Government of **Western Australia**
Development Assessment Panels

Perth Local Development Assessment Panel Agenda

Meeting Date and Time: Monday, 21 November 2022; 9:30am
Meeting Number: PLDAP/120
Meeting Venue: City of Perth
Council House, 27 St Georges Terrace, Perth

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Attendance

DAP Members

Mr Jarrod Ross (A/Presiding Member)
Ms Gabriela Poezyn (A/Deputy Presiding Member)
Mr Jason Hick (A/Third Specialist Member)
Cr Catherine Lezer (Local Government Member, City of Perth)
Cr Brent Fleeton (Local Government Member, City of Perth)

Officers in attendance

Ms Jasmine Hancock (City of Perth)

Minute Secretary

Ms Kait Hedley (City of Perth)

Applicants and Submitters

Mr Mike Harvey (Edge Visionary Living)
Mr Jonathon Borello (Edge Visionary Living)
Ms Louise Ward (Hillam Architects)
Mr David Hillam (Hillam Architects)
Ms Kate Bainbridge (Urbis)
Mr Peter Hillman (Urbis)
Mr Tim Dawkins (Urbis)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

2. Apologies

Mr Ray Haeren (Presiding Member)
Ms Diana Goldswain (Third Specialist Member)
Cr Viktor Ko (Local Government Member, City of Perth)
Cr Liam Gobbert (Local Government Member, City of Perth)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

Signed minutes of previous meetings are available on the DAP website.

5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Member	Item	Nature of Interest
Mr Ray Haeren	8.1	Direct Pecuniary Interest – Mr Ray Haeren is employed by and a partner of Urbis. The application has been lodged by Urbis.

7. Deputations and Presentations

7.1 Mr Mike Harvey (Edge Visionary Living) presenting in support of the recommendation for the application at Item 8.1. The presentation will address supporting the recommendation.

7.2 Ms Louise Ward (Hillam Architects) presenting in support of the recommendation for the application at Item 8.1. The presentation will address supporting the recommendation.

7.3 Mr Tim Dawkins (Urbis) presenting in support of the recommendation for the application at Item 8.1. The presentation will address supporting the recommendation.

The City of Perth may be provided with the opportunity to respond to questions of the panel, as invited by the A/Presiding Member.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 168 (Lots 1-18) Broadway, Crawley

Development Description:	Proposed Demolition Of An Existing Three-Level Residential Apartment Building And Construction Of A Nine-Level Residential Development Comprising Of 21 Multiple Dwellings And 46 Car Parking Bays
Applicant:	Edge Visionary Living c/o – Urbis Pty Ltd
Owner:	Edge Holdings No 20 Pty Ltd Properties WA
Responsible Authority:	City of Perth
DAP File No:	DAP/22/02297

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

Nil.

11. General Business

In accordance with Section 7.3 of the DAP Standing Orders 2020 only the A/Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

Government of **Western Australia**
Development Assessment Panels

M TPresentation Request Form

Regulation 40(3) and DAP Standing Orders 2020 cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Mike Harvey
Company (if applicable)	Edge Visionary Living
Please identify if you have any special requirements:	**YES** ☐ **NO** ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Perth Local Development Assessment Panel
Meeting Date	Monday, 21 November 2022; 9:30am
DAP Application Number	DAP/22/02297
Property Location	168 Broadway, Crawley
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	**YES** ☒
Is the presentation in support of or against the report recommendation)? *(contained within the Agenda)*	**SUPPORT** ☒ **AGAINST** ☐
Is the presentation in support of or against the proposed development?	**SUPPORT** ☒ **AGAINST** ☐
Will the presentation require power-point facilities?	**YES** ☒ **NO** ☐ **If yes, please attach**

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Development Assessment Panels

Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	*The presentation will address:* Refer attached presentation slides

In accordance with Clause 3.5.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Click or tap here to enter text.

Government of **Western Australia**
Development Assessment Panels

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Regulation 40(3) and DAP Standing Orders 2020 cl. 3.5

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Presenter Details

Name	Louise Ward
Company (if applicable)	Hillam Architect
Please identify if you have any special requirements:	**YES** ☐ **NO** ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	PLDAP/120
Meeting Date	21 November 2022
DAP Application Number	DAP/22/02297
Property Location	No. 168 Broadway, Crawley
Agenda Item Number	8.1

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Is the presentation in support of or against the report recommendation)? *(contained within the Agenda)*	**SUPPORT** ☒ **AGAINST** ☐
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Development Assessment Panels

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Brief sentence summary for inclusion on the Agenda	*The presentation will address:* Process to date Design evolution Taking of board City and DAC feedback Taking on board neighbour's feedback

In accordance with Clause 3.5.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

See attached presentation

168 BROADWAY, CRAWLEY 6009

LDAP Presentation

Prepared for the Perth LDAP | November 2022

EDGE

HILLAM ARCHITECTS



project history.

The project team has presented progressive concepts to the City of Perth for consideration by its City Architect, Planning Officers and and Design Advisory Committee, culminating in this proposal for a high-quality residential apartment development.

APRIL 2022 — CITY ARCHITECT MEETING

MAY 2022 — CITY ARCHITECT MEETING

JUNE 2022 — CITY ARCHITECT MEETING

JULY 2022 — NEIGHBOUR CONSULTATION

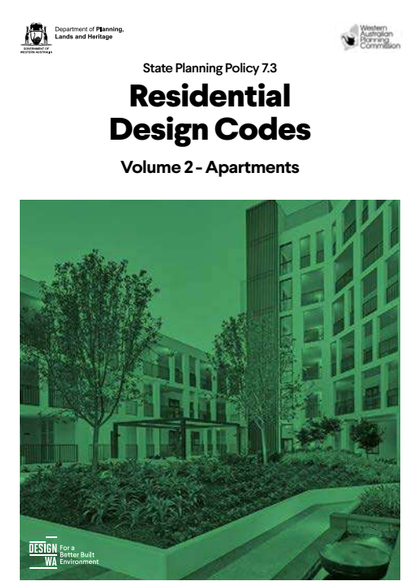
AUGUST 2022 — DEVELOPMENT APPLICATION

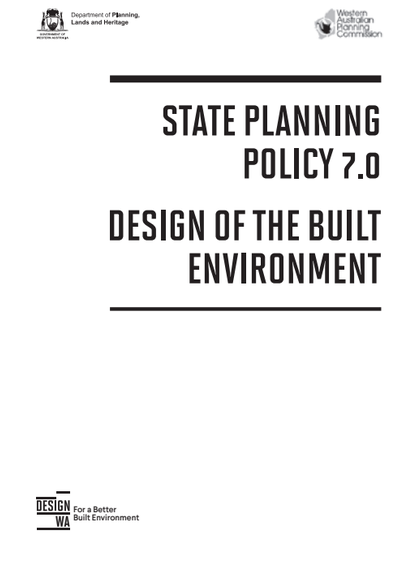
OCTOBER 2022 — DAC PRESENTATION

OCTOBER 2022 — DAC & TECHNICIAL MEETING

NOVEMBER 2022 — DEVELOPMENT ASSESSMENT PANEL

SPP7.0 SUMMARY RESPONSE TO THE 10 PRINCIPLES OF THE DESIGN WA





Refer to Appendix C - Planning Report

The 10 principles that underpin Design WA:

Context and character

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

Landscape quality

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

Built form and scale

Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.

Sustainability

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

Amenity

Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.

Legibility

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

Safety

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

Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Aesthetics

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

How proposal addresses 10 principles:

A site responsive design reflects the art-deco context & character of the Crawley/ Nedlands area and particularly responds to the history and future of the Broadway precinct as a centre for high quality infill development. ✓

Soft landscaping has been integrated throughout the ground floor and on-structure, working with the architecture. 142 sqm deep soil area, meeting the requirement of 10%. In addition, the design is sensitive to the existing large river red gums on the verge which have an important role in the streetscape. ✓

The outcome of several meetings with the City's Architect and Planners; the highly articulated built form is site responsive, and sensitive to surrounding residences. A taller, slimmer approach to built-form minimises the impact of privacy to the neighbours and improves set backs. The public's view and approach to the river is improved by opening up the setback at ground level. ✓

Cross ventilation is achieved to 100% of the 21 apartments. Lobbies and corridors within the development are designed to maximise natural light and ventilation. 29% of dwellings have been designed to comply with LHA's Silver Standards with flexibility in the design allowing for the potential of additional apartment deisgns to be amended should they be required by residents. ✓

Cross ventilation is achieved to 100% of the 21 apartments. Passive environmental design measures which maximise natural light, ventilation and thermal performance have been incorporated. ✓

The proposal includes over 500 sqm of internal and external residential amenity including landscaped gardens, wellness facilities, living & dining areas. Public amenity is improved with the landscaped deep soil area interface with the street on Broadway. ✓

Strong architectural elements enhance entrance legibility along Broadway, providing a visual distinction between the street and the development. Vertical circulation is centrally located for simple way finding within the building. ✓

Clearly defined entry points and balconies of apartments above create high levels of passive surveillance. The screening elements also allow for privacy to the residences. Appropriate lighting to street and entries will also be incorporated into the design. ✓

The proposal responds to a need for development in an area which is currently transitioning to higher density infill. It seeks to demolish 18 existing residential units and replace with a modern offering. 28% of dwellings comply with LHA's Silver Standards with flexibility for additional apartment designs to be adjusted should they be required by residents. ✓

The breaking of mass between the entry levels and upper volume forms, and site responsive massing & facade treatment are the result of a design-driven approach. The contrast ensures a human scale response at street level and reduces the verticality of the proposal on the street. ✓

SITE ANALYSIS

Surrounding Building Context - Heights & Plot Ratio



135 Broadway, Nedlands
7 Storey Mixed-Use
Height:29.9m
20 Serviced Apartments
8 Multiple Dwellings
Cafe
Plot Ratio: 2.1
Under Construction



137 & 139 Broadway, Nedlands
7 Storey Apartments
Height: 24m
28 Multiple Dwellings
1 Commercial
Plot Ratio: 2.2
Under Construction



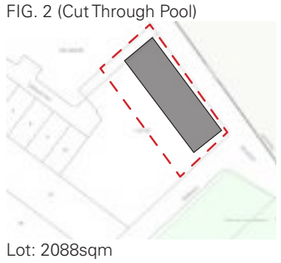
35 Esplanade, Nedlands
6 Storey Apartments
Height: 24.2m
37 Apartments
FIG. 1 - Plot Ratio: 1.5
FIG. 2 - Plot Ratio: 1.9
FIG. 3 - Plot Ratio: 2.0
FIG. 4 - Plot Ratio: 2.8
Constructed: 2007

FIG. 1 (Entire Site)



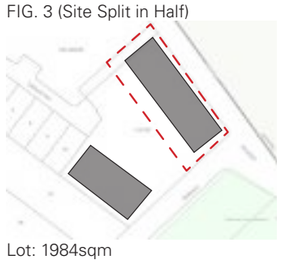
Lot: 3815sqm

FIG. 2 (Cut Through Pool)



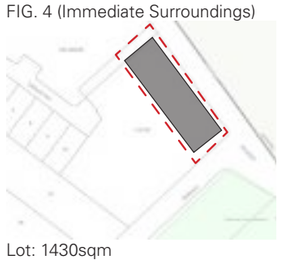
Lot: 2088sqm

FIG. 3 (Site Split in Half)

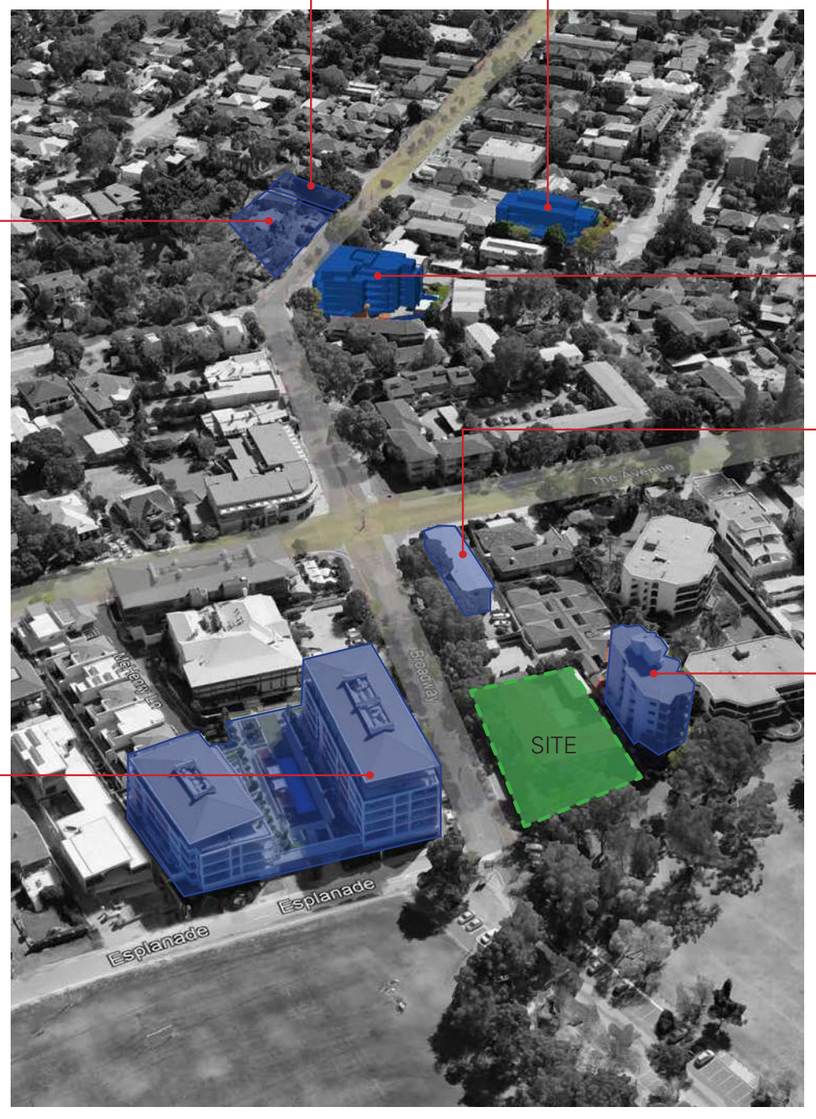


Lot: 1984sqm

FIG. 4 (Immediate Surroundings)



Lot: 1430sqm



147 Fairway, Crawley
5 Storey Apartment
Height: 21m
26 Multiple Dwellings
Plot Ratio: 2.05
Approved: 2020



150 Broadway, Crawley
6 Storey Apartment
Height: 20.9m
29 Multiple Dwellings
Plot Ratio: 2.0
Under Construction



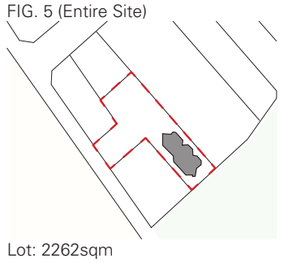
28 The Avenue, Crawley
3 Storey Apartment
Height: 10.1m
9 Multiple Dwellings
Plot Ratio: 0.83
Constructed: 1964



166 Broadway, Crawley
6 Storey Apartments
Height: 22.8m
6 Multiple Dwellings
FIG. 5 - Plot Ratio: 0.7
FIG. 6 - Plot Ratio: 2.1
Constructed: 1993



FIG. 5 (Entire Site)



Lot: 2262sqm

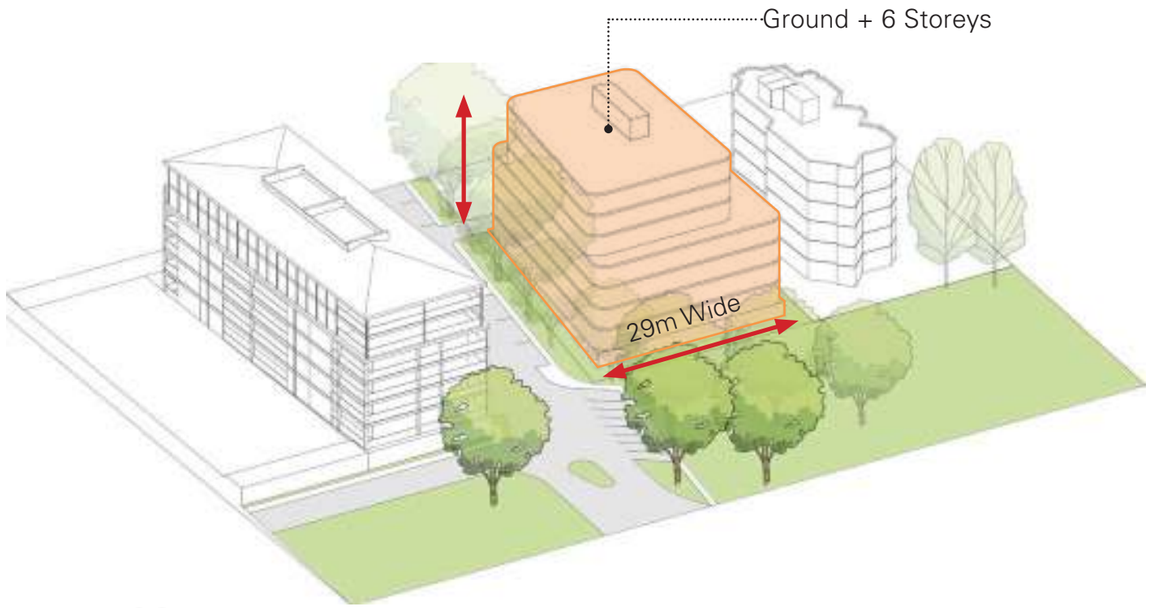
FIG. 6 (Reduced Site)



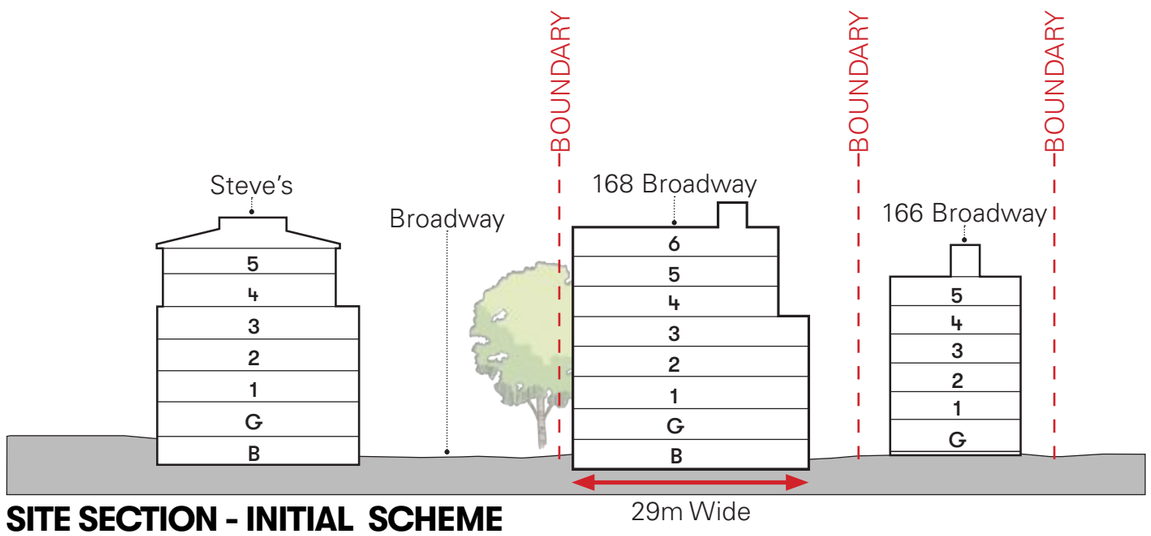
Lot: 740sqm

INITIAL SCHEME VS PROPOSAL

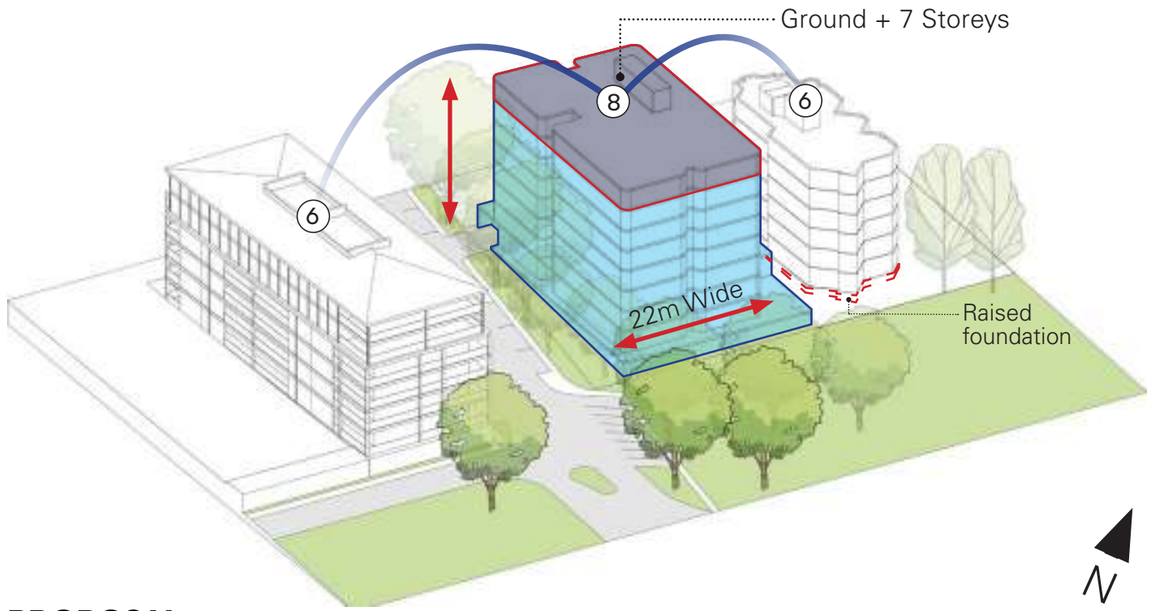
Building Heights and Transition



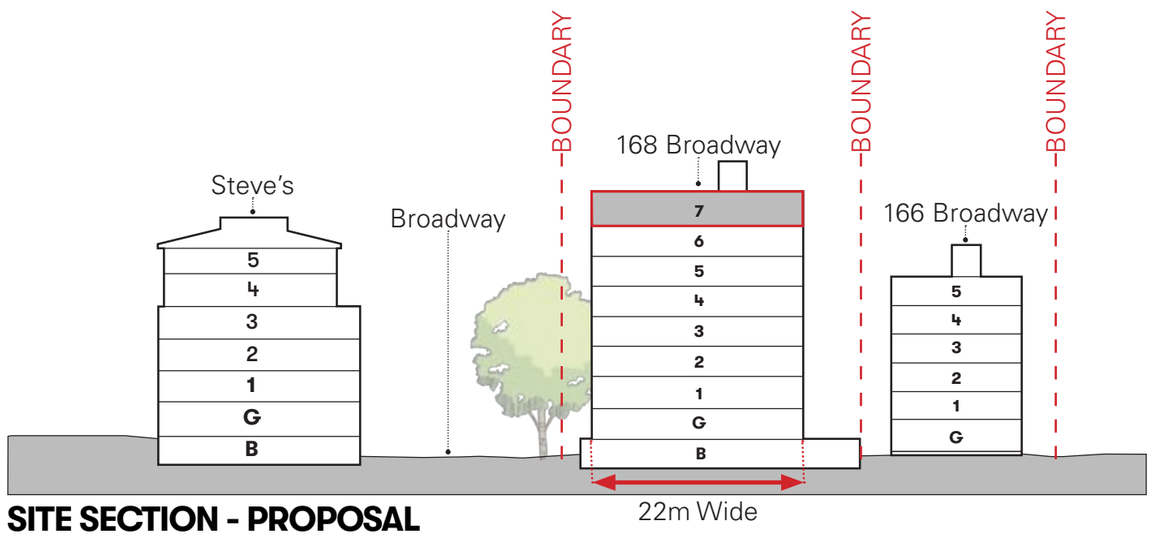
INITIAL SCHEME



SITE SECTION - INITIAL SCHEME



PROPOSAL

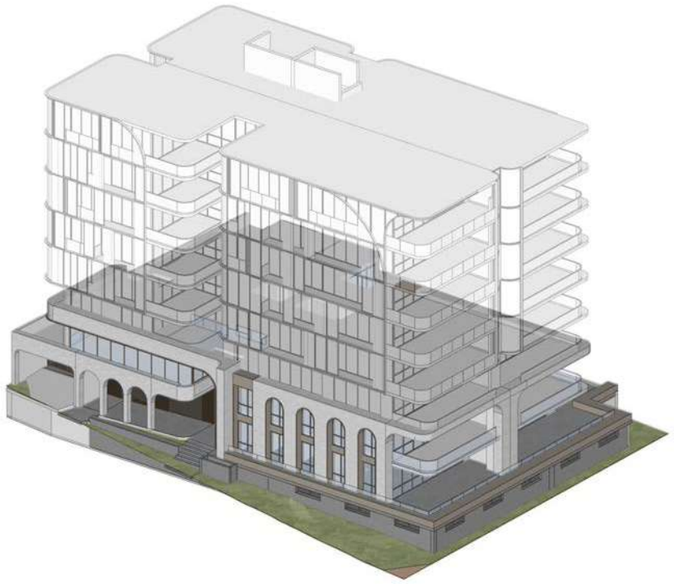


SITE SECTION - PROPOSAL

25% Reduction in building width between the initial massing and the proposal

DESIGN RESPONSE

Street Levels







The architectural form of the building draws on the art deco characteristics typically found in residences within the surrounding area. At ground and first floor level, strong linear arches, and ornamental curves reminiscent of art deco architecture with modern detailing interfaces the street, contrasting the glazing and bronze screens on the upper levels. The white brickwork and bronze accents to the ground & first floor levels further reinforce these elements and the contrast interrupts the verticality of the building, bringing the lower levels into a dialogue with the street at a human scale below the canopy of the significant trees on the verge.

DESIGN RESPONSE STREET LEVELS

Views of Entry Along Broadway



CURRENT STREET INTERFACE 1



CURRENT STREET INTERFACE 2



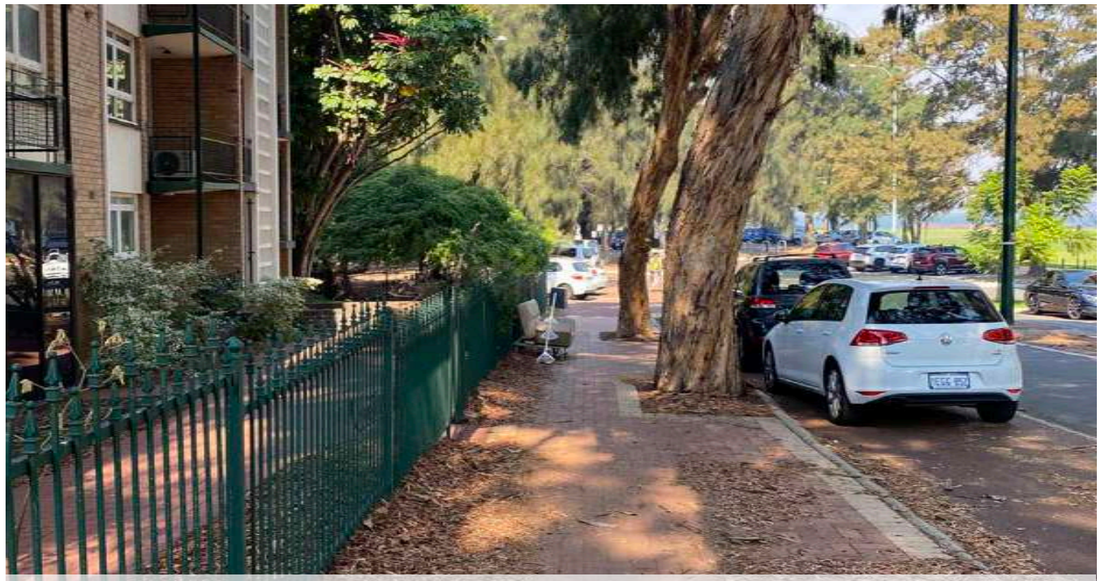
PROPOSED STREET INTERFACE 1



PROPOSED STREET INTERFACE 2

DESIGN RESPONSE

Improved Street Scape Interface



CURRENT STREET INTERFACE 1



CURRENT STREET INTERFACE 2



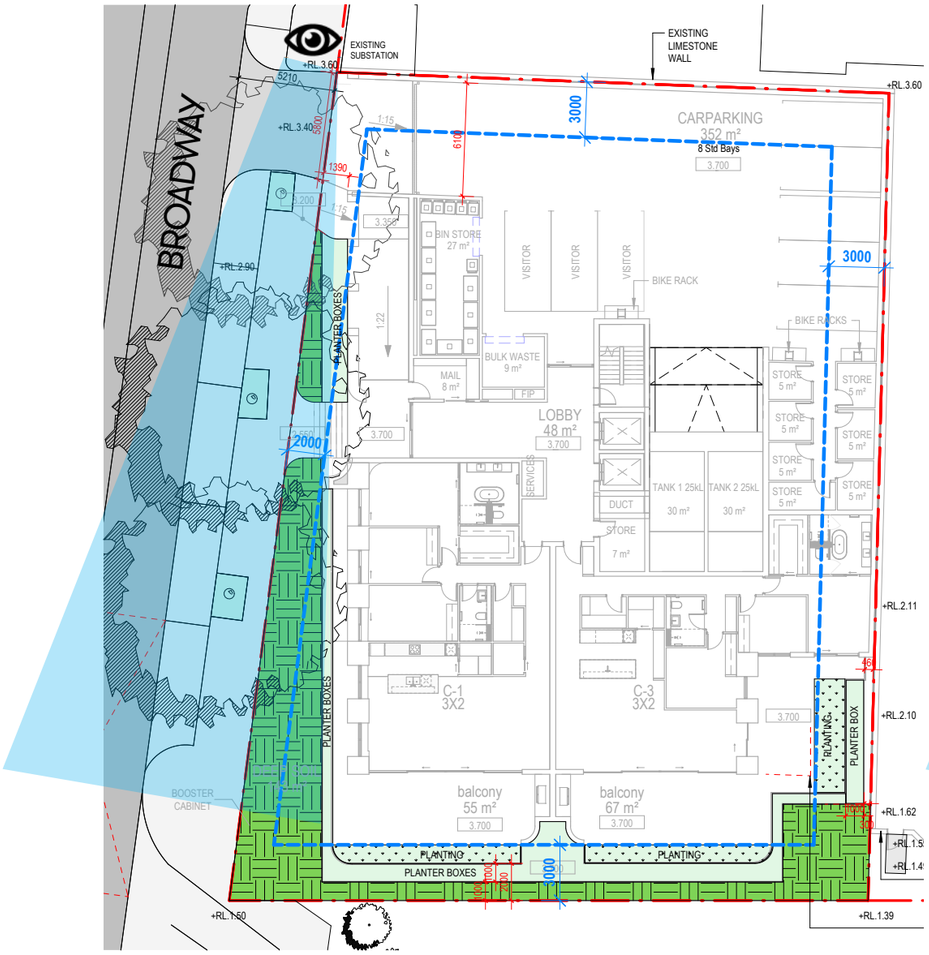
PROPOSED STREET INTERFACE 1



PROPOSED STREET INTERFACE 2

DESIGN RESPONSE

Deep Soil & Public Interface



INITIAL SCHEME



UPDATED SCHEME



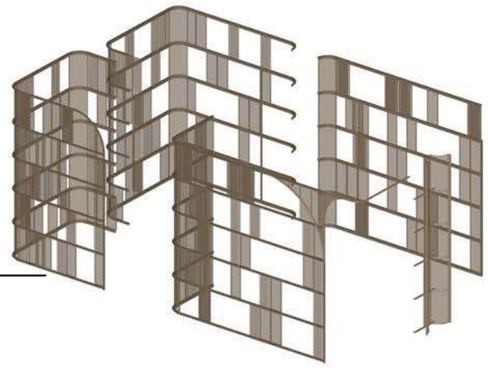
EXISTING VIEW

Public View Cone along Broadway

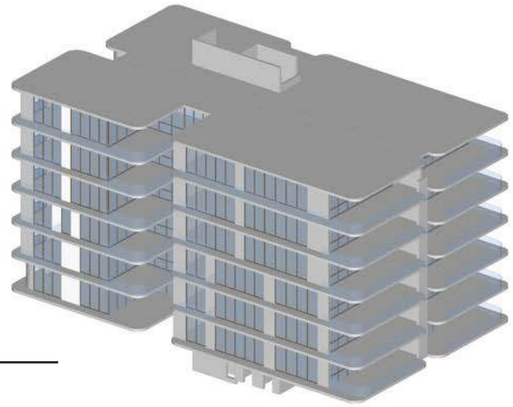
DESIGN RESPONSE

Facade Design

SCREENING SYSTEM



TOWER



STREET LEVELS





MATERIALS & FINISHES

South Western Elevation



BLACK POWDERCOATED STEEL LOUVRES TO CONCEAL PLANT MATERIAL

BRONZE POWDERCOATED STEEL FRAME TO SCREENS

WHITE TEXTURED PAINT

BRONZE POWDERCOATED PERFORATED SCREENS

BLACK TEXTURED PAINT

POWDERCOATED ALUMINUM BATTENS

BLACK ALUMINIUM POWDERCOATED FRAMES TO GLAZING & LOUVRES

WHITE FACEBRICK

BRONZE SPANDREL PANEL AND METAL PLANTER BOXES

DARK VERTICO SPLIT FACE BLOCKS

NEIGHBOUR CONSULTATION



SURROUNDING NEIGHBOURS

1. 166 BROADWAY, CRAWLEY - 6 STOREYS
2. 28 THE AVENUE, - 3 STOREYS
3. 26 THE AVENUE - 3 STOREYS

On Tuesday 27 July 2022, Edge Visionary Living invited the adjacent neighbours to the proposed development to a meeting to discuss the building prior to DA lodgement.

The feedback was generally positive and the neighbours were complimentary of the quality & amenity of the design proposal.

The neighbours considered to be most impacted by the development at 166 Broadway (Building 1) were appreciative of the consideration given to the views from their Living Areas.

All parties expressed gratitude for being invited to discuss the development and view the plans ahead of the submission. They were also informed of the likely submission date so they have the opportunity to comment on the application.

