

Development Application Report

Three Storey Mixed Use Development

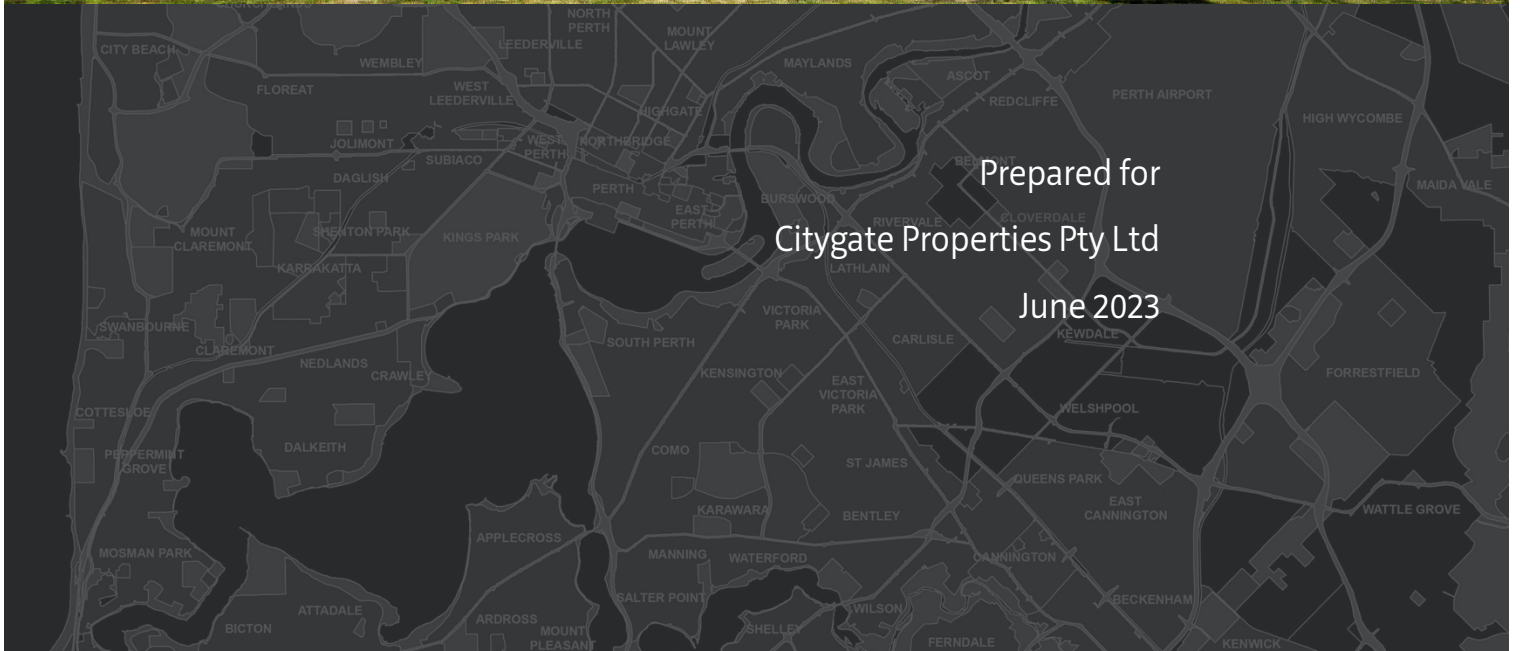
Lot 51 (6) and Lot 59 (2) Austral Parade
East Bunbury

PLANNING SOLUTIONS
— URBAN & REGIONAL PLANNING

PS



Prepared for
Citygate Properties Pty Ltd
June 2023



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1 PRELIMINARY

1.1 Introduction

Planning Solutions acts on behalf of Citygate Properties Pty Ltd, the registered proprietor of Lot 51 (6) and Lot 59 (2) Austral Parade, East Bunbury (**subject site**).

Planning Solutions has prepared the following report in support of an application for development approval. This report will discuss various matters pertinent to the proposal, including:

- Site details.
- Proposed development.
- Statutory planning framework.

2 SITE DETAILS

2.1 Land description

Refer to Table 1 for the lot details of the subject site.

Table 1: Lot details

Lot	Deposited Plan / Diagram	Volume	Folio	Area (m ²)
51	Diagram 58926	1853	257	727
59	Plan 47196	2603	1000	4,448
Total				5,175

Refer **Appendix 1** for a copy of the Certificates of Title.

2.2 Location & Context

The subject site is located in East Bunbury within the local government municipality of the City of Bunbury (City), approximately 1.2km east of the Bunbury city centre.

It benefits from its close proximity to a range of local amenities and infrastructure, including:

- Frank Buswell Foreshore reserve and Leschenault Inlet (directly opposite the site).
- Parade Hotel tavern and attached liquor store (directly opposite the site).
- Other small traditional retail stores, restaurants, and offices along the northern side of Austral Parade.
- P.C. Payne Park (southwest 250m).
- Cooina Primary School (south 550m).
- Homemaker Centre (southwest 750m).
- Koombana Bay (north 900m as the crow flies)

The residential areas of East Bunbury area characterised by predominantly single residential houses on lots ranging from 350m² to 1,000m². Residential areas are located to the east, south, and west of the subject site.

The subject site has frontage to Austral Parade and King Road, which connect the subject site to the broader East Bunbury locality.

Refer Figure 1 – location plan.

