoned land owned by the City. The area surrounding the Local Centre zone is characterised by predominately residential houses zoned R20. The proposed Restaurant use is considered to be compatible with the mix of businesses within the Local Centre zone in the Mt Claremont West Precinct. However, the proposed 29 car parking bay shortfall derived from the Change of Use from 'Lunch Bar' to 'Restaurant' will exacerbate the limited car parking provided on site already and will impact negatively upon local residential amenity surrounding the subject site.	No
b) Respect the community vision for the development of the district;	The increased car parking shortfall resulting from the change of use does not respect the community vision of the Mt Claremont West Precinct in respect to the protection of the established character and streetscape of the residential areas because the subject site is located in close proximity to R20 zoned residential lots, the lack of car parking provided on site able to service the restaurant will most likely push cars to park in the surrounding residential streets. This would likely result in some detrimental impact on the existing residential streetscape and additionally strain existing on-street car parking bays provided for visitors to the centre.	No

c) Achieve quality residential built form outcomes for the growing population;	The development does not negatively impact this objective.	Yes
d) To develop and support a hierarchy of activity centres;	A Restaurant use is a 'P' permitted land use in the Local Centre zone under the LPS3.	Yes
e) To integrate land use and transport systems;	The development is located within the local centre on Asquith Street which is categorised as a Local Distributor in the City of Nedlands Functional Road Hierarchy. Based on Transperth data, there is a bus service (Bus 24) which operates along Asquith Street and is able to service to the local centre.	Yes
f) Facilitate improved multi-modal access into and around the district;	The site can be easily accessed via footpaths existing within the surround area.	Yes
g) Maintain and enhance the network of open space	The proposed development does not impact the City's network of open space.	Yes
h) Facilitate good public health outcomes;	The development is not considered to adversely affect the desired public health outcomes.	Yes
i) Facilitate a high-quality provision of community services and facilities;	The development is not considered to adversely affect the community services or facilities and will contribute to the viability of the local centre.	Yes
j) Encourage local economic development and employment opportunities;	The development is considered to positively contribute to the support of a local business that is currently operating on site as The Village Pantry and Pizza. The proposal will employ 8 staff members and support economic recovery efforts in Western Australia due to the COVID-19 pandemic.	Yes

k) To maintain and enhance natural resources;	The development does not negatively impact this objective.	Yes
l) Respond to the physical and climatic conditions;	The development does not negatively impact this objective.	Yes
m) Facilitate efficient supply and use of essential infrastructure;	The development does not negatively impact this objective.	Yes

6.2.2 – Clause 16: Local Centre Zone Objectives

Requirement	Proposal	Satisfies
To provide a range of small-scale retail and service uses for the immediate neighbourhood, that are easily accessible, but which do not adversely impact on the amenity of adjoining residential areas.	The proposed Restaurant use located within the Local Centre zone, will offer a local dining experience for the community within the Mt Claremont West Precinct. The subject site can also be accessed by public transport. However, the proposed Change of Use from 'Lunch Bar' to 'Restaurant' use will exacerbate the lack of car parking available within the local centre area. The proposed car parking shortfall increase of 29 car bays will adversely impact upon the amenity of the surrounding residential area, potentially causing vehicles to be parked in residential areas.	No
To focus on the main daily household shopping and community needs.	The proposed Restaurant use is another dining option within the Local Centre zone.	Yes
To encourage high quality, pedestrian friendly, street-orientated development.	The development does not negatively impact this objective.	Yes
To ensure non-residential uses are located at street level and are compatible with adjoining residential uses.	The proposal is located within an existing tenancy located at street level facing Asquith Street ensuring good street activation.	Yes

6.3 Policy/Local Development Plan Consideration

6.3.1 Local Planning Policy – Parking

Policy Objective			
3.1 To facilitate the development of sufficient parking facilities for cars and other wheeled vehicles.			
Policy Requirement			
Table 1: Parking Requirements			
Land Use		Minimum no. of Car Parking Bays Required	
Lunch bar Restaurant/café Fast food outlet		1 per 2.6m ² of restaurant seating area or 1 per 2 persons (whichever is greater).	
Proposed			
Car Parking Assessment Table			
Land Use		Patron numbers or restaurant seating area	Car parking Requirement (1 per 2.6m ² of restaurant seating area or 1 per 2 persons (whichever is greater)).
Existing Approved	Lunch Bar	12 persons	6 car bays
Proposed	Restaurant	70 persons or 82.5m ² of seating area	35 car bays
Car Parking Shortfall from Change of Use			29 car bays
Existing car bays allocated for the subject site			0
Administration Assessment			
The proposal does not include the provision of car parking on site. Therefore, a variation to Table 1: Parking Requirements is required. Clause 5.2 of the City’s LPP – Parking, enables variations to be determined in accordance with the objective of the policy. The applicant is seeking a variation to the car parking requirement and submitted written justification addressing the objective of the policy as follows: • The Restaurant offering dinner service will not conflict with businesses in the Asquith Local Centre that mostly close after 6pm and may result in more car parking availability around the surrounding local centre at night for Restaurant patrons to use. • The proposal anticipates patrons will be locals who will walk, cycle and use public transport rather than drive when dining at the premises. • A copy of the applicant’s Proposal Report and Car Parking Management Plan can be reviewed further in Attachment 2 and 3. Whilst clause 34(2) of the LPS3 enables a local government to approve an application for development approval that does not comply with an additional site and			

development requirements, such a development may only be approved under clause 34(5) of the LPS3, if the local government is satisfied that:

(a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and

(b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

In Administration's view, the proposal does not meet the policy objective of the City's LPP- Parking, being an additional requirement of LPS3, for the following reasons:

- The proposed Restaurant use requires provision of 35 car parking bays. Accounting for the 6 bay dispensation associated with the existing Lunch Bar use, an additional 29 car bays are required to support the proposed Restaurant use. No car bays are proposed on site as part of the application.
- There are 8 car parking bays which service the mixed use development at No. 29 Asquith Street and these are shared amongst 10 non-residential tenancies and 4 residential units in the local centre.
- The increased car parking shortfall attributed to the Restaurant will further exacerbate the insufficient supply of car parking on site, place additional demand on the on-street parking abutting the centre and result in cars parking within the surrounding residential streets.

Furthermore, the City's Technical Services Unit has also identified that the parking availability around the Asquith Street local centre (owned by the City) could be exacerbated by the increased car parking shortfall identified as part of the development application.

6.4 Planning and Development Amendment Bill 2020

On 23 June 2020, the Western Australian Government passed the Planning and Development Amendment Bill 2020 (the Amendment) which are reforms to simplify Western Australia's planning system and boost the State's economic recovery from COVID-19. One planning reform initiatives is to remove development applications for small business to pay cash-in-lieu for parking shortfalls up to 10 bays.