CoP & DAC FEEDBACK

Verge Tree Retention - Revised Basement Design



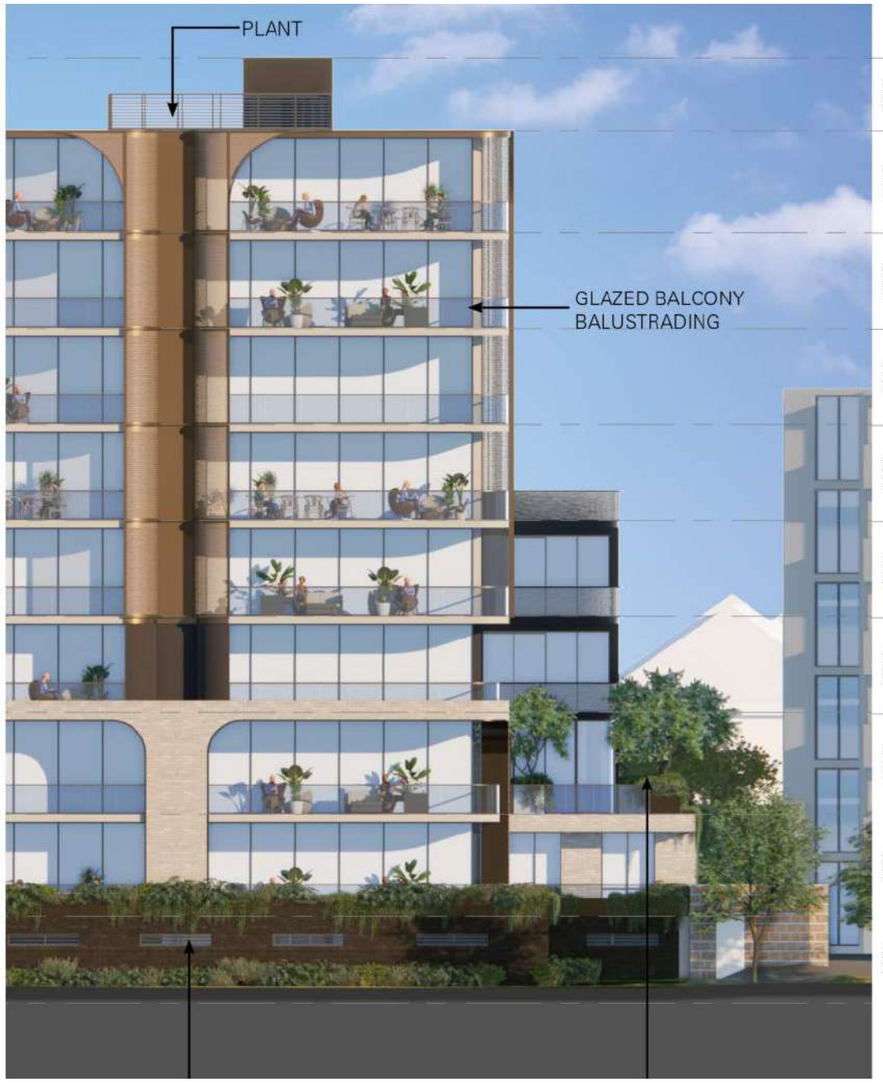
INITIAL SCHEME



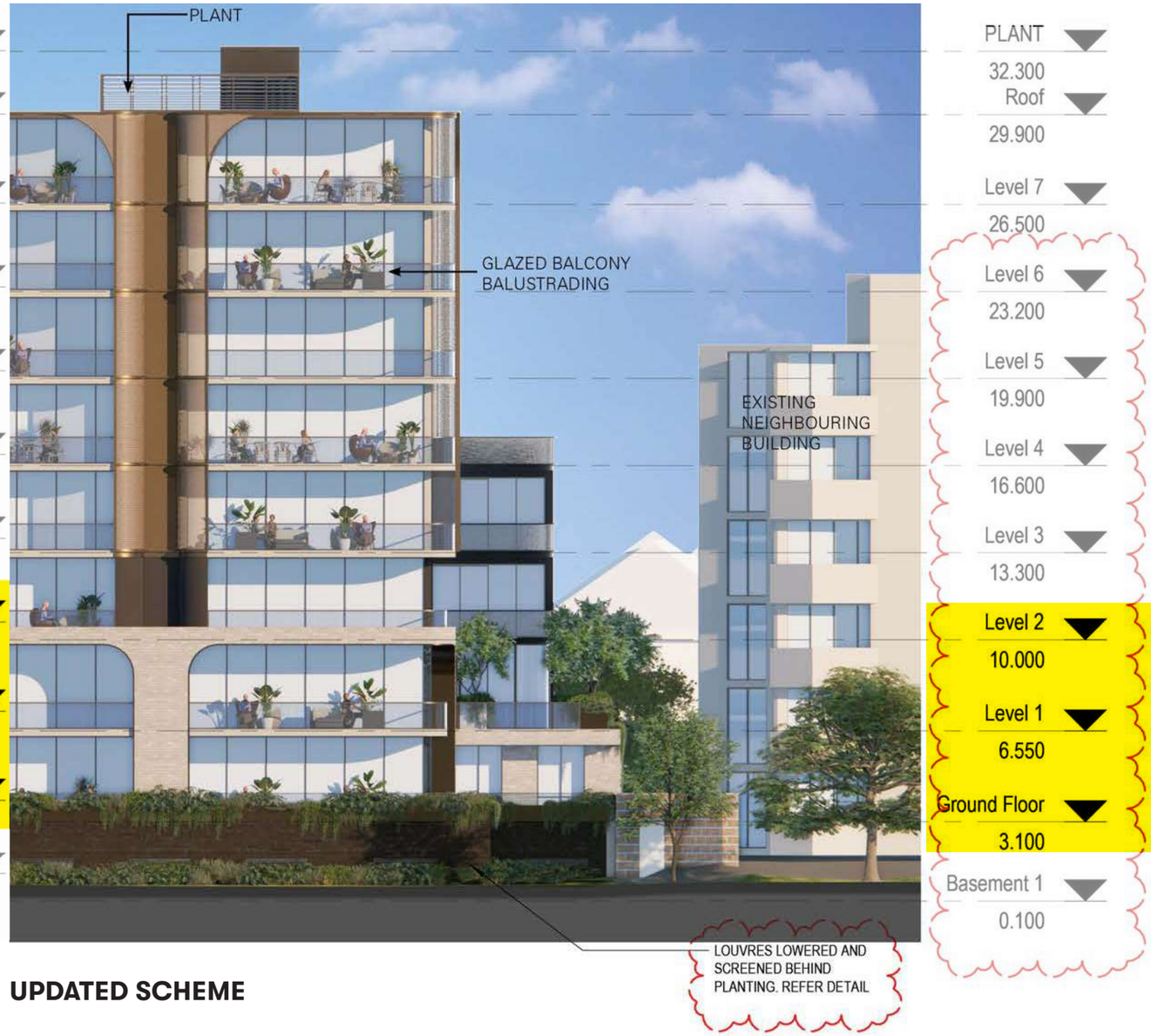
UPDATED SCHEME

CoP & DAC FEEDBACK

Concealed Louvres & Interface with Street/Neighbours



INITIAL SCHEME

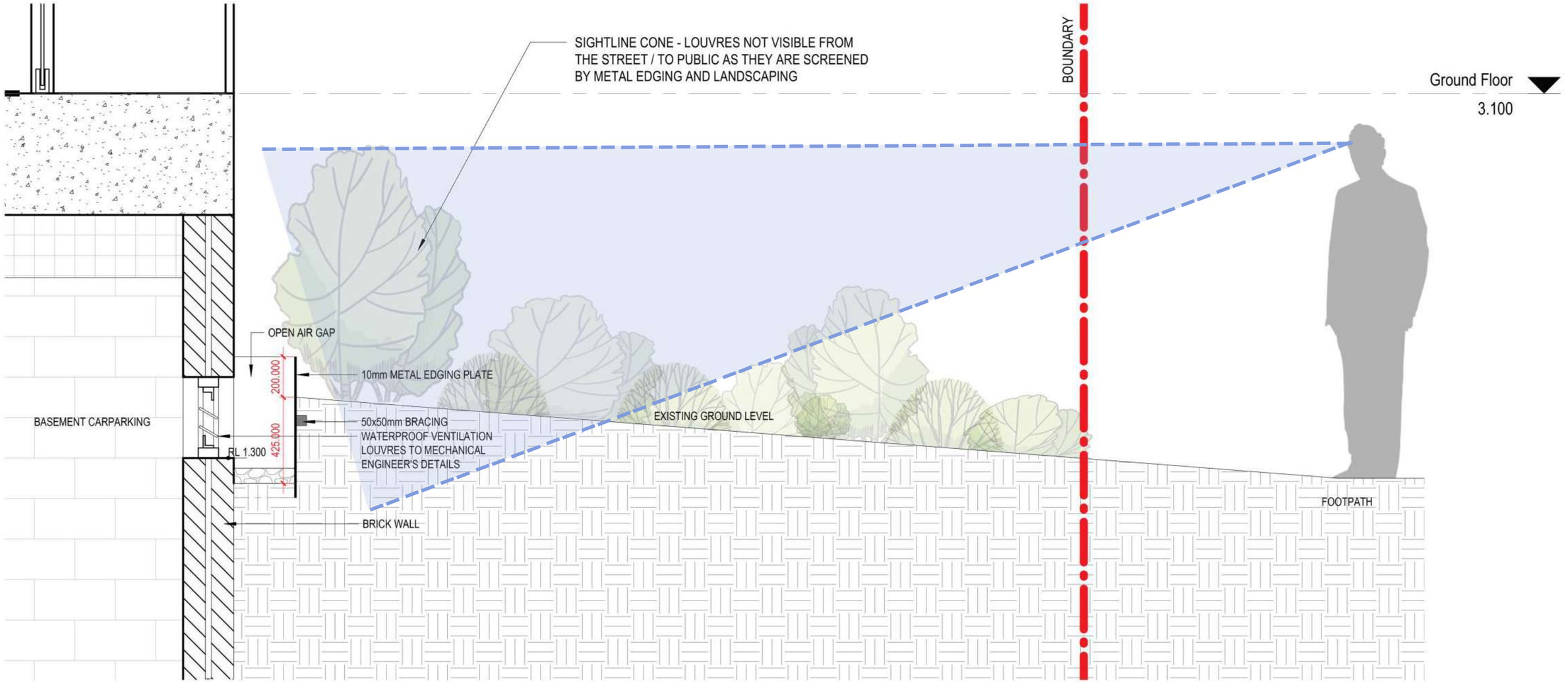


UPDATED SCHEME

- Louvres concealed from public view
- Levels lowered closer to adjacent boundary heights to reduce height difference

CoP & DAC FEEDBACK

Concealed Louvres



SCHEMATIC LOUVRE DETAIL

CoP & DAC FEEDBACK

Interface with Street



INITIAL SCHEME



UPDATED SCHEME

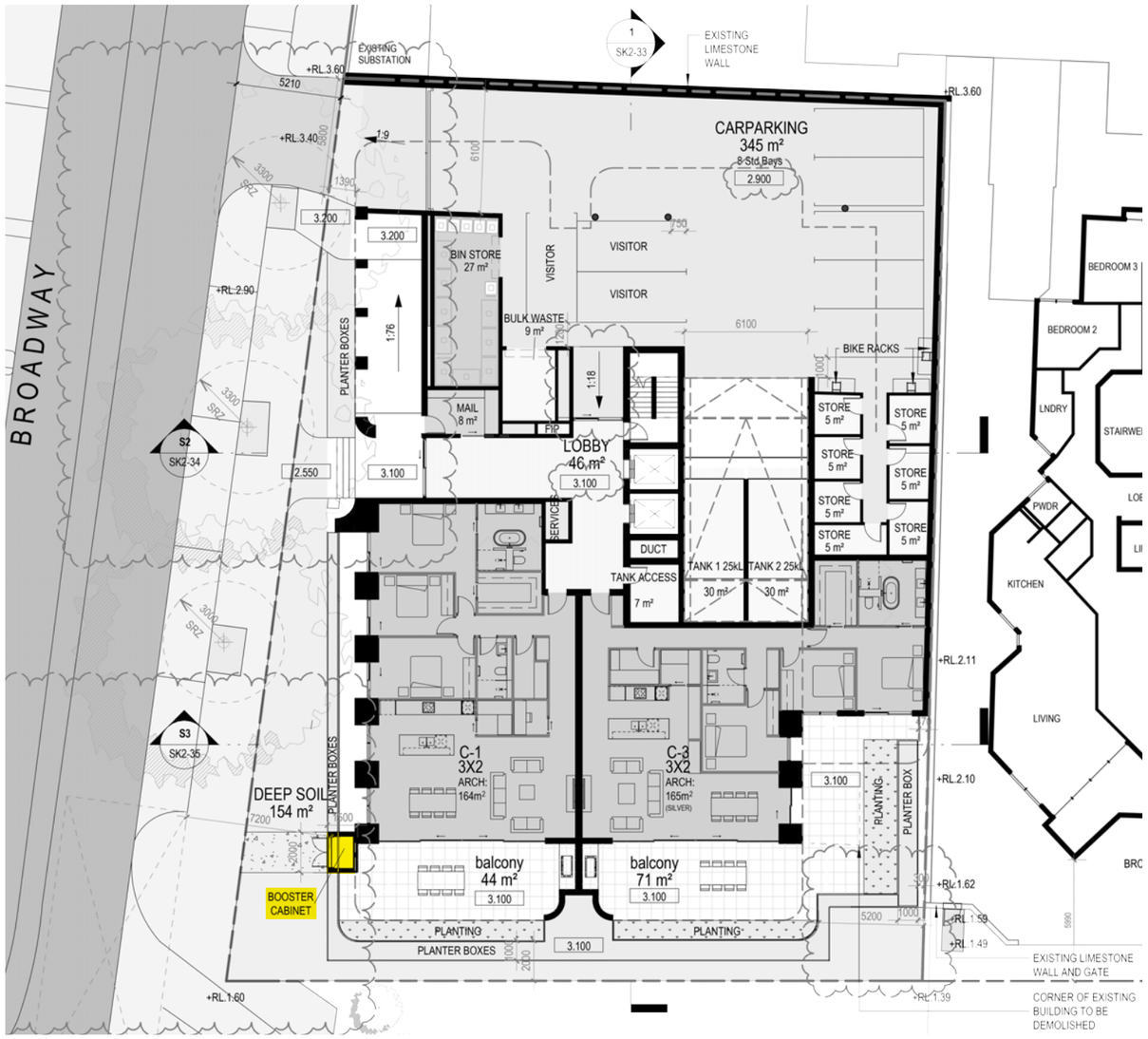
- Levels lowered closer to street reducing steps to entry
- Booster integrated with building facade

CoP & DAC FEEDBACK

Service Integration



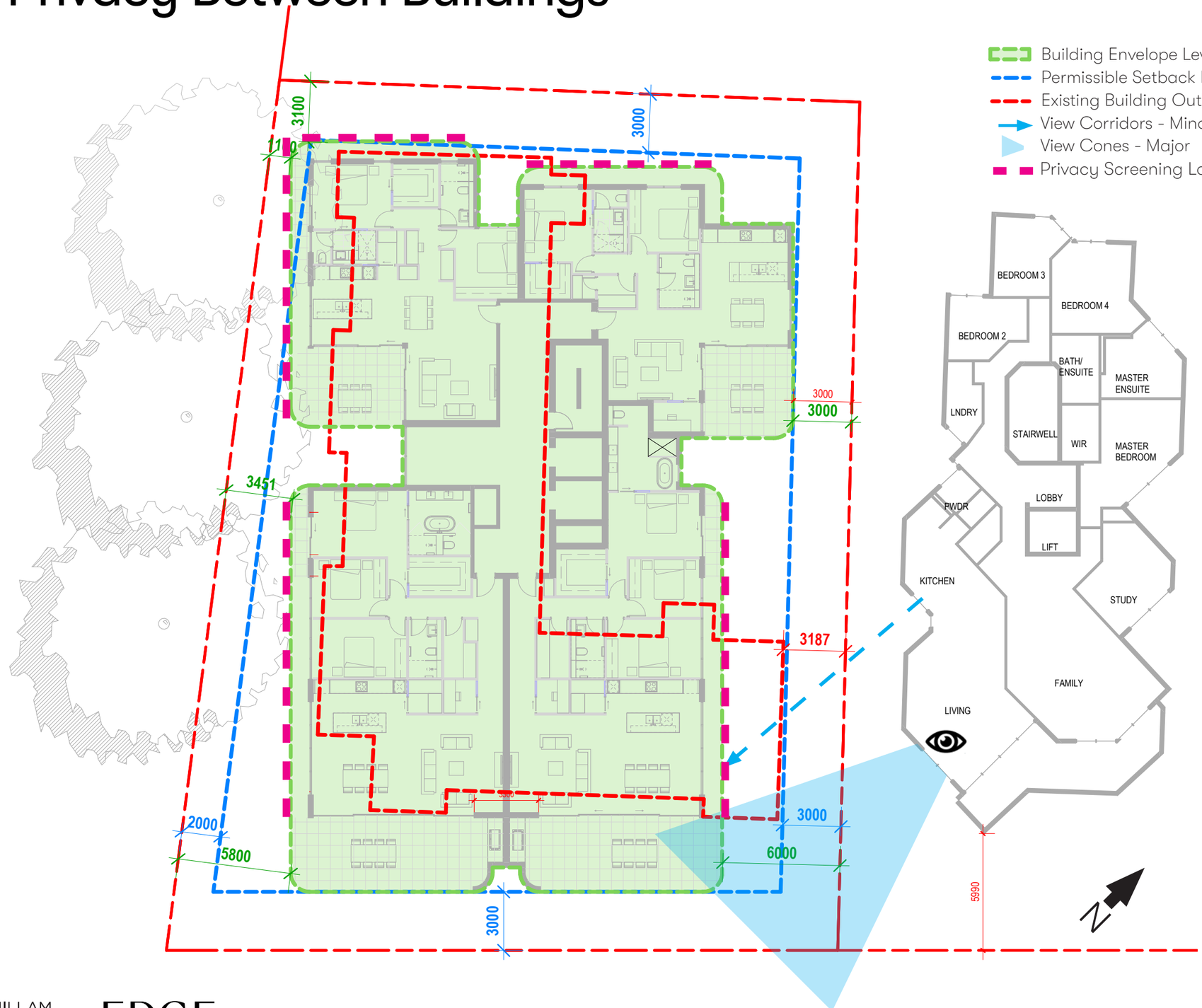
INITIAL SCHEME



UPDATED SCHEME

ADDRESSING NEIGHBOURS

Privacy Between Buildings



- Building Envelope Levels 2 - Roof
- Permissible Setback Line to Levels G - 3
- Existing Building Outline
- View Corridors - Minor
- View Cones - Major
- Privacy Screening Locations

The proposal is set back from the permissible envelope by **double the required amount** on Levels 2 - Roof to consider the neighbours views from Living Areas at 166 Broadway. It is also set back further than the existing building outline shown in red.

Other devices used to increase privacy between the buildings for openings include;
- Privacy Screening - fixed and operable
- Planting at building edges to Levels Ground and First creating a natural screen as well as physical barrier for preventing overlooking

RENDERS





















Government of **Western Australia**
Development Assessment Panels

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Regulation 40(3) and DAP Standing Orders 2020 cl. 3.5

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Presenter Details

Name	Tim Dawkins
Company (if applicable)	Urbis
Please identify if you have any special requirements:	**YES** ☐ **NO** ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	PLDAP/120
Meeting Date	21 November 2022
DAP Application Number	DAP/22/02297
Property Location	No. 168 Broadway, Crawley
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	**YES** ☒
Is the presentation in support of or against the report recommendation)? *(contained within the Agenda)*	**SUPPORT** ☒ **AGAINST** ☐
Is the presentation in support of or against the proposed development?	**SUPPORT** ☒ **AGAINST** ☐
Will the presentation require power-point facilities?	**YES** ☒ **NO** ☐ **If yes, please attach**

Government of **Western Australia**
Development Assessment Panels

Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	*The presentation will address:* Local Planning Context Age of TPS4 Nearby development Visual impact Visual privacy Traffic and parking

In accordance with Clause 3.5.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

See attached presentation

RESIDENTIAL DEVELOPMENT 168 BROADWAY, CRAWLEY

URBIS

JDAP Deputation

21 November 2022

PLANNING CONSIDERATIONS



PLANNING CONTEXT

Local Planning Context

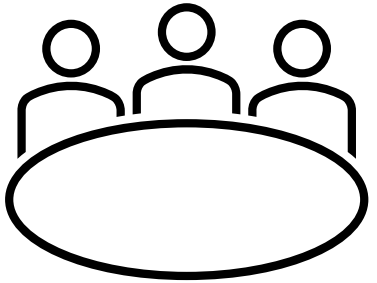
The site is be within the QEII/UWA Specialist Activity Centre, as significant destination for the Perth metropolitan area.

Site repair enabled via land assembly.

Excellent access to open space, transport and amenities.

Design resolution based on context and attributes – lot sizes, condition of stock and amenities.

Of 37 submissions received, 31 were letters of support reinforcing the positive improvement achieved.



PLANNING CONTEXT

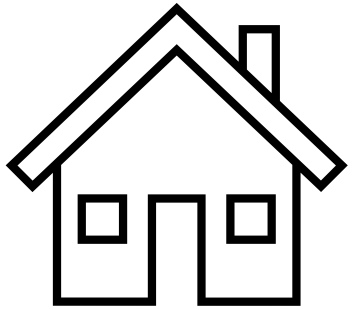
Age of existing TPS4

TPS4 been in place since 2001.

Some controls reviewed but not since 2016 when CoP Act came into force (meanwhile City of Subiaco have rescinded over their jurisdictional area and replaced with LPS5.

Need for more density at the heart of the CoP Local Planning Strategy

Need for greater diversity of housing stock – larger style apartments of higher quality in high demand and low supply within the area.



URBIS

PLANNING CONTEXT

Nearby Development

City of Nedlands LPS3 has density code of R-AC3 on the other side of Broadway which permits has a base height of 6-storeys and plot ratio of 2.0.

Some developments appear as 7-storeys from the street and have plot ratio of ~2.25 based on the slope and size of the lot.

Site is at the lowest point of the street and has a reserve to the south – the building of high-quality design which serves as a landmark/bookend is ideal.



URBIS

VISUAL IMPACT

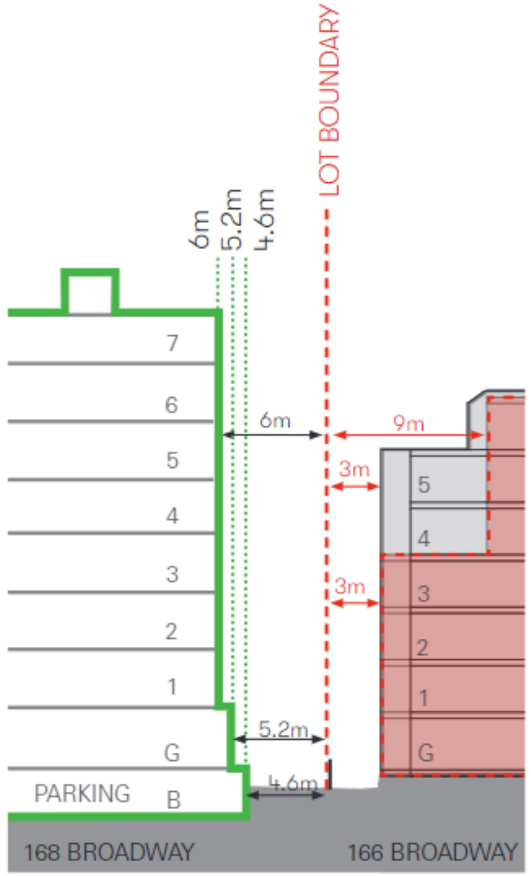
Visual impact of Bulk and Scale

The development has been pushed away from the common property boundaries to provide good building separation and respect the setting of the existing building.

The setbacks to the neighbouring properties are larger than the minimums, and exceed setbacks of the existing building at the southern edge to open up new views to the river and parklands.

Privacy is maintained by the provision of architecturally integrated screens to control direct overlooking.

Balance of natural ventilation, access to sunlight, privacy and building bulk impact.



URBIS

VIEWS AND VISUAL PRIVACY

Consideration of Existing Views

The development has been positioned to allow for the rear living and balcony areas of the adjacent development to retain enduring views to the parkland.

Retention of views from a kitchen window located deep into the neighbouring site and facing south-west over the subject property – not reasonable to be retained long term – however increased setbacks do improve from the minimum setbacks.

Cannot control location of vegetation within reserve and not proposing to alter this vegetation.

The windows are screened and positioned based on the neighbouring property to prevent direct overlooking between the site and neighbouring apartments.



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OTHER CONSIDERATIONS

Traffic, Parking, Wind, Tree Retention

Well located in terms of public transport and cycle path access, with good access to public car parking.

Substantially improved from existing parking situation – correcting substantial shortfall for car parking on site for residents.

A similar number of apartments compared to existing building, resulting in negligible increase in proposed traffic, and concealing parking removes visual domination.



Mitigation strategies implements through the design and landscaping strategy to control impact of wind on site and on neighbouring properties.

Worked closely with arborist and City's Parks team to ensure street trees can be survive in long term

URBIS

BROADWAY, 168 (LOTS 1-18) CRAWLEY – PROPOSED DEMOLITION OF AN EXISTING THREE-LEVEL RESIDENTIAL APARTMENT BUILDING AND CONSTRUCTION OF A NINE-LEVEL RESIDENTIAL DEVELOPMENT COMPRISING OF 21 MULTIPLE DWELLINGS AND 46 CAR PARKING BAYS

Form 1 – Responsible Authority Report
(Regulation 12)

DAP Name:	City of Perth LDAP	
Local Government Area:	City of Perth	
Applicant:	Edge Visionary Living c/o – Urbis Pty Ltd	
Owner:	Edge Holdings No 20 Pty Ltd	
Value of Development:	$20 million ☒ Mandatory (Regulation 5) ☐ Opt In (Regulation 6)	
Responsible Authority:	City of Perth	
Authorising Officer:	Dale Page, General Manager Planning and Economic Development	
LG Reference:	DAP-2022/5216	
DAP File No:	DAP/22/02297	
Application Received Date:	16 August 2022	
Report Due Date:	10 November 2022	
Application Statutory Process Timeframe:	90 days with an additional 10 days agreed	
Attachment(s):	1. Location Plan 2. Perspectives (16 August 2022) 3. Development Plans (16 August and 26 October 2022) 4. Schedule of Submissions 5. State Planning Policy 7.3 Assessment 6. Applicant Address of State Planning Policy 7.0	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	☐ Yes ☒ N/A	Complete Responsible Authority Recommendation section
	☐ No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the City of Perth Local Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/22/02297 and development plans (Attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of City Planning Scheme No. 2, subject to the following conditions:

Conditions

1. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 16 August 2022 and 26 October 2022, with particular attention to demonstrating the provision of a high quality interface with the adjacent public realm. Final details of the design including a sample board of the proposed materials, colours and finishes to be submitted for approval by the City prior to applying for a building permit;

2. A final landscaping and reticulation plan, including the provision of mature/advanced plantings within the deep planting zonings to soften and screen the above ground car park wall from the street and adjacent public open space, with details being submitted for approval by the City prior to applying for a building permit. The approved landscaping is to be installed prior to occupation of development and thereafter maintained to a high standard to the City's satisfaction;

3. The approved boundary walls and footings being constructed wholly within the subject lot, with the external surface of the walls being finished to complement the approved development. Final details to be submitted for approval by the City prior to applying for a building permit;

4. Any proposed building plant and services including air-conditioning condensers, lift overruns, piping, ducting, water tanks, transformers, fire boosters and fire control rooms being located or screened so that they cannot be viewed from any location external to the building (including from above) and to minimise any visual and noise impact. This includes any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for a building permit;

5. The proposed floor levels of the pedestrian and vehicular entrances to the building being designed to match the current levels of the immediately adjacent footpath to the City's satisfaction, with details being submitted for approval by the City prior to applying for a building permit;

6. On-site stormwater disposal/management being to the City's specifications with details being submitted for approval by the City prior to applying for a building permit;

7. The approved Waste Management Plan prepared by Talis Consultants dated 29 July 2022 being implemented by the owners and/or strata managers on an ongoing basis to the satisfaction of the City;

8. The proposed development being designed and constructed in such a manner that existing and possible future noise levels associated with:
   b) vehicle traffic;
   c) noise between dwellings; and
   d) noise generated from within the development including all mechanical services and plant infrastructure;

   that could potentially affect occupants of the development, can be successfully attenuated in accordance with the Environmental Protection (Noise) Regulations 1997. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and submitted for approval by the City, prior to applying for the relevant building permit;

9. A total of 46 car parking bays including a minimum of three (3) visitor bays being provided internally within the building, for the exclusive use of residents of the development and their guests. These bays may not be leased or otherwise reserved for the use of tenants or occupants of other buildings or sites. Each pair of tandem bays shall be allocated to the same multiple dwelling;

10. The dimensions of all car parking bays, vehicle entrance and circulation areas complying with the Australian Standard AS2890.1 with a certificate of compliance by an architect or engineer being submitted for approval by the City prior to applying for a building permit;

11. The existing street trees located in the road verge on Broadway and the adjacent JH Abrahams Reserve being retained and protected from damage throughout any demolition and construction works. Tree protection zones must be established and maintained during the demolition and construction in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, with the owner/applicant being liable for any damage or removal of the trees;

12. An Arboricultural Impact Statement, prepared by a suitably qualified arborist, outlining the demolition and construction methodology to ensure the protection of the existing street trees located in the road verge on Broadway, being submitted for approval by the City prior to applying for the demolition and building permits;

13. In the event of the development not proceeding within six months of the demolition of the existing building/s on the site, the site is to be fenced and landscaped to the satisfaction of the City in order to preserve the amenity of the area, prevent unauthorised car parking and minimise dust and sand being blown from the site. The fence and landscaping shall be maintained in a clean and tidy state;

14. The works referred to in the above condition, being secured by a bond/deed of agreement between the landowner/applicant and the City, to the value of the proposed works as determined by the City, with the cost of the deed to be borne by the applicant and the bond/deed being finalised to City's satisfaction prior to any demolition works being undertaken; and

15. Demolition and/or construction management plans for the proposal prepared in accordance with the City's pro-forma and requirements being submitted for approval by the City prior to applying for a demolition permit and/or a building permit.

Advice Notes

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

2. The final plans and details submitted to the City of Perth to satisfy the conditions of this approval will be verified by the City Architect and Alliance Manager of Development Approvals. Any substantive changes to the approved plans will need to be made via a Form 2 process.

3. With regards to the existing adjacent street trees within the Broadway road verge, any root exploration works are to be carried out under the supervision of the City of Perth.

Details:

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	Town Planning Scheme No. 4
Local Planning Scheme - Zone/Reserve	Residential R80
Structure Plan/Precinct Plan	University Precinct
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Dwelling: Multiple – Permitted ('P')
Lot Size:	1,413m^2
Existing Land Use:	Dwelling: Multiple
State Heritage Register	No
Local Heritage	☒ N/A ☐ Heritage List ☐ Heritage Area
Design Review	☐ N/A ☒ Local Design Review Panel ☐ State Design Review Panel ☐ Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

Proposed Land Use	Dwelling: Multiple
Proposed Plot Ratio Area	3,749m^2

Proposed No. Levels	9
Proposed No. Dwellings	21

The application seeks approval to demolish the existing three-level residential apartment building and to construct a nine-level residential apartment building comprising of 21 multiple dwellings and 46 car parking bays, including three visitor bays.

Specific details of the proposed development are as follows:

Basement	This level contains 38 car parking bays (4 car parking bays in tandem arrangement), pump, water storage, residential stores, lifts and fire exit stair.
Ground	This level contains the main entrance lobby, mail room, bin store, residential stores, tank rooms, 8 car parking bays (3 visitor) and bicycle racks. There are also 2 x three-bedroom, two-bathroom apartments (164m^2 to 165m^2) with balconies (55m^2 – 67m^2), surrounded by landscaping.
Level 1	This level contains 1 x three-bedroom, two-bathroom apartment (164m^2), 1 x two-bedroom, two-bathroom apartment (140m^2) with balconies (25m^2-36m^2) and communal facilities including quiet lounge, gymnasium, wellness garden, multi-purpose lounge, sauna, toilets, and outdoor terrace.
Levels 2-3	Each level contains 2 x two-bedroom, two-bathroom apartments (114m^2-117m^2) and 2 x three-bedroom, two-bathroom apartments (164m^2-167m^2) with balconies (20m^2-40m^2), lifts and fire exit stair.
Level 4	This level contains 3 x three-bedroom, two-bathroom apartments (164m^2-167m^2) with balconies (40m^2), storage, lift and fire exit stair.
Levels 5-7	Each level contains 2 x three-bedroom, three-bathroom penthouse apartments (241m^2-258m^2) with balconies (23m^2-54m^2), lift and fire exit stair.
Roof Level	This level contains the mechanical plant room (73m^2), lift overrun and fire exit stair. Solar panels are also proposed to be installed on the northern portion of the roof.

In support of the proposal, the applicant advises that:

- *"The architectural form of the building draws on the historic art deco characteristics typically found in single residences and apartments within the surrounding area. At ground and first floor level, strong linear arches, and ornamental curves with modern detailing interfaces the street, contrasting the glazing and the bronze screens on the upper levels. The white brickwork and bronze accents to the ground & first floor levels further reinforce these elements and the contrast interrupts the verticality of the building. The lower levels are brought into dialogue with the heritage apartments in the surrounding area and street at a human scale below the canopy of the significant trees on the verge.*

- *The subtle curved walls of the ground floor lobby are inviting, providing prominence to the entry, which can be accessed along a gentle ramp colonnade or more directly via the formal front steps, which address the significant slope of the site.*

- *The upper levels consist of a dynamic envelope, a combination of glazed, solid and screen elements which work together to form a light appearance with subtle curves and details which reference the architecture below. The screens are a combination of fixed and moveable elements which give residents flexibility to adapt to the environment whilst still taking opportunity of the views. The expansive frontages to all apartments on dual sides affords 100% cross-ventilation.*

- *Large balconies, undercover and open outdoor spaces, increase solar access and amenity for the residents. The generous amenities for the development are proposed on the north to north-west side of the building with extensive planting throughout. The design is a contemporary interpretation which is sensitive to the character of the area, in keeping with the current and future of the Broadway precinct."*

Background:

The subject site is located on the north-eastern side of Broadway and contains an existing three-level brick and tile apartment building constructed in the 1960's. It is approximately 1,413m^2 in area with a two-metre level difference from the north of the site to the south. The site is situated next to the JH Abrahams Reserve river foreshore to the south.

The site was previously part of the City of Subiaco, however, was transferred to the City of Perth on 1 July 2016. The provisions of City of Subiaco Town Planning Scheme No. 4 (TPS4) are still applicable to the site until such time as the area is incorporated into the future City of Perth Local Planning Scheme No. 3. State Planning Policy 7.0 Design of the Building Environment and State Planning Policy 7.3 - Residential Design Codes (Volume 2) also apply to the site.

The land opposite the site, on the west to south-western side of Broadway, is located within the City of Nedlands and is subject to Local Planning Scheme No. 3 which was gazetted on 16 April 2019. This Scheme was amended by the Western Australian Planning Commission, increasing the residential density coding along Broadway from R12.5-R35 to R-AC3 which permits a plot ratio of 2:1 and a height of five (5) storeys.

Legislation and Policy:

<u>Legislation</u>

Planning and Development Act 2005 s.162
Town Planning Scheme No. 4 (TPS4) Clauses 7, 13, 14, 22, 26, 27, 28, 30, 41, 42, 42A and 70

Planning and Development (Local Planning Scheme) Regulations 2015 – Deemed Provisions for Local Planning Schemes Clauses 60, 64, 67, 68 and 71
Metropolitan Region Scheme

State Government Policies

Design of the Built Environment (SPP 7.0)
Residential Design Codes Volume 2 – Apartments (SPP 7.3)
Activity Centres for Perth and Peel (SPP 4.2)

Local Policies

Public Notification of Planning Proposals (1.4)
Streetscape (2.1)
Perimeter Fencing (2.5)
Demolition (2.6)
Environmental Design (2.15)
Landscaping and Water Sensitive Urban Design (2.16)

Consultation:

Public Consultation

As the proposed development is classified as a significant application, owners and occupiers of the neighbouring properties located within 100 metres of the site were notified of the application by post. A sign was also erected on the site and advertising in the local newspaper (Perth Now Western Suburbs) occurred, in accordance with clause 64(4) of the Deemed Provisions and the TPS4 Public Notification of Planning Proposals Policy (1.4). A total of 37 submissions was received including 31 letters of support and six (6) objections (Refer to Attachment 4 – Schedule of Submissions).

The submissions received in support of the proposed development advised of the following:

- The development will replace an existing building which is in poor condition.
- The development is of a high quality and contemporary design.
- The design pays respect to the art deco history of the area.
- The development will improve local amenity and the visual quality of the streetscape.
- The proposal will resolve the parking issues that the current building creates.
- The development is of an appropriate height, bulk and scale which respects the amenity of the adjacent properties and local context.
- The proposal will provide luxury apartments for a demographic of residents looking to downsize.
- The proposal will provide high quality landscaping which will enhance the streetscape and adjacent parklands.
- The proposal incorporates a high level of internal amenity through the provision of communal facilities.

The main issues/concerns raised in relation to the proposed development are summarised in the table below. These matters will be discussed in further detail under the planning assessment section of this report.