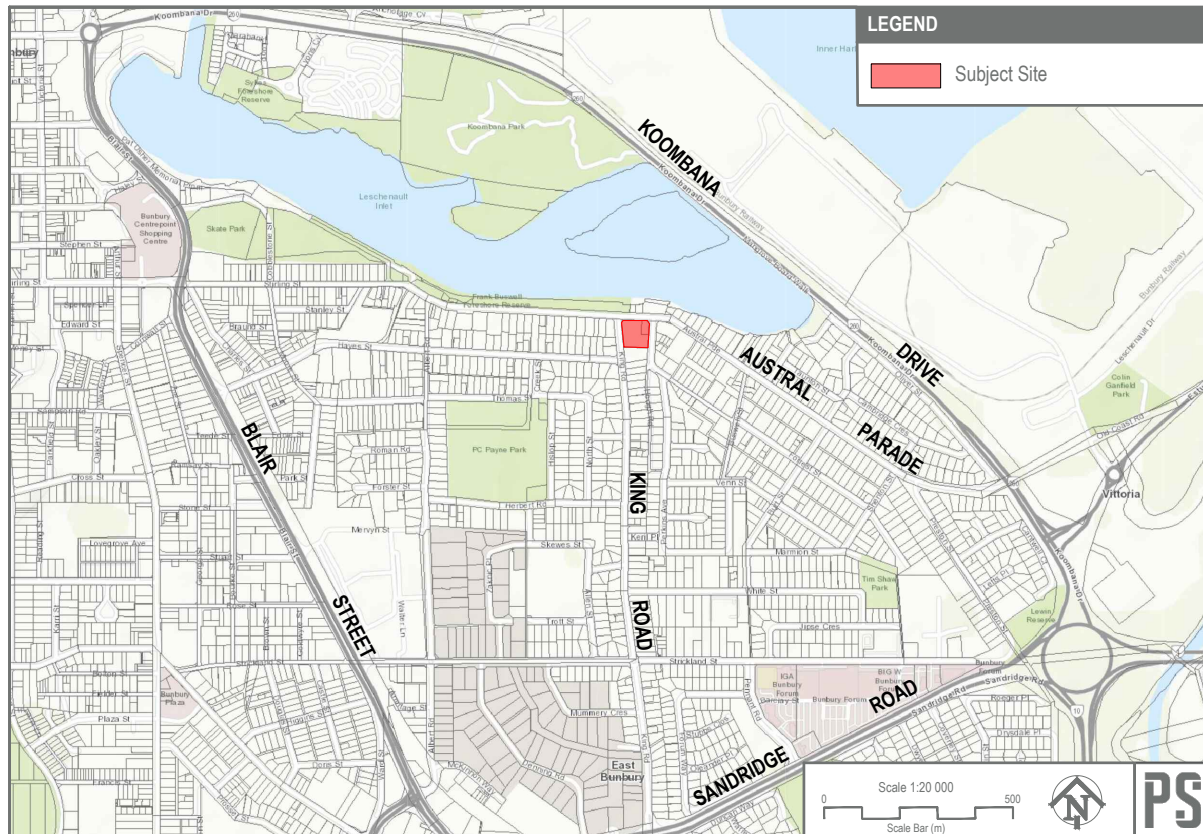


Figure 1 - Location

2.3 Site conditions

Lot 59 is presently occupied the Leschenault Quays Shopping Centre, comprising a two-storey commercial development with hair salons, cafes, laundrette, and restaurants, along with associated car parking and landscaping. Lot 51 is vacant, with the previous development of a service station having been historically cleared.

The subject site is generally flat.

Refer Figure 2 for an aerial photograph showing the subject site and its immediate surrounds.



Figure 2 - Aerial of the subject site

3 PROPOSED DEVELOPMENT

3.1 Development Summary

The application proposes a three-storey mixed use development comprising of 54 multiple dwellings, two commercial tenancies, and two levels of parking.

The proposed development has been designed in a contextual manner, sympathetic to the existing urban fabric of the locality. By utilising a previously underutilised site, the proposal provides residential infill while increasing dwelling diversity.

The development benefits from the site's relative proximity to the Bunbury city centre providing for inner city housing diversity and increasing the residential population.

The particulars of the development are outlined in Table 2 below.

Table 2: Development particulars

Element	Development Particulars
Ground Level	<p>Main pedestrian entrance via Austral Parade</p> <p>Two commercial tenancies fronting Austral Parade with areas of 370m² and 402m². While tenants are yet to be secured, it is proposed the tenancies are used for 'shop' or 'restaurant / café' (or any other use permitted as-of-right under the planning framework).</p> <p>3 x 4-bedroom townhouses fronting King Road with pedestrian access from road</p> <p>2 x 1-bedroom apartments fronting King Road with pedestrian access from road</p> <p>69 car parking bays accessed from King Road set approximately 1.7m below ground level</p> <p>1 x 31m² commercial bin store</p> <p>1 x 38m² residential bin store</p> <p>Services utility</p> <p>8 x stores</p> <p>Landscaping on the southern, western, and eastern lot boundaries.</p>
Mezzanine Level	<p>72 x residential parking bays accessed from Hough Road</p> <p>31 x stores</p>
First Floor	<p>The upper floor of the 3 x 4-bedroom townhouses facing King Road</p> <p>1 x 3-bed room apartment fronting King Road</p> <p>95m² communal lounge/dining area fronting King Road / Austral Parade</p> <p>4 x 2-bedroom apartments fronting Austral Parade</p> <p>1 x 3-bedroom apartment fronting Austral Parade / Hough Road</p> <p>2 x 3-bedroom apartments fronting Hough Road</p> <p>2 x 2-bedroom apartment fronting Hough Road</p> <p>2 x 1-bedroom apartments fronting the southern lot boundary</p> <p>Internal, communal, landscaped courtyard with cooking facilities and seating</p> <p>8 x 2-bedroom apartments fronting internal courtyard</p> <p>2 x 1-bedroom apartments fronting internal courtyard</p> <p>107m² of shared gym and co-working amenities</p> <p>5 x stores</p>
Second Floor	<p>3 x 2-bedroom apartments and 1 x 3-bed room apartment fronting King Road</p> <p>1 x 3-bedroom apartment fronting King Road / Austral Parade</p> <p>4 x 2-bedroom apartment fronting Austral Parade</p> <p>1 x 3-bedroom apartment fronting Austral Parade / Hough Road</p> <p>2 x 2-bedroom apartments fronting Hough Road</p> <p>2 x 3-bedroom apartments and 2 x 2-bedroom apartments fronting Hough Road</p> <p>2 x 1-bedroom apartments fronting the southern lot boundary</p> <p>9 x 2-bedroom apartments and 2 x 1-bedroom apartments fronting internal courtyard</p> <p>10 x stores</p>

Element	Development Particulars
Landscaping	Raised planter beds along the east (Hough Road) frontage Landscaped courtyards along the west (King Road) frontage Vertical trellis planting along the north (Austral Parade) frontage Raised landscape area adjacent to the southern lot boundary On-structure planting in upper level courtyard

Refer Appendix 2 for the development plans.