The development presented to Council is seeking an increased car parking shortfall variation of 29 car bays for the proposed Change of Use from 'Lunch Bar' to 'Restaurant' and exceeds the car parking amount exempted from requiring a development application under the Amendment.

6.5 Proposed Planning and Development (Local Planning Schemes) Regulations 2015 Amendment

The Department of Planning, Lands and Heritage is currently progressing changes to the Planning and Development (Local Planning Schemes)

Regulations 2015 (LPS Regs) to address further reform measures that will support development activity and job creation.

The first tranche of changes which are currently open for public comment until 18 September 2020, includes a new provision (clause 61(2A)) that exempts the 'Restaurant' use from requiring development approval where the Restaurant is within a Commercial, Centre or Mixed Use zone. There are no applicable conditions for this exemption.

It also includes provisions under new Part 9A and clause 77(C) that exempts minimum car parking requirements in certain circumstances, including for non-residential development uses that are exempt from planning approval at clause 61.

In all other cases, the Planning and Development (Local Planning Scheme) Regulations 2015 will include a standard and consistent clause which allows variations to minimum car parking standards where:

- Reasonable efforts have been made to provide required parking on site.
- The car parking to be provided will meet the demands of the development having regard to the likely use of parking, the availability of off-site parking, and the likely use of alternative means of transport.

The implication for the proposed application is that if the proposed amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* are adopted, the current car parking requirements under clause 32.1 (1) of LPS3 and under *LPP- Parking* will not apply to the proposed Restaurant use in the Local Centre zone.

However, it should be stressed that the proposed modifications to the LPS Regs are draft only and subject to further changes. Based on this, the proposed development and car parking shortfall is to still be assessed under the current planning framework.

6.0 Conclusion

The proposed Change of Use from 'Lunch Bar' to 'Restaurant' use is a more intense form of development than what currently exists on site and results in an increased car parking bay shortfall of 29 bays.

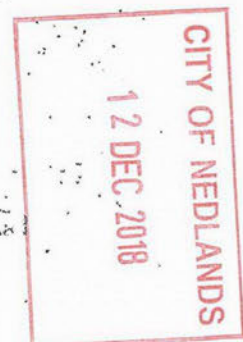
The proposal does not adequately satisfy:

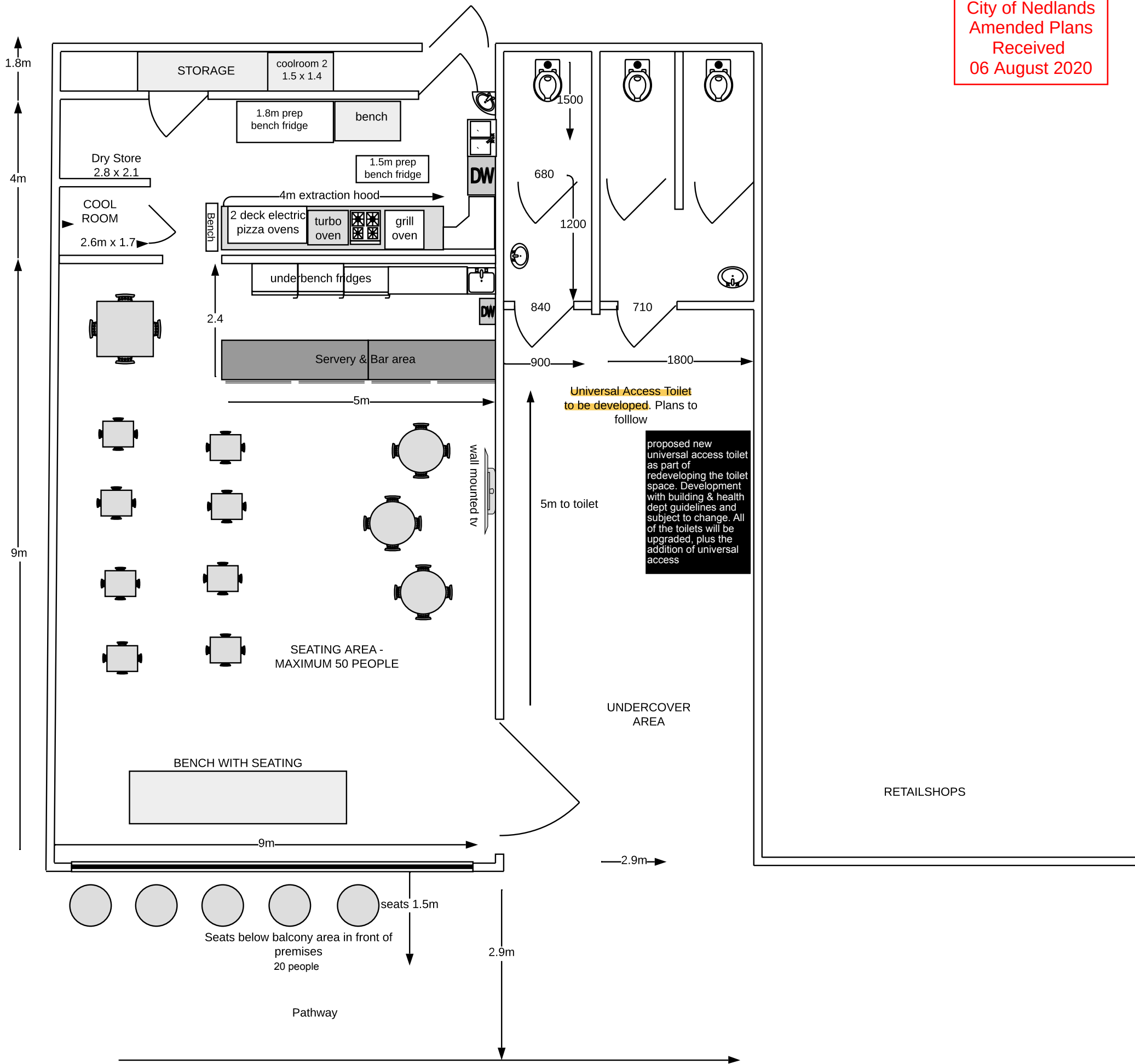
- Schedule 2 Clause 67 (x) of the Planning and Development (Local Planning Schemes) Regulations 2015;
- The aims of the scheme under Clause 9(a) and (b) of the LPS3;
- The Local Centre Zone objectives under Clause 16 of the LPS3; and

- The objectives of the City's Local Planning Policy – Parking;

which will result in adverse impact upon the local residential amenity within the Mt Claremont West Precinct.

Accordingly, it is recommended that the application be refused by Council.