Issue Raised	Officer comments
Height/Scale *'The height and scale of the development is out of keeping with the height and scale of buildings in the local area, has been misrepresented, and does not comply with the existing planning framework'* (Submissions 34, 35, 36, 37 and 38)	**Noted** This will be discussed in the Building Height, Plot Ratio and Setbacks section of the report.
Setbacks *'The setback of the building to Broadway is not consistent with the existing setbacks along the street or the current planning framework'* (Submission 36)	**Noted** This will be discussed in the Building Height, Plot Ratio and Setbacks section of this report.
Boundary Wall *'Concerns regarding the extent of the boundary wall and its visual amenity impact'* (Submissions 35 and 37)	**Noted** This will be discussed in the Building Height, Plot Ratio and Setbacks section of this report.
Privacy/Overlooking *'Concerns regarding the variations to the setback and visual privacy requirements and its impact on No. 166 Broadway'* (Submission 35)	**Noted** This will be discussed in the Building Height, Plot Ratio and Setbacks section of this report.
Tree/vegetation removal *'Concerns regarding the removal of existing vegetation on the site and the impact of the development on the viability of the adjacent street trees within road reserve along Broadway'* (Submissions 33 and 34)	**Noted** This will be discussed in the Trees and Landscaping section of the report.
Groundwater/flood levels *'Concerns regarding the future viability of the building from water level rises due to global warming'* (Submission 34)	**Noted** This will be discussed in the Building Design and Presentation to the Street section of the report.
Views *'Concerns regarding loss of views for apartments within the neighbouring property at 166 Broadway'* (Submissions 35 and 36)	**Noted** The impact of the proposed development on the loss of views is a matter that, whilst understandably of high importance to individual landowners, is not directly relevant in any assessment of the planning merit of a proposed development and cannot be specifically addressed within the applicable planning framework. However, matters relating to views will be addressed in further detail under the Building Height, Plot Ratio and Setbacks section of this report.
Overshadowing	**Noted**

'Significant overshadowing impact over Broadway, the public reserve and adjacent properties including 166 Broadway' (Submission 36)	This will be discussed in the Building Height, Plot Ratio and Setbacks section of this report.
Vehicle Parking *'Concerns regarding the number of vehicle parking bays provided and the sightlines of the exit/entrance to the car park'* (Submissions 35, 36 and 37)	**Noted** This will be discussed in the Vehicle Parking section of this report.
Design *'The architectural style of the development is out of keeping with the local area and concerns regarding the design and orientation of the development with respect to internal solar access'* (Submission 37)	**Noted** This will be discussed in the Building Design and Presentation to the Street section of this report.
Future use *'Concerns regarding the potential of the quiet lounge and dining area on level 1 to be converted into a café'* (Submission 34)	**Noted** The application is not proposing the inclusion of a café ('Restaurant') as part of the application. This would be subject to a separate application for approval, requiring advertising under the City of Subiaco Town Planning Scheme No. 4.

Design Advisory Committee Advice

At its meeting held on 13 October 2022 the City of Perth's Design Advisory Committee (DAC) having considered the design of the proposed residential development advised that the Committee: -

1. *Generally SUPPORTS the proposal noting the following strengths of the proposed design:*
   a) *Generally a well considered planning solution for the subject site;*
   b) *The increased setbacks as the height increases to minimise the perceived bulk of the building;*
   c) *The generous size of the proposed apartments and their functional layout;*

2. *NOTES that although the corner location may warrant special consideration in relation to height, the variation sought is significant. The Panel ADVISE that support for the proposed height is subject to the proponent demonstrating that the existing street trees (3) along Broadway, noting the significant contribution they make to the amenity of the locality, will not be impacted on by the proposed development, including the impact the basement may have on the root zone of the existing trees.*

3. *REQUEST the proponent:*

a) *Provide an alternative design solution to ventilate the carpark as the proposed louvred vents, visible from the street and public open space, is not an acceptable design solution;*
b) *Maximise the inclusion of mature/advanced landscaping options within the deep planting zones in the street setback areas to soften the appearance of the above ground car parking level as viewed from the street and public open space;*
c) *Provide details of the servicing requirements for the building, with the location of all servicing requirements being integrated into the design of the building.*

To address the above advice of the City of Perth's DAC and the issues raised by the neighbouring property owners, the applicant has prepared revised plans and a written response which will be discussed in further detail under the Planning Assessment section of this report.

Planning Assessment:

Land Use

The subject site is located in the Residential R80 zone of the City of Subiaco Town Planning Scheme No. 4 (TPS4). The intent of the Residential Zone under TPS4 is to provide a wide range of different types of residential accommodation that cater to the needs of a diverse community, and to protect and enhance residential amenity.

New developments should be designed to have regard to the existing streetscape and built form and to incorporate the principles of sustainability and crime prevention through environmental design.

The proposed use of the site as 'Dwelling: Multiple' is a permitted ('P') use under TPS4.

The site is also located within the Crawley-Nedlands Neighbourhood of the draft *City of Perth Local Planning Strategy 2021*. The vision for the Crawley-Nedlands Neighbourhood is to build on the strength of its existing community and its proximity to the University and the Queen Elizabeth II Medical Centre, including the vibrancy and activity brought about by its long-term residents, students, academics, researchers and health workers. The neighbourhood priority of the area is to improve transport connectivity to enable its institutions to participate in global markets, whilst protecting local liveability, character and supporting housing diversity.

Demolition

The application proposes the demolition of the existing three-level residential apartment building and its associated structures. As highlighted during public consultation, the building is in a state of disrepair. Under clause 30 of TPS4 any proposed demolition works to a property must be advertised to the surrounding owners/occupiers and have regard to the matters raised, as set out under clause 27 of TPS4. During advertising no objections were raised by the neighbouring residents regarding the proposed demolition works, noting the poor structural and aesthetic condition of the existing building. As a new development is proposed to replace the existing building, it is considered that the proposal for demolition can be supported in accordance with clause 30(1)(a) of TPS4. If the new development is not commenced within six months of demolition it is recommended that the site be landscaped to the satisfaction of the City (enforced as a condition of any approval), as set out under clause 30(b)(ii) of TPS4.

Development Requirements

The proposal has been assessed against the development standards of the City of Subiaco TPS4 and the Acceptable Outcomes and Element Objectives of SPP 7.3 – Residential Design Codes (Volume 2 – Apartments), as summarised below. A detailed assessment addressing each of the element objectives of SPP 7.3 is contained in Attachment 5 of this report.

Provision	**Requirement/ Acceptable Outcome**	**Proposal**	**Assessment**
Maximum Plot Ratio:	1:1 (1,413m^2)	**2.65:1 (3,749m^2)**	Variation sought Refer to Element Objective 2.5 - Plot Ratio of R-Codes
Maximum Building Height:	9m-12m	**27m**	Variation sought Refer to clause 42A of TPS4
Setbacks: <u>Broadway (south-west)</u> - Lower Ground - Ground - Level 1 - Levels 2 to 7 <u>Side (north-west)</u> - Lower Ground - Ground - Level 1 - Levels 2 to 7 <u>Side (south-east)</u> - Lower Ground - Ground - Levels 1 to 7 <u>Rear (north-east)</u> - Lower Ground - Ground - Level 1 - Levels 2 to 7	 2m 2m 2m 2m 3m 3m 3m 3m 3m 3m 3m 3m 3m 3m 3m	 **1.05 –** 4.8m **1.39** -5.1m 2m- 6.6m **1.1m** – 6.6m **Nil** **Nil** **1m** – 4m 3.1m – 4.5m **1m -** 4.2m **1m –** 5.3m 3m **Nil –** 4.6m **Nil** – 5.2m **0.5 metres** -6.9m 3 metres – 8.6m	 Variations sought Refer to Element Objectives 2.3, 2.4 and 3.5 – Street, Side and Rear Setbacks and Visual Privacy of R-Codes

Private Open Space/Balconies:			
Ground Floor Terraces	15m^2	55m^2-67m^2	Complies
2 Bedroom	10m^2	20m^2 - 61m^2	Complies
3 Bedroom	15m^2	20m^2 – 77m^2	Complies
Solar Access and Daylight:			
Access to daylight 9am to 3pm 21 June	70% dwellings with living rooms and private open space with 2 hours direct sunlight (minimum)	**55%**	Variation sought Refer to Element Objective 4.1 – Solar and Daylight Access of R-Codes
Car Parking:			
Residents	27 bays (minimum) 53 bays (maximum)	43 bays	Complies
Visitor	5 bays	**3 bays**	Variation sought
Motorcycle/Scooter	2 bays	**Nil**	Variation sought Refer to Element Objective 3.9 – Car and Bicycle Parking of R-Codes
Bicycle Parking:			
Residential	11 bays	21 (accommodated within sufficiently sized stores)	Complies
Visitor	3 bays	3 bays	Complies

Under Clause 42A of TPS4 the determination of an application where the wall or overall height is non-compliant can only be approved in the following instances:-

"(a) the local government is satisfied that:
(i) the non-compliance will have no undue adverse effect on any adjoining residential land or the amenity of the locality; or

(ii) the wall or overall height which is non-compliant is compatible with the wall and overall heights of surrounding developments that are designed for residential purposes and are considered by the local government to enhance the streetscape;

(b) the wall/overall height which is non-compliant:
(i) meets the Acceptable Development standards of the Residential Design Codes in relation to setbacks; or
(ii) is necessitated by a sloping site and would be unlikely to occur if the site had been level; or
(iii) is the result of an irregular roof design and is unlikely to have occurred if the proposed development had a conventionally shaped roof."

Building Design and Presentation to the Street

The application proposes a high-quality residential apartment complex, capitalising on views to the adjacent parklands and Swan River. The applicant advises that the architectural form of the building draws on the historic art deco characteristics of existing residential buildings in the Crawley area, with modern detailing interfacing with the street.

The building has been designed with a tall and slender form, to respond to the amenity concerns of the neighbouring properties, reducing any perceived bulk and impact on existing views to the foreshore reserve.

Substantial areas of high-quality landscaping, in excess of the minimum requirements under the R-Codes, are proposed to enhance the amenity of Broadway and provide an attractive outlook for the future residents.

As outlined in Attachment 6 of this report, the proposed development adequately addresses each of the ten design principles of SPP 7.0 – Design of the Built Environment. The DAC commended the applicant on a well resolved planning solution for the site, with increased setbacks at the upper building levels which minimise any perceived building bulk, and generous apartment sizes with functional layouts.

Notwithstanding the above and noting the applicant's request for additional building height to be considered at the site, the DAC and City officers have recommended several design improvements.

The proposed ventilation to the car park via louvred vents and visibility of the above ground portion of the car park were not considered acceptable design solutions, given their interface with the street and public open space. In response to this concern, the revised plans have reduced the visibility of the louvres and car park by lowering the basement and ground floor levels of the building and increasing the area for mature/advanced plantings along the street and adjacent public realm. The height of the louvres has also been lowered below the natural ground line and screened from view using metal edging. In addition, the substantial planting zones incorporated within the site along Broadway and the adjacent reserve help screen the basement car park wall and associated vents. City officers consider these additional details, together with the proposed enhanced planting zones, as acceptable design solutions which will help screen and soften the visibility of the car park wall and louvres from the street and adjacent public open space.

To ensure a high standard of design and appropriate interface with the public realm, details of the location of building services were also requested by the DAC and City officers. In particular, the City officers raised concerns regarding the proposed location of the fire booster cabinet on the Broadway property boundary and it not being designed as an integral element of the building.

In response to this advice, the applicant has relocated the fire booster cabinet from the front setback area into the south-western ground floor façade of the building, with an associated hard stand area in front to ensure it meets the relevant fire compliance standards. The applicant has also confirmed that all air conditioning units will be located on the roof of the development and screened from view. The bin storage and collection area are also located internally within the building and has been designed to accommodate the City's waste vehicles, noting on-street collection may be needed in the interim due to the City's current waste collection requirements. It is considered that the applicant has adequately demonstrated that the building services will be integrated into the design of the building with final details of the location and design of building services enforceable as a condition of any approval.

With respect to the internal design and layout of the apartments one of the submissions raised concerns regarding the amenity of future occupants of the building due to insufficient solar and daylight access. As noted in the compliance table, the proposed development does not meet the acceptable outcomes of Element 4.1 Daylight and Solar Access of the R-Codes with 57% of apartments (minimum 70%) having living rooms and private open space with at least two hours of direct sunlight between 9am and 3pm on 21 June and more than 15% receiving no direct sunlight during this time.

As noted by the applicant, the proposed development has sought to maximise balconies and living spaces that overlook the adjacent parklands and river and the apartments have generous internal dimensions and 100% cross ventilation, resulting in a high level of amenity for the future residents.

The applicant has also prepared and submitted an energy efficiency report demonstrating that each apartment and the development as a whole can achieve the minimum NaTHERs rating. The generous size of the proposed apartments and balconies exceeds the minimum requirements specified under the acceptable outcomes of Elements 4.3 Size and Layout of Dwellings and 4.4 Private Open Space and Balconies of the R-Codes, providing a high level of amenity for the future residents of the complex. It is considered that the development has been designed to optimise access to sunlight, natural light and natural ventilation to provide future occupants with an acceptable level of internal amenity in accordance with Element 4.1 of the R-Codes.

With respect to the submission raising concerns regarding the new residential development being affected by flooding, it is noted that a small portion of the site, directly adjacent to JH Abrahams Reserve, is located within the 1 in 100-year flood plain. The subject site and existing properties located along the reserve are zoned for 'Residential' purposes under TPS4 with the proposed development replacing an existing residential building on the site. With respect to its partial location within the 1 in 100-year flood plain, the finished floor levels of the ground level apartments are at a height which will not be impacted by flooding events with only the car park being located within the flood plain area. It is considered that this is an acceptable design response in relation to the potential impact of a 1 in 100-year flood event.

<u>Building Height, Plot Ratio and Setbacks</u>

The subject site is in an area which was previously located within the City of Subiaco and transferred to the City of Perth in 2016. As such the development requirements of the City of Subiaco Town Planning Scheme No. 4 (TPS4) in relation to density and maximum building height apply to the site. Under TPS4 this site is in an area with a density coding of R80 with a maximum plot ratio of 1:1 (1,413m^2).

Under clause of 42(3) of TPS4, residential buildings with a density code of R80 must not exceed 9 metres in overall height; however, additional height up to 12 metres can be approved provided there are no undue adverse impacts on the adjoining residential sites or the general locality. In addition, clause 42A of TPS allows for further height (no maximum specified) to be approved subject to the development satisfying specific criteria including where the overall height of the building which is non-compliant meets the requirements of the R-Codes (Volume 2) in relation to setbacks.

The application is seeking a significant variation to the plot ratio and maximum building height limit specified under clause 42(3) of TPS4 with a plot ratio of 2.65: 1 (3,749m^2) and an overall building height of 27 metres proposed.

During public consultation some concerns were raised regarding the variations proposed to the maximum plot ratio and height, in particular its impact on the existing character of the local area and amenity of the adjacent properties in terms of its bulk and scale, overshadowing, and loss of privacy and views to the adjacent parklands and Swan River.

The City's DAC also advised that although its corner location may warrant special consideration in relation to height, it must be demonstrated that there will be no adverse amenity impacts to the local area, in particular to the three existing street trees located adjacent to the site on Broadway.

The inability to vary plot ratio at the site was also raised; however, it is noted that this refers to a provision under the City of Perth City Planning Scheme No. 2 and is not applicable to the site, which is guided by TPS4 and Element 2.5 Plot Ratio of the R-Codes, which permit variations to Plot Ratio.

Whilst the proposed development exceeds the current maximum height and plot ratio requirements specified under TPS4 and R-Codes for the site, the scale of the proposed development it is not considered to be significantly out of character with nearby developments in the Crawley area.

Under the City of Nedlands Local Planning Scheme No. 3, properties located on the south-eastern side of Broadway are zoned R-AC3 which permits a maximum height of 5 storeys and a plot ratio of 2:1. The buildings adjacent at 166 Broadway and on the opposite side of Broadway at 35 Esplanade, are five and six storeys in height, with the proposed development being seven storeys in height. In addition, there are several developments which are currently under construction in the local area, including 135, 137 to 139 and 150 Broadway, which are six and seven storeys in height.

The City is also in the process of developing a new Local Planning Scheme No. 3 and associated Precinct Plan for the area following the release of its draft Local Planning Strategy. Whilst still in its preliminary stages, the future planning framework for the local area will have regard to the height and plot ratio provisions of the City of Nedlands Local Planning Scheme No. 3 for sites along Broadway and its location on a prominent corner site where additional height may be considered.

In addition to the surrounding built form context, there are several site-specific aspects to be taken into consideration when assessing variations proposed to the maximum height of the proposed development and its impact on the amenity of the neighbouring properties and the local area.

The site is located at the lowest point on Broadway and is separated by the vehicle entrance of 166 Broadway and car park at 28 The Avenue. The additional height will have minimal impact when viewed from sites further north along Broadway and will not appear significantly out of keeping with the character and scale of development within the existing streetscape. The site's prominent corner location next to the reserve, also differentiates it from other sites along Broadway, so additional height may be considered without setting an undesirable precedent for the area.

Notwithstanding the above, concerns have been raised by the neighbouring residents regarding the loss of views to the Swan River from 166 Broadway. Whilst the protection of views is not specifically a planning consideration under TPS4, the proposed development has been designed having regard for the siting and internal layout of the residential development at 166 Broadway to ensure any adverse amenity impacts to existing views from this property are minimised.

The position of the building is central to the site and increased setbacks to the north-east side boundary either meet or exceed the acceptable outcomes of Element Objective 2.4 Side and Rear Setbacks of the R-Codes (3 metres required, 3 metres to 8.6 metres provided) above the ground floor level. This will help to retain views from the main habitable room windows of the adjacent apartments at 166 Broadway which face directly (family room) or are angled at 45 degrees (living and kitchen) to maximise views to the public open space and Swan River. It is also noted that there is significant vegetation adjacent to 166 Broadway on JH Abrahams Reserve which partially obscures existing views from/to the site.

In addition to the potential loss of views, concerns have been raised by the neighbours regarding the excessive bulk and scale of the development when viewed from the public realm and from the residential apartments at 166 Broadway.

Whilst it is noted that the building is two storeys higher than the adjacent development at 166 Broadway, the front, side and rear setbacks provided above the ground floor generally meet or exceed the standards of Element's 2.3 and 2.4 Front, Side and Rear Setbacks of the R-Codes. This has resulted a taller and more narrow built form, reducing any perceived bulk and scale of the development when viewed from the adjacent public realm and apartments at 166 Broadway.

The applicant has also responded to concerns regarding the extent and bulk of the boundary wall adjacent to 166 Broadway, which exceeds the two thirds boundary length (up to a maximum height of two storeys) under Element 2.4 Side and Rear Setbacks of the R-Codes. A revised design lowering the height of the basement, ground and first floor levels with the ground floor level now 1 metre higher than 166 Broadway (previously 1.6 metres), reduces the boundary wall height. The design also incorporates planters along the north-east boundary of the ground and first floor level with vegetation to overhang and help screen and soften the appearance of the wall.

With respect to visual privacy some concerns have been raised regarding the impact of the development on the adjacent properties.

Whilst the development does not meet all the acceptable outcomes of Element Objective 3.5 Visual Privacy of the R-Codes, it is considered that there will be no undue adverse visual privacy impacts to the neighbouring properties. The building at 166 Broadway, for example, does not have any openings directly facing onto the development site with windows either directly facing or angled at 45 degrees towards the Swan River and foreshore reserve. There is also a significant separation distance (11 to 13 metres) between the habitable rooms and balconies of the proposed development and the adjacent kitchen and living room windows at 166 Broadway.

In addition, the balconies to the ground and first floor apartments have been set back along the north-west boundary with planters to prevent overlooking of the adjacent property.

In terms of the neighbouring property to the north-west of the site at 28 The Avenue, only the secondary living room/kitchen windows of the three-storey apartment building face towards the site and are located approximately 31 metres from the northern boundary. This building at 28 The Avenue is separated by an existing car park, vehicle entry/exit and a 3.4 metre boundary wall, so the proposed development is considered to have no undue adverse amenity impacts in terms of the visual privacy, in accordance with the objectives of Element 3.5 Visual Privacy of the R-Codes.

Under Element 3.2 Orientation of the R-Codes the form and orientation of the building must minimise overshadowing of the habitable rooms, open space and solar collectors of the neighbouring properties. Whilst concerns have been raised regarding the overshadowing impact of the proposed development, in particular overshadowing of the adjacent property at 166 Broadway, given the subject site is located to the south-west, there will be no adverse overshadowing impact on this property during winter.

The overshadowing will mainly occur over the road reserve along Broadway and a section of the public open space which is already shaded as a result of the existing vegetation. A taller, slender building will also result in a shadow which moves more quickly across the street and public open space than a compliant lower and wider building envelope.

The proposed development is considered to achieve the acceptable outcomes of Element 3.2 of the R-Codes, with respect to overshadowing on the neighbouring sites on 21 June.

Based on the above, it is considered that the proposed development achieves the relevant performance standards of Elements 2.3 and 2.4 Street, Side and Rear Setbacks and 2.5 Plot Ratio of the R-Codes.

With respect to the variation to the maximum building height it is considered that there will be no undue adverse amenity impacts to the adjacent residential properties or the general locality. In addition, the side and rear setbacks of the non-compliant portion of the building meets the acceptable outcomes of the R-Codes.

As such, it is considered that the variation to the maximum building height can be supported in accordance with clauses 30, 42, 42A of TPS4.

Trees and Landscaping

The subject site is situated adjacent to three large Yellow Box (Eucalyptus Melliodora) trees located within the road reserve along Broadway. The large street trees along

Broadway make a significant contribution in terms of local amenity and the character of the streetscape. Some concerns have been raised by the neighbouring property owners as well as the DAC and City officers regarding the impact of the proposed development on the viability of the trees, in particular the impact of the basement car park on the structural root zone of the trees, and any pruning required to accommodate the new development.

In response to these concerns, an arborist was engaged by the applicant to investigate the current health and potential impact of the development on the viability of the trees. The arborist raised similar concerns, noting excavation works for the basement car park would likely impact on the health and structural stability of the trees. The arborist advised that only minor pruning works would need to take place to two of the trees to the south in order to accommodate scaffolding and the new building.

In response to concerns raised regarding the impact of the development on the viability of the adjacent street trees, the applicant has prepared revised plans increasing the setback of the basement car park from Broadway. This increased setback seeks to ensure the development is located outside of structural root zone of the adjacent street trees.

The City's Parks and Landscape officers support the increased setback; however, it is recommended that the arborist also prepares an Arboricultural Impact Statement outlining the construction methodology that will be used to minimise any impact on the adjacent trees and avoid any encroachment into the tree protection zones prior to any demolition/construction works taking place. Any root exploration works should also be carried out in consultation and under the supervision of the City.

The preparation of an Arboricultural Impact Statement and the protection of the trees within the road verge and reserve during demolition and construction, is therefore recommended to be included as a condition of any approval.

The increased setback of the car park also results in the area allocated for deep soil being increased from 142m^2 to 154m^2, above the minimum 10% acceptable outcome of Element 3.3 Tree Canopy and Deep Soil Areas of the R-Codes.

As noted previously, the applicant has also confirmed that a variety of plantings will be used to soften and screen the appearance of the car park wall from the adjacent footpath and public open space. The proposed additional deep soil area and landscaping details is considered to address the DAC's advice to maximise the provision of mature/advanced landscaping within the streetscape and to soften the impact of the car park wall development when viewed from Broadway and JH Abrahams Reserve.

With respect to final details and the maintenance of the landscaping, including the planters along the north-east boundary, any approval should be subject to a condition requiring a final landscaping and reticulation plan, with landscaping maintained to a high standard to the satisfaction of the City.

Vehicle Access and Parking

The application proposes 43 resident car parking bays located at the ground and basement floor levels and three visitor bays at the ground floor level.

Some concerns have been raised by the neighbours regarding the high number of residential car parking bays provided and the associated impact on the local traffic network.

With respect to Element 3.9 Car and Bicycle Parking of the R-Codes, the proposed development complies with the residential parking requirements (minimum 27 bays, maximum 53 bays). Whilst it is acknowledged that there is an increase from the current number of on-site residential parking bays (11 bays), the supporting Transport Impact Statement (TIS) finds no material impact of the development on the local traffic network with trip generation rates estimated at 11 vehicles trips in the morning and 14 trips in the afternoon peak periods. The City's Transport Engineers have reviewed the TIS and confirmed that the trip generation rates represent only a small proportion of the existing traffic demands in the local area with a negligible impact on the surrounding road network.

With respect to visitor parking, Element 3.9 – Car and Bicycle Parking requires a minimum of five bays under the acceptable outcomes, with the proposed development providing three visitor bays. The visitor parking bays will be located internally within the secured ground floor car park in close proximity to the main vehicular entrance/exit.

Whilst there is a shortfall in terms of the number of bays specified under the acceptable outcomes of the R-Codes, the site is located in close proximity to an off-street public car park as well 2 hour free on-street parking on Broadway.

As noted in the TIS visitors are more likely to use public or on-street parking surrounding the site rather than accessing the buildings secure car park due to convenience.

The proposed development also provides sufficient parking for the residents where previously only 11 on-site resident bays were provided to service 18 residential apartments. As noted by the applicant some residents are likely to use their second bay for visitors. Based on the above, it is considered that there is ample parking provided within the development and surrounding the site to accommodate both residents and their guests.

Some concerns were also raised regarding potential safety issues for pedestrians due to insufficient sight lines from the entry/exit to the car park. The City's Transport Engineers having reviewed the TIS and the design of the vehicle entrance/exit into the car park and advise that the development design satisfies the requirements of Australian Standards 2890.1 for the minimum provision of pedestrian sightlines at the entrance and exit of the off-street parking facility.

Conclusion:

The application proposes a high-quality apartment development designed to capitalise on views to the adjacent parklands and the Swan River. The high standard of design quality will make a positive contribution to the streetscape, reflective of its prominent location at the end of Broadway and adjacent to the foreshore reserve. The DAC commended the applicant on a well-considered planning solution for the site, with increased setbacks to minimise the perceived bulk of the building, and apartments with a generous and functional internal layout.

Whilst a significant variation is sought to the maximum building height and plot ratio, it has been demonstrated that there will be no undue adverse amenity impacts to the neighbouring properties or the local area. The side and rear setbacks to the non-compliant portions of the building either meet or exceed the acceptable outcomes of the SPP 7.3 Residential Design Codes (Volume 2). The central location of the building together with increased setbacks reduces any perceived bulk and scale whilst also minimising any loss of existing views and privacy to the neighbouring properties, in particular the apartment development directly adjacent at 166 Broadway.

The development has been designed and modified to protect the adjacent street trees and increase the area of deep soil planting along Broadway, thereby improving its interface with the street.

The prominent corner location of the site which is at the lowest point on Broadway is not significantly out of keeping with the height of the adjacent 5 and 6 storey developments at 166 Broadway and 35 The Esplanade.

Based on the factors listed above it is considered that the variation to the maximum building height can be supported in accordance with the intent and requirements of clauses 30, 42 and 42A of the City of Subiaco Town Planning Scheme No. 4.

In conclusion, it is considered that proposed development provides a high-quality outcome for the site which will protect and enhance the amenity of the local area. The revised design and further justification provided by the applicant adequately responds to the recommendations and matters raised by the DAC, City officer's and neighbours.

Therefore, it is considered that the proposed 9-level residential development should be approved in accordance with the objectives, principles and provisions of the City of Subiaco Town Planning Scheme No. 4, SPP 7 Design of the Built Environment, and SPP 7.3 Residential Design Codes (Volume 2).



168 (LOTS 1-18) BROADWAY, CRAWLEY



168 (LOTS 1-18) BROADWAY, CRAWLEY



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MULTI-RES DEVELOPMENT

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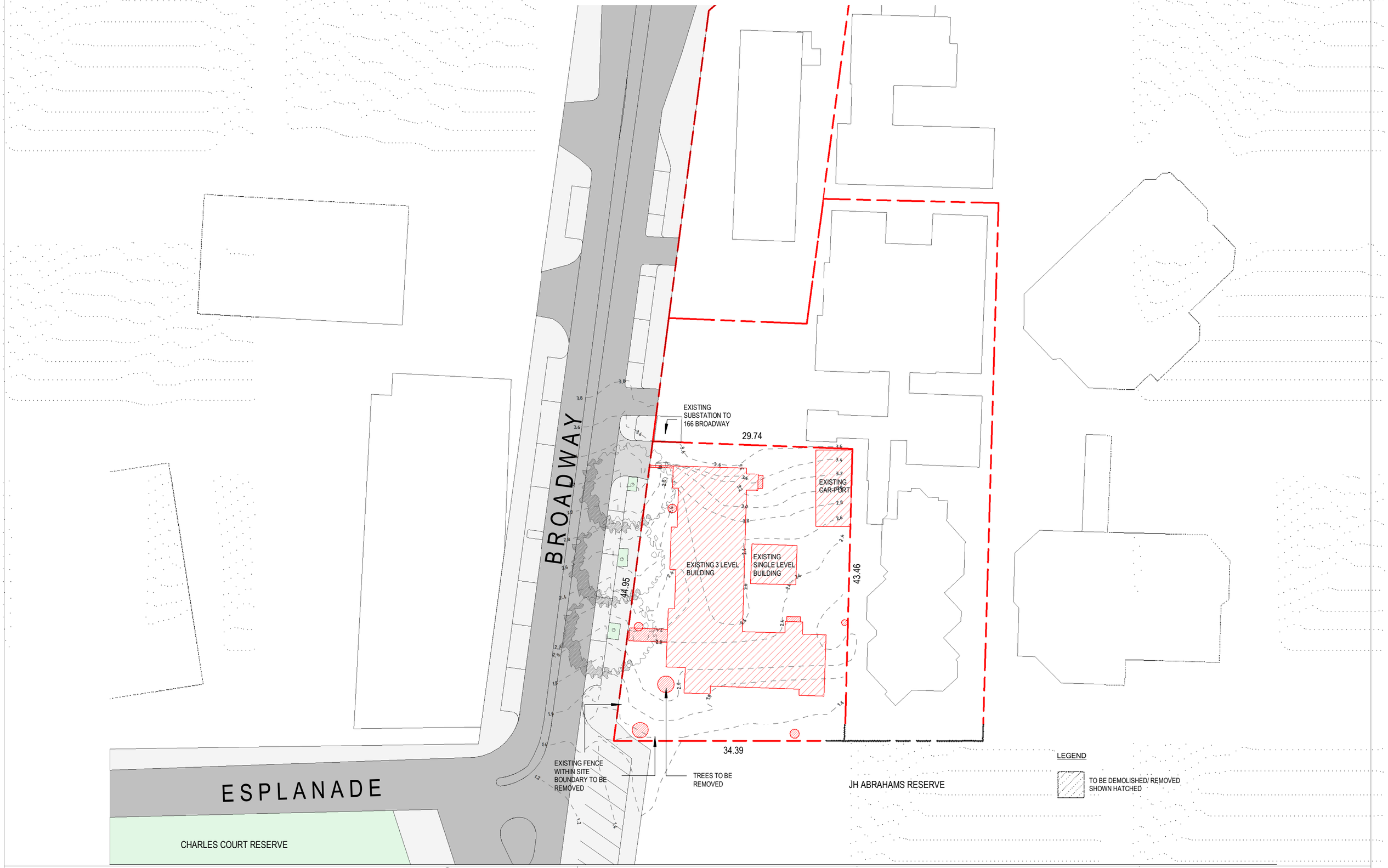
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PROJECT No.	DWG NAME	DWG No.	REV
2205	SITE PLAN	SK2-00	2



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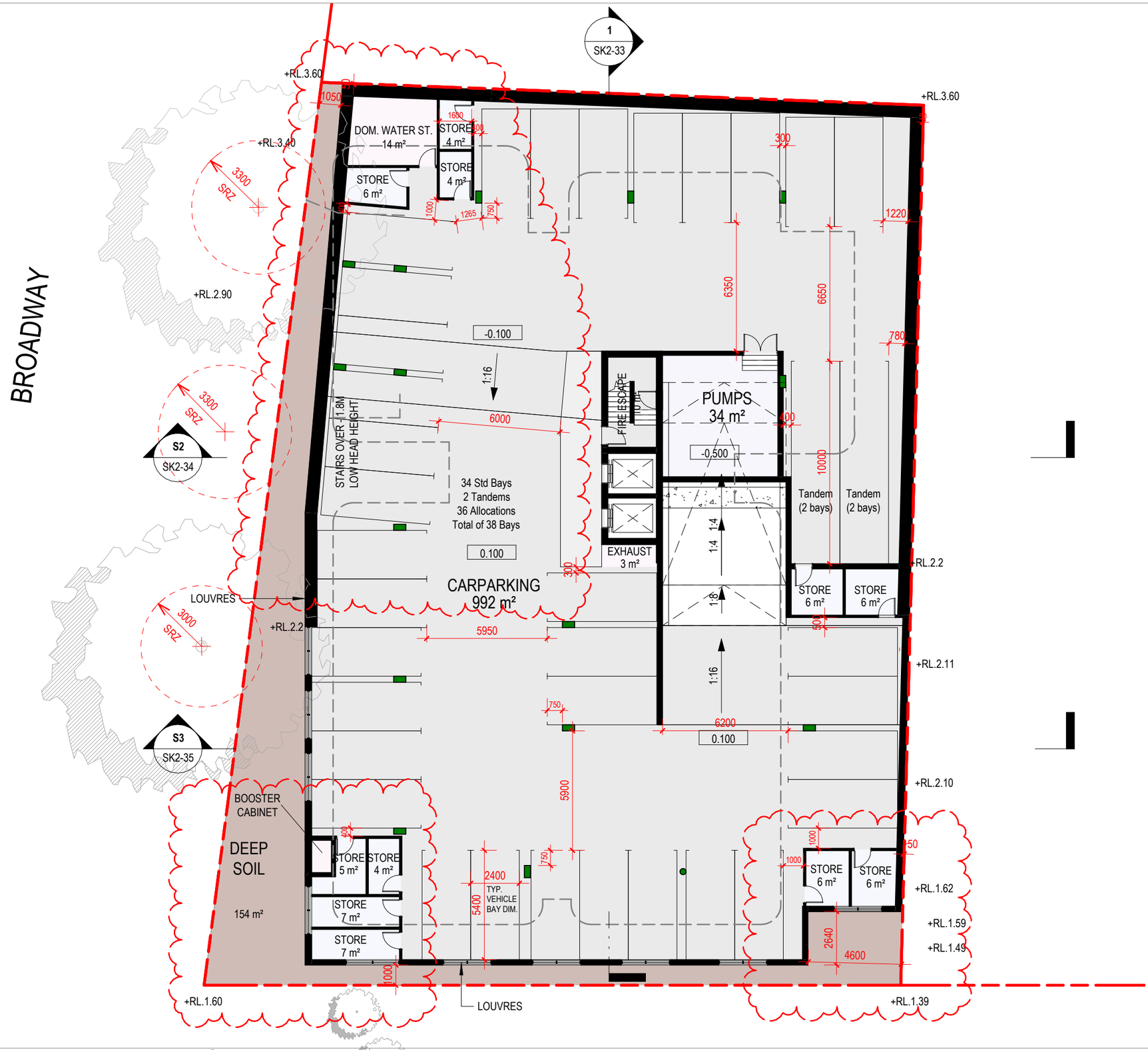
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PROJECT No.	DWG NAME	DWG No.	REV
2205	DEMOLITION PLAN	SK2-01	1