3.2 Built Form

The design proposes a 3-storey mixed use development that provides residential infill and dwelling diversity in the area.

The proposed development is designed in a site-responsive and contextual manner. This is achieved through the building massing, setbacks, articulation, materiality, and landscaping response. The development has also been designed to achieve a high sustainability rating, compliant with NCC standards. Specifically, the development has the following key design and sustainability attributes:

- The landmark development is designed in a manner to engage and respond to its prominent location and immediate surrounds while remaining functional. This has been achieved with a unique design response to each respective frontage, distinct changes to the materiality and colour palette. Strong community, amenity, and sustainability attributes are also achieved.
- Foremost, the development is curated to present a unique response to each respective frontage. This includes a softer residential interface to King Road and Hough Road and an active commercial interface to Austral Parade. Each interface is designed to ensure passive surveillance, introduce visual interest, and create activation. Specifically:
 - The townhouse typology fronting King Road engages and provide a softer interface to the residential dwellings across the road. Upper floor balconies provide additional passive surveillance.
 - In addition to providing amenity and convenience to future residents of the building and the surrounding community, the commercial offerings provide additional activation to Austral Parade. This includes large open glazing, an awning, and alfresco dining. The development is designed to ensure appropriate separation between commercial and residential uses.
 - It is intended that each tenancy provides differing peak demand, ensuring activation throughout the day / evening. In addition, the tenancies provide additional employment opportunities for the community.
 - The articulated response to Hough Road comprises aluminium batten screens and the changes in colour palette and the balconies and varying setback above. The proposed interface is a result of internal parking/servicing areas due to the site's high-water table. Despite this limitation, the internal parking / servicing area is sleeved from public view.
- The development is designed to reduce perceived bulk and scale through the use of progressive, curved articulation and changes in materiality. Through the use of aluminium blade screen, timber balustrades, split rendering and glass the materiality and colour palette respond to the site's character and provides strong visual interest.
- The setbacks ensure each dwelling has generous outdoor living spaces. The spaces provide passive surveillance to the street and are designed to ensure visual privacy is maintained. Floor to ceiling glazing maximises the use of these spaces for residents. Each dwelling has strong liveability attributes, meeting all relevant depth and site area requirements.

- Landscaping is strategically used on the ground floor to help soften the interface.
- Apartments are designed in a sustainable and liveable manner, exceeding solar access (83%) and cross ventilation (69%) requirements, and within acceptable depth, site area, and visual privacy requirements. The proponent is committed to achieving a sustainable outcome, with the development compliant with NCC standards.

Refer the following perspective drawing showing the intended materiality and design of the proposed development.



Figure 3 - Perspective drawing of the proposed development

Refer Appendix 3 for a design statement for the development.

3.3 Access and Parking

The proposed development is accessed by vehicles via crossovers to King Road and Hough Road, with the 69-bay ground floor carpark accessed via King Road and the 72-bay mezzanine level carpark accessed via Hough Road. Ground floor residential parking is accessible via a secure roller door within the car park.

Both car park entries feature secure gates which close after hours.

Facilities are provided for bicycles and motorcycles.

The development removes two existing crossovers on Austral Parade, allowing on-street car parking to be extended.

A loading bay is proposed on Hough Road.

Refer Appendix 4 – Transport Impact Statement, for further details.

3.4 Waste Management

The development includes a central bin storage area located behind the eastern commercial tenancy that comprises a commercial, residential, and bulk waste bin store respectively for the storage of:

- 3 x 1100L refuse bins, 3 x 1100L recycling bins and 2 x 1100L FOGO bins for residents (Total 8 x 1100L residential bins).
- 3 x 1100L and 1 x 660L refuse bins, and 5 x 1100L recycling bins, and 2 x 1100L and 1 x 240L FOGO bins for the commercial tenancies (Total 10 x 1100L, 1 x 660L AND 1 X 240L commercial bins).

The bins will be serviced by a private waste contractor at regular intervals, consistent with good management practices.

Appendix 5 – Waste Management Plan, for further details.

3.5 Acoustic attenuation

An Acoustic Report was prepared in accordance with the *Environmental Protection (Noise) Regulations 1997 (regulations)*. As detailed within the report, the proposed development will comply with the regulations at all times. This includes the impact of service and delivery vehicles, residential dwelling noise attenuation measures, and the mixing of commercial and residential uses.

Refer **Appendix 6** – Acoustic Report for further details.

4 STATUTORY PLANNING FRAMEWORK

4.1 Greater Bunbury Region Scheme

The subject site is zoned 'Urban' under the provisions of the Greater Bunbury Region Scheme (GBRS). The proposed development is exempt from requiring development approval under the GBRS.

4.2 City of Bunbury Local Planning Scheme No.8

The City of Bunbury Local Planning Scheme No.8 (Scheme) applies to the subject site. The Scheme is supplemented by the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Where a deemed provision is inconsistent with a provision of the Scheme, the deemed provision prevails to the extent of the inconsistency.

4.2.1 Zoning

The subject site is zoned Local Centre with an applicable density code of R100 under the Scheme and adjoins land to the south zoned Mixed Use Residential with an applicable density code of R40/80. Refer Figure 4.