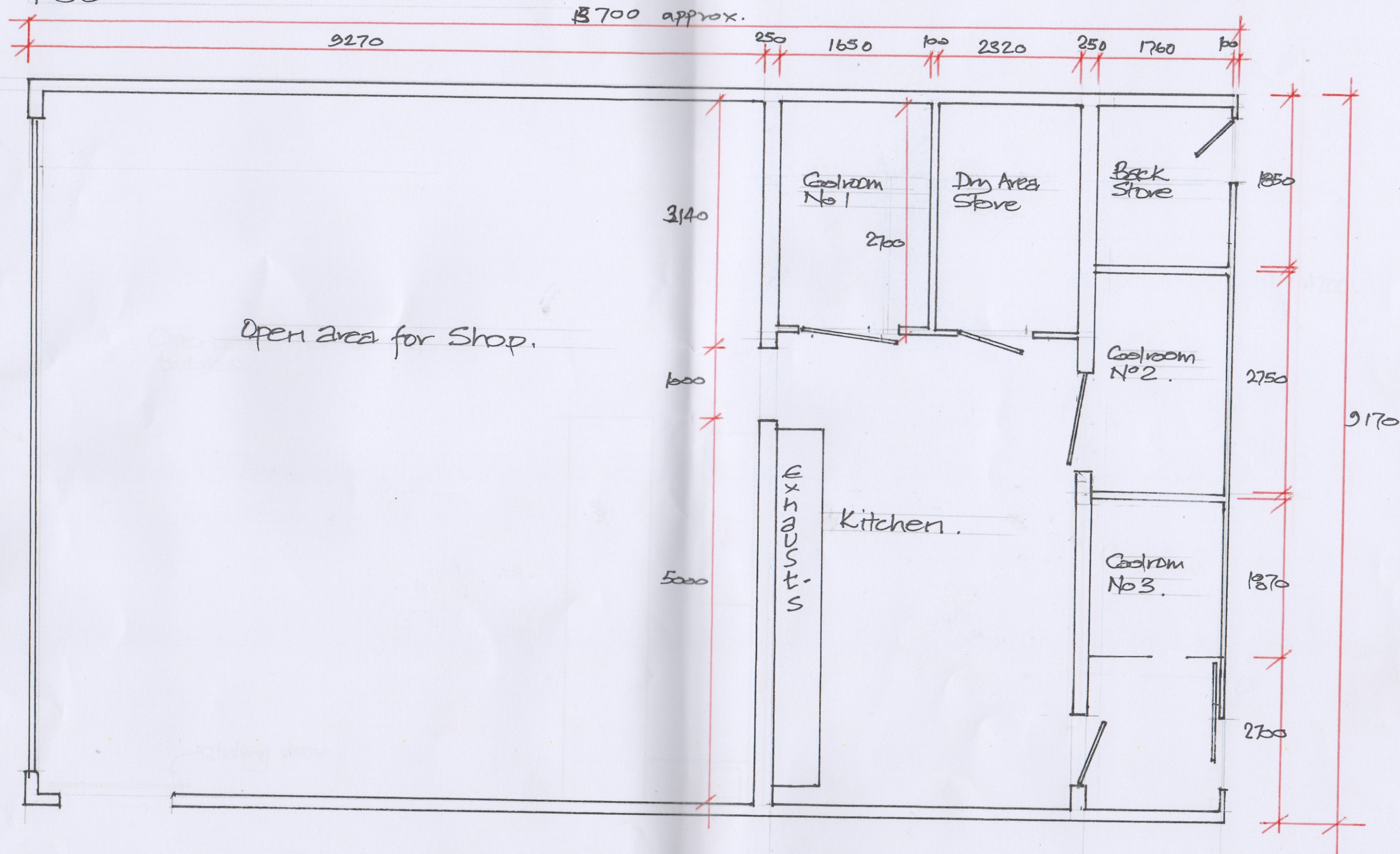




City of Nedlands
Received
16 July 2020

Drawings for
Mr Glen Chapman:
Existing Layout to Pizza/Italian Cafe.

Scale
1:50



**Proposal Report – Change of Use from ‘Lunch Bar’
to ‘Restaurant’ Use**

**3/29 Asquith St, Mt Claremont
The Village Pantry Restaurant**

Proposal Justification

I have owned a business, at the above premises, for the last 18 months which has been a delicatessen and take away food business. I propose to make it into an Italian & Pizza Restaurant. I also own the local café two doors away, Deli Chicchi, and have done for the past nine years serving breakfast through to lunch and the early evening.

It has become evident that there is demand for evening sit down meals rather than take away, with many people choosing to sit on the seats and benches provided to consume food rather than take away to eat at home, especially so during the warmer months.

As such, there is not another restaurant within the local area. I propose to add a restaurant liquor license to the premises, and in doing so have relinquished the same liquor license at Deli Chicchi to facilitate this application.

I have applied for the license and the only thing stopping me getting the license immediately is approval from the City. The liquor licensing board have approved up to seventy-five patrons at any one time.

There are no other licensed premises within the local area. Liquor will be served at a table by trained staff and patrons must be seated. Liquor will be promoted as ancillary to a meal.

This will be the first time that Mt Claremont will have had its own true local restaurant with the option to have a glass of wine or cold beer.

Restaurant Operation Hours

The business will operate during the following hours:

- 2.30pm – 9.30pm Sunday – Thursday (Alfresco area till 8.30pm).
- 12pm – 10.30pm Friday & Saturday (Alfresco till 9.00pm).

Alfresco dining will finish at 8.30pm Sunday to Thursday and 9.00pm Friday & Saturday when patrons will have to move inside or leave the venue.

We will not open until 2.30pm midweek but would like the option to open earlier for possible lunchtime functions, therefor we will apply for the option to open at 12pm midweek.

The restaurant will seat up to 70 people at any one time. Of the 70 there can be a maximum of 50 people inside across the various table and seating configurations, with the balance outside seated underneath the balcony, directly outside the venue.

Please note that 70 patrons are less than Deli Chicchi, a number I have managed for the last 9 years and next door to this proposal. Deli Chicchi has had a liquor license for the last 6 years,

with no complaints to the liquor licensing board or from locals. We have traded from 7am until early evening, up until 8pm. **There have been many private functions and parties serving liquor into the evening.**

The liquor licensing board have agreed I can have 75 patrons based on the current toilet situation with a restaurant license. The license will enable liquor to be served at a table when patrons are seated. There will be no standing, and the primary aim of the business is to provide family meals in a relaxed environment with the option to have a drink.

Universal Access Toilet

As part of the proposal there are plans to upgrade the toilet facilities at the centre which are immediately outside the premise. This upgrade importantly will include a newly built Universal Access Toilet which will serve people with disabilities. Plans for the toilet block upgrade will be subject to building and health regulations. This upgrade will benefit the whole shopping centre and all locals, not just customers of the restaurant.

COVID 19

Seating will be reduced to 34 patrons inside based on the current 2 sqm restrictions and would be reduced further if demanded by the Govt due to health risks.