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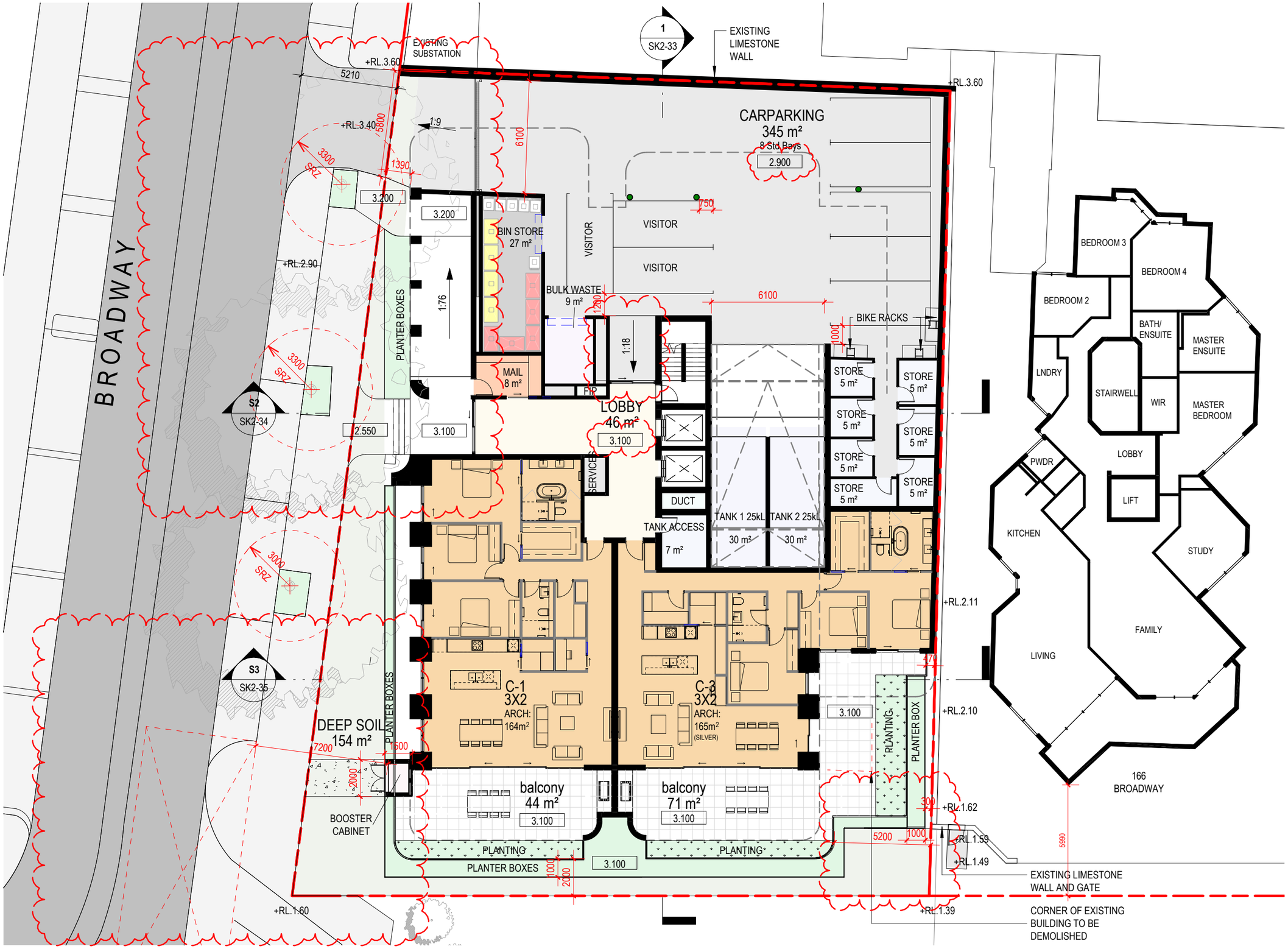
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PROJECT No.	DWG NAME	DWG No.	REV
2205	BASEMENT FLOOR PLAN	SK2-02	2



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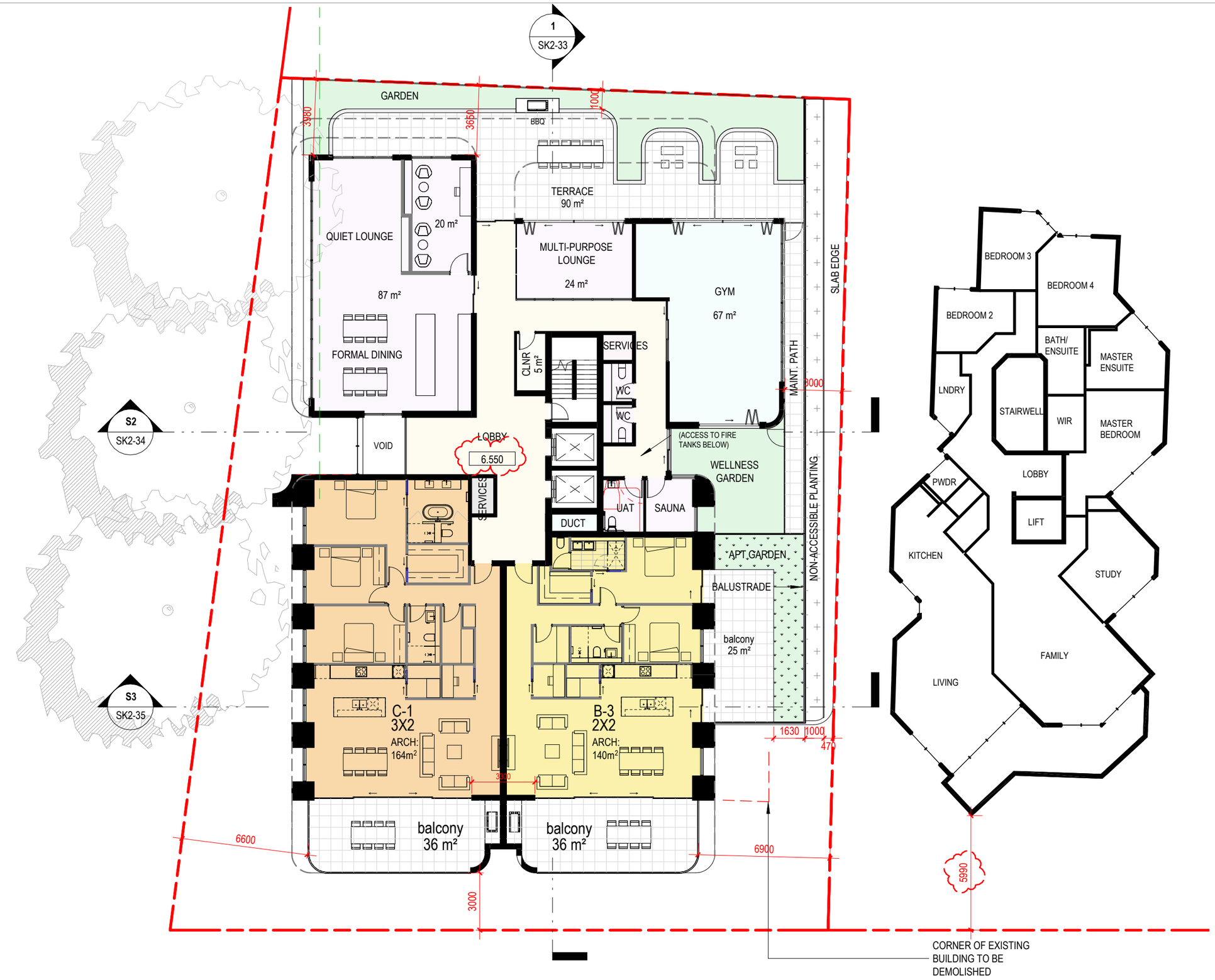
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PROJECT No.	DWG NAME	DWG No.	REV
2205	GROUND FLOOR PLAN	SK2-03	2



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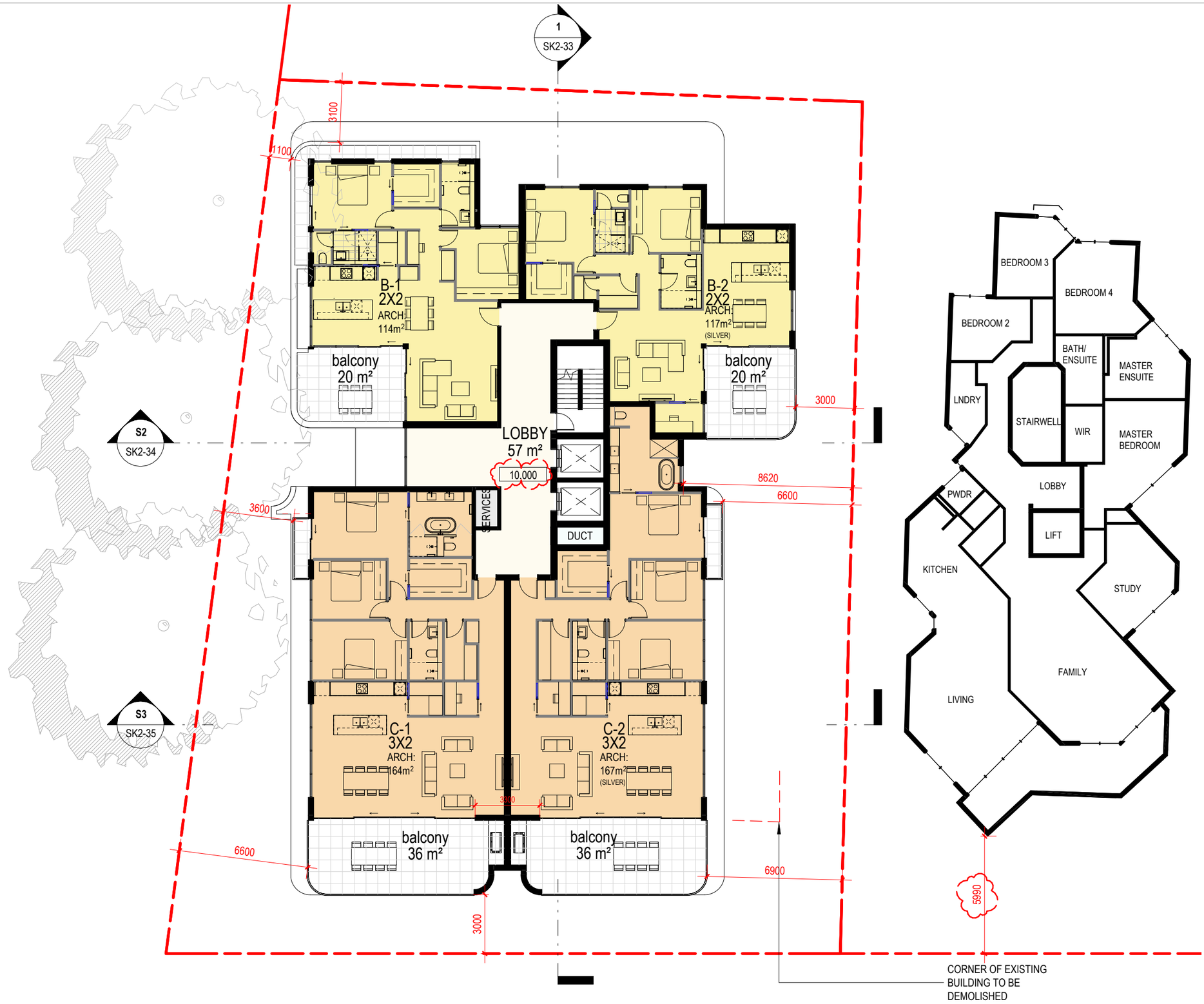
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PROJECT No.	DWG NAME	DWG No.	REV
2205	LEVEL 1 FLOOR PLAN	SK2-04	2



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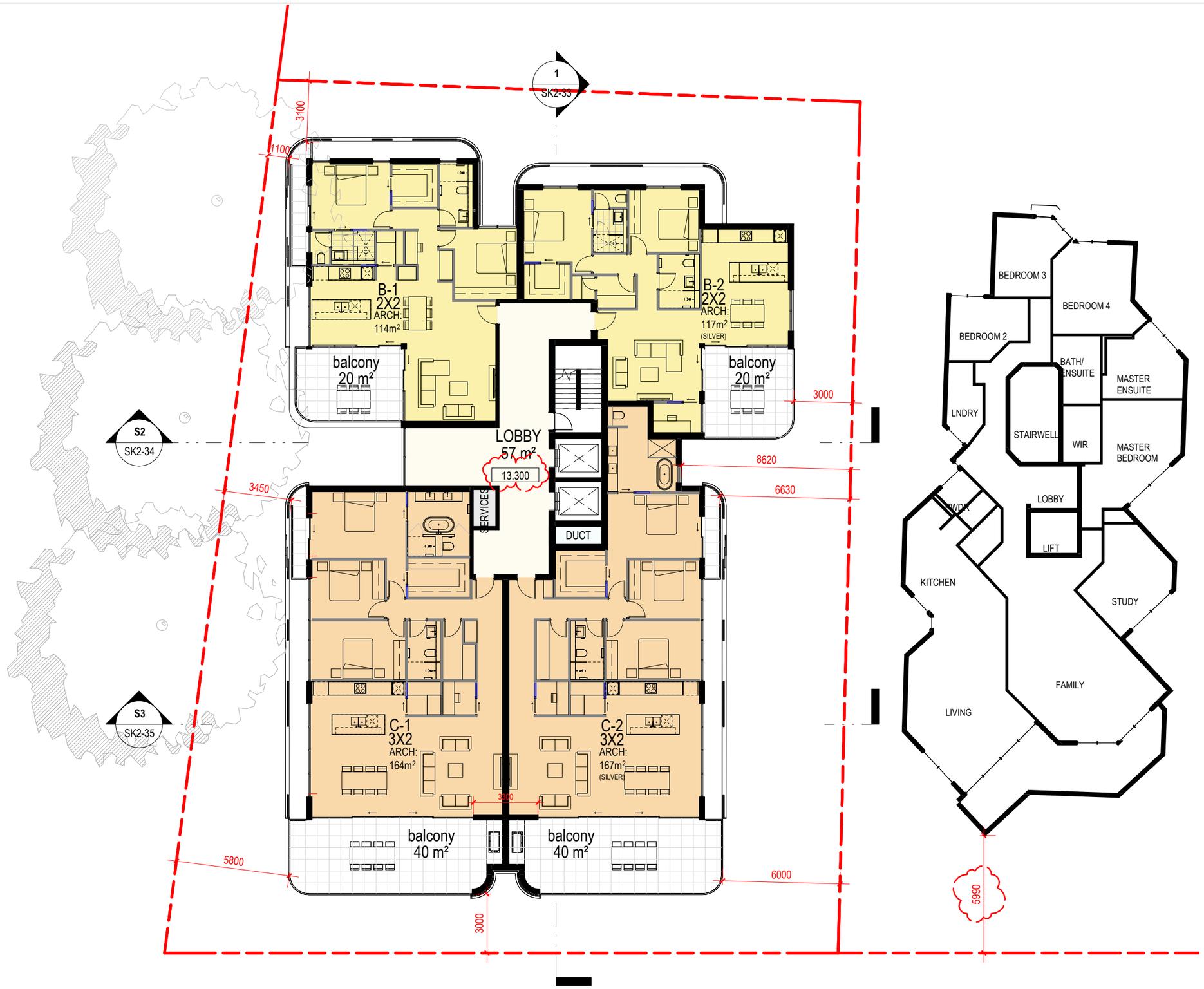
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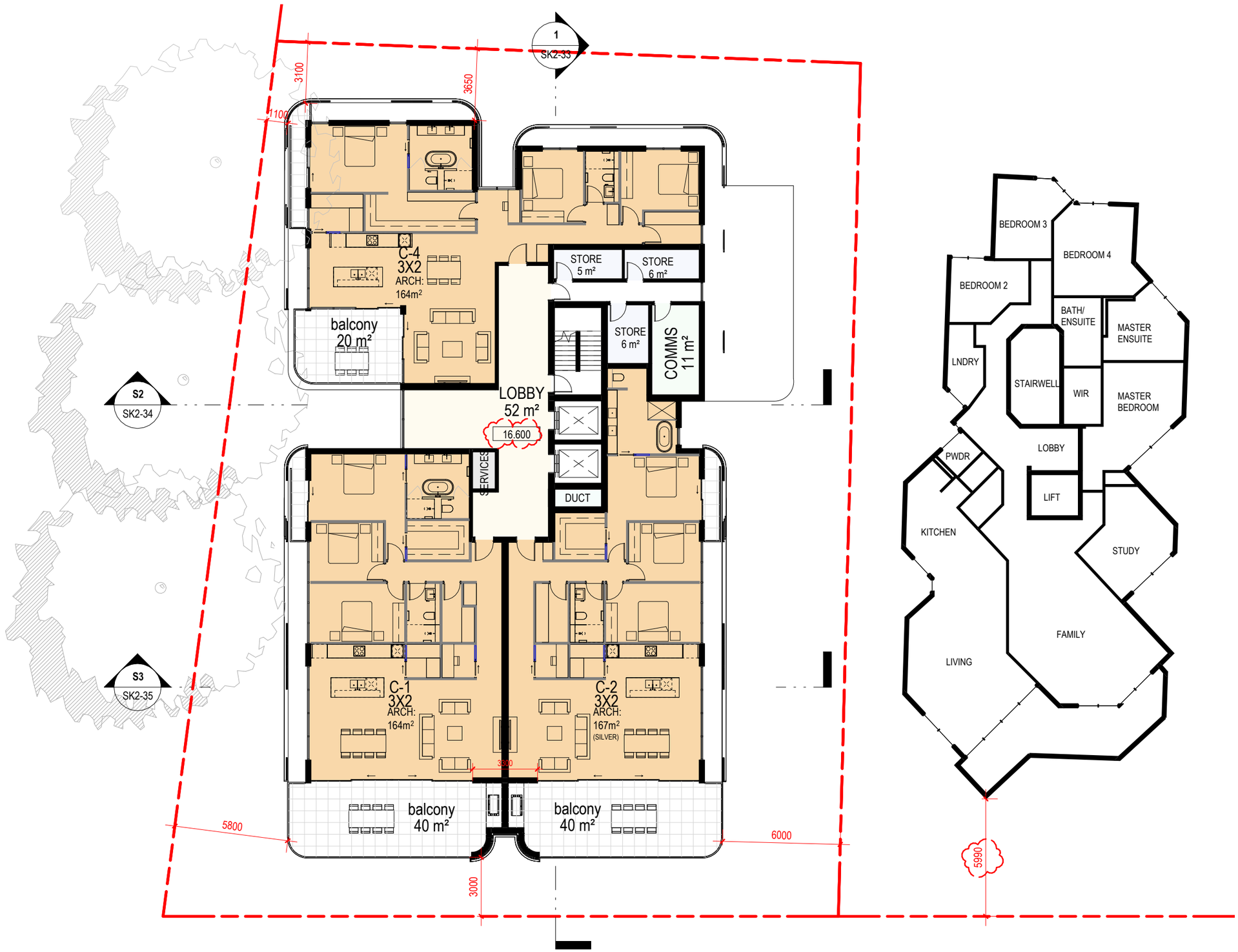
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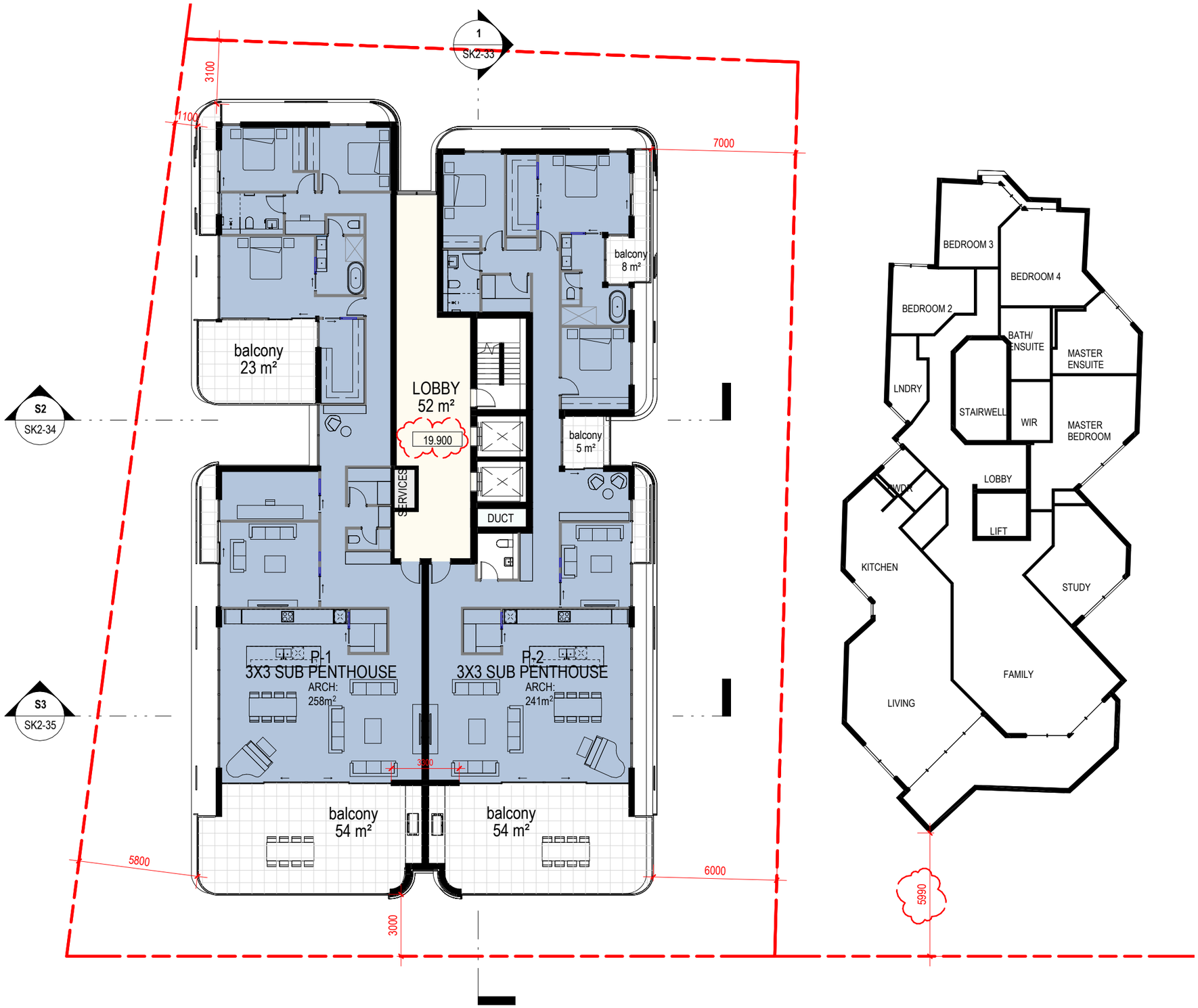
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2205	LEVEL 4 FLOOR PLAN	SK2-07	2



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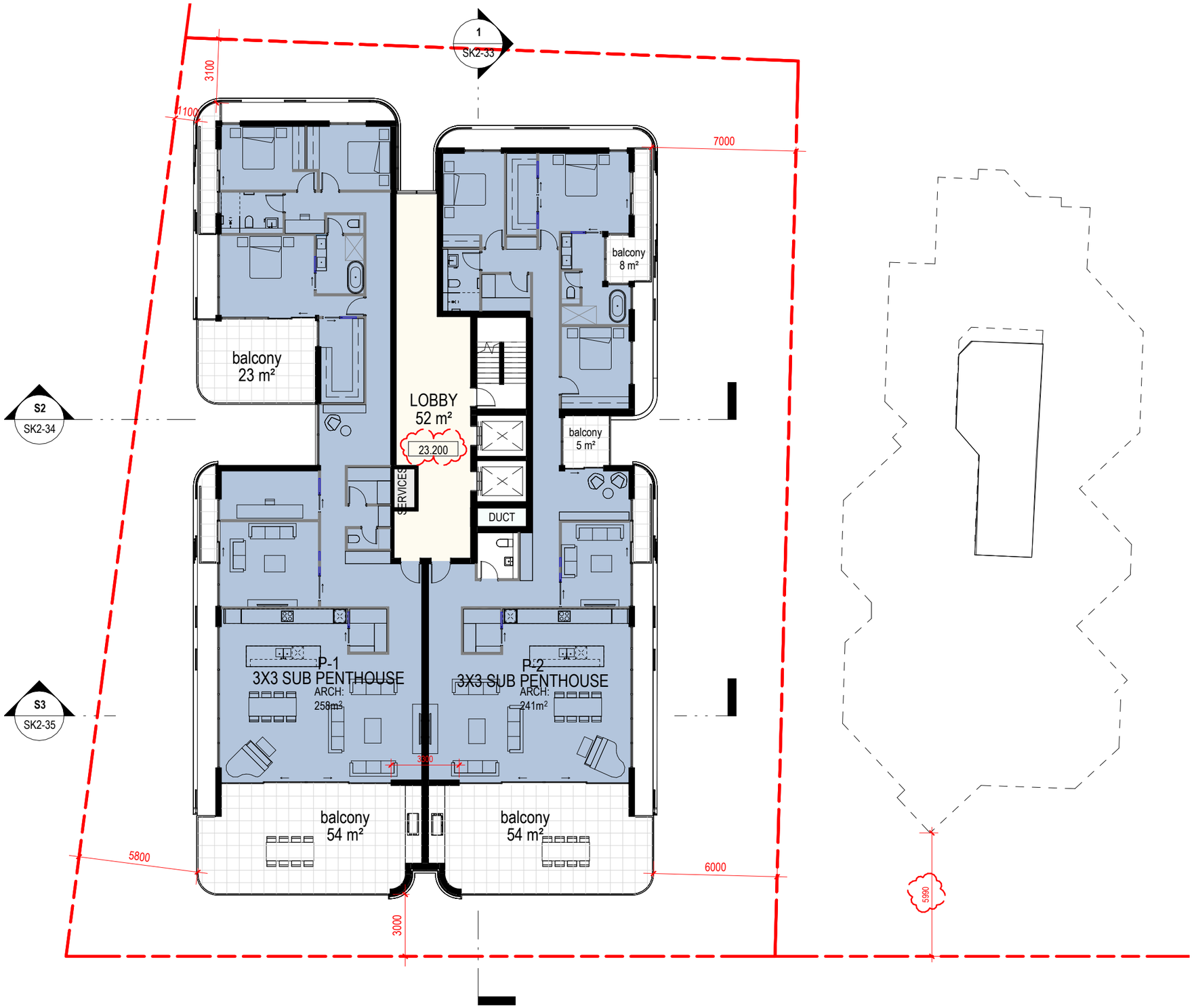
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PROJECT No.	DWG NAME	DWG No.	REV
2205	LEVEL 5 FLOOR PLAN	SK2-08	2



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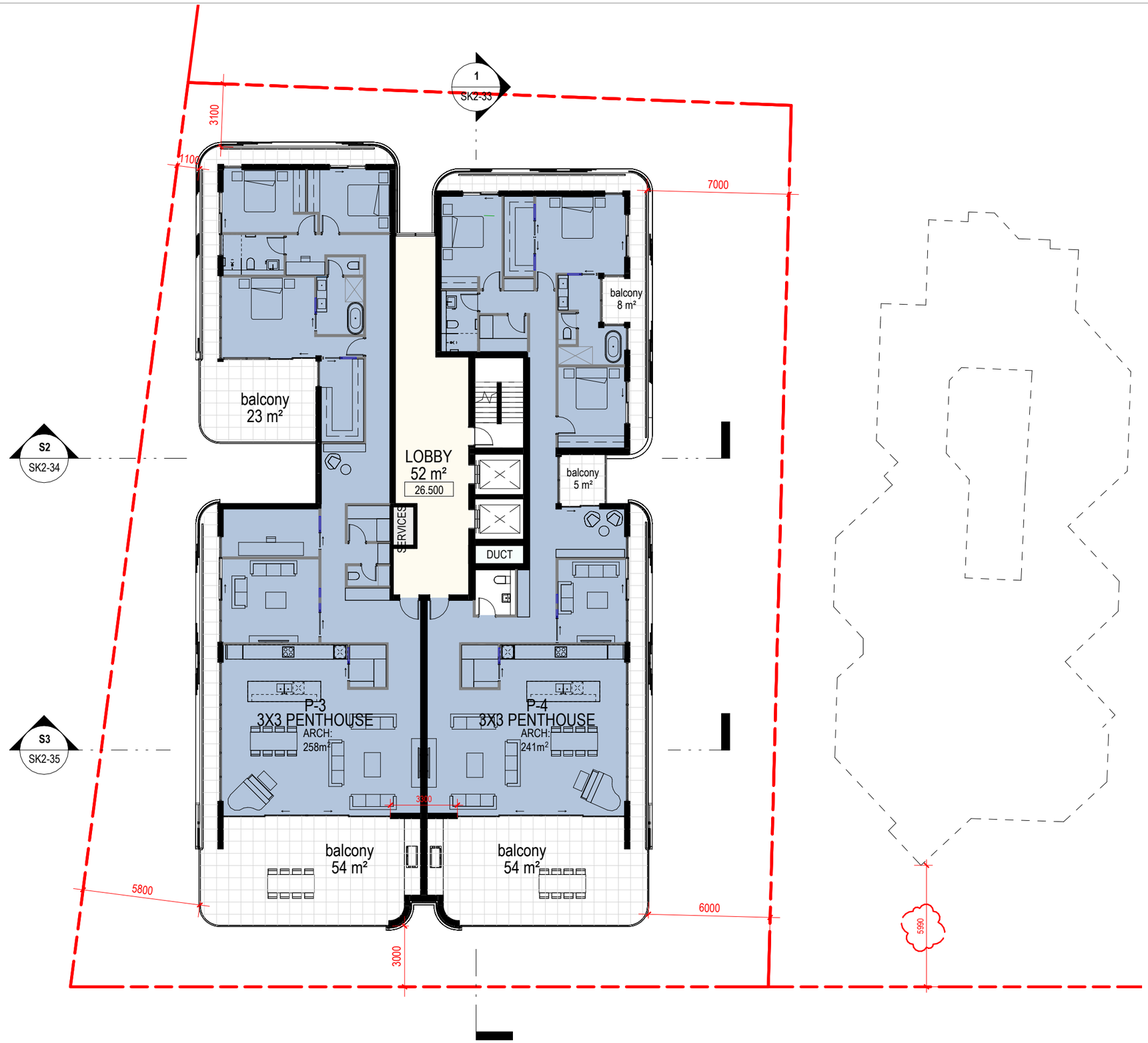
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PROJECT No.	DWG NAME	DWG No.	REV
2205	LEVEL 6 FLOOR PLAN	SK2-09	2



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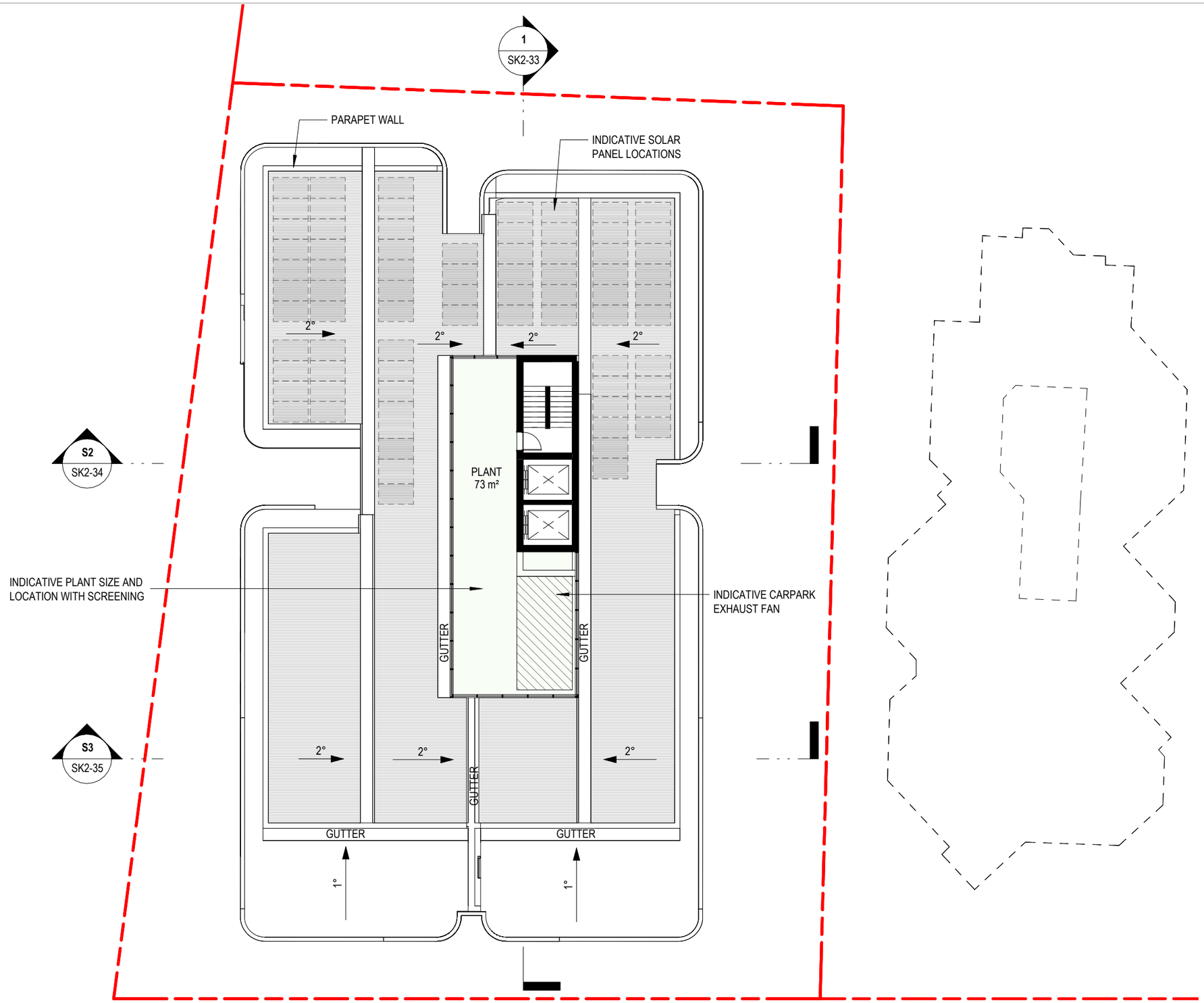
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2205	LEVEL 7 FLOOR PLAN	SK2-10	2



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PROJECT No.	DWG NAME	DWG No.	REV
2205	ROOF PLAN	SK2-11	1