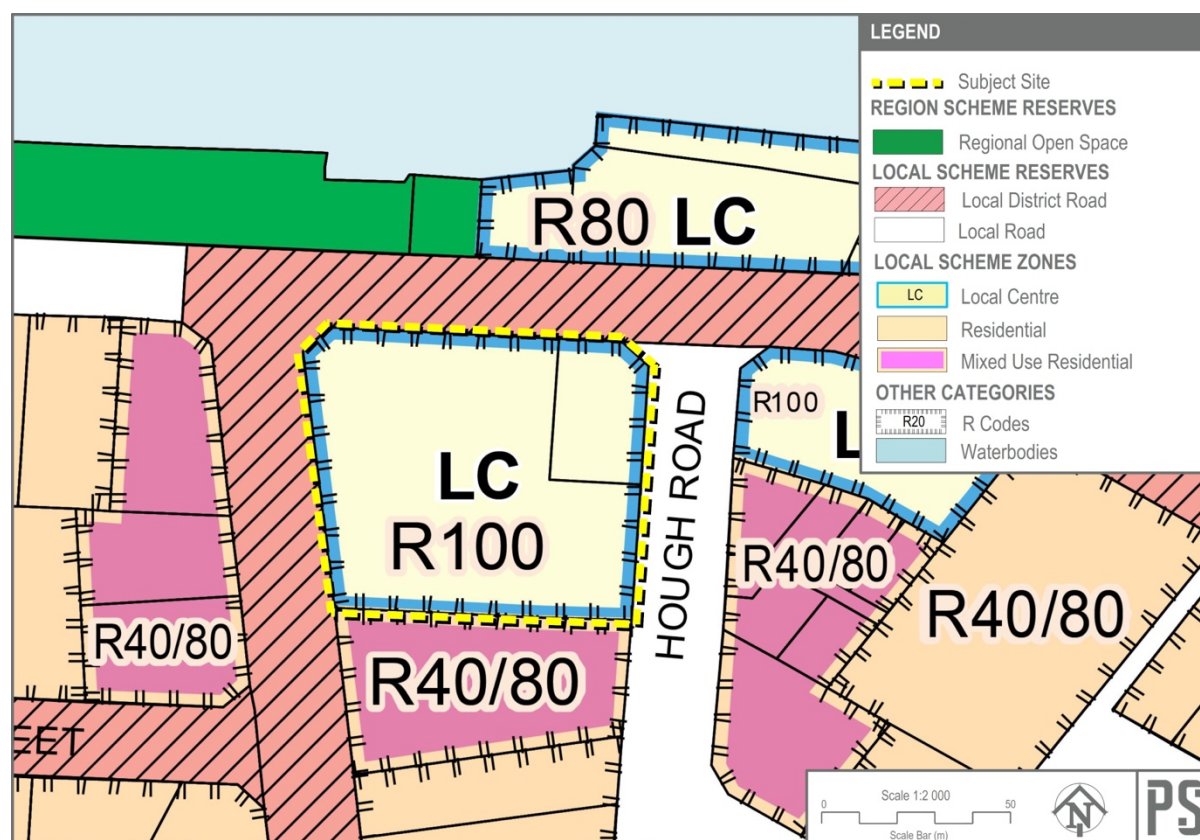


Figure 4 - Zoning of the subject site

The Scheme objectives for the Local Centre zone are as follows:

- To designate land for future development as a Local Centre.
- To provide services for the immediate neighbourhoods, that are easily accessible, which do not adversely impact on adjoining residential areas.

- To provide for Local Centres to focus on the main daily household shopping and community needs.
- To encourage high quality, pedestrian-friendly, street-orientated development.
- To provide a focus for medium density housing.
- To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.
- To provide a basis for future detailed planning in the form of local development plans in accordance with the provisions of this Scheme and the Activity Centres for Greater Bunbury Policy.

The proposed development is consistent with the zone objectives. Proposed is a high-quality pedestrian friendly street-orientated development through the provision of street-orientated commercial tenancies. The development offers medium to high density residential accommodation comprising of a range of typologies and sizes. Finally, the design and landscaping of this development will provide high standards of safety and convenience to the community.

4.2.2 Land use permissibility

The commercial vacancies do not at this stage have confirmed tenants. The application proposes the tenancies are used for 'shop' or 'restaurant / café' (or any other permitted uses in the Local Centre zone that do not require approval including civic use, consulting rooms, and convenience store).

A 'shop' is a 'D' use in the Local Centre zone under the zoning table of the Scheme, meaning the use is not permitted unless the local government has exercised its discretion by granting development approval. It is therefore capable of approval. An exemption is applicable for a shop with a net lettable area (nla) of less than 300m² under clause 61(3) of the Deemed Provisions however the tenancies both have a gross floor area of more than 300m² and so the exemption is unlikely to apply.

A 'restaurant / café' is an 'A' use in the Local Centre zone under the zoning table of the Scheme, meaning the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the Deemed Provisions. It is therefore capable of approval.

All dwellings within the development are classified as multiple dwellings under the Scheme (including the townhouses per the decision in *General Nominees Pty Ltd (Atf Family Trust Four) -v- The Metro Inner-North Joint Development Assessment Panel [2022] WASC 114*). Multiple dwelling is an 'A' use in the Local Centre zone, meaning the use is not permitted unless the local government exercises its discretion after advertising the proposal in accordance with clause 64 of the Deemed Provisions. It is therefore capable of approval.

4.2.3 Development standards and requirements

Table 3: LPS8 applicable development requirements and standards

Requirement	Comment	Complies
28. Multiple Dwellings in Neighbourhood Centre Zone and Local Centre Zone		
<i>Multiple dwellings within the Neighbourhood Centre Zone and Local Centre Zone, shall be developed in accordance with the R-Codes as a part of a mixed-use development.</i>	The development is in a mixed use configuration, containing commercial and other non-residential uses in conjunction with the apartments.	✓

Requirement	Comment	Complies
34. Environmental, Public Health and Amenity Protection		
(1) <i>The emission of noise, vibration, odour, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit, oil and/or any other type of emission that may potentially impact on environmental and/or public health are to be mitigated within the boundaries of the premises and must not impact on public health and/or cause nuisance to users or occupants of adjoining premises.</i>	An Acoustic Report has been prepared. It recommends appropriate materiality for construction and suitable location of external plant equipment and terms of operation for non-residential uses. Recommendations within the report can be addressed as conditions of approval. Refer Appendix 6 for a copy of the Acoustic Report.	✓
(2) <i>All building services, plant and equipment associated with a mixed use or non-residential development in a mixed-use zone is to be - (a) acoustically and visually screened from any adjoining and/or adjacent residential land uses, mixed use developments or other sensitive land uses; or alternatively; (b) incorporated within the building or is housed external to the building and is to be contained within a solid structure and located no closer than 1.5 metres to any adjoining property boundary.</i>	To be provided in the detailed design stage.	✓
(3) <i>All mixed use and non-residential development in a mixed-use zone must provide for the collection and storage of refuse on-site that is screened from view from a street and/or public open space, which is easily accessible for its removal.</i>	The bin storage area is located at the side of the building, near to the loading bay for convenient collection.	✓
(4) <i>The siting, design, and construction of buildings for residential, mixed use and other noise sensitive land uses within a mixed-use zone are to incorporate adequate noise attenuation measures to ensure that the following LAeq levels are not exceeded for dwellings, the residential component of mixed use developments and other noise-sensitive land uses - (a) 35 dB(A) in any bedroom in the building at any time 10.00pm to 7.00am; and (b) 40 dB(A) at any time anywhere else in the dwelling (other than a garage, kitchen, bathroom or hallway).</i>	Sound transmission within the building is addressed in the Acoustic Report, which recommends suitable materiality. Refer Appendix 6 for a copy of the Acoustic Report.	✓
(5) <i>Non-residential development and land uses within a mixed-use zone shall not be permitted to trade and/or undertake activities (e.g. deliveries) between the hours of 10.00pm and 7.00am Monday to Saturday and 7.00pm to 9.00am on Sundays and public holidays, in accordance with the Environmental Protection (Noise) Regulations 1967, unless supported by a noise impact assessment submitted for consideration at the development application stage.</i>	An Acoustic Report has been prepared for the development application which restricts café alfresco area to use outside 10pm-7am. Music must also be limited to an ambient level. Refer Appendix 6 for a copy of the Acoustic Report.	✓