Positive Impact on the Locality

Locals currently have to travel over 3km to have the option of an early evening meal (based on Google maps driving from Strickland St to Claremont 3.8km).

The business is aimed at a family market with menus to cater for all and this will not change. The applicant understands its responsibility to operate any business under best practice and understands its obligation to its neighbours. The owner has demonstrated this during the past nine years at Deli Chicchi. All efforts will be made to ensure noise is kept to a minimum, indeed there is only a quiet background music ever played inside the premises. The premises themselves have acoustic ceiling and wall coverings fitted to minimize noise.

With over 9 years trading experience at Deli Chicchi we have an unbelievably high level of support from locals who are excited at finally having a true restaurant on their doorstep, our motto is to provide:

A relaxed, upmarket establishment where both quality adult and family time can be enjoyed sampling a fresh, ever changing menu.

Service from staff that are highly trained and attentive to the business values and trained fully to the mandatory training requirements of a licensed premises. Working within strict parameters outlined in a thorough house policy, code of conduct and management plans.

Employment

The restaurant will employ up to 8 people including 3 chefs. It is hoped half of the staff will be local.

Summary

These have been difficult times for small business, especially hospitality. I have been unfortunate enough to own two such businesses during the pandemic but managed to keep trading from The Pantry as I closed Deli Chicchi. I managed to keep 7 people employed. The community ensured I kept 7 people employed.

I reopened the businesses recently and believe that there is significant local demand for a boutique, small restaurant in the area. I must change my business model to survive and adapt to the market and its desires. Mt Claremont is a close-knit community, and I am confident that with experience gained over the last nine years I can deliver a business that will be totally embraced by the locals.

On a personal level, I believe there are few people with the same work ethic and dedication to the industry I love. Plans for retirement in 3 years have been knocked back by at least another 3 years due to the financial impacts of the pandemic. Mount Claremont is a community I love, and I believe this community will support me and make this business a success and a valuable addition to the local amenity.

I need the council to support me in this effort

Car Parking Management Plan

**3/29 Asquith St, Mt Claremont
The Village Pantry Restaurant**

Shopping Centre Overview

The restaurant will trade from 2.30pm during the week and 12pm weekends. We are however hopeful to have the occasional lunch meetings booked in the premises, so we are applying for opening hours from 12pm during the week. Custom during the day is quiet but does cater a little for school mums for a coffee and bite to eat before and after child pickup. There will be little use of the car parking facilities during the day and will be the same as has been for the last 18 months.

The business will operate during the following hours:

- 2.30pm – 9.30pm Sunday – Thursday (Alfresco area till 8.30pm)
- 12pm – 10.30pm Friday & Saturday (Alfresco area till 9.00pm)

The restaurant will have up to 70 patrons, with a maximum of 50 inside and 20 outside.

Within the shopping centre there are a total of eight shops, none of which open on a Sunday except the café which I also own and operate.

For some context below is the hours of operations of some business in the areas that will not conflict with the restaurant operation hours after 5pm:

- Post office closes 5pm Monday – Friday and 12pm Saturday
- Hair extension shop – only open to appointments
- Barber shop closes 5.30pm Mon – Saturday
- Dress shop – closes 4pm
- Pharmacy – closes 5.30pm
- Bakery – closes 4pm midweek, 2pm Saturday
- Café – closes 2.30pm every day
- 1 x additional empty premise

Site Information and Context

There are currently 22 car parking bays around the centre plus the public cart parking on the corner of Asquith St & Rochdale Rd, totalling 40 bays as follows:

- There are also public bays opposite at the bottle shop and outside the medical centre.
- There is street parking available on all streets leading up to the shopping centre.
- There is car parking to the rear of the centre though this is mainly used for staff parking and for deliveries.

Currently the main business that generates traffic is the café and the bakery, but this traffic is generally during the mornings where they are busy for breakfasts. The café is generally quiet after 1pm and closes at 2.30pm, the bakery is generally quiet after 1pm and closes at 4pm midweek, 2pm Saturdays and is closed Sundays. There is

only the café open on Sunday. All other businesses are closed by 5.30pm when trading.

Restaurant Car Parking Availability

The restaurant will have 100% of the parking available from the afternoon onwards, we do not expect any notable traffic to the premises until after 6pm. I believe there will be ample parking, especially as a large percentage of customers will walk there from the locality.

We absolutely forecast that the 22 centre spaces plus the city public spaces on the corner of Asquith & Strickland will be ample even if the restaurant was full. That would equate to 40 spaces for 70 people.

Car Parking Availability in Surrounding Area

Car parking bays available are identified as follows:

- Bays around the centre – 22
- Public car park – 18
- Parking bays opposite – 4
- Asquith St parking outside the medical centre – 8
- TOTAL 52 bays

Potential maximum number of customers is 70 in the restaurant. We expect at least 33% to be without a car, either on foot or by taxi or given a lift and or by other transportation means such as Uber.

There are also 12 bays to the rear of the centre which are generally empty after 5.30pm and this is where staff park.

An aerial map depicting the location of car parking around 3/29 Asquith Street is under **Attachment 1** (at the end of the report).

Mid-week Parking and Traffic Management

There will be little or no impact on car parking as the venue will not open until 2.30pm as it does now. We expect no more than a couple of customers at any one time during the day as it is only open for retail dinners cooked in house or people having a coffee with their kids.

The business will operate the same as it has done for the last 18 months during the day, so there will be no real additional impact. The busiest shop, Deli Chicchi, closes as The Pantry opens. As the restaurant starts serving meals from 5.00 pm all the other

shops will be closed or about to close, leaving every space free plus additional street parking. We expect, and have already seen, a significant number of customers walk to the premises.

Weekend Parking and Traffic Management

Weekends in the shopping centre are busy in the morning and quiet in the afternoon. The post office closes at midday and the bakery 2pm on Saturday. The café closes at 2.30pm. We will open at 12pm Saturday & Sunday with a smaller menu. We know from experience that nearly all of the parking is available after 2pm, prior to that about 80% of the spaces after 12pm.

There will be ample spaces for any customers at The Pantry during the afternoon and it will have total availability of car parking in the evening when it will be at its busiest.

Sunday sees only the café open and there are always spaces available on a Sunday morning when it is the cafes busiest period.

Street Parking Management

We do not believe that due to the opening times, street parking will ever be used as there is ample parking across the bays available.

Staff Parking Management

Staff will park to the rear of the centre.