MULTI-RES DEVELOPMENT

168 BROADWAY CRAWLEY

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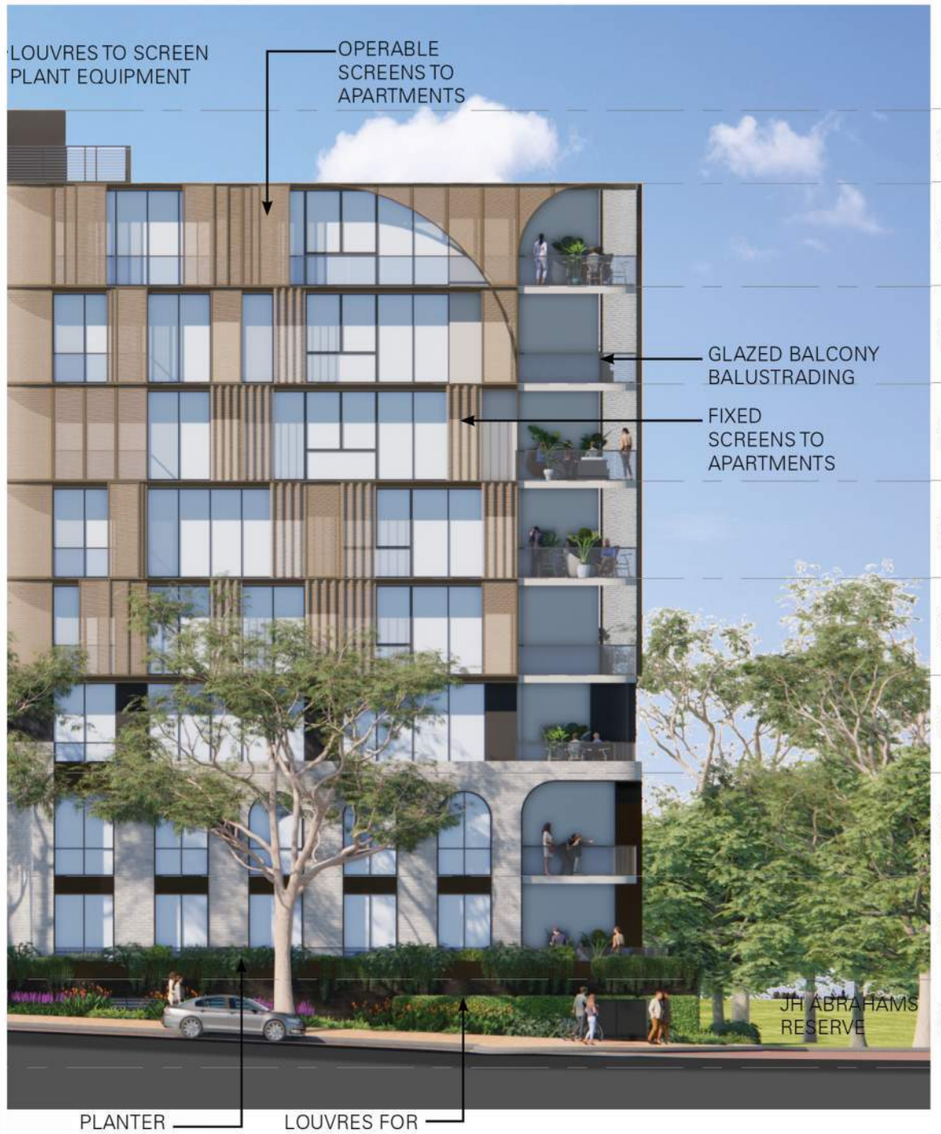
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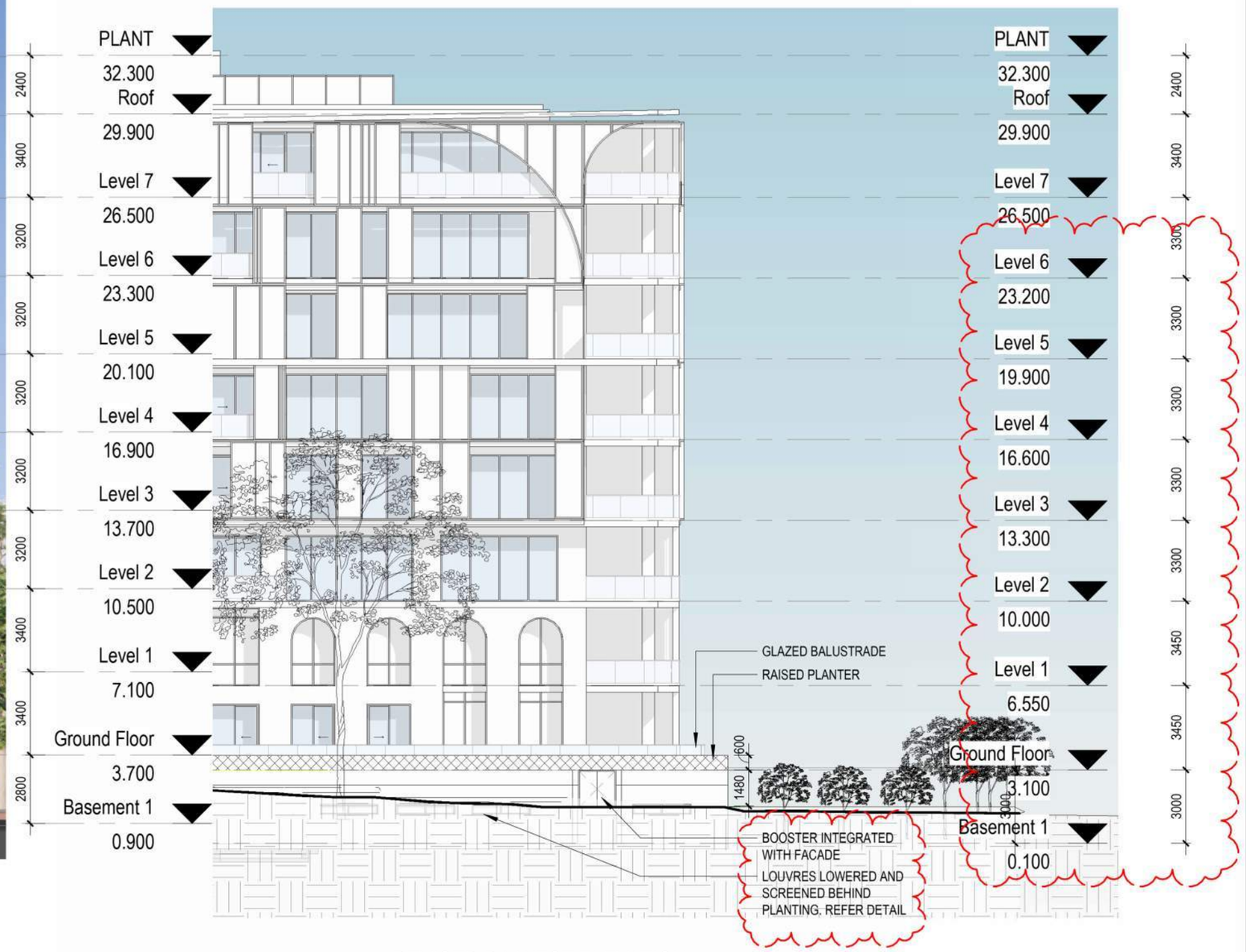
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PROJECT No.	DWG NAME	DWG No.	REV
2205	SOUTH-WEST ELEVATION	SK2-21	3



PREVIOUS DA WEST ELEVATION



REVISED DA WEST ELEVATION

MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	SOUTH-WEST ELEVATION	SK2-21	2



MULTI-RES DEVELOPMENT

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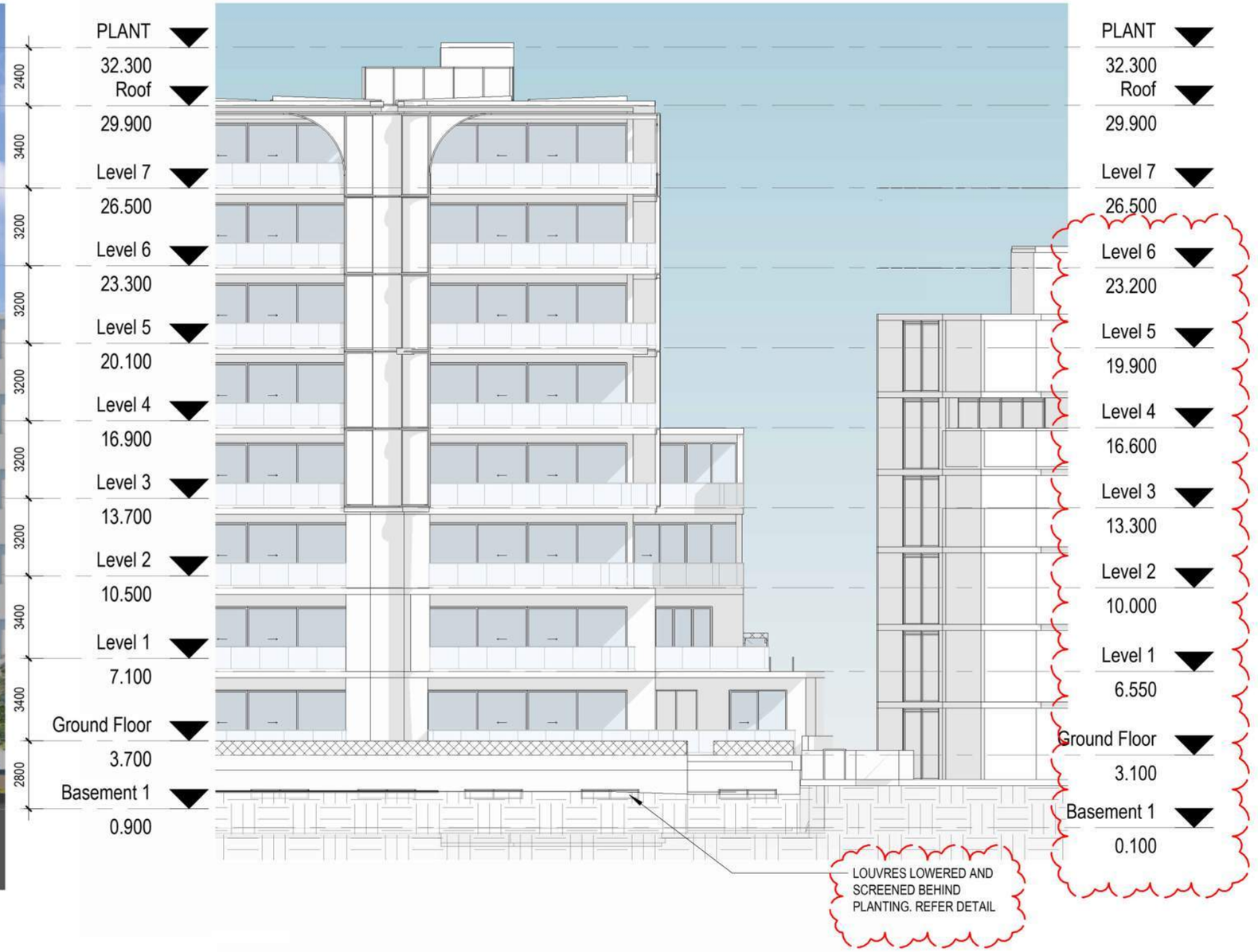
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PROJECT No.	DWG NAME	DWG No.	REV
2205	SOUTH-EAST ELEVATION	SK2-22	3



PREVIOUS DA WEST ELEVATION



REVISED DA WEST ELEVATION

MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	SOUTH-EAST ELEVATION	SK2-22	2



MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	NORTH - EAST ELEVATION	SK2-23	2



MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	NORTH-WEST ELEVATION	SK2-24	2



MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	SECTION S1	SK2-33	2



MULTI-RES DEVELOPMENT

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PROJECT No.	DWG NAME	DWG No.	REV
2205	SECTION S2	SK2-34	2



MULTI-RES DEVELOPMENT

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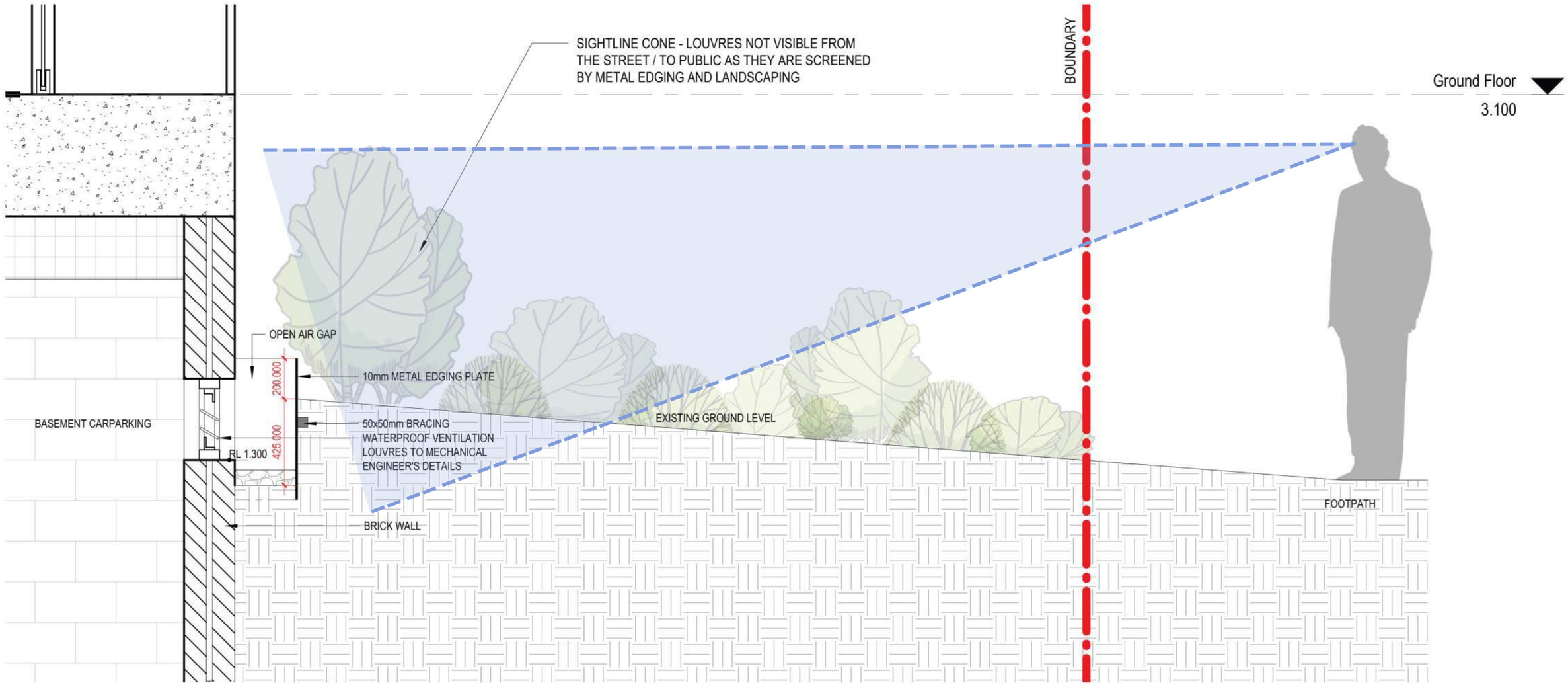
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PROJECT No.	DWG NAME	DWG No.	REV
2205	SECTION S3	SK2-35	2



TYPICAL SCHEMATIC BASEMENT LOUVRE SECTION

1 : 20

BROADWAY

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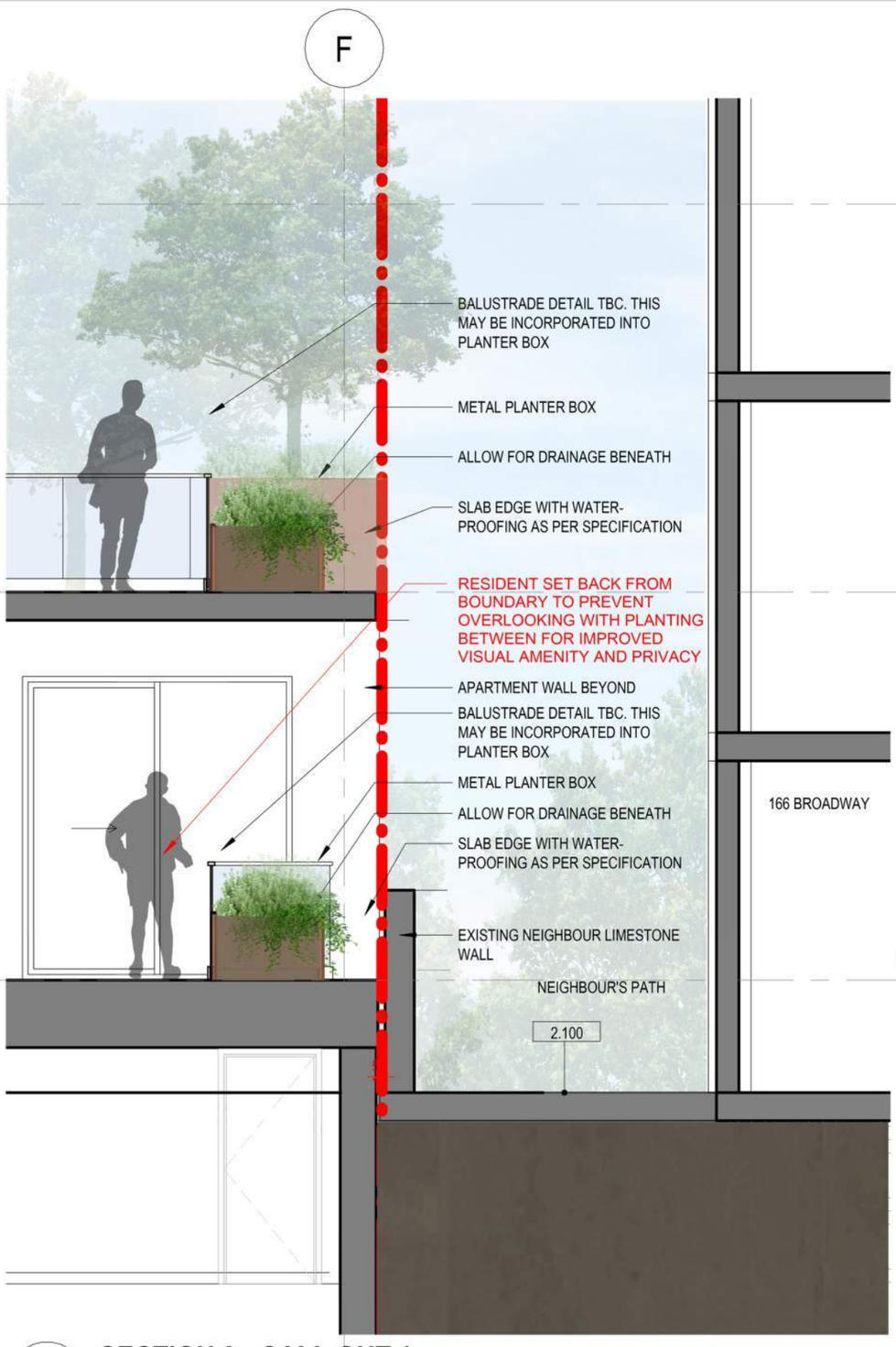
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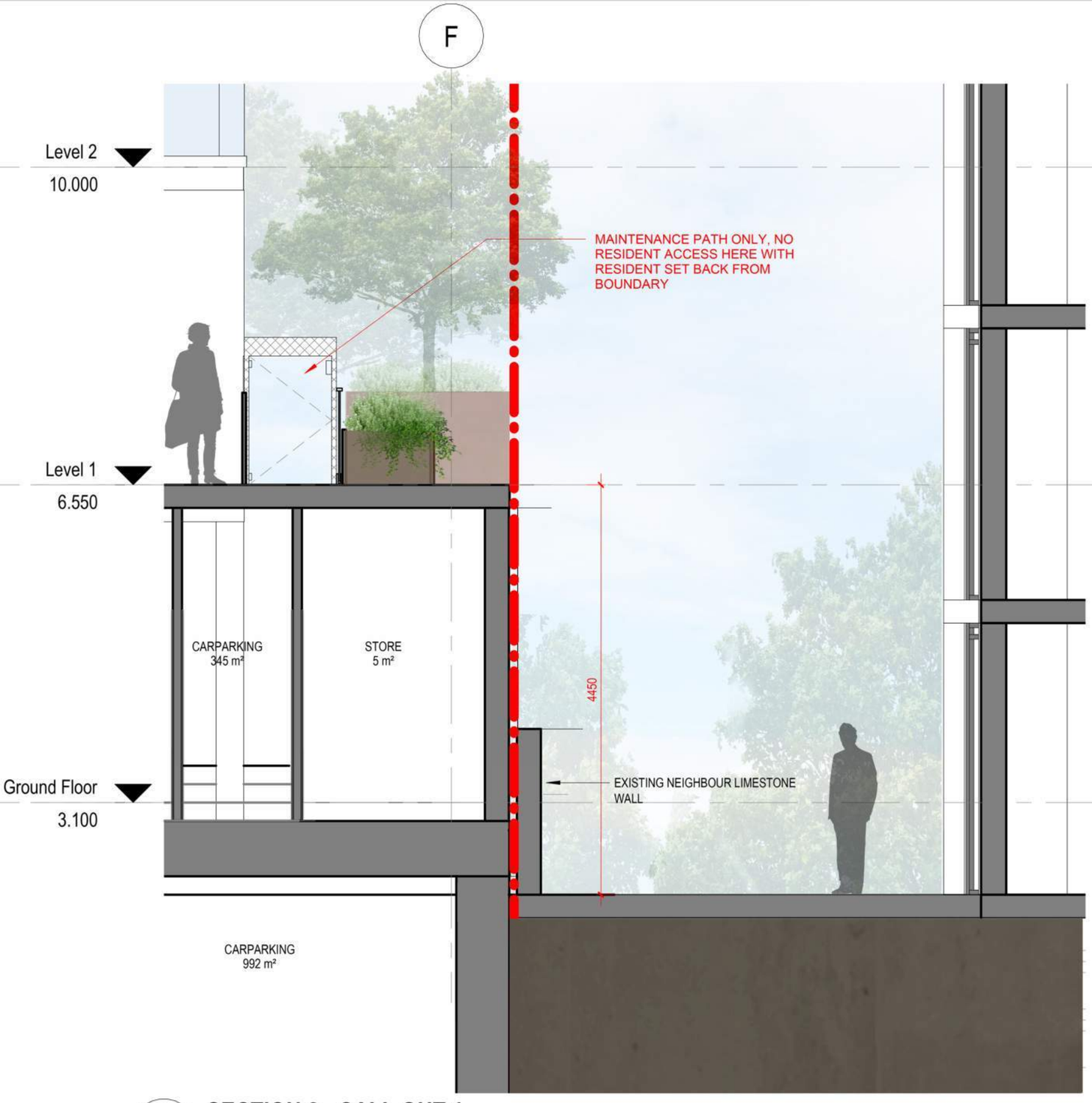
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PROJECT No.	DWG NAME	DWG No.	REV
2205	TYPICAL BASEMENT LOUVRE SECTION	SK2-36	1



S3.1 **SECTION 3 - CALL OUT 1**

1 : 50



S2.1 **SECTION 2 - CALL OUT 1**

1 : 50

MULTI-RES DEVELOPMENT

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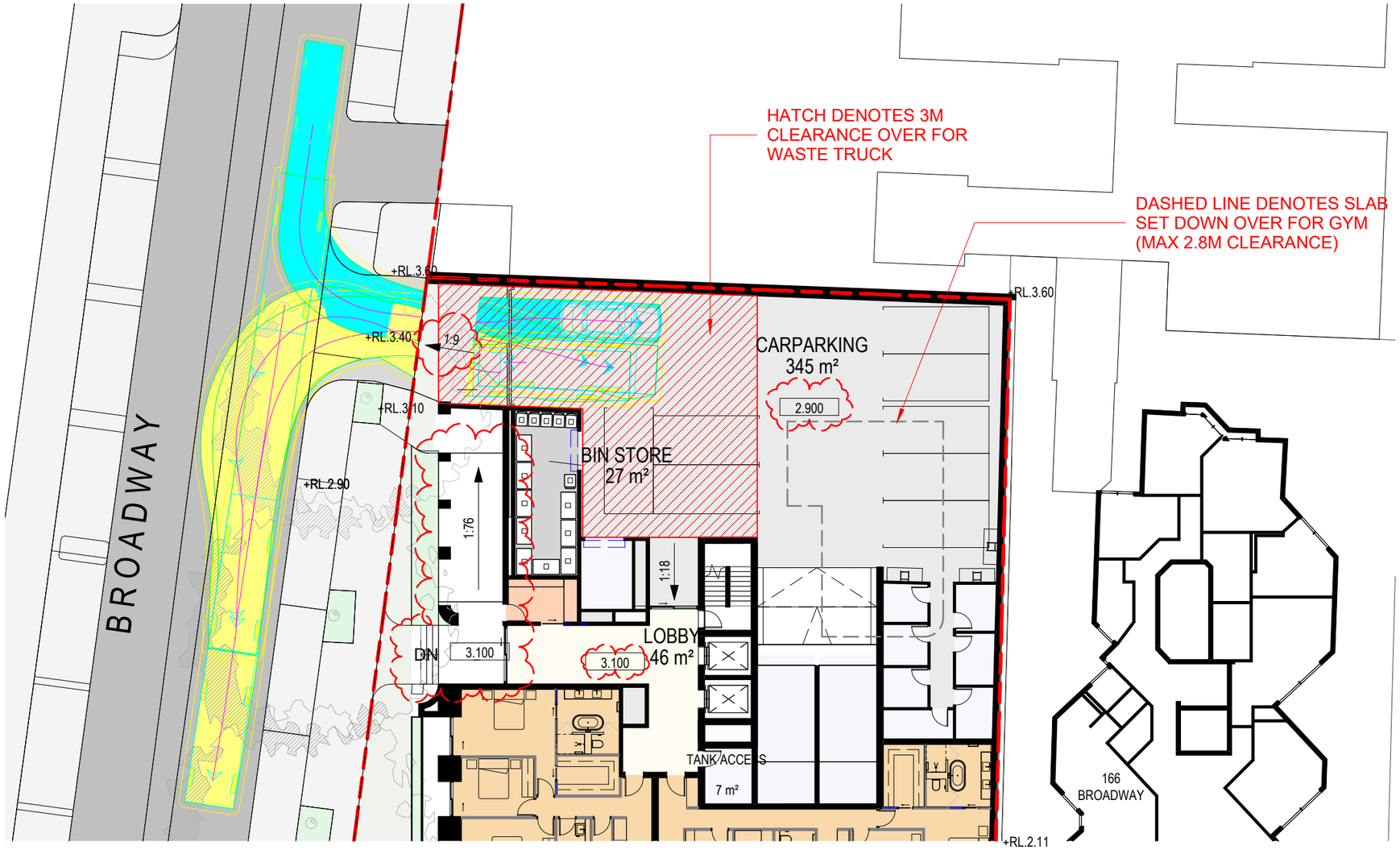
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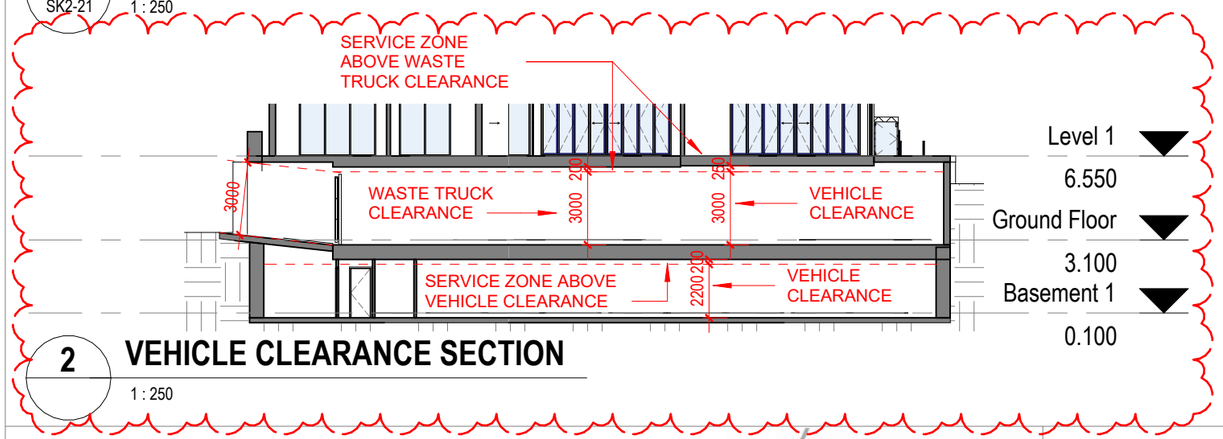
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PROJECT No.	DWG NAME	DWG No.	REV
2205	SECTION DETAILS	SK2-38	1



1 GROUND FLOOR - WASTE SWEPT PATH

SK2-21 1 : 250



2 VEHICLE CLEARANCE SECTION

1 : 250

MULTI-RES DEVELOPMENT

168 BROADWAY CRAWLEY

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SCALE 1 : 250 (A3)

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PROJECT No.	DWG NAME	DWG No.	REV
2205	WASTE SWEPT PATH	SK2-40	2

Neighbour Submissions – 168 Broadway, Crawley (DA-2022/5216)

Submission 1 – Support

The design is inspirational and very sleek. It is an excellent upgrade to the existing building. Definitely improve the development of the suburb in general.

Submission 2 – Support

Outstanding design with a nod to the developments and homes already occupying the area. Existing complex is old and rundown. Development will improve the street and Parkside landscape.

Submission 3 – Support

I believe that this proposal is an amazing opportunity to revamp the end of Broadway with a classy timeless look that pays respect to the heritage of the area.

Submission 4 – Support

Something that looks modern within the precinct will look good.

Submission 5 – Support

Great design, great consideration of the neighbourhood.

Submission 6 – Support

The height of the project looks like a positive in reducing the overall footprint at ground level while appearing to respect neighbouring privacy and views.

The design of the building appears to be of a density suitable for the area.

The aesthetic of the building is of a very high quality and will help improve the streetscape.

Submission 7 – Support

The building is a nice addition to the area and embraces the art decor design houses in the area, in particular the bottom section of the building with the large rounded windows.

Submission 8 – Support

Amazing proposal.

Submission 9 – Support

This a great development and addition to the City of Perth. Beautifully designed by the architecture team, the future owners will be very lucky!

Submission 10 – Support

The submission looks very impressive and provides a vastly improved building for the local area.

Submission 11 – Support

Excellent opportunity to remove a dilapidated building and replace it with a sophisticated and modern luxury residential apartment development which will compliment the locale.

Submission 12 – Support

This is a well considered development which has an articulated bulk and scale which is both aesthetically pleasing and presents to the street at a human scale.

Submission 13 – Support

Really well considered proposal for the area with a design that clearly draws features from the surrounding building styles whilst still showcasing itself as a new and beautiful feature in the landscape. Good to see proposals seeking to increase the necessary density in the inner city suburbs, particularly close to the river and for a demographic of people looking to downsize.

Submission 14 – Support

Great design and exciting prospect!

Submission 15 – Support

The current apartment building isn't great, so it's encouraging to see a new addition to the area. The proposal will be a positive contribution to the area and hopefully will encourage better, modern buildings proposed for Crawley. That area is fairly active, and the proposal will only enrich and add to the sense of place.

Submission 16 – Support

This looks like an exciting development that will enhance the Nedlands area and bring interest to Broadway with its elegant design. I support this proposal as it gives nod to the Art deco design characteristic of Nedlands and I believe it will improve the streetscape.

Submission 17 – Support

The Application is consistent with Orderly and Proper planning for the precinct.

The design and scale of the building have brilliantly taken full advantage of a small site while incorporating human needs.

Full wheelchair accessibility to all parts of the building needs to be made 100% certain.

Submission 18 – Support

No comments.

Submission 19 – Object

Updating the existing building is something I support, but I object to having 7 stories, which will be very dominant and out of sync with the area.

The apartment block opposite is a 5 storey building and I believe the proposed development should also be a maximum of 5 stories.

Submission 20 – Support

I have been a long-time resident of the Nedlands/Dalkeith area.

I am also a current owner of an apartment in the building subject to the development application.

The current building is dilapidated and deemed to be structurally unsafe if a seismic event were to occur. Redevelopment of the site is badly needed.

The location and authentic Nedlands inspired design of this project will further elevate the luxury apartment living options available in the area.

The redevelopment will provide vastly improved street and park-side landscaping along the Southern & Eastern boundaries.

Submission 21 – Support

I work in the area and often walk down by the river. The current apartments are run down and an eye sore for the area. I like the design of the proposed development and think it fits in well with the area. I also think the landscaping will be a big positive and improve the experience for people like me that enjoy visiting the reserve opposite the proposed development.

Submission 22 – Support

I have been a previous owner of a property within the current complex for many years. During these years the existing buildings have sustained continuous major structural damage resulting from inadequate foundations and poorly compacted subsoil beneath the foundations as confirmed by various experts over these years.

The existing buildings are a typical construction of similar apartment buildings of the era, being cheaply built and would not comply with any modern-day Building Regulations. Insulation was non-existent, drainage continually caused problems, service ducts were inadequately built and access to these ducts was almost impossible due to the deformation of the access doors and frames caused by the subsidence of the buildings.

Approximately 12 years ago, Structerre Consulting Engineers produced a report stating the building had only a remaining life of 10 years, providing regular maintenance was carried out to fix the ongoing major structural defects. In 2020 and 2021 Airey Taylor Consulting Engineers produced two more reports which basically condemned the building due to the continuing structural problems.

Parking at the complex was another major issue as there were only 11 parking bays in total to service 18 apartments. 6 of these parking bays were allocated to the 6 x 2 bed apartments and the remaining 5 parking bays were available to the remaining 12 x 1 bed apartments on a 'first in gets the spot' basis. Street parking was the only other option available.

The proposed new design for the existing prime, river frontage site at 168 Broadway will better blend with the surrounding modern buildings and will raise the standards immensely compared to what currently exists.

The new development has ample undercover and secure parking for the proposed 21 apartments i.e. 44 private parking bays and 3 visitor bays. This will alleviate the necessity for any street parking by the new residents.

The proposed facilities are very generous for the number of apartments, with each resident having access to the sauna, gym, wellness space, external and formal dining areas, multipurpose casual dining and co-working/library spaces.

The new proposal also reflects other art deco type architecture which is prominent throughout Nedlands and will be complimentary to this style.

The developer could have easily submitted a proposal for a much more densely populated building but instead has gone for a much more tasteful design with only 3 more apartments than are currently in the existing complex.

The overall style and layout of the proposal will be a very attractive addition to the area. The developer and his architect should be commended for their thoughtfulness in submitting such a high calibre proposal and I am in total support of this development being approved and constructed.

Submission 23 – Support

No comments

Submission 24 – Support

The new building will drastically improve the current lot by replacing an old, rundown building, with a considered, architecturally inspired modern addition. Shadow lines and neighbours' views have been addressed, as has its street presence, traffic patterns, and usage of JJ Abrahams Reserve.

The current building needs replacing very soon, and this new proposal will alleviate the serious and ongoing safety concerns, whilst also ensuring longevity and vibrancy on Broadway.

Submission 25 – Support

Great addition to area.

Submission 26 – Support

A prime location for luxury apartments and this will further elevate the suburb and surrounding neighbourhood.

Submission 27 – Support

New architectural developments required in the area.

Submission 28 – Support

Wanting to purchase.

Submission 29 – Support

The existing building is run down and old and is not reflective of the premium property in Crawley. The proposed luxury design is beautiful and will only benefit the site and location through its elegant design, and delivery of improved street and park-side landscaping.

I am very supportive of this redevelopment.

Submission 30 – Support

Fantastic project the foreshore desperately needs.

Submission 31 – Support

Great development.

Submission 32 – Support

I am in support of the proposed development of the site. I believe the scale of development is entirely appropriate, is sensitive to the surrounding context, and will enhance the amenity of the immediate locality.

Submission 33 – Objection

I am a local resident, in fact right across the street from the proposed new building complex. I would be opposed to the removal of ANY of the existing gum trees on that sidewalk, as they provide privacy and shade for our side of the street.

Submission 34 – Objection

I live directly opposite this proposed development.

It is entirely inappropriate for the area. You are suggesting replacing a 3 storey block with an 8 storey block. A block that uses every square centimetre of space available on the lot.

The City of Perth has a draconian policy on chopping down vegetation and yet you are permitting the removal of every scrap of vegetation on this block. The large street trees on Broadway are notoriously unstable. They regularly drop very large branches. One recently toppled over causing not just the closure of the street but also a major gas leak the caused the evacuation of the whole area. What are you doing to protect them? What are you doing to ensure they are not killed particularly during construction when their roots will be cut in half to permit the underground carpark to be built.

What are you doing to ensure the future viability of this building given supposed water level rises due to global warming? Nothing by the looks.

I would also seek a caveat that ensure the quiet lounge and dining area are never turned into a cafe. That would not be something I would seek nearby for obvious reasons.

To be honest I don't believe you even care what neighbours think anymore. You rush these developments through the DAP with no concern for anyone. Community consultation is dead. This is proven by the swathe of building developments currently going up on Broadway.

This proposal is too large, too tall and certainly does not take into account its riverside location surrounded by some very dangerous trees.

But you don't care what I think anyway.

Submission 35 – Objection

Refer to Attachment A

Submission 36 – Objection

I refer to the development application at the above site, application no. DAP-2022/5216.

Clause 42A, Town Planning Scheme no. 4 permits the local government to approve a non-compliant height where

(a) the local government is satisfied that:

(i) the non-compliance will have no undue effect on any adjoining residential land or the amenity of the locality; or

(ii) the wall or overall height which is non compliant is compatible with the wall and overall heights of surrounding developments that are designed for residential purposes and are considered by the local government to enhance the streetscape

I've the following comments on the application of Clause 42A (1)(a) in relation to the proposed development:

1. It is clear that the onus of proof is on the applicant to satisfy the local government.

2. The maximum overall height of the proposed development, namely 29m., far exceeds the normally permitted height of 12m.

3. "Adjoining residential land" certainly includes the property immediately north-east of 168 Broadway (166 Broadway). By virtue of its height and proximity, the proposed development will significantly overshadow that property having a very significant adverse effect on it. The application must be refused on that ground alone.

4. In addition the overall height will have a significant adverse effect on the amenity of the locality because

[i] it will loom over the southern end of Broadway

[ii] on account of the existence of the apartment building at 35 Esplanade, it will create an unwelcome corridor effect, both visually and in wind terms, for pedestrians going along Broadway to of from the foreshore or the JH Abrahams Reserve ('the Reserve')

[iii] it will present a 'cliff-face' dominating a substantial section of the Reserve

[iv] it will create significant overshadowing over Broadway, as well as over adjoining and other properties and, to the considerable disadvantage of the public, over the Reserve.