Requirement	Comment	Complies
(6) A noise impact assessment prepared by a suitably qualified person, to the specifications and satisfaction of the local government, may be required to be submitted as part of any application for development approval for any development and/or land use where the proposal is for: (a) a mixed-use development; and/or (b) a non-residential use adjoining existing residential or other sensitive land use; and/or (c) a residential or other sensitive land use adjoining an existing non-residential use; and/or (d) any residential use, mixed use development or other sensitive land use adjoining any designated primary freight road, Railways Reserve, Primary Regional Roads Reserve or Other Regional Roads Reserve, where there is the potential for noise impacts (land use conflict).	An Acoustic Report has been prepared for the development application. Refer Appendix 6 for a copy of the Acoustic Report.	✓
40. Landscaping		
Primary and secondary front street setback areas and other setback areas not used for access, parking and/or waste management are to be landscaped in accordance with the provisions of the relevant local planning policy and Schedule 5.	Where possible, setbacks areas are landscaped. Refer to Appendix 7 for a copy of the Landscaping Plan.	✓
Schedule 5 Table 8 – Additional Zone Development Requirements		
Front Setbacks: (a) Minimum 2m. (b) Upper floor balconies must be located entirely behind the 2m front setback line.	The building is setback approximately 4m from Austral Parade at ground level. The building is setback approximately 2m from Austral Parade above ground level. Balconies are setback approximately 2.0m from Austral Parade, except the corner balconies which extend closer than 2.0m to Austral Parade. The balconies have been cohesively incorporated into the building design, and the overhang provides shelter for pedestrians as well as attenuation for heat ingress from sunlight into the commercial tenancies. Further, the emphasis on the corner elements provides a strong landmark setting suited to a local centre development in an urban context. The balcony setbacks warrant approval.	VARIATION
Drive through facilities are not permitted	Not proposed.	✓

Car Parking Requirements

Clause 41 of the Scheme requires car parking is provided for new developments. Car parking rates are set out in Schedule 4 Table 7 of the Scheme.

For the purpose of the assessment, the commercial tenancies have been assessed on the parking ratio of a 'shop'. The same shop rate (1 bay per 20m² NLA) also applies to other uses such as convenience store and consulting rooms, and it is considered an appropriate rate to apply to the retail tenancies.

LPS8 car parking ratio for a multiple dwelling is “in accordance with the Residential Design Codes”. The assessment incorporates the ‘Acceptable Outcomes’ car parking ratios set out in clause 3.9 of State Planning Policy 7.3 Residential Design Codes Volume 2 (**R-Codes**) for Location A (within an activity centre).

Table 4: Car parking requirements

Land use	Parking rate	Data	Bays required	Bays provided
Resident parking				
1-bedroom dwellings	0.75 bay per dwelling	10 x single bedroom dwellings	8	98
2+ bedroom dwellings	1 bay per dwelling	44 x 2+ bedroom dwellings	44	
Residential visitors	1 bay per four dwellings up to 12 dwellings 1 bay per eight dwellings for the 13th dwelling and above	54 dwellings	8	8
Commercial parking				
Commercial (assume shop)	1 bay per 20 square metres of nla	579m ²	28	35
Total car bays			88	141

A 53-bay surplus is provided. The proposed parking is therefore compliant with the Scheme.

The proposed development is consistent with the development standards and requirements of LPS8. One variation is proposed in relation to setback. The variation is minor and only applies to a small portion of the development. Given the subject sites irregular lot shape, and the positive outcome being generated, the variation is justified. Accordingly, the proposal warrants approval.

4.2.4 Matters to be considered

Clause 67(2) of the Deemed Provisions sets out the matters which due regard is to be given when considering an application for development approval. Refer Table 5 below for consideration of these matters (with irrelevant matters omitted).

Table 5: Matters to be considered

Matter to be considered	Provided
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	Refer section 4.2 of this report for consideration against the Scheme.
(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;	This report demonstrates the proposed development is compliant with the local planning framework applicable to the subject site. There are no known Scheme amendments proposed which are relevant to this proposal.
(c) any approved State planning policy	Refer section 4.3 of this report for consideration against relevant state planning policies.