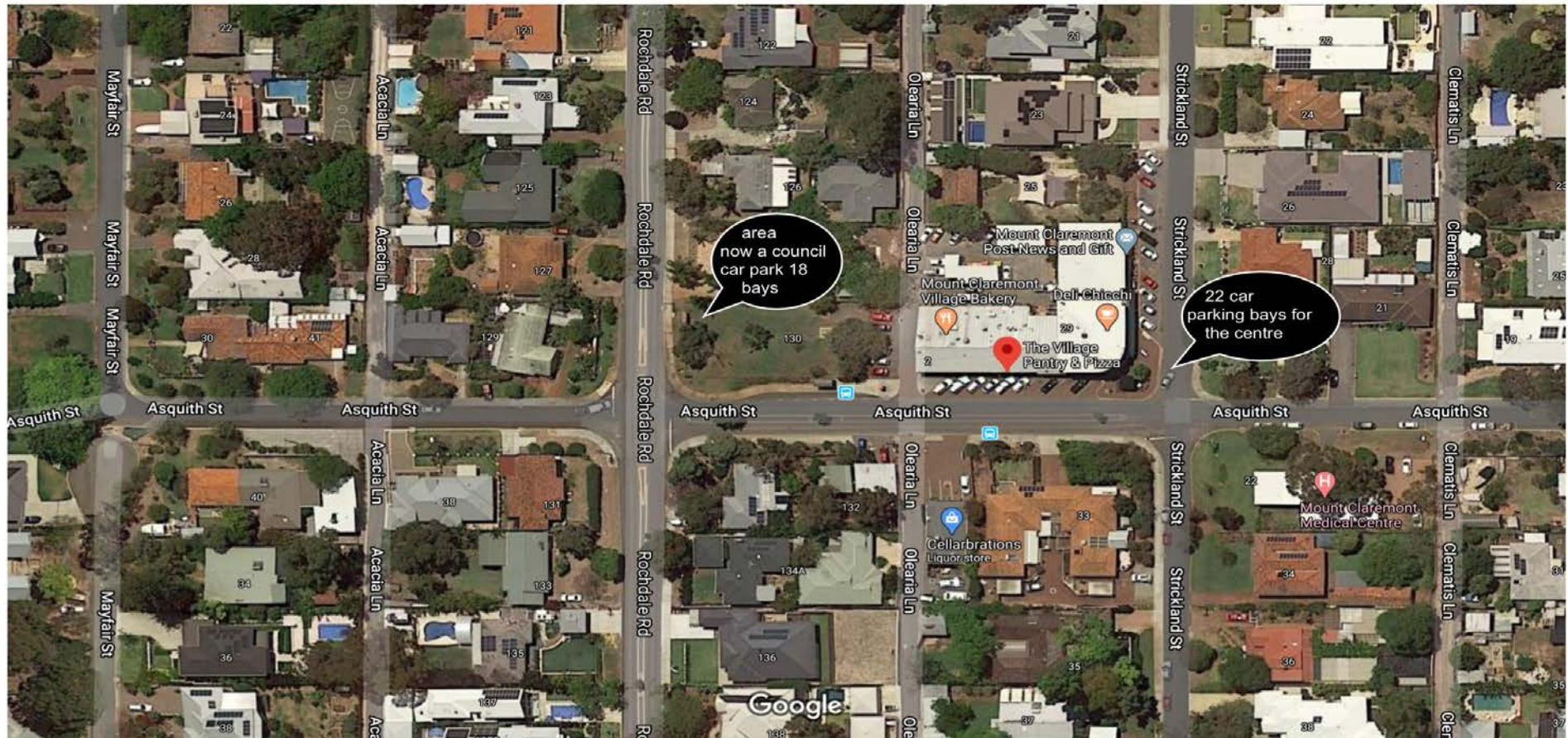
Deliveries and Waste Traffic Management

Deliveries are to the rear of the premises as is now. There will be no additional impact to traffic due to additional deliveries.

There are dedicated waste bins for the centre to the rear of the building. There are enough waste bins to support the centre as a whole and this project will need no more waste bins or extra collections.

Attachment 1:

Google Maps The Village Pantry & Pizza



Imagery ©2020 CNES / Airbus, Maxar Technologies, Map data ©2020 20 m

Noise Management Plan

**3/29 Asquith St, Mt Claremont
The Village Pantry Restaurant**

Description of Noise Generated

The premises have been fitted with acoustic panels and noise reducing foam to enhance the dining experience and prevent noise travelling outside of the premises.

There will only be background music played in the premises from one speaker to the rear of shop. Music will be entirely in the shop and cannot be heard outside. There will be no music outside. Music will be played until 15 minutes prior to closing. There is no door leading directly to the outside street and music cannot be heard outside at the levels it will be played, namely background music only to help stop listening to other conversations.

Music will be managed from one control station behind the till.

Patrons will be seated in a controlled manner lending itself to the demographics of the area. There will be no standing.

Al fresco patrons will be monitored for noise levels to ensure harmony with our neighbours. Al fresco will cease at 8.30pm midweek and 9pm at weekends.

As there is no access directly onto the street from the restaurant there is no noise from inside the premises.

Demographics of the Locality

The reason for this demographic study is to consider the likely clientele for the business as this can determine if there are risks to the community, for this purpose the area studied is Mount Claremont which is the area directly affected by the application. Surrounding suburbs which just fall into a 2 km radius include Swanbourne, Nedlands and Claremont and these demographics are very similar to those of Mount Claremont. The study is to determine that there is very little risk to the locality from customers and that alfresco dining until 8.30 or 9pm will not impact the quiet or privacy of the neighborhood.

Data has been considered from the ABS census 2011 and is looking for people that fit into groups that could 'risk' the quiet and privacy or indeed safety of the locality.

In regard to 'at risk' groups and sub-communities, these have been identified under the drug and interagency framework for Western Australia 2011-2015 and may include:

- Children & young people
- Aboriginal people and communities
- People from regional, rural and remote communities
- Families

Migrant groups from non-English speaking countries
 People in low socio-economic areas
 Mining communities with high number of itinerant workers and/or
 Communities that experience high tourist numbers

When considering the above 'at risk' groups the table below identifies the percentage of each identified within Mount Claremont.

Sensus 2011		
	Locality	Western Australia
Aboriginal&: Torres Strait Islander	0.10%	3.11%
15-24 age group	15.20%	13.70%
University or tertiary education	26.50%	20.70%
People Australian born	62.60%	62.90%
Only English spoken at home	85.70%	79.30%
Employment professional & managers	59.90%	32.10%
Unemployed	4.10%	4.70%
Dwelling - owned or mortgaged	74%	69.30%
Median weekly Family income	\$2,647	\$1,722
Median weekly personal income	\$722	\$662
Family composition in Mt Claremont		
Couple family without children	34.60%	38.80%
Couple family with children	51.10%	44.90%
One parent family	13.10%	14.50%
Other family	1.20%	1.80%

Points to Note

It is evident that this is an affluent area with almost 3 out of 4 properties owner occupied.

The percentage of professional and management workers at 59.9% is approaching double the Western Australian average of 32%. Unemployment was 4.1% versus an average of 4.7%. Median weekly family income at \$2647 is approximately 50% higher than the WA average of \$1722.