Consequently It would be unreasonable for the local government to declare itself satisfied under Clause 42A(a)(i) of the Town Planning Scheme no. 4

5. Regarding the application of Clause 42A (1)(b) it is noted that a non-compliant wall height must meet 'the Acceptable Development standards of the Residential Design codes in relation to setbacks'.

The minimum setback is 2 metres from the street. However, what is proposed is a setback which is only 1 metre at the northern end of the street. (It is not appropriate to apply an average.)

The proposed setback neither reinforces nor complements the existing landscape character of the street, nor does it provide a clear transition between the public and private realm, nor does it assist in achieving visual privacy to apartments from the street. On the last point the reverse is true.

Finally, abundant passive surveillance and outlook to the street already exists from the apartments at 35 Esplanade.

The following points are made in addition:

6. The exit for the underground car park provides insufficient sightlines for pedestrians.

7. The profile of the proposed building will project forward of its neighbour at 166 Broadway. Such projection, combined with the proposed height of the building, will materially prejudice enjoyment of the public space of the Reserve by casting shadow over a significant area of the Reserve at most times of the day.

8. Drawing SK2-21 (south-west elevation) forming part of the development application materially misrepresents what would be the actual view of the building from Broadway, or from 35 Esplanade, because it's been imagined from a point much further away than is actually possible.

9. Drawing SK2-22 (south-east elevation) does not correspond with reality in its (non-) representation of buildings on Broadway. The same can be said of Drawing SK2-23.

10. The sightlines exiting the basement car park appear to be inadequate.

Altogether this development would adversely affect the streetscape, the adjoining properties and the enjoyment of the JH Abrahams Reserve. It would be contrary to the letter and spirit of Town Planning Scheme No. 4 for it to be permitted, and to grant permission would, in my opinion, undermine public confidence in the planning process.

If the City is minded to grant permission for any development at 168 Broadway, can it please impose conditions to address matters of construction noise and dust; and can those conditions please take into account the fact that the area is predominantly residential.

Submission 37 – Objection

Refer to Attachment B

Attachment A - Submission 35

Ms Jasmine Hancock – Senior Planning Officer
The CEO
City of Perth
27 St Georges Terrace, Council House
PERTH
WA 6000

ACN 619 383 407
168 Stirling Highway
Nedlands WA 6009
info@hplanning.com.au

Thursday, 6 October 2022

Objection Letter DAP-2022/5216 | 'Comnee' 168 Broadway, Crawley

Dear Madame

This letter is provided to the City of Perth in response to an invitation to comment on the proposed eight (8) storey 21 Multiple Dwelling development at No. 168 Broadway, Crawley.

Hemsley Planning acts on instruction from the Body of Owners of No. 166 Broadway, Crawley (henceforth collectively referred to as the Client and 'Client Property') located to the immediate north-east and north-west. The owners are detailed as follows:

Owner	Apartment
John Michael Papadimitriou Jane Douglas Papadimitriou	Apartment 1
Ian James Burton Marilyn Helen Burton	Apartment 2
Alastair Samuel Holden Elbie Holden	Apartment 3
Aldo Pty Ltd	Apartment 4
Richard Packwood Alder	Apartment 5
Geraldine Springwater	Apartment 6

Our Client **does not support** the proposed development. Approval of the proposed variations to the effective deemed to comply provisions will lead to an entirely unreasonable and detrimental impact on our client's existing amenity. The planning grounds supporting this objection are detailed in this letter.

EXISTING CONTEXT

Our client's property is six (6) storeys high and was originally completed in 1993. Each of the six (6) apartments have been renovated. The building remains in very good condition and enjoys the benefit of a well-funded strata and 83% of apartments being owner occupied.

Unlike some substantially depreciated properties in this location, **our Client's apartment building will make an enduring contribution to the development context** and the unreasonable and detrimental impacts (were the eight (8) storey proposal

approved in its current form) will continue to be experienced by all occupants and residents of this property. The proposal's variations from the current planning framework and the future anticipated City of Perth framework must be considered in this context.

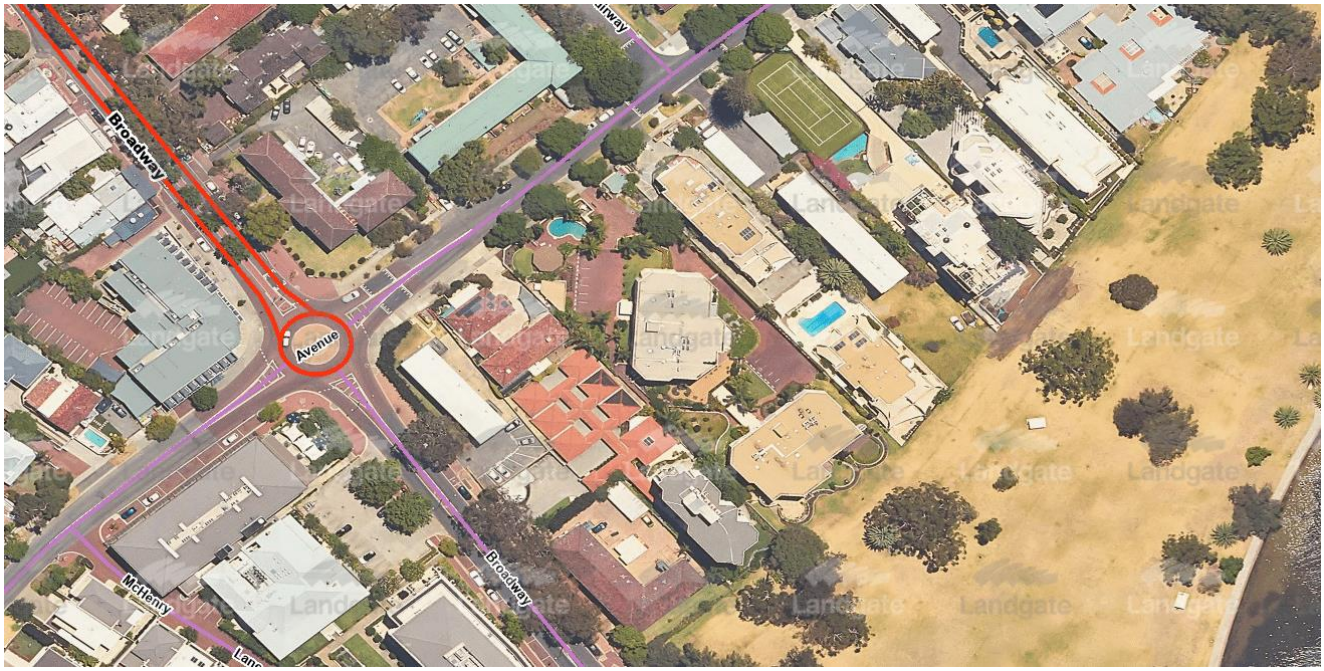


Figure 1 Location Plan depicting Client Property in relation to the proponent's subject site.

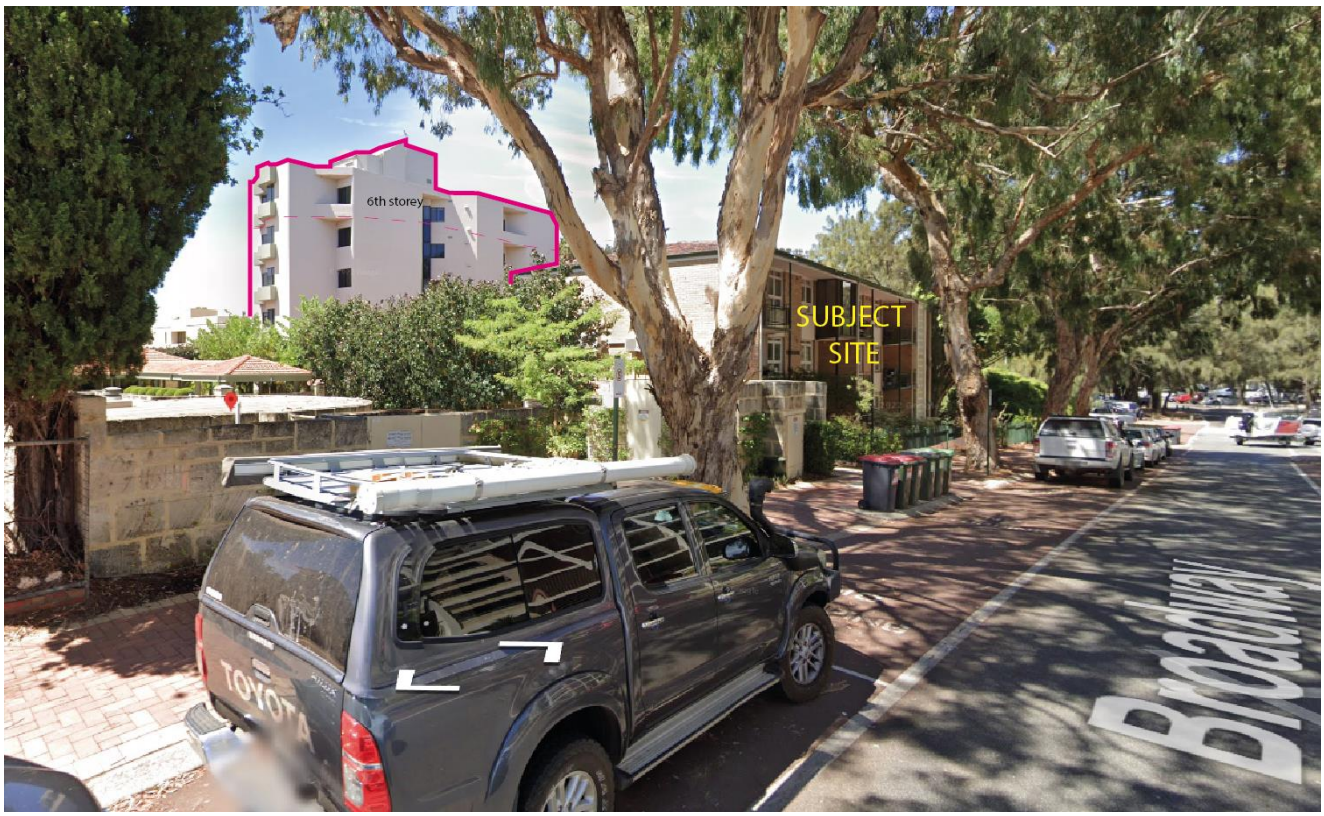


Figure 2 Client Property outlined in pink.

MISLEADING APPLICATION MATERIAL

As a preliminary matter, we draw attention to the misleading nature of the implied justifications submitted by the proponent which serves to mislead those assessing the proposal and having the benefit of downplaying the building height and the significance of the plot ratio area variation sought.

1. Surrounding Development is Substantially Less Dense than Represented

Page 10 Architects Submission Report

The report asserts that 28 The Avenue, Crawley (behind the subject site) has been developed with a plot ratio of 1.7. That lot is 1,030m^2. The roof cover, trimmed to remove the ~850m^2 eave overhang indicates a building envelope of ~227.1m^2 . Applied over the developments three (3) levels (681.6m^2) we see that site is developed to an intensity of only 0.66 PRA (refer figures below). The caption also erroneously claims the building was constructed in 1995 whereas it was 1964 and that there are 10 apartments, whereas the are only nine (9).

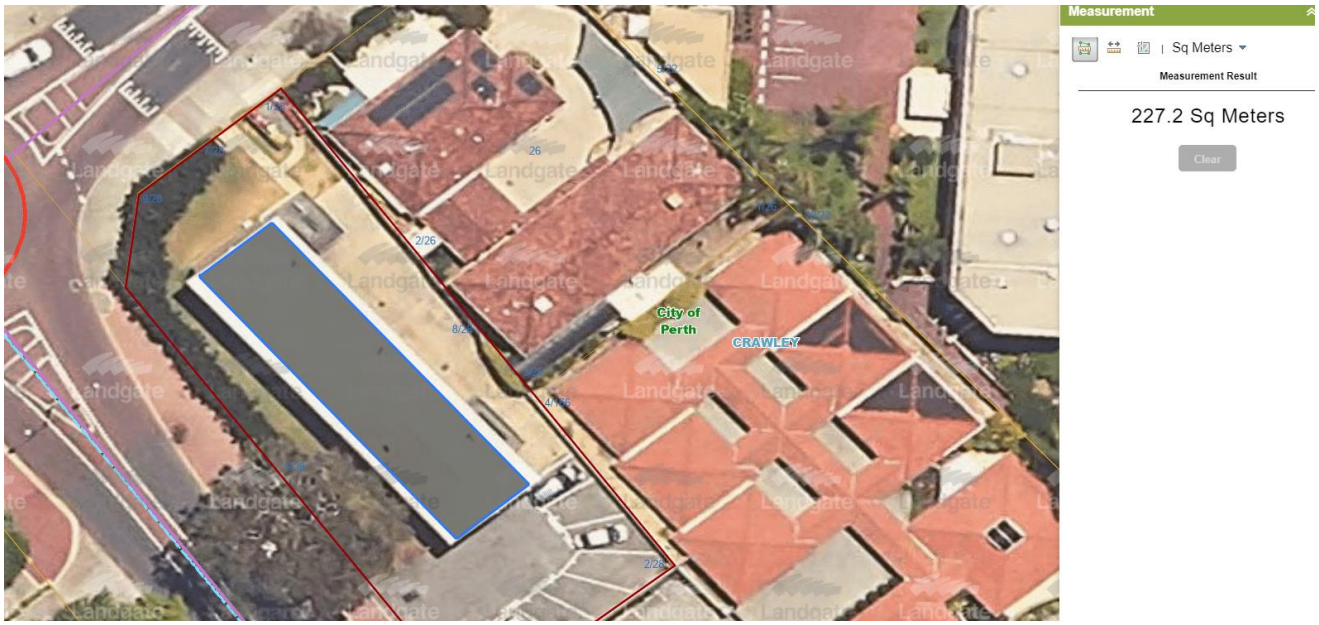


Figure 3 Calculation of rear adjoining building plot ratio yield derived from 227.2m2 footprint.



Figure 4 Extract from applicant's Architect Report identifying the mislabelling of rear adjoining building plot ratio yield.

2. Surrounding Development is Substantially Less Dense than Represented

Page 10 Architects Submission Report

The report asserts that our client's property might have a plot ratio of 2.1 without obviously detailing that this would only be the case if the overall client property had the rear 1,396m^2 (61.7% site area) removed, this area containing all the pool, 18 individually garaged car parks (car bays and storage) manoeuvring areas, bin storages, booster hydrants, visitor parking and landscaping (see figure below).



Figure 5 Extract from applicant's Architect Report identifying the client site has a plot ratio of 2.1 if 62% of the total site area was removed.

3. Incorrect Base Level Massing Scheme and Supporting Diagrams

Pages 18 through 21 Architects Submission Report

All the claims in the report pertaining to a comparative massing scheme which is 'compliant with setback and building separation' are entirely misleading and like other items identified should not form part of the applicants' supporting documents when being considered for approval by the LDAP.

This document somehow asserts that a '*[G]round + 6 storeys*' (otherwise known as seven (7) storeys) is compliant and conveniently fails to include maximum 20m building width requirements as detailed in SPP7.3 Vol. 2 – Multiple Dwellings. The applicant is aware that the applicable planning framework requires this lot to be developed to three (3) storeys, with performance criteria in LPS4 allowing up to four (4) storeys.

The outcome of these assertions is that the proponent submits an entirely misleading impression of a 'base level' of compliance of effectively permitted plot ratio area capable of being accommodated on the subject site based on a 'compliant' design.

4. Misrepresented Scale of Proposal

Pages 18 through 20 Pages 22-24 Architects Submission Report.

A series of isometric wireframe diagrams have significantly mispresented the lift shaft overrun, when comparing the isometric drawings with the 2D drawings approved for submission. These figures also embellish the extent that our client's property is elevated above ground level and subtly conveys the impression our clients property is closer to seven (7) storey's in height

whereas it is in fact only six (6) storey's. The proposed podium level terrace is 3.7AHD whereas our clients ground floor terrace is 2.1 AHD.

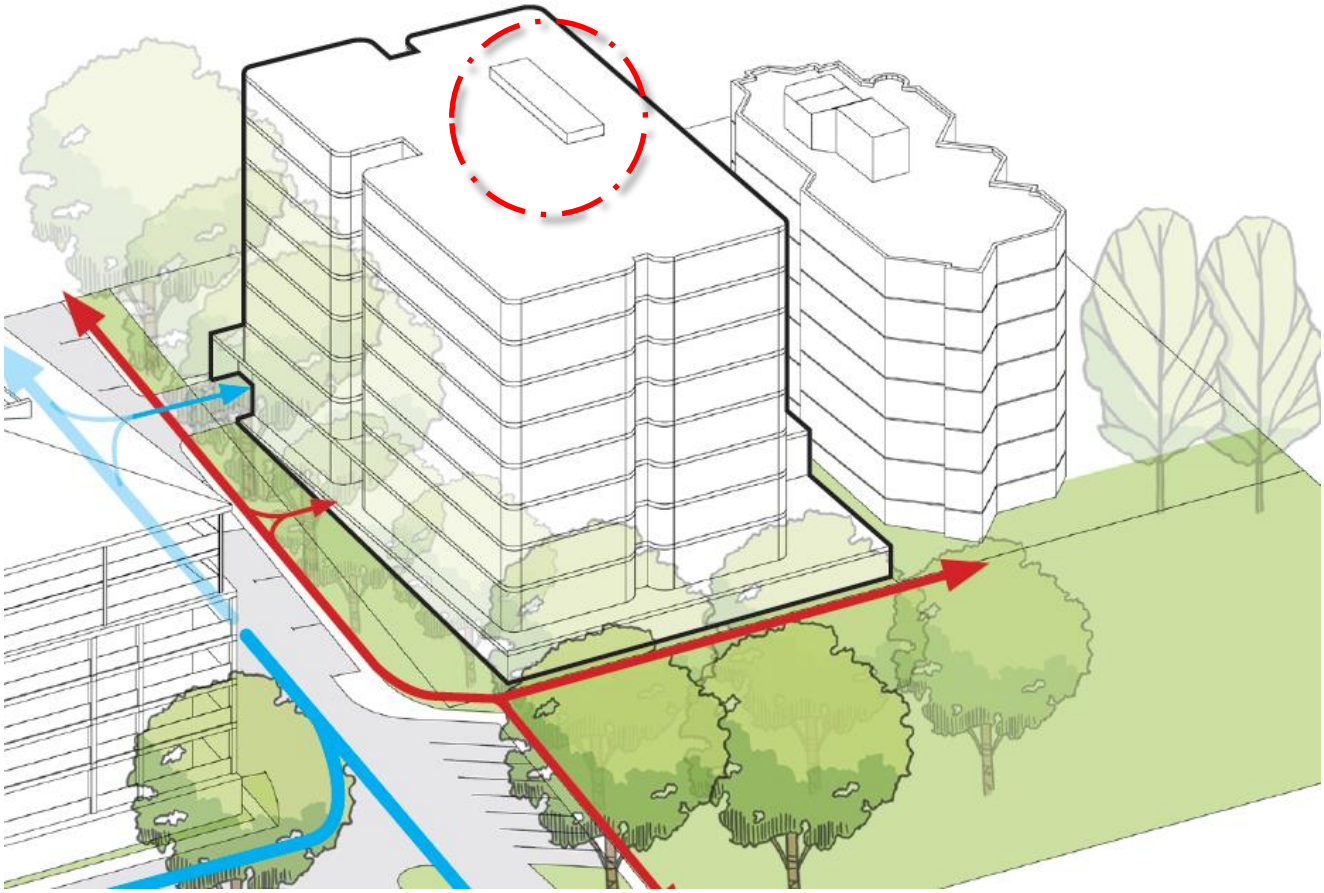


Figure 6 Extract from applicant's Architect Report identifying the obviously reduced height of the lift overrun in non-statutory isometric drawings as compared to the drawings tendered for approval below.



Figure 7 Extract from applicant's DA drawings identifying the actual proposed height of the lift overrun in the statutory drawings as compared to the isometric drawings used for justifying the proposal.

5. Shifting the Client Groups Apartment Closer to the River

All DA Drawings (Site plans and floor plans)

The applicant's site feature survey prepared by a licensed land surveyor shows our client's apartment building setback at 6.00m front their river lot boundary. However, all subsequent drawings shift our clients apartment building forward by 770mm. This has the impact of diminishing the extent that our clients will have their view's of the river physically obstructed.

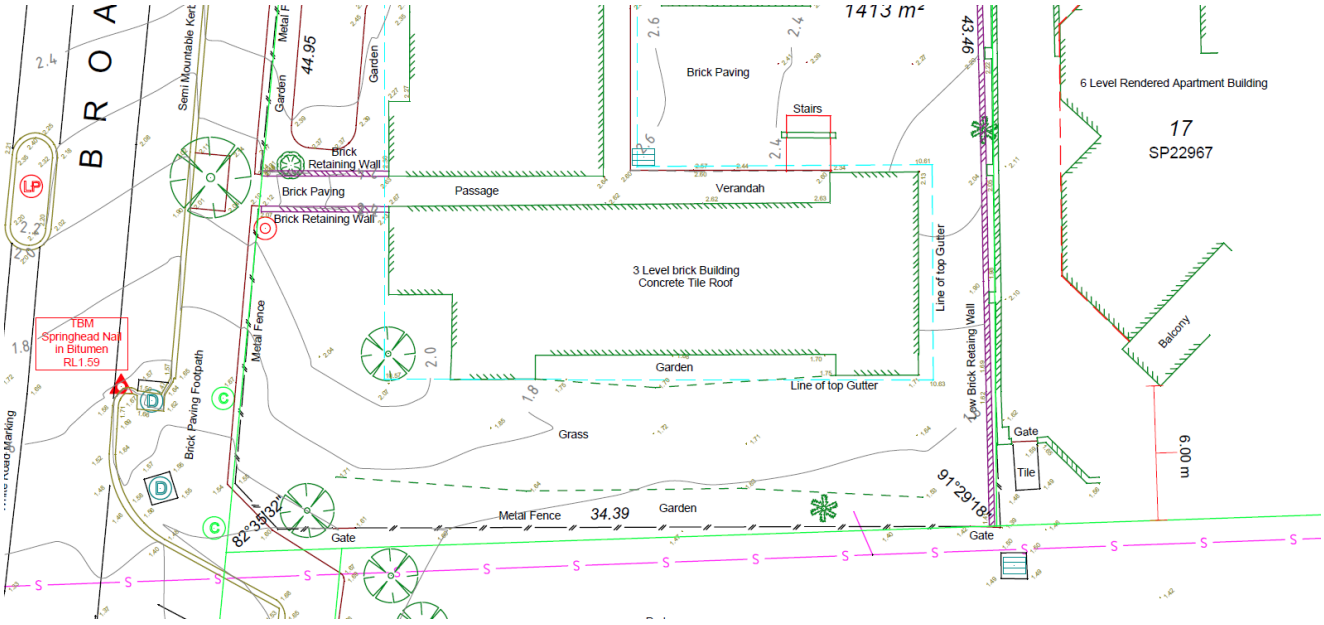


Figure 8 SIte feature survey showing client property 6m setback to river.

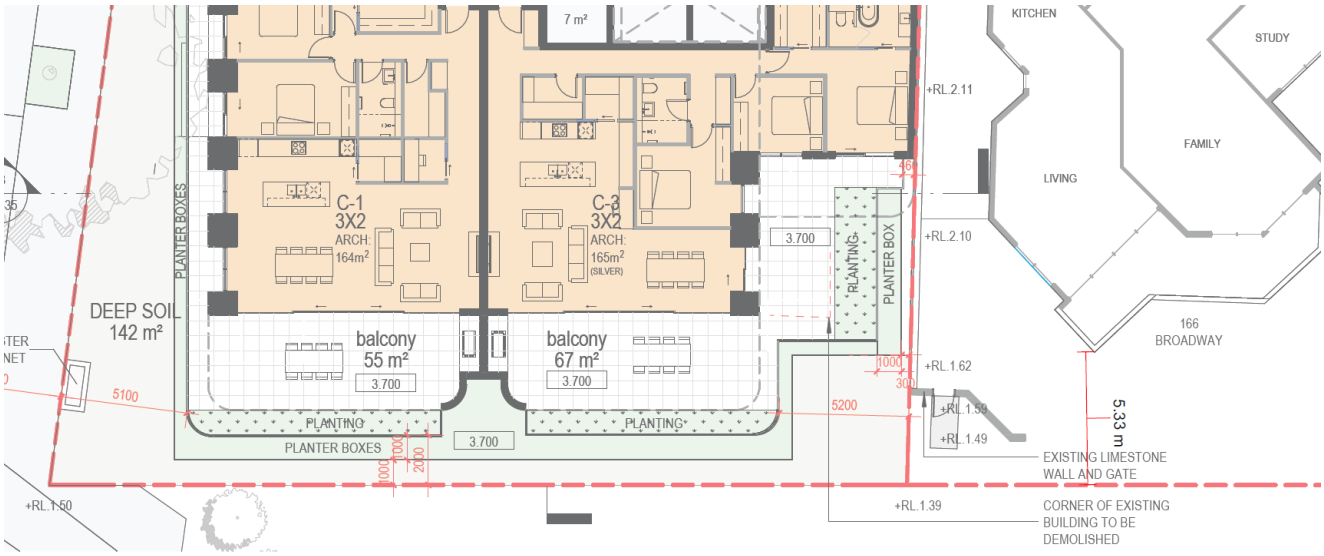


Figure 9 Extract from DA drawings showing 5.33m setback.

Whilst our review of the proponent's application materials is constrained by time resources, it should be evident to the City and the LDAP that the applicant is being disingenuous to their benefit, having the effect of understating the contemplated base level of acceptable building bulk impacts of the proposed development on surrounding development and views of significance. The proponent is further relying upon a flawed interpretation of permitted massing with which to compare their 'superior' proposed yield configuration (incorrectly as being better by comparison) in justifying the additional height and PRA above and beyond bonus height limits.

GROUNDS FOR OBJECTION

The term "amenity" is defined in cl 1 of the deemed provisions contained in sch 2 to the LPS Regulations to mean "all those factors which combine to form the character of an area and include the present and likely future amenity". In **Tempora Pty Ltd v Shire of Kalamunda (1994) 10 SR (WA) 296** (Tempora), the former Town Planning Appeal Tribunal set out a three-step test in terms of evaluating amenity. The relevant steps are:

1. Establish the existing amenity in an objective sense;
2. Evaluate the manner in which the proposed use will affect the existing amenity; and
3. Assess the degree of impact on the locality.

The following section responds to variations by referencing applicable design principles, objectives, and relevant town planning considerations. In accordance with cl. 67 (2) (m) of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, in considering an application for development approval, the City if Local Development Assessment Panel (LDAP) is to have due regard the compatibility of the development with the desired location and the relationship of the proposed to existing development including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

Our client's concerns with the proposed eight (8) level Multiple Dwelling development is articulated under appropriate headings using this process to focus on the proposal's projected impact on existing amenity to an extent, which we submit, will both cumulatively and individually cause an unreasonable impact our Client's existing and expected amenity detrimentally.

BASIC BUILT FORM ASSESSMENT RELATIVE TO CLIENT PROPERTY

To illustrate the proposal's disregard to the basic built form requirements we have performed a simple assessment in the table below. Its inability to meet the basic building width and setback requirements should alert the decision maker to the design inability to achieve design excellence.

LPS4/SPP7.3 Vol. 2 Provision	LPS4/SPP7.3 Vol. 2 Requirements	Proposed	Variation
Building Height *Subiaco LPS4* *(3) Residential Zone: R80* *(a) Notwithstanding any provisions of the Residential Design Codes to the contrary, buildings on land within the Residential Zone having an R Code density of R80 shall not exceed 9 metres overall height and 6 metres wall height;*	3 storeys possibly 4 storeys 9m max wall height 12m max overall height.	8 Storeys 26.69m 29m to lift overrun.	4-5 storeys 17.69m 20m

LPS4/SPP7.3 Vol. 2 Provision	LPS4/SPP7.3 Vol. 2 Requirements	Proposed	Variation
(b) The local government may permit a variation to subclause (a) and permit buildings up to 12 metres overall height and 9 metres wall height where the Local government is satisfied that there is to be no undue adverse impact on the adjoining residential sites or on the general amenity of the locality. *INSERT AMEND NO 2 GG 22/10/04*			
Plot Ratio Area SPP7.3 Vol.2	1.0 PR (Max. 1,413m2 Permitted)	2.65 PR	1.65 PR 2,331.45m2 Additional plot ratio area
Visual Privacy SPP7.3 Vol.2 UC3 pictured below compared with 2.10 AHD of client ground floor terrace.  	Balconies and active habitable spaces 500mm above natural ground level shall be screened to 1.6m height or setback 6m from a boundary.	Unit C-3 FFL is 3.7m AHD, the ground floor adjoining OLA is 2.1m AHD Unit B-3 balcony enjoys line of sight directly into ground floor and first floor living and kitchen windows. Unit B-2 and gym wellness garden balcony enjoys line	1m setback in lieu of 6m. 1.5m setback in lieu of 6m 2.87m setback in lieu of 6m.

LPS4/SPP7.3 Vol. 2 Provision	LPS4/SPP7.3 Vol. 2 Requirements	Proposed	Variation
		of sight directly into ground floor and first floor clear glazed powder room (sink) and passage.	
Side Setbacks SPP7.3 Vol.2	Refer to City's Assessment.		
On boundary wall SPP7.3 Vol.2	Boundary wall only permitted on one boundary, and shall not exceed 2/3 length.	Boundary wall on 100% of north western boundary. Boundary wall on ~75% of north western boundary.	On boundary walls to both side boundaries both exceeding maximum length.

SPECIFIC OBJECTIONS TO PROPOSED DEVELOPMENT

VISUAL IMPACT VIA BULK AND SCALE

The proposal's disregard for overall building height, on boundary walls, side setbacks (building width) / building separation, combine to contribute to an intolerable and entirely unreasonable loss of visual amenity on our client group.

The proposed tower as it faces our Client's property objectively lacks a coherent mass reducing strategy which would see upper levels setback further from the side lot boundaries. Further, this façade lacks any notable variation in materiality of the building to otherwise mitigate against poor visual impact outcomes particularly generated by the mass of the upper levels. We see a negligible effort has been made in this regard despite submitting for approval of a design which is heavily reliant upon achieving design excellence in order to enjoy consideration for significant building height and a yield variation of 2,331m2.

LOSS OF VIEWS OF SIGNIFICANCE TO THE SOUTH (RIVER)

The proposal's lack of faithfulness to the prescribed planning framework manifests itself in amenity impact such as an avoidable impact on loss of views of significance and facing south and southwest.

Kitchen Window

The design proposed will obstruct all high valued river views presently enjoyed from the large kitchen window of apartments 2-6 (refer figures below).



Figure 10 Kitchen windows viewed from exterior.

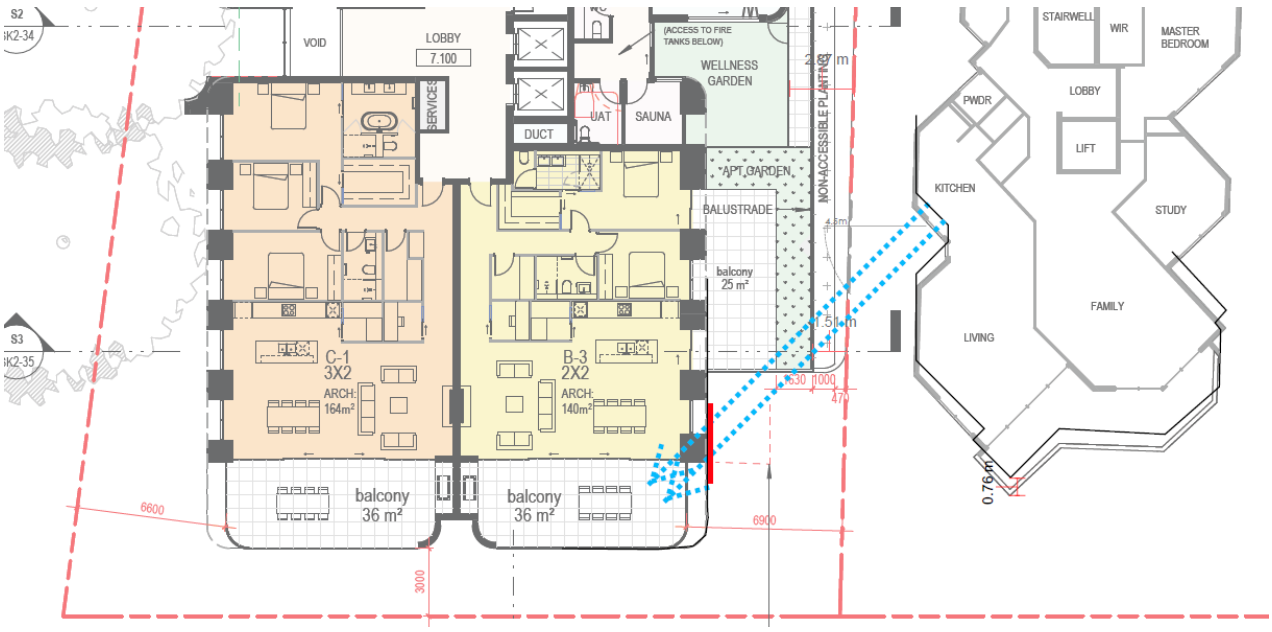


Figure 11 Nature of loss of line of sight with floor plate position adjusted.



Figure 12 River views from 5th floor kitchen of client property.



Figure 13 River and POS views from 5th floor kitchen of client property.

Living Room Window

The design proposed will obstruct all high valued river views presently enjoyed from the large living room window of apartments 2-6 (refer figures below).



Figure 14 River and POS views from 5th floor living room of client property demonstrating orientation.

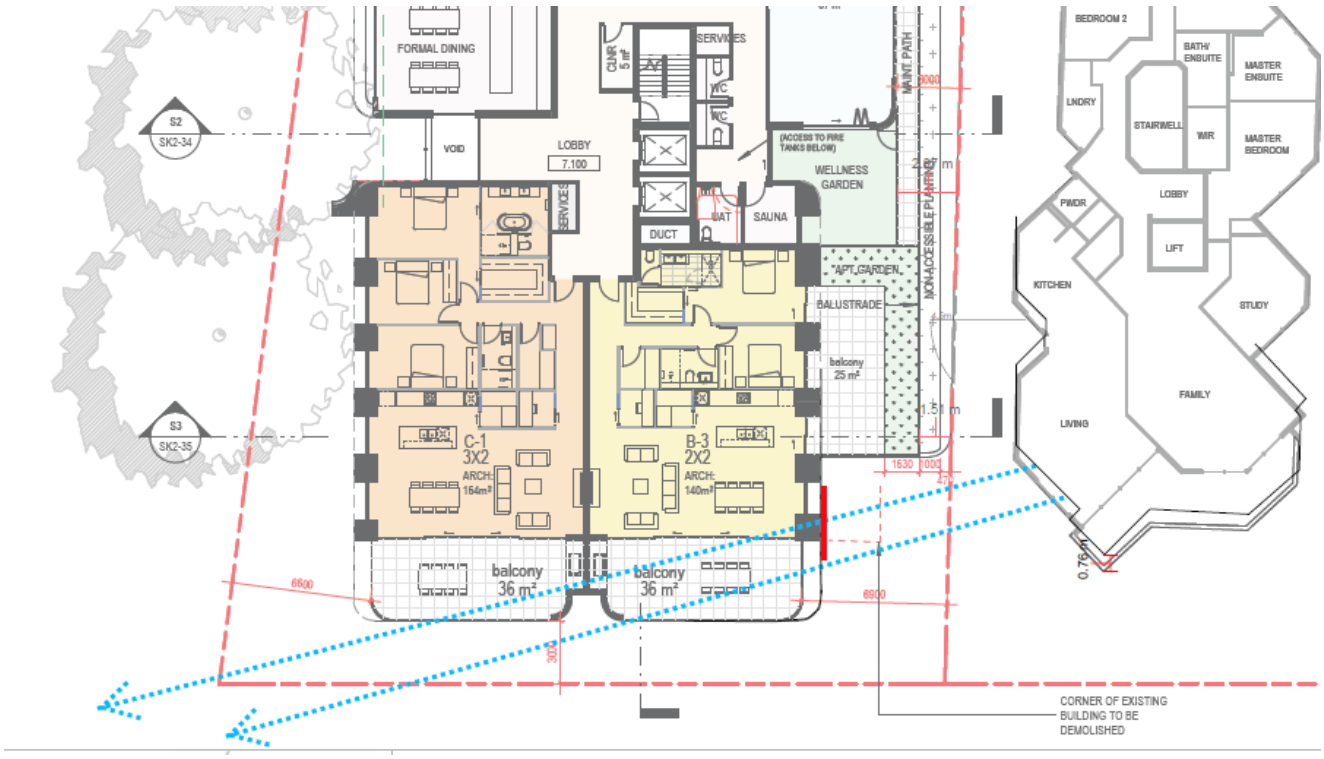


Figure 15 Nature of loss of line of sight from living room with floor plate position adjusted.