Matter to be considered	Provided
(fa) any local planning strategy for this Scheme endorsed by the Commission	The proposed development is consistent with the City's Local Planning Strategy, which identifies Leschenault Quays as a local centre with relatively dense residential density.
(g) any local planning policy for the Scheme area;	Refer section 4.4 of this report for consideration against the relevant local planning policies.
(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 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;	<p>The proposed development is compliant with the desired future character of its setting:</p> <p>The proposed development fits in with the desired future character of the area, the development fitting in with the desired outcomes of the surrounding local centre and the R40/80 zoning.</p> <p>The proposed development is sympathetic to the existing built form of the area.</p> <p>Through high quality design, appropriate massing and the use of balconies and parapets, the proposal has been designed to alleviate issues of perceived bulk and overshadowing.</p> <p>The bulk, scale and design of the proposed development is consistent with its surrounding and doesn't pose negative impacts on the surrounding site.</p> <p>The subject site should have minimal impact on the surrounding roads and ensure local streets are not impacted by additional traffic generated by the proposed development.</p> <p>The land uses surrounding the subject site mainly consists of retail and residential, therefore the existing land use is complementary to its setting.</p>
(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;	<p>There are no environmental impacts resulting from the proposed development.</p> <p>The development contributes positively to the built form of the area.</p> <p>The development will not have any adverse social impacts on the surrounding locality as:</p> <p>This development improves housing diversity in the locality.</p> <p>The proposed mixed-use development will provide employment opportunities to the area and help contribute to economic development.</p>
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	Appropriate landscaping is proposed throughout the development area, comprising suitable landscaped areas in private and communal courtyards.
(s) the adequacy of – (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	<p>Vehicular access is provided from King Road and Hough Road. A loading zone is provided for servicing of the development on Hough Road.</p> <p>Pedestrian access is encouraged from the feature entrance on Austral Parade.</p>
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	<p>The development application is supported by a transport impact statement addressing the suitability of access to and from the development.</p> <p>Refer Appendix 4 for the Transport Impact Statement.</p>
(u) the availability and adequacy for the development of the following – (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability;	<p>Refer Appendix 4 for consideration of public transport.</p> <p>All normal services are available and connected to the subject site.</p> <p>Provision is made for the storage and collection of waste. Refer Appendix 5.</p> <p>Refer Appendix 4 for consideration of pedestrian and bicycle facilities.</p> <p>One accessible car parking bay is provided. Additionally, accessible paths of travel are provided around the site, and lifts provide stair-free access to upper floors.</p>

Matter to be considered	Provided
(v) <i>the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;</i>	The proposed development will add vibrancy to the area by providing a range of commercial and specialised used that offers a number of services to the wider community. As a result, the proposed development will contribute to rage delivery of enhanced level of growth and activity to the broader community.
(w) <i>the history of the site where the development is to be located;</i>	The subject site has historically been developed with commercial facilities with a service station existing on the corner of Austral Parade (formerly Old Coast Road) and Hough Road since at least 1959. The Leschenault Quays Shopping Centre was constructed c.1990. The proposed development represents the continuation of commercial activities on the subject site, plus the addition of residential uses.
(x) <i>the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;</i>	The development allows the provision of stable and secure work for a number of staff. The proposal will provide tenancies that may benefit the local residents.

The proposal complies with the deemed provisions and warrants approval accordingly.

4.3 State Planning Policies

4.3.1 State Planning Policy 7.0 - Design of the Built Environment

State Planning Policy 7 – Design of the Built Environment (SPP7) is the lead policy that elevates the importance of design quality, and sets out the principles, processes and considerations which apply to the design of the built environment in Western Australia, across all levels of planning and development.

SPP7 establishes a set of ten 'Design Principles', providing a consistent framework to guide the design, review and decision-making process for planning proposals.

Refer to Appendix 3 for a copy of the Design Report.

4.3.2 State Planning Policy 7.2 – Residential Design Codes (Volume 2)

State Planning Policy 7.3: R-Codes Volume 2 Apartments (Apartment Design Policy) places considerable focus on facilitating positive design outcomes for apartments and applies to apartments in areas coded R40 and above, and in mixed use developments and activity centres. Refer **Table 6** for a detailed assessment against the R-Codes Volume 2 element objectives.

Table 6: R-Codes Volume 2 Assessment

ELEMENT OBJECTIVE		DESIGN RESPONSE
PART 2 – PRIMARY CONTROLS		
2.1 PRIMARY CONTROLS TABLE		
Table 2.1	Table 2.1 provides default development standards and does not supersede any development standard provided by a local planning scheme, local planning policy, structure plan, activity centre plan or local development plan .	<p>This assessment considers the primary controls applicable to the R100 density code.</p> <p>The primary controls are varied by the planning framework in some respects, including:</p> <ul style="list-style-type: none"> • Building heights under Local Planning Policy 3 Zone Development Requirements (LPP-3); • Front setback provisions of the Scheme; • Side and rear setbacks under the City's LPP-5.4 Local Planning Policy for Non-Residential Development Adjoining Residential Development (LPP-5.4). <p>Refer section 4.4 of this report for detailed consideration of LPP-3 and LPP-5.4.</p>
2.2 BUILDING HEIGHT OBJECTIVES		
O 2.2.1	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.	Clause 4.3.1 of LPP-3 Zone Development Requirements sets a 15m maximum building height. The proposed development is consistent with this. The proposed building will maintain a consistent height of 12.986m. This development complies with the 'primary control' building height of 4 storeys and LPP-3 maximum of 15m.
O 2.2.2	The height of buildings within a development responds to changes in topography.	N/A
O 2.2.3	Development incorporates articulated roof design and/or roof top communal open space where appropriate.	The development proposes a flat roof which comprises of the lift overrun, as well as AC units. All services are hidden from street view.
O 2.2.4	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.	Overshadowing by the proposed development is minimal. A 6 metre setback to the southern lot boundary allows sunlight to access the adjoining property.
2.3 STREET SETBACKS OBJECTIVES		
O 2.3.1	The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.	The development provides sufficient setback (4m from Austral Parade; 2.0m from King Road; 4m from Hough Road) at ground level to accommodate landscaping and seating opportunities and generally provides for 2m setbacks in accordance with the Scheme. Building bulk is mitigated through articulation, appropriate massing and landscaping.
O 2.3.2	The street setback provides a clear transition between the public and private realm.	The development provides a clear transition between the public and private realm, through the use of the landscaping and commercial tenancies on the ground floor.
O 2.3.3	The street setback assists in achieving visual privacy to apartments from the street.	A 2.0m setback between the ground-level dwellings and King Road provides an intimate front space separating the public realm from private spaces. The setback area (which increases in size for the northernmost apartment) is fenced. The courtyard area is raised approximately 0.6m above the verge level (with internal step-down to front gates) which improves the separation between private space and public. Upper floor apartments are sufficiently elevated above the street to provide reasonable privacy.