Families with children are a higher percentage than the WA median as is the numbers of young adults aged 15-24. Of these young adults a considerable higher percentage are in University or tertiary education. Children and young people are part of the affluent family network that is very prevalent in Mount Claremont.

The premises are not on a main road and is therefore unlikely to be used by tourists.

Summary

Considering the proposal is to cease outside seating at 8.30pm midweek and 9pm at weekends I believe there will be no direct negative affect on the community. Trading as a whole will stop at 9.30pm midweek and 10.30pm at weekends. In support of the

application it is believed that the affluent characteristics of the locality lend itself perfectly to the proposal, namely:

A relaxed, upmarket establishment where both quality adult and family time can be enjoyed sampling a fresh, ever changing menu.

Service from staff that are highly trained and attentive to the business values and trained fully to the mandatory training requirements of a licensed premises. Working within strict parameters outlined in a thorough house policy, code of conduct and management plans.

The demographics clearly show that local people are not the type to adversely affect the amenity of the locality because they have been allowed to attend a restaurant.

Please also take into account that the locality is not served by any establishment that serves evening meals. There are no restaurant licenses within the locality. There are no bars within the locality. The nearest restaurants that serve into the early evening are towards the perimeter of the locality and over 3 kilometers away by car, therefore you will not get noise from people walking from bars or other establishments, possibly after alcohol.

Please take into consideration my 9-year tenure at Deli Chicchi two doors away. There have been many events and evenings here with liquor on sale and no complaints over that period.

Positive Impact on the Locality

Locals currently have to travel over 3km to have the option of an early evening meal (based on Google maps driving from Strickland St to Claremont 3.8km).

The business is aimed at a family market. The applicant understands its responsibility to operate any business under best practice and understands its obligation to its neighbours. All efforts will be made to ensure noise is kept to a minimum, indeed there is only a quiet background music ever played inside the premises. The premises themselves have acoustic ceiling and wall coverings fitted to minimize noise.

It is submitted that the grant of the application will not cause offence, annoyance, disturbance and inconvenience to residents, business owners, or persons passing through the locality.

Trading as a restaurant will not impact on the quiet or privacy of the area and is not trading at an unreasonable time.

Liquor Management Plan

**3/29 Asquith St, Mt Claremont
The Village Pantry Restaurant**

Liquor Management

A restaurant liquor license has been applied for. Liquor will be served to a table and all patrons will be seated. Liquor can be served without a meal. Liquor can be consumed at any table and during any of our opening hours including the alfresco area.

All staff will be trained to a minimum RSA level, the owner is trained to approved manager level. An additional approved manager will be onsite at all times of service.

The owner has managed the café two doors away which has had a liquor license for over 6 years. Liquor has been managed responsibly and there have been no complaints of rowdiness or noise levels during that time. There have been many evenings with trade until 8pm including many private parties.

Please see the House Management Policy, Code of Conduct, and Management Plan relating to liquor.

House Management Policy & Management Plan

The Village Pantry will manage and operate these licensed premises in a responsible, friendly and professional manner to the satisfaction of customers and neighbours and to minimise harm or ill health to its customers due to the use or consumption of liquor.

Our aim is to provide a service of the highest quality from staff who are trained to the highest standard. The licensee and staff have obligations relating to the sale and consumption of alcohol and these will be politely yet firmly enforced. All staff members will be trained to a minimum of RS

A level and all certificates kept for reference. There will always be an approved manager present when serving alcohol and meals are available. Records will be kept of any incidents within the premises or the immediate vicinity.

Code of Conduct

The Village Pantry is committed to responsible serving practices which include: Controlling intoxicated persons by:

1. Identifying patrons who are consuming excessive alcohol or in an irregular manner
refusing them entry to the premises or removing them from the premises;
2. Not providing them with liquor when on the premises; and
3. Taking appropriate care to protect both them and others they may come into contact with.

When appropriate we will try and arrange safe transport home which may include calling a taxi or arranging other transport or accompaniment if walking home.

Under no circumstances will a juvenile be provided liquor or will a juvenile be allowed to consume alcohol purchased by anyone else. A policy of having to show official photo id will be implemented to anyone who appears to be under the age of 25. There will be a chef available at all times for the preparation of meals and there are provisions for fresh water during operating hours.

We respect the rights of our neighbours not to be duly inconvenienced or disturbed as a result of the way our business operates, we actively encourage our patrons to show the same respect especially when leaving and making their way home.

We are committed to address any complaint as quickly as possible and in a reasonable and responsible manner. Management will attempt to deal with and resolve any such complaint in a timely and appropriate manner.

All of our staff are trained to at least the minimum responsible serving of alcohol standards and management are committed to ensuring best practice is performed at all times.

Management Plan

- The licensee has completed the approved courses in managing licensed premises and in the responsible service of alcohol.
- Approved managers will hold a Responsible Service of Alcohol certificate.
- All employees that are involved with the sale, supply and service of alcohol will hold a valid responsible Service of Alcohol certificate.
- The business will hold a copy of those employees' certificates and compile a detailed list of employees and the date of their training to ensure compliance with the mandatory training requirements. Management will be diligent to ensure that all employees adhere to the principles and training.
- Underage patrons will not be served alcohol on the premises under any circumstances.
- Identification checks will be conducted to a standard permitting photographic identification only, namely a passport, driving license or official WA proof of age card and will be a necessary for any service of alcohol.
- Patrons who look under the age of 25 will be asked to show identification.
- It is recognised that excessive consumption of alcohol can be detrimental to the wellbeing of individuals and harmful to the community.
- Visible intoxication will not be allowed, and no one exhibiting signs of intoxication will be served alcohol.
- Staff will promote the safe drinking message to all patrons and responsible service posters will be on display at all times.

- Complaints will be addressed in a timely and efficient manner. Complaints will be recorded as will the outcome of the complaint

Outdoor Dining

- Clients will be watched at all times to ensure that tables are within the alfresco area and seated.
- Tables will be cleaned immediately upon vacation.
- Noise will be managed in a friendly and courteous way – remember we have neighbours!
- At the beginning and end of every day utmost care will be taken to minimise noise when moving furniture.
- At the close of business, the area will be cleaned and swept.