Figure 16 River and POS views from 5th floor living room of client property.



Figure 17 Living room windows viewed from exterior.

A more site responsive design would allow a substantial proportion of the high-valued south and south-west views to be retained. To this end, the proposal is flawed in its attempt to address the design principles. The proposal blocks all of the existing

available views of the river to the south to cause an unacceptable and unnecessary impact on the amenity of our client's apartments.

Relevant Case Law

The matter of whether the loss of views may be given consideration in determining a development application was considered by the State Administrative Tribunal in **APP Corporation Pty Ltd and City of Perth [2008] WASAT 291**, where the Tribunal referenced a four-step assessment in relation to 'view sharing' derived from **Tenacity Consulting Pty Ltd and Warringah Council [2004] NSWLEC 140**. This four-step assessment comprises the following means to determine whether the right to a view can be said to be worthy of protection:

1. *Assessment of the quality of the affected view. Water views are more highly valued than land views.*
2. *Views from front and rear boundaries are more easily protected.*
3. *Assessment of the extent of impact, whether minor, moderate, severe or devastating.*
4. *Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable.*

With regards to points 1, 2 and 3, we note:

- The views in question are that the Swan River and to a less extent the playing fields in front and are a very high quality and high value as can be observed from the above figures. As established in **APP Corporation Pty Ltd and City of Perth [2008] WASAT 291**, whole views the property presently enjoys are valued more highly than partial views;
- The views which will be obscured are from the rear boundary and is presently enjoyed from a both standing or sitting positions achieved from the kitchen and living rooms across all levels. The impact on views from living areas not service areas.
- The impacts on views in this instance arises as a result of the development attempting to almost triple the permitted plot ratio area on a relatively small site, , exceed three or four storey development and in some instances on the upper levels being too close to the shared lot boundary. It is in general an example of of general overdevelopment on the site.
- The impacts are considered severe, reducing the view entirely. Given the part of the view that will be lost is more valuable and it is achieved from the primary living room, we consider the loss of views of significance to be 'severe'.

Whilst the proponent may consider each apartment has sweeping views over the river on the boundary adjoining the park, this is far from the case. The figure below demonstrates that there are many existing non-deciduous trees on the adjoining POS which all but obstruct a direct line of sight to the river. The view presently achieved, which will be lost is severe and is as a directly result of the proposal not meeting deemed to comply (acceptable outcome) criteria.



Figure 18 Existing trees on POS all but obstructs a direct line of sight facing south east to the river as viewed from the living room.

With a 'complying' proposal, **APP Corporation Pty Ltd and City of Perth [2008] WASAT 291** directs us to question whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of surrounding landowners. We submit the answer is 'yes' as a balcony could extend along the front of the existing improvements and point out that the works are extensions to an existing operating clubhouse with multiple venue spaces for both members and function attendees alike. The proposed elevated space is not necessary as the club is on the waterfront.

BUILDING HEIGHT

The overall height proposed is six (6) storeys above what one would very reasonably have expected would be the highest possible bonus heights permitted being 9m external wall height rising to 12m maximum. As planning consultants we would expect that a typical design principle response to such a deviation from deemed to comply type height provisions would be for a slender form, however, the proponent's design *also* seeks to vary the permitted maximum plot ratio from 1.0 to 2.67. The extra plot ratio area is coming at the expense of views of significance and outlook in general which manifests itself in a loss of amenity. We eagerly await the Design Review Panel's opinion on this matter.

A consequence of the totality of height will be a visually oppressive structure. The detrimental impacts from the variations proposed are cumulative and ultimately result in an unreasonable loss of amenity for our clients who enjoy a relatively open aspect to the south and southwest. Granting approval on the basis of any of these variations alone would not reflect orderly and proper planning.

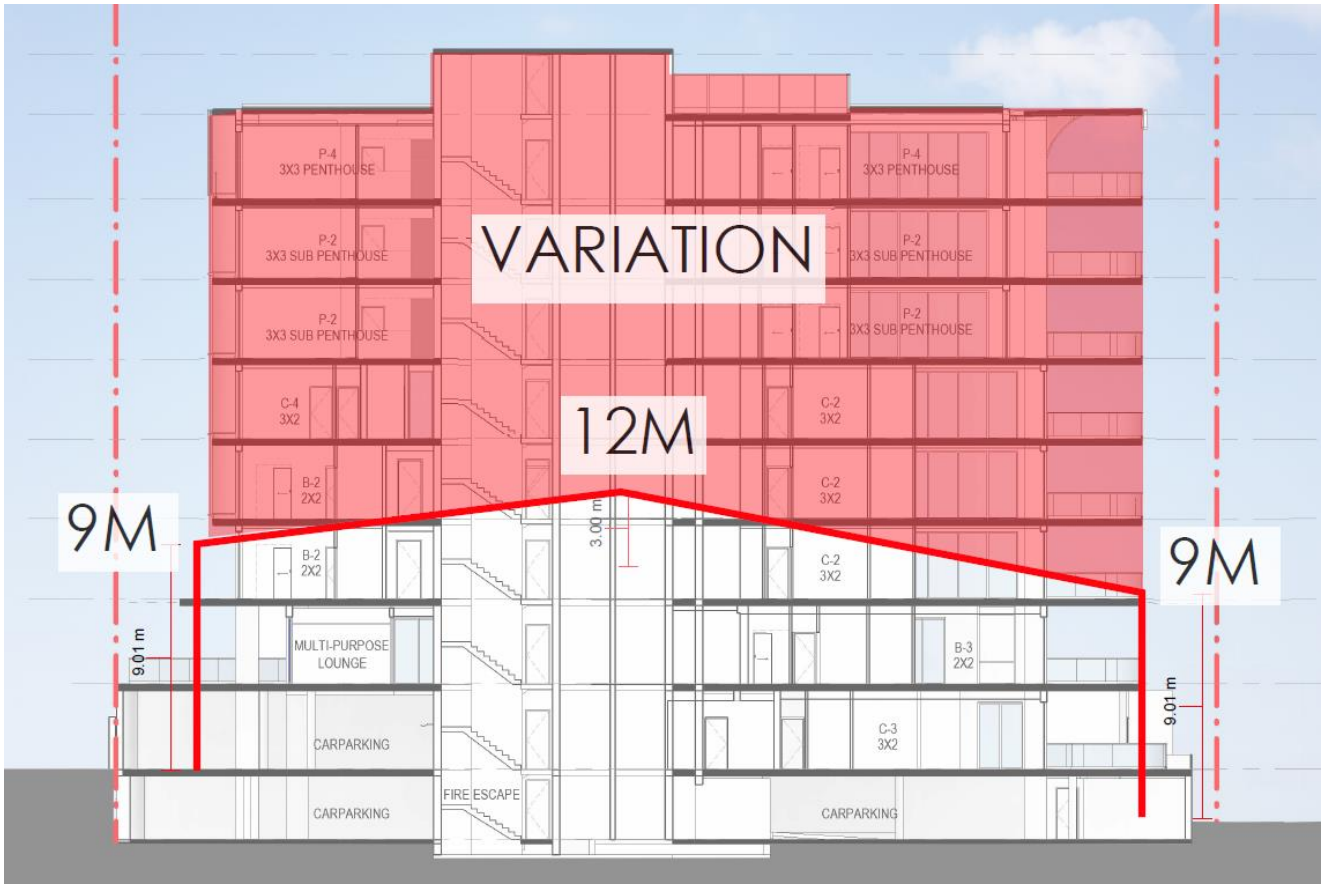


Figure 19 Extent of height variations sought shaded in red.

The proponent is asking the City of Perth and the LDAP to exercise their decision-making discretion in numerous areas pertaining to basic bulk and scale planning controls and it is incumbent upon the applicant to have successfully demonstrated it has leapt the high bar of 'design excellence' to do so which we submit as not nearly being achieved in a manner which would qualify the proposal to achieve a 20m building height variation. as proposed.

LOSS OF VISUAL PRIVACY

Visual privacy is a valid cause for concern and plays an important role in residential amenity. The prospect of being overlooked at any time at random is not easily tolerated or welcomed, particularly to outdoor living areas and even more so internal living areas. In this instance the proposal seeks approval to achieve direct lines of sight from balconies and other elevated active habitable spaces which even if fully screened do not meet setback requirements and will cause an unreasonable amenity impact on the amenity of the Clients homes. The most serious instance will see an unscreened deck as close as 1.5m to a shared boundary adjoining a ground floor outdoor living area which otherwise enjoys privacy from park users.

Other areas overlooked include the power room and door to the toilet on upper-level apartments as well as the kitchen on the ground floor apartment.

In this instance, we have provided objective evidence on the issue of overlooking necessitated by the applicant's large plot ratio variations and have proven the concern is elevated above a case of over-sensitivity by the Client. The impact of the overlooking proposed will lead to an unreasonable impact on the amenity of our clients.

WIND IMPACT

Mitigation efforts have already been attempting by our clients to limit to impact of wind around their property. A combination of the prevailing winds, unexpected building height, lot boundary setback variations and substantial length of boundary walls proposed and smooth edged facades in immediate proximity to our client's property, will cause an unquantified wind impact on the amenity and residents entering and existing our client property.

We are concerned about the impact of 'wind flow channeling,' 'flow separation,' and 'downwash' and their specific impact on our clients. A Wind Impact Assessment has not been prepared which we submit ought to have.

TRAFFIC IMPACT

The proposal provides more car parks than required. The additional plot ratio yield and surplus of car bays provided will not encourage use of alternative transport methods and will deliver more vehicles into the local traffic network as compared to those levels anticipated in precinct wide traffic modelling. The development will incrementally overwhelm the tolerable threshold of the precinct and may prejudice the sustainable redevelopment of the area.

The plot ratio variation will unreasonably compound the accumulative amenity impacts already detailed in this letter.

COUNTER ARGUMENT TO PRECEDENCE RELEVANT CONSIDERATIONS - PRECEDENT-OTHER NON-COMPLYING DEVELOPMENT

The applicants architect report has cited the isolated examples of approved dwellings to form a basis for justification in varying the plot ratio area and building height. We contend that these examples do not generate adequate precedence or relevance having been determined under a different planning framework (City of Nedlands) or in a different zoning and disregarding the fact that those development would have sought to more effectively mitigate against the cumulative impacts of any plot ratio or height variations.

Even if examples can be provided of a departure by the City from its policies, such cases do not justify a further departure or a departure this substantial. It is a proper regulatory response to 'hold the line' against further inroads to a planning standard and we request the City adopt this position in this instance. The decision maker is not bound by existing bad examples of development as justification for a proposal which is contrary to the R-Codes and local planning policy provisions. It is the Decision Makers' statutory duty to apply sound town planning principles to the substantial merits of each particular case. On

the basis that there is more than a 'mere chance or possibility' that there may be later undistinguishable applications seeking discretion in similar circumstances, the City is supported by case law to use this as a basis for refusal.

The City is also reminded of their primary planning scheme which has a strict nil discretion approach toward plot ratio area variations. The City instead has a system where plot ratio area is traded from heritage properties with heritage protection agreements set up in perpetuity. Plot ratio area can then be sold to developers seeking discretion in appropriate circumstances. This system which would likely apply to this location when the area is naturalized with the City of Perth Planning Scheme would be undermined by a development such as the proposed which delivers no discernable community benefit, particularly in the form of funding the protection of heritage buildings elsewhere in the City.

ORDERLY & PROPER PLANNING

In order to ensure orderly and proper planning of the redevelopment, we request that in contemplating exercising any level of discretion within this planning context, that DevelopmentWA ensures a disciplined, methodical, logical and systematic, which is not haphazard or capricious.

We contend that should the Development Application be approved without substantial modification to the submitted design, it would constitute a decision which significantly departs from the planning framework without the applicant demonstrating, through design or community benefit, a cogent reason for doing so.

POTENTIAL MODIFICATIONS

Whilst not prescriptive we believe the proponent should consider the following modifications in order to generate a reasonable impact on our client's amenity:

- Remove the on boundary from the 43m long shared boundary. Retain the on boundary wall adjoining the access to Broadway (north east);
- Increase the setback of the tower from the river boundary to allow views to be retained from the kitchen and living room windows;
- Increase the setback of the ground floor terracing from the river boundary or reduce terracing height to match adjoining 2.10 FFL;
- Perform a wind impact assessment;
- Address visual privacy variations to reflect acceptable outcomes of SPP7.3 Vol. 2; and
- Increase setbacks to reflect acceptable outcomes of SPP7.3 Vol. 2.

SUMMARY

In **Gugliotti v City of Preston (1988) 1 AATR 97**, the former Victorian Tribunal stated (cited with approval in Telstra Corporation, above, at [65]):

> It has long been held by various divisions of this Tribunal that the mere perception of loss of amenity by objectors is insufficient reason to deny a [planning] permit. There must be a real and genuine prospect that the apprehensions expressed in objections are more likely than not to eventuate.

Our submission has articulated and sufficiently demonstrated the concerns expressed are entirely reasonable, valid and the detrimental impacts on amenity described are far more likely than not to eventuate.

We appreciate the opportunity to comment on the proposed development at 168 Broadway, Nedlands and trust that the submission will be given proper, genuine, and realistic consideration.

We request the City provide updates as to the status of the Development Application and a copy of the plans once the applicant has accurately prepared their submission. Our client has provided Hemsley Planning with ongoing instructions to make representations to the City and LDAP should the applicant, in our opinion, have failed to prepare a design which successfully addresses the element objective.

Should clarification on any aspects of this matter, please do not hesitate to contact myself on 0415 337 100, or by email at alex@hplanning.com.au .

Kind regards



Alex Hemsley

Director | Principal Planner

BLUEWAYS

Level 5, BGC Centre
28 The Esplanade
Perth WA 6000

Attachment B - Submission 37

Reference: DAP-2022/5216

7 October 2022

Chief Executive Officer
City of Perth
27 St Georges Terrace
PERTH WA 6000

Attention: Jasmine Hancock – Senior Planning Officer

Dear Jasmine,

LOT 14 (NO. 168) BROADWAY, CRAWLEY – SUBMISSION ON PROPOSED RESIDENTIAL APARTMENT BUILDING COMPRISING 21 MULTIPLE DWELLINGS

We refer to the subject development application at Lot 14 (No. 168) Broadway, Crawley (the subject site) and would like to respectfully object to the proposed development on behalf of the Crawley and Nedlands community.

Our review of the proposed development has considered the City of Subiaco (the City) Town Planning Scheme No. 4 (TPS4), State Planning Policy 7.3 – Residential Design Codes Vol. 2 – Apartments (SPP7.3), the *Planning and Development (Local Planning Schemes) Regulations 2015*, and consideration for the ongoing development associated with the UWA-QEII Precinct Plan.

Building Height and Plot Ratio

The proposed development seeks to vary the building height and plot ratio provisions as prescribed under TPS4 and SPP7.3, as follows:

- Clause 42(3) of TPS4 prescribes a maximum building height of 9m and maximum wall height of 6m for residential properties with a density coding of R80. An overall height of 27m is proposed in this instance, and this represents a significant (200%) variation under TSP4;
- SPP7.3 prescribes a maximum building height of 4 storeys which corresponds to an indicative height of 15m. The proposed development is 8 storeys in height (ground floor plus 7 levels above) which is twice the height as prescribed under SPP7.3; and
- SPP7.3 prescribes a maximum plot ratio area of 1.0, which equates to a total floor area of 1,413m^2. The proposed development has a plot ratio area of approximately 3,947m^2 and this equates to a plot ratio of approximately 2.79, which is more than double the permissible plot ratio prescribed under SPP7.3.

Although the applicant's supporting report provides some justification around the proposed height and plot ratio variations, the justification provided is considered to be insufficient, and does not specifically respond to clause 42A as required. In this respect, the following comments are made on the proposed development:

- In addition to the height and plot ratio variations proposed, a number of other variations will adversely impact adjoining residential properties as discussed below;
- The proposed height is not compatible with the heights of the overall development in the area and far exceeds existing building heights. This includes the building to the immediate west, which is 6 storeys (ground floor plus 5 levels above);

- The proposed height does not meet the Acceptable Development standards of SPP7.3, in relation to height or setbacks required certain walls;

- The proposed height of the development is not necessitated by a sloping site or the result of an irregular roof design; and

- The proposed plot ratio of 2.79 far exceeds recently approved developments along Broadway, being noted as having a plot ratio of 2.25. It is outlined that many of the approvals referenced as being nearby are for properties with a residential density coding of RAC-3 or R160, and not R80.

In respect to the comments made above, it is our opinion that the applicant has not adequately justified the additional development height proposed against the provisions of clause 42A of TPS4, and on this basis it would not be an orderly and proper decision to approve the proposed development.

Setbacks

SPP7.3 outlines that the acceptable outcome requirement for boundary wall is for it to only be located on one wall, and for no more than 2/3rd of the boundary length to a maximum height of 2 storeys. The proposed development provides a 2 storey boundary wall to two separate lot boundaries, exceeding 2/3rd the length of each boundaries. This has effectively pushed a significant amount of bulk onto the adjoining property to the east.

The north-east elevation has also shown an abundance of landscaping that screens the expansiveness of blank boundary wall located behind. It is outlined that the majority of this landscape shown does not exist or is very likely to be impacted as part of the construction process. As such, the actual impact being the 2 storey expanse of blank wall in this location has not been accurately shown.

The north-eastern elevation also shows landscape falling down from the level 1 non-accessible planting area and, in this respect, the ongoing maintenance of this space is unclear and it may potentially impact the adjoining property.

Visual Privacy

As detailed in the applicant's planning assessment, the proposed development seeks to vary the visual privacy setback requirements prescribed under SPP7.3. There are concerns that these variations will adversely impact the residential amenity of the adjoining dwellings, with direct overlooking to habitable rooms, including the living rooms and kitchens as detailed below.



Figure 1: Extract showing overlooking proposed to adjoining property

The large extent of major openings and balconies oriented directly toward adjoining properties should be reconsidered so that they comply with SPP7.3 and ensure an appropriate visual privacy outcome is achieved.

Openings should either be set back a greater distance from the lot boundary, screened to ensure overlooking cannot occur or openings reduced in size.

Visitor Parking

The proposed development provides only 3 visitor parking bays, which is considered insufficient in the context of the subject site and the 21 apartments proposed. The subject site is located within close proximity to the Swan River and popular areas of public recreation that are often frequented by locals and visitors to the area. As such, the applicant's reliance on publicly available street parking within the area is not an appropriate justification, as these bays are already actively utilised by those frequenting the area for recreation purposes.

We note that the proposed development provides 44 car parking bays for residents, which meets the minimum and maximum number of car parking bays required. It is suggested that 2 of the existing bays that are allocated for residents use should be reallocated for visitors.

The proposed development should accommodate all required car parking bays on site given the established parking demand within the area. Failure to accommodate all parking on site is likely to exacerbate the existing parking issues in the area, and this will have an adverse impact on the amenity and character of the Crawley locality.

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, cl. 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out a number of matters that the local government is to have due regard to in determining an application where relevant.

The following table briefly responds to the most relevant matters for the City of Perth's (the City) consideration as part of its assessment, and these are matters that are specifically of relevance to the concerns raised in this objection submission.

Table 1: Clause 67 Matters to be considered

Relevant matters to be considered	Review/Analysis of proposed development
(b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving.	Given the proposed development is not considered to have adequately justified the proposed variations to a number of requirements set out within the applicable planning framework, an approval determination would not be an orderly and proper decision.
(m) The compatibility of the development with its setting including – i. the compatibility of the development with the desired future character of its setting; and ii. the relationship of the development to the 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 proposed development is not considered to appropriately respond to the adjoining residential buildings to the north east and north west of the subject site, as previously discussed. The development proposes a substantial height that is far greater than existing buildings within the area, and is of a bulk and scale that is not in keeping with the locality. The bulk of the development is inappropriately located within the site to respond to key requirements of the currently planning framework and as a result, will have a detrimental impact on the amenity of the adjoining property. The proposed development and accompanying planning report has had no regard to the existing character of the locality, and does not provide any analysis of the existing built form, scale, landscape, colours and materials that make up the uniqueness of Crawley and this particular location within it. On this basis, the design is not considered to be compatible with the existing character of the area. Although the proposed development has been positioned to take advantage of the potential future character of its setting, the actual future character is unknown, with the

	City continuing to undergo community consultation and work associated with the UWA-QEII Precinct Plan. In the absence of any resolved detail around the future character of the area, the approval of the proposed development would set a precedent for other development within the area and potentially prejudice the City's own strategic planning being undertaken to determine the most appropriate development outcome and scale for this area.
(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.	For reasons already articulated within this letter, the proposed development is considered to result in there being a detrimental impact on the amenity of the locality.

Solar Access

The proposed development does not meet the acceptable outcome requirements for solar and daylight access. Only 57% of apartments receive 2 hours of direct sunlight into the living space and balconies between 9am and 3pm on the 21 June, which is less than the acceptable outcome requirement of 70%. Further, more than 15% of apartments receive no sunlight on the 21st June between 9am and 3pm.

Whilst the applicant has outlined that a focus has been placed on maximising views to the Swan River toward the south, consideration should be given to the overall quality of living spaces being provided to ensure that the continued living environment is not detrimentally impacted due to a specific focus being placed on a southerly outlook.

Conclusion

Due to the number of variations proposed, as articulated above, and in particular the proposed height and plot ratio, we believe that the proposed development is representative of overdevelopment.

Whilst it is acknowledged that the planning framework is likely subject to change in the future, the proposed development has had limited regard to the existing planning framework and in particular the City's TPS4. The proposed development not only presumes the future scale of development in the area that is currently subject to investigation, but far exceeds the scale of existing development adjacent the site and nearby within the City of Nedlands along Broadway in particular, which has an updated planning framework in place.

It is respectfully requested that significant modifications are made to the proposed development so that a proper analysis and response to the existing area is proposed. We are of the opinion that the proposed development is considered an overdevelopment and should not be supported based on the following key concerns:

- Significant height proposed, resulting in an impacting bulk and scale that is not in keeping with the existing character of the area, and has no relationship to the currently unknown future character;

- Reduced setbacks to the northern and eastern lot boundaries, further exacerbating the bulk and scale and out of context scale of development proposed;

- Visual privacy of adjoining residential properties will be inappropriately impacted for no valid reason; and

- Prioritisation of views to the south will be to the detriment of quality internal living environment, limiting solar access and daylight throughout the day.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact the undersigned on 0408 131 388.

Yours sincerely,



Paul Simpson

Development Director WA

BLUEWAYS

Blueways Group Pty Ltd

Level 5, BGC Centre
28 The Esplanade
Perth WA 6000

GPO Box 2589
St Georges Tce WA 6831

M: 0408 131 388
E: **paul@bluewaysgroup.com**

ELEMENT 2.2	BUILDING HEIGHT	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.2.1 – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	**The overall height of the building has been cross referenced throughout its design stage with various apartment buildings of a similar height within the locality.** **Discussion on the proposed heights appropriateness is within the Planning Report.**	**Agreed. Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.2.2 – The height of buildings within a development responds to changes in topography.	**The proposed building height responds to the sites two metre topographical change (which slopes downward north west to south east) as well as the flooding risk applicable to portion of the site. The positioning of the development on the subject site maximises the opportunity for vistas to the Swan River and JH Abrahams Reserve without compromising views from neighbouring properties.**	**Agreed. Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.2.3 – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	**The proposed roof design is consistent with buildings currently existing, or under construction within the area, demonstrating a sense of uniformity with the surrounding locality. The roof contains the roof plant equipment recessed from the building edge and solar PV taking up significant proportion of the remaining roof space.**	**Agreed.**
O2.2.4 – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.	**The proposed height has no undue impact on nearby residential development, communal open space and existing public spaces (as demonstrated by the Shadow Diagrams provided within the Design Report). Shadowing onto JH Abrahams Reserve is limited to an area in which is heavily vegetated with large trees that currently provide canopy coverage.**	**Agreed. Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A2.2.1 – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument. *(Excerpt from table 2.1)*		

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	In accordance with Clause 39 (3a and 3b): The maximum height for the subject site is 9m overall height, with a 6m wall height. However, you may seek variation of up to 12m for overall height and 9m for wall height where the Local Government is satisfied that there are no adverse impacts to neighbouring lots or local amenity. Further, Clause 42 (3) and (A) provides the ability for further discretion to be applied, given that discretionary criteria is met relating to lot boundary setback compliance. **Please refer to Section 6.1of the Development Application for further discussion.**

ELEMENT 2.3	STREET SETBACKS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.	**The ground level has a nil setback to the street in the northern corner where there is parapet wall to the existing transformer building on the adjacent lot. This then increases to 1.4 metre where the entry area is located (noting that this is an open area) and gradually increases to be setback 5.1 metre to in the south west corner of the site. The upper levels have a minimum 2 metre setback to the wall from the street boundary, ensuring compliance with the acceptable outcome. The western boundary mimics the direction of Broadway, leaving an angled boundary and building envelope fronting the street.** **The street setbacks at the ground level, whilst slightly less than the acceptable outcome requirement, is adjacent to existing development on northern neighbouring lot (which has smaller street setback) and provides more direct access to the covered pedestrian access into the entry of the development. The street setback increases for the southern portion of the which in turn provides more room for street tree canopy retention and averages the ground level setback to ensure more than two metre average is provided for the ground level.** **The Steve's development on the other side of Broadway has a nil setback, with no street trees and provides blank wall to the street. This development was conceived in the belief that an attractive interface to the public realm with an avoidance of blank walls to ensure a quality pedestrians experience which is reflective of the garden context of Crawley.** **The proposed design has enabled for increased deep soil planting along with improved landscape and streetscape amenity along Broadway.**	**Agreed, revised plans also increase front setback and area available for deep soil planting.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.3.2 – The street setback provides a clear transition between the public and private realm.	**High quality landscaped planter boxes, ground material changes and level differences assist with establishing way finding and forming a detailed transition between the public and private realm.**	**Agreed.**

O2.3.3 – The street setback assists in achieving visual privacy to apartments from the street.	**The buildings tower body contains the site's residential uses, which has been setback appropriately on the street frontage, exceeding minimum requirements along a majority of the street boundary from the Ground Floor to Level 7. The proposed screening system is utilised appropriately on the façade for the small portion that is non-compliant (to the north), with the remainder of the development well exceeding the setback requirements along the street boundary.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.3.4 – The setback of the development enables passive surveillance and outlook to the street.	**The proposal has utilised best practice building design to ensure that the development enables passive surveillance and eyes on the street. Large amounts of glazing is provided on the front façade on all levels, and levels 2 and above each have two balconies that will provide view onto Broadway to ensure appropriate passive surveillance.**	**Agreed.**

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

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

(Excerpt from table 2.1)

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

(4) Minimum secondary street setback 1.5m

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives of SPP7.3. Refer DA Report**

ELEMENT 2.4	SIDE AND REAR SETBACKS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O2.4.1 – Building boundary setbacks provide for adequate separation between neighbouring properties.	**The subject site has three non-street boundaries, being the carpark for adjacent residential units (north west), six story residential apartment building (north east) and JH Abrahams Reserve (south east).** **The acceptable outcome requirement for boundary wall development is one boundary wall for 2/3rd of the boundary length to maximum height of 2 storeys and setbacks of 3m above this and to the other lot boundaries.** **The development has the following setbacks provided:** • **1 metre setback at the basement level to the south-west boundary** • **Nil setback to the ground floor for the car park to the north-west and north-east boundaries** **All other setbacks meet or exceed the three-metre setback acceptable outcome, however building separation and visual privacy is also required to be considered (as discussed later within this assessment).** **The development achieves an appropriate level of sunlight into the neighbouring development and provides a large setback to the building mass on the north-eastern side to maximise views from adjoining developments to the river.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character**.**	**The development rather than having a two-storey parapet as viewed from the street has single storey parapet to two lot boundaries to maximise light into the development and maximise setbacks to neighbouring properties at lower levels. This also is more reflective of the existing namely detached streetscape character of the area.**	**Agreed.**
O2.4.3 – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area,	**The proposal's setbacks have allowed for the retention and enhancement of existing trees within the verge adjacent and increased landscaping on structure to enforce the landscape character of the**	**Agreed.**

support tree canopy and assist with stormwater management.	**area and enhance long term canopy cover over the site. where possible to contribute positively to the amenity of the site.**	**Refer to Building Height, Plot Ratio and Setbacks and Trees and Landscaping Sections of Responsible Authority Report.**
O2.4.4 –The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	**The proposed setbacks to surrounding developed sites adequately enable a well-articulated transition between sites, with the bulk and scale of the building not uncommon to the locality and causing no undue impact on surrounding development. The setbacks are similar to and not out of context with adjoining development sites.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**

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

A2.4.1 - Development complies with the side and rear setbacks set out in Table 2.1, except where:

a) modified by the local planning framework, in which case development complies with the side and rear setbacks set out in the applicable local planning instrument **AND /OR**

b) a greater setback is required to address *3.5 Visual privacy*.

(Excerpt from table 2.1)

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

(1) Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions

(2) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code

(3) Boundary wall only permitted on one boundary, and shall not exceed 2/3 length.

(6) Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC.

A2.4.2 – Development is setback from the boundary in order to achieve the Objectives outlined in *2.7 Building separation*, *3.3 Tree canopy and deep soil areas*, *3.5 Visual privacy* and *4.1 Solar and daylight access*.	
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives of SPP7.3. Refer DA Report**

ELEMENT 2.5	PLOT RATIO	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area.	**The proposed bulk and scale of the building is representative of surrounding higher density residential developments in the immediate locality and is appropriate for the site's context and character.** **The plot ratio of the development exceeds the base coding of 1:1 for R80. Plot ratio is a control which needs to be considered in conjunction with other factors such as height, setbacks, articulation, materiality and overshadowing. The development's height is site and context responsive and reflects modern planning requirements to promote a high level of internal amenity and mitigate impacts on neighbouring properties. When considering the context of the site and the dated nature of the applicable planning framework, a plot ratio of 1.0 is not appropriate. The development being a corner site and adjacent to reserve to the south, means that potential to impact neighbouring properties and the streetscape from any additional building mass is already minimised.** **Factors which increase the plot ratio of the development but do not necessarily result in adverse impact on adjoining properties are the generous size of apartments and efficient floor plans (to minimise common spaces on each level).** **Development sites further to the east of the subject site on Broadway have a permitted plot ratio of 2.0 with many recent developments having been approved with plot ratios of approximately 2.25 on sites which are larger but also more prominent in their appearance in terms of streetscape interface presenting as seven storeys given the topography of the location and not being on a corner. The subject site being on the lower side of Broadway and a**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**

	bookend location is worthy of additional plot ratio, especially as it is only a minor increase to the number of apartments already on site, be it with significantly increased internal amenity within the development and replacing existing development with higher quality development which will significantly add to and improve the public realm appearance and character of the locality.	

ACCEPTABLE OUTCOMES

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

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

(Excerpt from table 2.1)

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

(6) Refer to Definitions for calculation of plot ratio

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives of SPP7.3. Refer DA Report.**

ELEMENT 2.6	BUILDING DEPTH	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.6.1 – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation. **O2.6.2** – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed. **O2.6.3** – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.	**The development does not include any single aspect apartments with the proposed building design, form, articulation and internal apartment layout ensures that all apartments on all levels of the building have optimal natural lighting and solar access. Further, the development will capitalise on the sites riverside location by utilising prevailing south west winds to deliver natural cross ventilation to 100% of the proposed dwellings.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A2.6.1 – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to *4.1 Solar and daylight access* and *4.2 Natural ventilation*.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

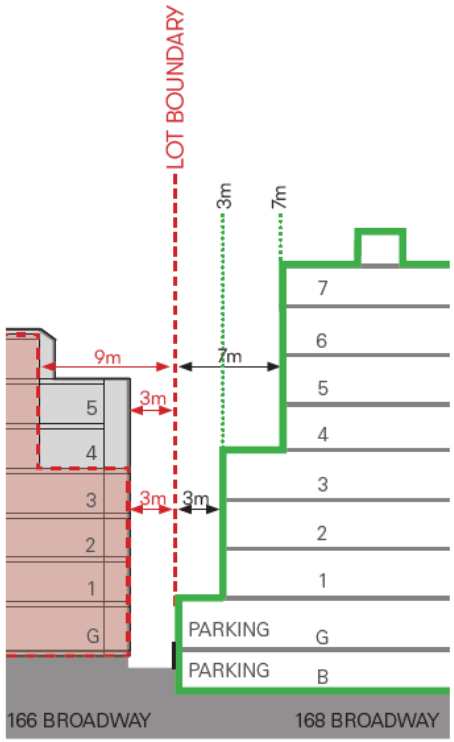
ELEMENT 2.7	BUILDING SEPARATION	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.7.1 – New development supports the desired future streetscape character with spaces between buildings.	**The proposed building has been positioned to have sufficient separation from neighbouring buildings and orientation consistent with the existing streetscape and surrounding buildings. The development massing and setbacks provided have been carefully balanced to respond to the specific context of the site to ensure the privacy of neighbouring properties and view corridors from adjacent developments, whilst also considering appropriate internal amenity for sunlight access, ventilation and outlook for the apartments.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.7.2 – Building separation is in proportion to building height. **O2.7.3** – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.	**The building does have increases in setbacks to the neighbouring properties as the building height increases to ensure that the separation is proportionate to the height (see image below).** **The development does not have the ability to provide 9-metre building separation setback to the north-eastern and north-western lot boundaries for the upper levels due to the constrained lot size, and the screening balconies and major openings would likely result in poor internal amenity outcome for apartments.** **By careful location of major openings, selective screening and larger side setbacks, the development can achieve separation commensurate to the bulk and scale of the development and adjoining properties whilst managing privacy between properties.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
O2.7.4 – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings	**Landscaping is proposed along majority of the primary street boundary and at the first level (on structure) to the north-western and north-eastern boundary. Landscaping along the boundary adjoining JH Abrahams Reserve allows the development to capitalise on its existing connection to open space, and to link private and public open space.**	**Agreed.** **Refer to Trees and Landscaping Section of Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		

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

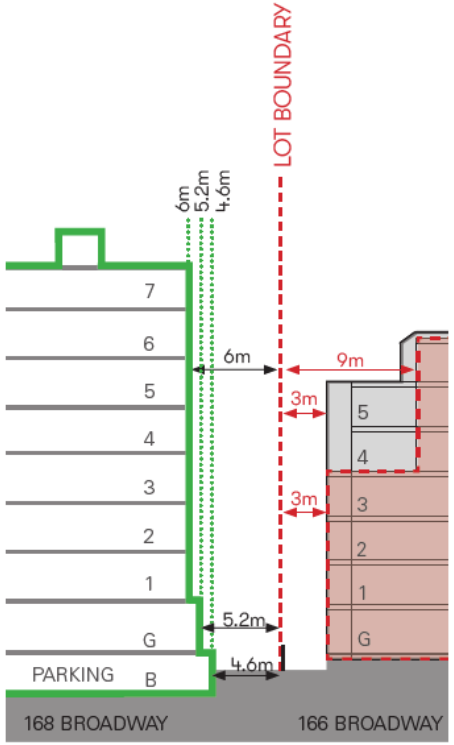
Table 2.7 Building separation

	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	**5-8 storeys** (up to 28m)	**≥ 9 storeys** (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer *2.4 Side and rear setbacks* (Table 2.1) and *3.5 Visual privacy* (Table 3.5)	9m	12m
Distances apply from major openings of rooms, or the inside of balustrading of balconies. Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.				