ELEMENT OBJECTIVE		DESIGN RESPONSE
O 2.3.4	The setback of the development enables passive surveillance and outlook to the street .	Passive surveillance is achieved through a combination of full height glazing commercial tenancies on the ground floor to ensure opportunities for passive surveillance and outlook to the street. This combined with the location of balconies and windows from habitable spaces, offers an outlook to the street. This allows for passive surveillance from the dwellings to the street, limiting opportunities for crime and antisocial behaviour in accordance with designing for crime principles.
2.4 SIDE AND REAR SETBACKS OBJECTIVES		
O 2.4.1	Building boundary setbacks provide for adequate separation between neighbouring properties.	The proposed setback from the adjoining residential development on the southern lot boundary is a minimum 6m. This setback along with the low scale of the development provides sufficient separation to the adjoining property and allows adequate sunlight access.
O 2.4.2	Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.	The subject site is zoned Local Centre and the proposed building boundary setback is consistent with the desired streetscape for the area. Where setback requirements are varied, building mass is mitigated through landscaping, articulation, and contrasting materiality.
O 2.4.3	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, support tree canopy and assist with stormwater management.	The subject site does not contain any significant vegetation. The setback of the development allows for the development of a deep soil area adjacent to the adjoining property.
O 2.4.4	The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	The development is sufficiently setback from its only common boundary – its southern boundary.
2.5 PLOT RATIO OBJECTIVES		
O 2.5.1	The overall bulk and scale of development is appropriate for the existing or planned character of the area.	The proposed development has a residential plot ratio of 0.99 (5,139m ²), which is less than the 'primary control' plot ratio of 1.3 (6,727m ²). The subject site is consistent with the 'bulk and scale' of the area with other two storey developments within the surrounding area.
2.6 BUILDING DEPTH OBJECTIVES		
O 2.6.1	Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation .	83% of the proposed dwellings obtain at least 2 hours of direct sunlight between 9am and 3pm during the winter solstice. A variety of articulations and window placements ensure sufficient daylight to habitable rooms. Furthermore, all apartments feature large floor to ceiling double glazed doors onto outdoor living areas that maximise good solar access and natural ventilation. 69% of the proposed dwellings receive cross ventilation. This achieved by allowing the site to maximise the prevailing winds. The wide scaled courtyard also captures the prevailing winds ensuring internal ventilation.
O 2.6.2	Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.	The building design employs use of articulation to assist with ventilation.

ELEMENT OBJECTIVE		DESIGN RESPONSE
O 2.6.3	Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation	All dwellings achieve a depth of less than 20m and have been designed to maximise the northern aspect. All apartments have high ceilings enabling a greater sense of space and better opportunities for sunlight being received within the apartment.
2.7 BUILDING SEPARATION OBJECTIVES		
O 2.7.1	New development supports the desired future streetscape character with spaces between buildings .	The development has overall 2m setback from boundaries. The distance between the adjacent properties is over 25m, which has ample space for future streetscape.
O 2.7.2	Building separation is in proportion to building height.	There is only one building proposed.
O 2.7.3	Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.	This development provides for large setback to any current and potential adjacent buildings. Providing for residential amenity, acoustic privacy and natural ventilation.
O 2.7.4	Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings .	A central courtyard provides a space within the building which can be used for communal purposes.
PART 3 – SITING THE DEVELOPMENT		
3.1 SITE ANALYSIS AND DESIGN RESPONSES		
<p>The development is arranged consistent with the planning framework, taking advantage of existing site characteristics including:</p> <ul style="list-style-type: none"> Austral Parade as the local centre's 'main street'. Activity centre premises (including Parade Hotel and other shops, restaurants, and offices) line the north side of Austral Parade, and the proposed development completes the southern frontage. Outlook to Frank Buswell Foreshore and Leschenault Quays to the northwest. Existing two-storey building on the subject site. Existing crossovers and access on the southern portion of the subject site. Austral Parade and King Road being local distributor roads providing primary access to the site by car. Hough Road - a quiet local residential street. Setbacks and land uses permitted under the planning framework. <p>Refer the design statement at Appendix 3 for detailed consideration of context and character.</p>		
3.2 ORIENTATION OBJECTIVES		
O 3.2.1	Building layouts respond to the streetscape , topography and site attributes while optimising solar and daylight access within the development .	The development orients the building to address two street frontages by incorporated active commercial uses on the ground floor, a legible and attractive pedestrian entrance, the orientation of dwellings towards street frontages and direct access between the dwellings fronting King Road. The proposal has been designed in context. It responds to the existing topography and the streetscape by providing an active, predominantly glazed, and appropriate interface to Austral Parade and King Road. Appropriate levels of solar access are achieved to the majority of the proposed apartments.
O 3.2.2	Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter .	The building is setback 6m from the southern lot boundary to minimise overshadowing of the adjoining property. At noon on 21 June the building will shade 26% of the adjoining property.

ELEMENT OBJECTIVE	DESIGN RESPONSE
3.3 TREE CANOPY AND DEEP SOIL AREAS OBJECTIVES	
O 3.3.1 Site planning maximises retention of existing healthy and appropriate trees and protects the viability of adjoining trees .	There are no trees on the subject site. Development will not impact nearby trees.
O 3.3.2 Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre- development condition.	5 of 7 existing palm trees to be retained on the King Road verge. Two small trees are to be planted in the internal courtyard. Six small trees are to be planted in the southern raised landscaped area. 3 small trees are to be planted in the Hough Road raised planter. Refer to Appendix 2 for a copy of the Landscaping Plan.
O 3.3.3 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.	Ample deep soil is provided in the development, within the private courtyards, on the lot boundary and in the internal courtyard. The proposed deep soil areas and planters will have sufficient area to sustain long term healthy plant and tree growth.
3.4 COMMUNAL OPEN SPACE OBJECTIVES	
O 3.4.1 Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping , tree retention and deep soil areas .	The proposed development includes 668m ² of communal open space, equivalent to 12m ² per dwelling. The communal open space comprises the internal courtyard (495m ²), lounge/dining area (94m ²), gym (59m ²) and co-working/book retreat (21m ²).
O 3.4.2 Communal open space is safe, universally accessible and provides a high level of amenity for residents.	The communal open space area being serviced by a lift which is accessible from the primary street entry of the development. The courtyard is accessible by all residents. Amenity is provided by locating the communal open space on a separate level to the waste collection and vehicular circulation areas. Planters are included in the courtyard to provide greener and enhance amenity.
O 3.4.3 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.	Planters obscure the view into ground floor dwellings from the courtyard. The lounge/dining area is located in the northwest corner of the building to minimise the number of walls shared with internal dwellings.
3.5 VISUAL PRIVACY OBJECTIVES	
O 3.5.1 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.	Most apartments have an outlook over a street. Some apartments have a view to or over the central courtyard. Openings and balconies have been designed to minimise overlooking between adjacent apartments, through the use of screening devices. Openings to the southern lot boundary are setback 6m and building design and screening devices are used to minimise the extent of overlooking of the adjoining property. Planting in the setback area will further reduce overlooking. Views from the development will largely overtop the roofs of the single-level development on the adjoining property.
3.6 PUBLIC DOMAIN INTERFACE OBJECTIVES	
O 3.6.1 The transition between the private and public domain enhances the privacy and safety of residents.	All ground floor dwellings have direct access to the street through a raised fenced courtyard.