Lot 3 (No. 3/29) Asquith Street, Mt Claremont – Change of Use from ‘Lunch Bar’ to ‘Restaurant’ Use

Attachment 6- Summary of Submissions

(A copy of the 8 original submissions received is attached as Confidential Attachments)

Submission	No. of times issue raised	Officer Response	Action Taken
<i>Car Parking / Traffic</i> 1. Car parking is an issue for the site as there are very limited parking for staff and customers. 2. The currently car parking areas is very limit and the application proposes a significant shortfall of car parking bays. 3. Insufficient on street car parking around the site especially when it is suppose to be shared amongst all visitors to the site. 4. Increase traffic activity at night due to the proposal will results in unwanted noise and headlights shining into residential properties which is major disturbance during the evening hours. 5. Concerns regarding cars parking illegally on residential verges.	3	<u>In response to Points 1-3</u> There is a car parking shortfall of 29 car bays identified for the proposal in accordance with the City's Local Planning Policy – Parking. The parking provision is discussed in further detail in the Assessment of Statutory Provisions section of the report. <u>In response to Point 4</u> It is acknowledged that there will be increased traffic activity at night due to late night diners. However, noise from car vehicles and car headlights shining into residential properties is not a planning consideration. <u>In response to Point 5</u> City of Nedlands Rangers can be called to issue infringements to vehicles are parked in no stopping or parking zones or blocking vehicle access from and to residential properties.	A recommendation to refuse the application is presented to Council for consideration. Noted. Noted.

Trading hours 1. The late-night trading impacts to residential amenity. 2. Alfresco area trading beyond 7pm will negatively affect the amenity of the surrounding residential area.	3	<u>In response to Points 1 and 2</u> The hours of operation is proposed by the applicant. The development is proposing to close the alfresco area earlier by 30 mins (until 8:30pm) between Sunday – Friday and 1.5 hours earlier (until 9pm) on Friday and Saturdays.	Noted.
Noise Impact 1. Noise issues resulting from the playing of music, hosting of functions and boisterous nature of patrons who consume liquor. 2. Noise at night will be a problem for residents living in close proximity to the proposal. 3. All entertainment should be contained inside the premises and be low background music only.	3	<u>In response to Points 1-3</u> All noise levels must comply with the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations). Noise levels can be monitored and investigated by the City's Environmental Health Unit if complaints are received. In the applicant's proposal, low background music is proposed to be played inside the premises only and no music will be played outside in the alfresco area.	A condition and advice note is recommended to ensure all noise levels are in accordance with the Noise Regulations, if approved.
Liquor License 1. Concerns about the liquor license approved will result in later trading hours for the premises. 2. A number of conditions should be imposed on the Liquor license limiting noise levels and hours of operation be recommended. 3. Applicant proposal states that alcohol will be served without a meal.	2	<u>In response to Points 1 and 2</u> All Liquor Licenses are issued by the Department of Local Government, Sport and Cultural Industries (the Department). The City can be invited to make recommendations to the Department, in the event if a Restaurant Liquor License is considered. However, specific conditions related of the liquor license is up to the Department.	Noted.

		<u>In response to Point 3</u> A restaurant licence authorises the sale and supply of liquor for consumption with a meal generally. However, it is up to the Department to consider otherwise.	Noted.
Waste Management 1. Waste management of the site is poorly managed as some days the rear of the site looks unkept from rubbish thrown out by other tenants. 2. Deliveries to previous businesses in Asquith Street, including rubbish collection, have been noisy at unsociable hours. Surely with a restaurant operating the hours mentioned, the deliveries and waste removal must surely increase.	2	<u>In response to Point 1</u> Currently there is a communal bin area for all the non-residential tenants to use onsite located at the rear of the site. The Strata Management of the site should be responsible for the maintenance of the site especially rubbish kept in a tidy and orderly standard. <u>In response to Point 2</u> All waste disposal is to be in accordance with the City's Local Planning Policy – Waste Management (Waste Management Policy).	The Planning Development Unit has raised this issue to Burgess Rawson Real Estate Agents who manages the site. A Waste Management Plan condition and advice note is recommended to ensure all waste disposal is in accordance with the City's Waste Management Policy, if approved.
Alfresco Dining 1. Too narrow to support 20 persons in the alfresco area and will result in a narrower path for pedestrians to access.	2	For accessibility purposes the minimum 1.0m width is required for pedestrian access along the footpath in accordance with the National Construction Code – Building Codes of Australia.	Noted.
Other matters 1. Is there anything stopping other restaurants/cafes like Deli Chicchi from opening later than 2pm similar to the proposal.	2	<u>In response to Point 1</u> This comment is not relevant to this application. However, a Development Application will be required if Deli Chicchi is to change their operation hours in the future.	Noted.

2. In adequate bathroom facilities for the proposal. 3. I recommend conditions limiting the service of alcohol in the alfresco area, hours of operation, music and sufficient car parking be imposed.		<u>In response to Point 2</u> The applicant has agreed to provide a Universal Access Toilet (UAT) for people with disabilities in accordance the National Construction Code – Building Codes of Australia 2019. <u>In response to Point 3</u> Appropriate planning conditions will be recommended on the application, if approved.	Noted. Noted.
Comments in Support 1. Unique restaurant in the area as there is not anything in the Mount Claremont catchment 2. Happy with this proposal and believe that it is an integral part of the community to have a local restaurant that caters for locals as there are no other restaurants in this area. 3. Important for our community to have a vibrant small area of shops including the cafe and restaurant. 4. We have no concerns with any of the proposal including parking. It is likely that a number of restaurant patrons will be locals who will walk, hence not requiring parking. 5. We do not foresee any issues with parking, noise or change in amenity for the local area. It will be a small establishment utilising the facilities when other businesses have shut for	4	Comments are all noted.	No further action required.

the day. The existing car park is never full and the traffic and noise will not be overly affected. 6. We 100% support the change of use application from lunch bar to restaurant. The area has desperately needed something like this for 10+ years and it is great someone finally setting it up. 7. I strongly support the proposal. I do not think the car parking is an issue because the impact mainly will be later in the day. I live in Rochdale road at the parking is typically empty in the evenings with most other shops closed. Also, I suspect that many of the patrons will be very local with a lot simply walking to the dinner. 8. In these covid times I imagine it is a tough business environment and we have witnessed a couple of the shops close. This area is really our only local hub and it forms a popular meeting point. If we were to lose the cafe it would make a big difference to the local amenity and so I think anything we can do to support the business is a good thing.			

12. Responsible Authority Report – Lot 394 (20) Cooper Street, Nedlands

Council	3 September 2020
Applicant	Mr. Petar Mrdja, Urbanista Town Planning
Landowner	Yuki Yami Pty Ltd ATF Azabu Trust
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Type Information Purposes	Item provided to Council for information purposes.
Reference	DAP/20/01781
Previous Item	Nil
Delegation	Not applicable – Joint Development Assessment Panel application.
Attachments	Responsible Authority Report and Attachments – available at: https://www.dplh.wa.gov.au/about/development-assessment-panels/daps-agendas-and-minutes

Mayor de Lacy – Impartiality Interest

Mayor de Lacy disclosed that she is a paid member of the MINJDAP that will be considering this item at a meeting scheduled for 7th September. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeod's released to the local government sector in relation to a recent Supreme Court ruling, Mayor de Lacy declared she leave the room and not participate in the debate, or vote on the matter. Mayor de Lacy advised she would leave the room and request that the Deputy Mayor preside over the meeting for that item.