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives of SPP7.3. Refer DA Report**



SECTION A (NORTH WESTERN)



SECTION B (SOUTH EASTERN)

ELEMENT 3.2	ORIENTATION	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.2.1 – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.	**The development provides an attractive public realm interface with the building layout and design suitably responding to the site's topography, slope and existing streetscape character, whilst optimising solar daylight access and natural cross ventilation through carefully considered building orientation and balcony placement.**	**Agreed.** **Refer to Building Design and Presentation to the Street Section of Report.**
O3.2.2 – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.	**The proposed building orientation, scale and form ensures that there is minimal impact on neighbouring properties or JH Abrahams Reserve as demonstrated within the Shadow Analysis provided within the Design Report.**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.2.1 – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.		
A3.2.2 – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.		
A3.2.3 – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed: – adjoining properties coded R25 and lower – 25% of the site area[1] – adjoining properties coded R30 – R40 - 35% of the site area[1] – adjoining properties coded R50 – R60 – 50% of the site area[1] – adjoining properties coded R80 or higher – Nil requirements. (1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)		
A3.2.4– Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 3.3	TREE CANOPY AND DEEP SOIL AREAS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.3.1 – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.	**There is a mature tree not riparian or endemic to the area, which is required to be removed to facilitate new development. The tree's location is not ideal being well within the site boundaries and presently conflicting with the existing building in terms of growth and root invasion (i.e., limited on-going viability). The proposed removal will allow for more appropriate plantings in positions ideal for long term growth and for maximum benefit of the public realm interface, neighbouring properties, and outlook from the apartments.**	**Agreed.**
O3.3.2 – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.	**The development has been setback from the street boundary to allow for on-going viability of the street trees which add to the character and amenity of the area.** **15 tree plantings have been proposed on the ground floor public realm, both offsetting any potential tree loss and providing a larger future canopy for the site. Further, an additional 11 tree plantings are proposed on Level 1, resulting in an additional 26 tree plantings for the site.**	**Agreed, revised plans submitted to increase setback of basement and ground floor level to ensure building does not encroach into tree protection zones of the adjacent street trees.** **Refer to Trees and Landscaping Section of Responsible Authority Report.**
O3.3.3 – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.	**142sqm of deep soil area is proposed (10% of site area) on the ground floor, not including significant planting within raised planter boxes, cascading plant species and the communal podium on Level 1. The tree selection has been carefully curated to suit the conditions on-structure proposed.**	**Agreed, area of deep soil planting has been increased in revised plans.** **Refer to Building Height, Plot Ratio and Setbacks and Trees and Landscaping Sections of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.3.1 – Retention of existing trees on the site that meet the following criteria: – healthy specimens with ongoing viability **AND** – species is not included on a State or local area weed register **AND** – height of at least 4m **AND/OR** – trunk diameter of at least 160mm, measured 1m from the ground **AND/OR** – average canopy diameter of at least 4m.		

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

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

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

Table 3.3a Minimum deep soil area and tree provision requirements

Site Area	Minimum deep soil area	Minimum requirement for trees [1]
Less than 700m²	10% **OR** 7% if existing tree(s) retained on site (% site area)	1 medium tree and small trees to suit area
700 – 1,000m²		2 medium trees **OR** 1 large tree and small trees to suit area
› 1,000m²		1 large tree and 1 medium tree for each additional 400m² in excess of 1000m² **OR** 1 large tree for each additional 900m² in excess of 1000m² and small trees to suit area
[1] Minimum requirement for trees includes retained or new trees Refer Table 3.3b for tree sizes		

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

Table 3.3b Tree sizes

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided[1] (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m²	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m²	3m	2m (DSA) + 1m (RSZ)	200L
Large	›9m	›12m	64m²	6m	4.5m (DSA) + 1.5m (RSZ)	500L
[1] Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.						

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3. Refer DA Report**

ELEMENT 3.4	COMMUNAL OPEN SPACE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O3.4.1 – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.	**Communal space is provided in the form of a resident amenity area on Level One. The amenity area provides residents with a communal formal dining and quiet lounge, multi-purpose lounge, gymnasium and a sauna internally which totals 219sqm along with an outdoor terrace area which is 142sqm (including the wellness garden but not including the raised planter landscaped areas). The acceptable outcome requirement for communal open space is 126sqm and therefore the outdoor area requirement is met.**	**Agreed.**
O3.4.2 – Communal open space is safe, universally accessible and provides a high level of amenity for residents.	**The communal open space area has been designed to a high standard by the Urbis landscape architecture team. The space is universally accessible, provides a level of safety through its elevation / separation from the public realm and passive surveillance from above residential.**	**Agreed.**
O3.4.3 – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.	**The communal open space is located on Level One of the proposal and is adequately separated from residential components of the building, reducing its impacts on the privacy of residents.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.4.1 – Developments include communal open space in accordance with Table 3.4		

Table 3.4 Provision of communal open space

Development size	Overall communal open space requirement	Minimum accessible / hard landscape area (included in overall area requirement)	Minimum open space dimension
Up to 10 dwellings	Informal seating associated with deep soil or other landscaped areas	NA	NA
More than 10 dwellings	Total: 6m² per dwelling up to maximum 300m²	At least 2m² per dwelling up to 100m²	4m

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

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

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

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Acceptable Outcomes of SPP7.3.**

ELEMENT 3.5	VISUAL PRIVACY	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.	**The development does not meet the acceptable outcomes for visual privacy as follows:** • **ground floor – C3 type bedroom 1.2m cone of vision setback to north-eastern boundary** • **ground floor – C3 type balcony 3m setback to north-eastern boundary** • **level 1 – B3 type balcony setback 3m to north-eastern boundary** • **level 2 – B2 type balcony setback 3m to north-eastern boundary** • **level 2 – B2 type living room cone of vision setback 4.2m north-eastern boundary** • **level 2 – B1 type balcony setback 3m to north-western boundary** • **level 3 – B1 type balcony setback 3m to north-western boundary** • **level 3 – B2 type balcony and living room setback 3m to north-eastern boundary** **Level 4 and above – 9m setback to Major openings required** • **level 4 – C4 type balcony setback 3m to north-western boundary** • **level 4 – C4 type bedrooms setback minimum 4m to north-western boundary** • **Level 4 – C4 type bedroom setback 7.8m to north-eastern boundary** • **Level 4 – C2 type balcony setback 6m to north-eastern boundary** • **Level 4 – C2 type living room and bedrooms setback 7.1m to north-eastern boundary** • **Level 5 and 6 – P1 type balcony setback 3.1m to north-western boundary** • **Level 5 and 6 - P1 type bedrooms setback minimum 4m to north-western boundary** • **Level 5 and 6 – P2 type bedrooms and balcony setback minimum 4.5m to north-western boundary**	**Agreed.** **Refer to Building Height, Plot Ratio and Setbacks Section of Responsible Authority Report.**

	• **Level 5 and 6 – P2 type balcony setback minimum 6m to north-eastern boundary** • **Level 5 and 6 – P2 type bedroom setback 7.5m to north-eastern boundary** • **Level 5 and 6 – P2 type living room setback minimum 7.2m to north-eastern boundary** • **Level 7 – P1 type balcony setback 3.1m to north-western boundary** • **Level 7 - P1 type bedrooms setback minimum 4m to north-western boundary** • **Level 7 – P2 type balcony setback 3.4m to north-western boundary** • **Level 7 – P2 type balcony setback minimum 6m to north-eastern boundary** • **Level 7 – P2 type bedroom setback 7.5m to north-eastern boundary** • **Level 7 – P2 type living room setback minimum 7.2m to north-eastern boundary** **The development to the north-west is setback to provide appropriate separation to living areas with separating functional car parking and circulation area between. The building has been setback commensurate to neighbouring development to the north-east and is generally unscreened to maximise access to 270-degree views of the river for both properties. The apartment layouts and that of the adjoining properties afford appropriate areas to retreat to for additional privacy where required. To provide screening and minor openings would compromise the amenity of the apartments and the views from the neighbouring north-eastern property.** **Analysis of the neighbouring properties' sensitive areas has informed the building design. The north-western neighbouring property fortunately has their car park adjacent to the proposed development, and the north-eastern neighbouring property has limited openings directly facing the subject site – instead majority are oriented south-west to take in glimpses of the river. Therefore, by providing large setback to the north-eastern lot boundary, views can be retained from the north-western neighbouring property and key screens can be placed to prevent direct overlooking into sensitive spaces whilst maintaining important views from key living areas and balconies of the north-eastern neighbouring apartments (which**	

	have one apartment per level repeated – see below image). The resultant outcome allows for major openings to be provided to the north-eastern and north-western elevations of the development to maximise access to sunlight and ventilation for the apartments without compromising the privacy or access to sunlight to neighbouring properties.	

ACCEPTABLE OUTCOMES

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

A3.5.1 – Visual privacy setbacks to side and rear boundaries are provided in accordance with Table 3.5.

Table 3.5 Required privacy setback to adjoining sites

Cone of vision from unscreened:	First 4 storeys		5th storey and above
	Adjoining sites coded R50 or lower	Adjoining sites coded higher than R50	
Major opening to bedroom, study and open access walkways	4.5m	3m	Refer Table 2.7
Major openings to habitable rooms other than bedrooms and studies	6m	4.5m	
Unenclosed private outdoor spaces	7.5m	6m	

A3.5.2 – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).

A3.5.3 - Living rooms have an external outlook from at least one major opening that is not obscured by a screen.

A3.5.4 – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3. Refer DA Report**

ELEMENT 3.6	PUBLIC DOMAIN INTERFACE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.6.1 – The transition between the private and public domain enhances the privacy and safety of residents.	**The proposed materials, landscaping and building façade treatments create a notable transition between the private and public domain to facilitate a safe and open space for entrance / exit transition and maximising safety for residents.** **The ground floor apartments are not provided with separate entries due to the level difference to the adjacent reserve. The height of the basement also means that there is no a direct interface to call these apartments truly 'ground level'.**	**Agreed.**
O3.6.2 – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.	**A significant design focus has influenced the connection between the proposal and the public realm, resulting in a high quality and amenity boosting connection to the street scape through high quality landscaped frontage, balconies that overlook the street and significant amounts of glazing.** **The apartments are provided with clear glazing to reflect the development precedents of the area and maximise passive surveillance opportunities to the street.** **The development does not include obstructions to the street with open design proposed within the setback areas to Broadway and the reserve to the south-west.** **Bin storage and other services are concealed and/or incorporated into the building design to mitigate impact on the streetscape.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.6.1 – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard.		
A3.6.2 – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).		
A3.6.3 – Upper level balconies and/or windows overlook the street and public domain areas.		
A3.6.4 – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.		

A3.6.5 – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.
A3.6.6 – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.
A3.6.7 – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.
A3.6.8 – Bins are not located within the primary street setback or in locations visible from the primary street.
A3.6.9 – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage.[1] (1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3.**

ELEMENT 3.7	PEDESTRIAN ACCESS AND ENTRIES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.7.1 – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	**All public pathways and entrances are universally accessible and safe for residents and visitors of the development. The main entry to the development is covered and will have appropriate lighting to lead visitors and residents to a large an inviting lobby.** **Bin collection is proposed to be internal to the development and will not conflict with pedestrian access.**	**Agreed.**
O3.7.2 – Entries to the development connect to and address the public domain with an attractive street presence.	**All pedestrian entrances to the proposal connect directly to the existing public realm and streetscape.** **Internally there is an access connecting the ground level car park with the lobby to provide ease of access internally to the development.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.7.1 – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries.		
A3.7.2 – Pedestrian entries are protected from the weather.		
A3.7.3 – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site.		
A3.7.4 – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed.		
A3.7.5 – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.		
A3.7.6 – Bins are not located at the primary pedestrian entry.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 3.8	VEHICLE ACCESS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.8.1 – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.	**Vehicle access to the site is to be retained via the existing the crossover, which provides a safe access and egress and will minimise conflict with cyclists and pedestrians. The access will provide two-way access and is large enough to allow for waste vehicle access.** **Internally the development has safe access widths for safe manoeuvring of vehicles.**	**Agreed.** **Refer to Vehicle Access and Parking Sections of Responsible Authority Report.**
O3.8.2 – Vehicle access points are designed and located to reduce visual impact on the streetscape.	**The vehicle crossover is consistent with what currently exists along the street and provides a consolidated access point for the site.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.8.1 – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.		
A3.8.2 – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.		
A3.8.3 – Vehicle entries have adequate separation from street intersections.		
A3.8.4 – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.		
A3.8.5 – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.		
A3.8.6 – Driveways designed for two way access to allow for vehicles to enter the street in forward gear where: – the driveway serves more than 10 dwellings – the distance from an on-site car parking to the street is 15m or more **OR** – the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.		
A3.8.7 – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).		

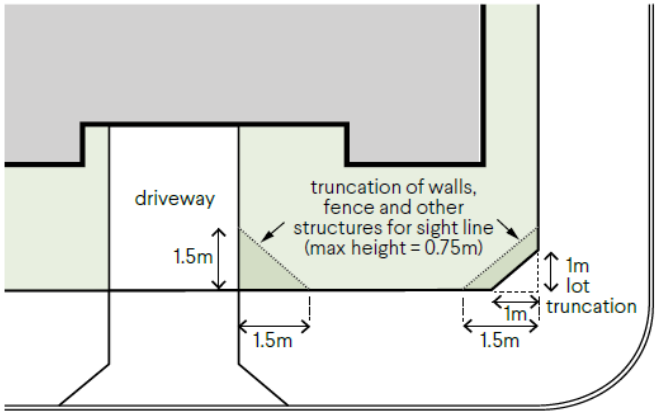


Figure 3.8a Truncation at street corner to provide sightlines (refer A3.8.7).

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3 (no new discretion sought)**

ELEMENT 3.9	CAR AND BICYCLE PARKING	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.	**The development has 44 bays for residents (noting 21 apartments).** **The subject site is within Location B and therefore the acceptable outcome requirement is a minimum of 23 bays and maximum of 46 bays for residents.** **With 21 apartments, the development is required to provide 5 visitor car parking spaces (3 for the first 12 apartments and 2 for the remaining 9 due to requirement to round up) – the development provides 3 spaces. The appropriateness of the location for reduced visitor car parking is discussed below.** **The development is proposed to have the bicycle parking for residents will be wall mounted within the stores.** **Three visitor bicycle spaces can be provided near the pedestrian entry to the development given the additional width provided for the entry area. We expect condition to this effect.**	**Agreed.** **Refer to Vehicle Access and Parking Section of Responsible Authority Report.**
O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.	**The proposal has meets the statutory carparking requirements for residents, however fewer visitor car parking bays are proposed to be provided.** **The public and on-street car parking has periods of higher demand usually on the weekends during events held at the foreshore, but outside of these periods there is availability within the public and on-street car parking within the area the majority of the time. This will mean than infrequent and first-time visitors and visitors staying for short duration are more likely to park on-street and therefore we believe there will be reduced demand for car parking within the development for visitors. This arrangement will also encourage visitors to use the public open space and to go to local businesses in the area.** **We believe that the number of spaces provided on site reflects the context of the development, likely**	**Agreed.** **Refer to Vehicle Access and Parking Section of Responsible Authority Report.**

	patterns and behaviours of visitors and likely demand to ensure an appropriate number of visitor car parking spaces are provided for the development.	
O3.9.3 – Car parking is designed to be safe and accessible.	**Carparking is provided on basement (resident access only) and ground level (resident access with 3 visitor bays). All car bays reserved for residents are gated and secured. The visitor car parking is proposed to be closest to the vehicle entrance but secured to prevent unauthorised parking from the public on the few occasions that car parking is in higher demand, with access to these spaces to be controlled by residents through intercom system.**	**Agreed.**
O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.	**All parking is concealed from view to maximise interaction with the streetscape.**	**Agreed.**

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

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

Table 3.9 Parking ratio

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

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

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

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

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

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

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

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

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

A3.9.8 – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.	
A3.9.9 – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.	
A3.9.10 – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.	
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3. Refer DA Report.**

ELEMENT 4.1	SOLAR AND DAYLIGHT ACCESS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O4.1.1 – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.	**57% of all apartments 2 hours of direct sunlight into the living space and balconies between 9am and 3pm on the 21 June which is less than the acceptable outcome of 70%. Additionally, more than 15% of apartments receive no sunlight on the 21st June between 9am and 3pm.** **The lot orientation prevents re-orientation of the apartment balconies and living rooms to have access to northern sunlight. The apartment living rooms and balconies have been oriented to take in the views to the south over the parklands and river which is more desirable for the amenity of the apartments over northern orientation. To comply with the acceptable outcome requirements for access to sunlight would require the living rooms and balconies are pushed away from the southern orientation towards the east, west and northern orientations, away from the river and parkland views to the south. This will likely result in adverse impact on neighbouring properties in terms of privacy and not take advantage of the favourable orientation to the southern views as many of the adjacent developments have done.** **When considering the individual dwellings performance with high-performance double glazing, ideal internal design, and proximity to the parklands to the south, the energy efficiency of the apartments does not suffer as a result of the orientation and reduced access to sunlight during winter months.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.1.2 – Windows are designed and positioned to optimise daylight access for habitable rooms.	**Windows are located to maximise daylight access in habitable rooms.** **Each apartment has dual aspect to maximise ventilation and access to light into the habitable rooms of the apartments. Furthermore, due to the dual orientations, the depths of the apartments from major openings is minimised which will further maximise the access to sunlight into the habitable areas ensuring that the apartments will not be dark and rely too heavily on artificial light during the winter months.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**

	The ceiling heights are generous, and glazing maximises to allow for as much sun as practical (noting that screens are also provided to ensure compliance with NCC Section J requirements).	
O4.1.3 – The development incorporates shading and glare control to minimise heat gain and glare: - from mid-spring to autumn in climate zones 4, 5 and 6 **AND** - year-round in climate zones 1 and 3.	**The screening system assists in providing shading and reduce the heat coming to the building during summer-time especially the North East facade. Proposed glazing will ensure adequate measures to minimise heat gain and glare.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.1.1 – In climate zones 4, 5 and 6 only: **a)** Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June **AND** **b)** A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.		
A4.1.2 – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.		
A4.1.3 – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.		
A4.1.4 – The building is oriented and incorporates external shading devices in order to: - minimise direct sunlight to habitable rooms: ▪ between late September and early March in climate zones 4, 5 and 6 only **AND** ▪ in all seasons in climate zones 1 and 3 - permit winter sun to habitable rooms in accordance with A 4.1.1 (a).		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3. Refer DA Report.**	

ELEMENT 4.2	NATURAL VENTILATION	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.2.1 – Development maximises the number of apartments with natural ventilation.	**The proposal exceeds the minimum requirements and provides natural cross ventilation for all proposed dwellings.**	**Agreed.**
O4.2.2 – Individual dwellings are designed to optimise natural ventilation of habitable rooms.	**Cross ventilation has been a primary focus for the design of all dwellings, with natural ventilation optimised in habitable rooms wherever possible.**	**Agreed.**
O4.2.3 – Single aspect apartments are designed to maximise and benefit from natural ventilation.	**There are no single aspect apartments.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.2.1 – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.		
A4.2.2 – **(a)** A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building **(b)** Single aspect apartments included within the 60 per cent minimum at (a) above must have: ▪ ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction **AND** ▪ room depth no greater than 3 × ceiling height **(c)** For dwellings located at the 10th storey or above, balconies incorporate high and low level ventilation openings.		
A4.2.3 – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.		
A4.2.4 – No habitable room relies on lightwells as the primary source of fresh-air.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.3	SIZE AND LAYOUT OF DWELLINGS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**

	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.3.1 – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.	**All proposed dwellings meet minimum internal floor areas in Table 4.3a. Furnishings have been shown on the floor plans to demonstrate the highly functional and flexible nature of the floor plans to meet residents' needs.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.3.2 – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.	**Proposed ceiling heights and room dimensions meet and exceed minimum requirements in Table 4.3b and A4.3.3**	**Agreed.**

ACCEPTABLE OUTCOMES

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

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

Table 4.3a Minimum floor areas for dwelling types

Dwelling type	Minimum internal floor area
Studio	37m²
1 bed	47m²
2 bed × 1 bath[1]	67m²
3 bed × 1 bath[1]	90m²
[1]An additional 3m² shall be provided for designs that include a second or separate toilet, and 5m² for designs that include a second bathroom.	

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

Table 4.3b Minimum floor areas and dimensions for habitable rooms

Habitable room type	Minimum internal floor area	Minimum internal dimension
Master bedroom	10m²	3m[1]
Other bedrooms	9m²	3m[1]
Living room – studio and 1 bed apartments	N/A	3.6m
Living room – other dwelling types	N/A	4m
[1]Excluding robes		

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

- Habitable rooms – 2.7m

– Non-habitable rooms – 2.4m – All other ceilings meet or exceed the requirements of the NCC.
A4.3.4 – The length of a single aspect open plan living area is equal to or less than 3 x the ceiling height. An additional 1.8m length may be provided for a kitchen, where the kitchen is the furthest point from the window in an open plan living area provided that the maximum length does not exceed 9m.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**

ELEMENT 4.4	PRIVATE OPEN SPACE AND BALCONIES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.4.1 – Dwellings have good access to appropriately sized private open space that enhances residential amenity.	**All dwellings have access to a private open space of which each space meets the minimum required dimension and area listed in Table 4.4.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.4.2 – Private open space is sited, oriented and designed to enhance liveability for residents.	**Private open space is orientated to maximise solar views to high amenity locations and be street facing for passive surveillance. Orientation to the north is likely to cause visual privacy conflict and therefore balconies are provided to prevent this conflict.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.4.3 – Private open space and balconies are integrated into the overall architectural form and detail of the building.	**Private open spaces are designed into the building through high quality architectural components.**	**Agreed.**

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

A4.4.1 – Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with Table 4.4.

Table 4.4 Private open space requirements

Dwelling type	Minimum Area[1]	Minimum Dimension[1]
Studio apartment + 1 bedroom	8m²	2.0m
2 bedroom	10m²	2.4m
3 bedroom	12m²	2.4m
Ground floor / apartment with a terrace	15m²	3m

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

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**

ELEMENT 4.5	CIRCULATION AND COMMON SPACES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O4.5.1 – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	**The lobby spaces on each level and access throughout the building is designed to meet or exceed minimum requirements in terms of dimension with universal access provided throughout the development.**	**Agreed.**
O4.5.2 – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	**Circulation and common spaces are designed to minimise opportunities for concealment and encourage interaction and passive surveillance. No major openings directly open into the lobby spaces and are provided with appropriate separation to communal spaces.** **Common spaces can be illuminated at night without causing conflict with adjacent development or apartments within the development. Outdoor areas may need to have timers on lights to turn off in the evening.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.5.1 – Circulation corridors are a minimum 1.5m in width.		
A4.5.2 – Circulation and common spaces are designed for universal access.		
A4.5.3 – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.		
A4.5.4 – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.		
A4.5.5 – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3**	

ELEMENT 4.6	STORAGE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.6.1 – Well-designed, functional and conveniently located storage is provided for each dwelling.	**Storage meets minimum requirements of Table 4.6 with 21 stores provided within the basement, ground and level 4 areas.**	

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

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

Table 4.6 Storage requirements

Dwelling type	Storage area[1]	Minimum dimension[1]	Minimum height[1]
Studio dwelling	3m²	1.5m	2.1m
1 bedroom dwelling	3m²		
2 bedroom dwellings	4m²		
3 bedroom dwellings	5m²		

[1] Dimensions exclusive of services and plant.

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3**

ELEMENT 4.7	MANAGING THE IMPACT OF NOISE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.7.1 – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.	**The proposal has been designed to appropriately mitigate impacts of external noise sources. Refer Acoustic Report provided with the DA Report. The communal areas for the development are located above the garage entry to provide appropriate vertical separation to the apartments on level 2 and further south on level 1. Service areas such as the bin store are located internally to minimise noise impact on residents within the development and external to the development.**	**Agreed.**
O4.7.2 – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.	**Acoustic treatments are proposed with the plant area proposed to be located on the roof to minimise noise within the development and impact on neighbouring properties. The Acoustic Report identified areas of further mitigation which will be addressed in greater detail in working drawings phase.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.7.1 – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent).		
A4.7.2 – Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.		
A4.7.3 – Major openings to habitable rooms are oriented away or shielded from external noise sources.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.8	DWELLING MIX	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.8.1 – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	**The development includes a mixture of two, three and penthouse apartment types to suit local demand within the area and reflect the immediate development context. The penthouses are located at the top due to the smaller floor plates being suitable for fewer apartments with the remainder of the floors containing a mixture of two and three-bedroom apartment types where possible.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.8.1 – **a)** Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument **OR** **b)** Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers.		
A4.8.2 – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.9	UNIVERSAL DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.9.1 – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	**Dwellings meet universal design features and a minimum of five of the 21 proposed dwellings (equivalent to 23%) meet the Silver Level requirements as defined in the Liveable Housing Design Guidelines.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.9.1 – **a)** 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) **OR** **b)** 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets the Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.10	FAÇADE DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.10.1 – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.	**Building facades demonstrates sophisticated articulation and feature materials that highlight the local area. Refer to the Design Report provided which outlines how the façade was developed to reflect the local context and character.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.10.2 – Building façades express internal functions and provide visual interest when viewed from the public realm.	**The building façade provides strong linear arches, and ornamental curves reminiscent of art deco architecture with modern detailing interfaces the street, contrasting the glazing and bronze screens on the upper levels. The façade design creates visual interest from the public realm with its soft curved edging and a high-quality colour and material palette.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**

ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*
A4.10.1 – Façade design includes: – scaling, articulation, materiality and detailing at lower levels that reflect the scale, character and function of the public realm – rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour.
A4.10.2 – In buildings with height greater than four storeys, façades include a defined base, middle and top for the building.
A4.10.3 – The façade includes design elements that relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.
A4.10.4 – Building services fixtures are integrated in the design of the façade and are not visually intrusive from the public realm.
A4.10.5 – Development with a primary setback of 1m or less to the street includes awnings that: – define and provide weather protection to entries – are integrated into the façade design – are consistent with the streetscape character.
A4.10.6 – Where provided, signage is integrated into the façade design and is consistent with the desired streetscape character.

LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets the Acceptable Outcomes and Element Objectives of SPP7.3.**

ELEMENT 4.11	ROOF DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.11.1 – Roof forms are well integrated into the building design and respond positively to the street.	**Roof forms respond positively to the street through providing appropriate height and scale in line with neighbouring properties. Subtle edges act as a wayfinding link for street users.**	**Agreed.**
O4.11.2 – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.	**Roof space of the basement level provides open spaces for private and communal open space uses. The top of the building provides space for plant equipment and Solar PV for the development.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.11.1 – The roof form or top of building complements the façade design and desired streetscape character.		
A4.11.2 – Building services located on the roof are not visually obtrusive when viewed from the street.		
A4.11.3 – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets the Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.12	LANDSCAPE DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.12.1 – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.	**The proposal's landscape design has been prepared by Urbis' Landscape Architecture team and has focussed on integration with the public realm and the character of the area being reflected in the on-site landscaping. The design also supports suitable links to the adjoining streetscape and JH Abrahams Reserve to ensure that passers by and residents and enjoy the landscape response.**	**Agreed.** **Refer to Building Design and Presentation to Street and Trees and Landscaping Sections of Responsible Authority Report.**
O4.12.2 – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.	**Planting choice was meticulously selected by the landscape architect, aiming to retain existing character and enhance the connection of nature to place. Please refer to the landscape plan provided.**	**Agreed.**
O4.12.3 – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	**Water sensitive planting is proposed at the ground floor with subsurface drip irrigation and water retaining mulch throughout to ensure water loss is prevented.**	**Agreed.**
O4.12.4 – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.	**A large portion of planting is provided through built in raised planter boxes, with other green provisions to enhance biophilic design. The species selection and maturity is proposed to suit the climatic, orientation and maintenance requirements of the area and building.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.12.1 – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles.		
A4.12.2 – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas.		
A4.12.3 – Planting on building structures meets the requirements of Table 4.12.		

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

Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m³	1,200mm	64m² with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m³	1,000mm	36m² with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m³	800mm	3m × 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m³	800mm	2m × 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Element Objectives and Performance Based Criteria of SPP7.3. Refer DA Report.**

ELEMENT 4.15	ENERGY EFFICIENCY	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.15.1 – Reduce energy consumption and greenhouse gas emissions from the development.	**The development will incorporate a number of energy efficiency initiatives as per the Design Guidance including hot water systems which are more efficient than electric storage units, provision of Solar PV to power communal areas, lift with regenerative breaking and solar powered external lighting. Further studies are being undertaken to understand the proposed NARHERS average and minimums to see if the initiatives proposed within the building design will exceed minimum practice.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.15.1 – **a)** Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) **OR** **b)** All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.[1] Compliance with the NCC requires that development shall achieve an average star-rating across all dwellings that meets or exceeds a nominated benchmark, and that each unit meets or exceeds a slightly lower benchmark. Compliance with this Acceptable Outcome requires that each unit exceeds that lower benchmark by at least half a star.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

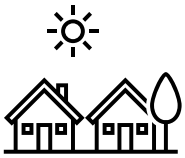
ELEMENT 4.16	WATER MANAGEMENT AND CONSERVATION	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.16.1 – Minimise potable water consumption throughout the development.	**Apartments can be smart metered to ensure that individual residents are responsible and aware of their water use.**	**Agreed.**
O4.16.2 – Stormwater runoff from small rainfall events is managed on-site, wherever practical.	**The design is able to accommodate for onsite stormwater retention with a delayed and slow discharge into the local infrastructure. Given the height of the water table, its unlikely that complete onsite retention and discharge via infiltration is practical.**	**Agreed.**
O4.16.3 – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.	**The development has the basement located slightly more elevated to minimise the risk of flooding. No habitable rooms are proposed within the very southern portion of the site with the building design likely to mitigate flooding risk. The development can accommodate stormwater on site with overflow from large stormwater events able to flow into the local drainage system and local reserve (designed to accommodate flood plain). The City of Perth and Nedlands have also undertaken improvement works to the river foreshore to minimise risk of flooding.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.16.1 – Dwellings are individually metered for water usage.		
A4.16.2 – Stormwater runoff generated from small rainfall events is managed on-site.		
A4.16.3 – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.17	WASTE MANAGEMENT	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.17.1 – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.	**Waste storage is located internally on the ground level in communal store and not visible to the street. The waste store is of sufficient size to accommodate waste given the size and number of dwellings proposed. Waste vehicles enter the building and collect waste from within the development. Refer to Waste Management Plan provided with this report.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.17.2 – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.	**The storage area is safe and convenient for residents with direct access from the lobby at the ground level and able to contain information regarding separation and management. The waste store will be provided with wash down and drainage facilities to keep the area clean and odour free.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.17.1 – Waste storage facilities are provided in accordance with the Better Practice considerations of the *WALGA Multiple Dwelling Waste Management Plan Guidelines* (or local government requirements where applicable).		
A4.17.2 – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the *WALGA Multiple Dwelling Waste Management Plan Guidelines* - Appendix 4A (or equivalent local government requirements).		
A4.17.3 – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the *WALGA Multiple Dwelling Waste Management Plan Guidelines* - Level 1 Waste Management Plan (Design Phase) (or local government requirements where applicable).		
A4.17.4 – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**	

ELEMENT 4.18	UTILITIES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.18.1 –The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.	**The subject site presently accommodates a number of apartments with only minor increase to the number of apartments proposed as part of this development and therefore, the existing services to the subject site can accommodate the proposed development without substantial upgrade.**	**Agreed**
O4.18.2 – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.	**Utilities are located both internally and secluded externally from pedestrian areas, whilst still allowing for safe movement of vehicles and interface with the public realm with is mostly activated.**	**Agreed.**
O4.18.3 – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.	**Service areas and infrastructure are incorporated into the building design or located internally to not to be visually obtrusive.**	**Agreed.** **Refer to Building Design and Presentation to Street Section of Responsible Authority Report.**
O4.18.4 – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.	**Utilities such as laundries are located within the apartments and are appropriately located, sized, and ventilated to comply with relevant local laws and building requirements. Each laundry will be provided with a clothes dryer which can be conditioned accordingly. Central plant area is proposed on the roof and in selected areas within the building to minimise conflict with the habitable spaces within the development and on adjoining properties.**	**Agreed.**
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.18.1 – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.		
A4.18.2 – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling.		
A4.18.3 – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.		
A4.18.4 – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	

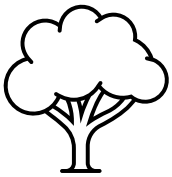
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	**No – Proposal meets Acceptable Outcomes and Element Objectives of SPP7.3.**

State Planning Policy 7.0 – Design of the Built Environment



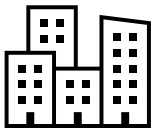
Context and character
Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The area is intended to transition to a higher density area given the amenity of the area having excellent access to services and connectivity. The development responds to the character of the area which has a mixture of architectural styles, materiality and scale.



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

The landscape design responds to the street trees in the verge area adjacent and the parklands to the south. Species selection is based on endemic species of the area and the functional needs of the development. Landscaping also includes on-structure planting to maximise the contribution to residents and the public realm.



Built form and scale
Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

The massing of the development is thinner but slightly taller to provide larger setbacks to maximise internal amenity and privacy between developments. The scale of the development responds to the topography and adjacent development.



Functionality and build quality
Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.

The building has been carefully assembled to respond to the context in terms of architectural style and building features added to improve the building identity and performance. The design has successfully accommodated car parking, waste collection, access, landscaping and user requirements, which has resulted in effective and logical performance and improved building longevity.



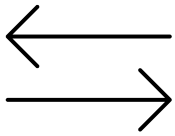
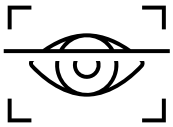
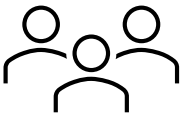
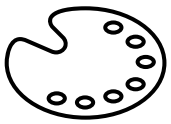
Sustainability
Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Every apartment is capable of being naturally cross ventilated with all apartments having dual aspect. The orientation of the apartments take advantage of the views, and whilst not every apartment receives 2 hours of sunlight to the living rooms in mid-winter, the favourable orientation for views and high-quality built form ensures that internal amenity and overall sustainability is not compromised. The development makes effective use of land by replacing less efficient building with higher quality build and places more people in proximity of services, transport and amenities.



Amenity
Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors,

The development responds to the public realm by providing attractive and legible ground floor lobby and ground level with appropriate level of activation given the residential context. The development has both internal and external communal

	and neighbours, providing environments that are comfortable, productive, and healthy.	spaces to maximise use for residents and prevent noise disturbance to neighbouring properties. The south-facing ground level apartments have view over the parklands, to ensure casual surveillance and increase public safety.
	**Legibility** *Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.*	The ground floor of the development has had to overcome several challenges given the slope of the site, need to accommodate on-site waste storage/collection visitor car parking and clearly defined and accessible building entry and the necessary access through these spaces. The development has balanced the competing interests in a tight space without compromising the legibility for building users, and providing an memorable entry sequence.
	**Safety** *Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.*	The ground level of the development provides excellent surveillance to the public realm, including the parklands to the south of the subject site. The arrangement of the apartments and communal space provides separation to the street for residents to ensure that the external spaces are well used, and glazing is not simply blocked out by window coverings.
	**Community** *Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.*	The development provides a variety of apartment types and provides for additional smaller dwellings within the area for those seeking alternative formats. The development provides for communal space to encourage social interaction within the development and also places more residents close to parklands where further interactions may occur. By their nature, apartment living fosters a greater community internally with lobby areas and circulation spaces also provide spaces for people to connect with their neighbours.
	**Aesthetics** *Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.*	The design has been refined with detail and articulation to add interest and ensure that the design is cohesive with the built form architecture within the area. The materiality is light with screening provided in slightly darker colour to provide contract and interest. The mass of the building in terms of the façade appearance has also been designed to reference and reflect adjoining properties to ensure that proportions and datum points relate to adjacent development.