Councillor Smyth – Impartiality Interest

Councillor Smyth disclosed that she is a paid member of the MINJDAP that will be considering this item at a meeting scheduled for 7th September. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeod's released to the local government sector in relation to a recent Supreme Court ruling, Councillor Smyth declared she would leave the room and not participate in the debate, or vote on the matter.

Mayor de Lacy & Councillor Smyth left the meeting at 8.48 pm.

The Deputy Mayor assumed the chair.

Regulation 11(da) – Not Applicable

Moved – Councillor Coghlan

Seconded – Councillor Hay

Council Resolution

Council:

- 1. notes the Responsible Authority Report for the proposed 10 multiple dwellings on Lot 394 (20) Cooper Street, Nedlands.**
- 2. agrees to appoint Councillor Coghlan and Councillor Bennett to coordinate the Council's submission and presentation to the Metro Inner-North JDAP.**
- 3. informs the Development Application Panel in this submission that:**
 - a. the current status of the City's Planning Framework as applicable to this particular Development Application;**
 - b. Council does not support the RAR recommendation for approval of the development at 20 Cooper Street; and**
 - c. reasons for the Council's alternate position on the findings of the RAR for 20 Cooper Street are as follows;**
 - i. Excessive bulk (exceeds the plot ratio), requests a bonus allowance for a plot ratio of 1.06, which significantly exceeds the plot ratio of 0.8 allowed for R-60.**
 - ii. Excessive building on the western boundary, inadequate rear setback less than 3 metres is provided and unnecessary tree loss.**
 - iii. The Development Application includes a "shared driveway" with an already approved development at 18 Cooper Street. These are two separate developments.**
 - iv. Waste management does not comply with the Nedlands Waste Management Policy.**
 - v. An excessive number of bins will be placed on the verge. The "hand compacting" device proposed for rubbish compacting is unlikely to be effectively used by the elderly or people with disabilities or in fact many members of the public.**

vi. Building materials are out of character with the streetscape.

vii. Parking shortfall.

CARRIED UNANIMOUSLY 11/-

Recommendation to Council

That Council:

1. notes the Responsible Authority Report for the proposed 10 Multiple Dwellings at Lot 394 (No.20) Cooper Street, Nedlands.
2. agrees to appoint Councillor and Councillor to coordinate the Council's submission and presentation to the Metro Inner-North JDAP;
3. does / does not (remove one) support approval of the development; and
4. provides the following reasons for the Council's position on the application;
 - a. ..
 - b.

Executive Summary

In accordance with the Planning and Development (Development Assessment Panels) Regulations 2011, Administration have prepared a Responsible Authority Report (RAR) in relation to the revised plans received on 24 July 2020 for the Metro-Inner North Joint Development Assessment Panel (JDAP) Form 1 Application at Lot 394 (20) Cooper Street, Nedlands. The application proposes the development of a three-storey multiple dwelling development, comprising of 10 apartments.

The purpose of this report is to inform Council of Administration's recommendation to the JDAP.

Background

The City received the JDAP application for Lot 394 (No.20) Cooper Street, Nedlands on 4 May 2020. The subject lot is zoned 'Residential' and has a density code of R60.

During the assessment period, Administration raised issues/requested further information regarding a number of issues. The applicant prepared amended plans and revised technical documents, which were provided on 24 July 2020.

The City submitted the RAR on the 26 August 2020, recommending that the JDAP approve the application. A copy of the revised RAR and revised plans are attached to this report for your reference.

Application Details

Development approval is sought for the construction of a three-storey multiple dwelling development, comprising ten dwellings at No. 20 (Lot 394) Cooper Street (the subject site) within the Residential zone (R60). The development comprises:

Ground Floor

- 1 single-bedroom dwelling;
- 1 two-bedroom dwelling;
- 1 three-bedroom dwelling;
- Bin store area;
- 11 resident car parking bays;
- 3 visitor car parking bays;
- 2 visitor bicycle parking spaces;
- 10 storerooms;
- Communal living area; and
- Deep soil planting areas.

First Floor

- 1 one-bedroom dwelling;
- 3 two-bedroom dwellings; and
- On-structure planter boxes.

Second Floor

- 2 two-bedroom dwellings; and
- 1 three-bedroom dwelling.

Vehicle access to the subject site is proposed to be via the approved crossover and driveway on the adjoining site at 18 Cooper Street, Nedlands. A condition is recommended for arrangements to be made to formalise this shared access arrangement.

Consultation

The City's Local Planning Policy – Consultation of Planning Proposals (Consultation LPP) states that the development proposal for ten multiple dwellings is classified as a Complex Application.

In accordance with the Consultation LPP, the application was advertised for a period of 21 days, commencing on 22 May 2020 and concluding 15 June 2020 and included the following forms of notification:

- 213 letters were sent to City of Nedlands landowners and occupiers and 25 letters to City of Perth landowners and occupiers within a 200m radius of the site;
- A sign on site was installed on the frontage of the site;
- An advertisement was uploaded to 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;
- Social media post on the City's Social Media platforms;
- A notice was affixed to the City's Noticeboard at the City's Administration Offices; and
- A narrated video presentation on the proposal, uploaded to the City's website.

At the conclusion of advertising, the City received 77 objections to the proposal, 67 submissions objecting to the proposal, 9 in support and one submission providing neither objection or support. A summary of the submissions is contained within Attachment 1.

Recommendation to JDAP

The subject site forms an important role in transitioning the built form down from the anticipated mixed-use high-density development along Broadway and Stirling Highway. The proposal achieves the aims of the City's Local Planning Strategy by mitigating potential conflicts in land use and built form between the Broadway and the remaining single houses to the west. The application has been assessed in accordance with the planning framework and in instances where the proposal does not satisfy a provision or statute, a condition has been recommended to address the requirement.

Administration acknowledges that the R60 density code that currently applies to this locality, will over time result in application of different architectural styles, built form, streetscape and landscape character. However, potential changes in the form of subdivision, grouped dwellings and multiple dwellings can be managed through appropriate siting and design. Administration is of the view that the subject application has appropriately considered façade, street setback, form and streetscape presentation in order to achieve the relevant element objectives of the R-Codes Volume 2 or can be made capable by the application of conditions. On this basis, the RAR recommends that the application be approved, subject to conditions.

Conclusion

The proposal for 10 apartments at 20 Cooper Street, Nedlands, is considered to appropriately balance the aims of the City's Local Planning Strategy with the need to mitigate amenity issues on surrounding development. The application has appropriately considered its presentation to the street, separation from surrounding houses, landscaping and internal amenity. Administration therefore considers that the development will positively contribute to the locality and is capable of approval.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.04 pm.