ELEMENT OBJECTIVE		DESIGN RESPONSE
O 3.6.2	Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain , including the provision of shade.	All upper-level dwellings on the periphery of the building overlook the street via their balconies Changes in level between the front gardens of dwellings fronting King Road and street level is less than 1.0m.
3.7 PEDESTRIAN ACCESS AND ENTRIES OBJECTIVES		
O 3.7.1	Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	Pedestrian access has been carefully considered in the design with the development providing pedestrian access connections from the public footpath to the main residential lobby, internal carpark and the commercial tenancies. All dwellings are universally accessible. In total there are three pedestrian access connections from the public footpath and an additional two pedestrian access connections via stairs accessible from the car park. Ground floor dwellings on King Road have private access fronting King Road. The main pedestrian entry from Austral Parade is centrally located on Austral Parade.
O 3.7.2	Entries to the development connect to and address the public domain with an attractive street presence.	Entries will provide attractive street presence.
3.8 VEHICLE ACCESS OBJECTIVES		
O 3.8.1	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.	The existing cross overs on King Road and Hough Road are to be retained. Entry from Hough Road is accessible to residents only. No vehicle access is proposed from the busier Austral Parade, for minimal conflict with other street users.
O 3.8.2	Vehicle access points are designed and located to reduce visual impact on the streetscape .	Due to the high-water table, a basement cannot be economically realised on the subject site. As such, parking is restricted to being at ground level. As the development proposes residential dwellings on the ground floor adjacent to neighbouring residential dwellings and commercial tenancies on Austral Parade, there is reduced internal space to provide parking and access. Accordingly, the development proposes internal parking on the ground and mezzanine floor. Access has been designed to minimise its impact to the street. This includes matching materiality and architecture to the overall development.
3.9 CAR AND BICYCLE PARKING OBJECTIVES		
O 3.9.1	Parking and facilities are provided for cyclists and other modes of transport.	16 bicycle racks are provided in resident parking bays for use by residents. A bike store provides space for a further 21 bicycles.
O 3.9.2	Carparking 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.	98 car bays are provided for residents – a ratio of 1.8 bays per dwelling which is considered more than adequate for the development. 8 visitor bays are included in the commercial carpark (visitors can also use commercial car bays which are likely to be vacant after hours). On-street parking is available in the area for visitors.
O 3.9.3	Car parking is designed to be safe and accessible .	Residents' car parking is secured and accessible.

ELEMENT OBJECTIVE		DESIGN RESPONSE
O 3.9.4	The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape .	The proposed carparking areas are located behind residential dwellings and commercial tenancies, internal to the building. The proposed parking is not visible from the street. The car park façade on Hough Road is to be treated through materiality and landscaping to minimise the visual impact of the amenity of the streetscape.
PART 4 – DESIGNING THE BUILDING		
4.1 SOLAR AND DAYLIGHT ACCESS OBJECTIVES		
O 4.1.1	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 .	83% of the proposed dwellings obtain at least 2 hours of direct sunlight between 9am and 3pm during the winter solstice. A All dwellings achieve a depth of less than 20m and have been designed to maximise the northern aspect.
O 4.1.2	Windows are designed and positioned to optimise daylight access for habitable rooms .	A variety of articulations and window placements ensure sufficient daylight to habitable rooms. Furthermore, all apartments feature large floor to ceiling double glazed doors onto outdoor living areas that maximise good solar access and natural ventilation.
O 4.1.3	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.	All apartments on the north side of the building, and some of the apartments on the west and east side, have balconies along their full frontage which provide shade to the apartment windows.
4.2 NATURAL VENTILATION OBJECTIVES		
O 4.2.1	Development maximises the number of apartments with natural ventilation .	69% of the proposed dwellings receive natural cross ventilation. This achieved by allowing the site to maximise the prevailing winds. The wide scaled courtyard also captures the prevailing winds ensuring internal ventilation.
O 4.2.2	Individual dwellings are designed to optimise natural ventilation of habitable rooms .	All apartments within the proposed development are designed to maximise natural ventilation and, where possible, contain openings in two different orientations. This has been achieved by siting dwellings on the corner of the building and placing servicing and corridors in the centre of the development. All apartments are less than 20m in depth.
O 4.2.3	Single aspect apartments are designed to maximise and benefit from natural ventilation .	
4.3 SIZE AND LAYOUT OF DWELLINGS OBJECTIVES		
O 4.3.1	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.	The apartments room layouts are functional, accessible and provide a high standard of amenity for residents. The size of all apartments and bedrooms/living rooms meets the minimum sizes as set out in the 'Acceptable Outcomes' for this element. The proposed development includes a mix of one, two, three and four-bedroom dwellings, with both apartment and townhouse typologies. This mixture provides a variety of typologies for future residents, including the potential for families and retirees.
O 4.3.2	Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.	Minimum floor to ceiling heights of at least 2.9m are achieved for all dwellings. All rooms are well-proportioned and benefit from cross ventilation and sunlight access as outlined above. All single aspect apartments have a 3:1 (or less) depth to ceiling height ratio.

ELEMENT OBJECTIVE		DESIGN RESPONSE
4.4 PRIVATE OPEN SPACE AND BALCONIES OBJECTIVES		
O 4.4.1	Dwellings have good access to appropriately sized private open space that enhances residential amenity .	Each dwelling has private open space accessed directly from a habitable room of suitable dimensions.
O 4.4.2	Private open space is sited, oriented and designed to enhance liveability for residents.	The size of the balconies ranges from approximately 4m ² to 21m ² . Additionally, there is substantial communal open space provided.
O 4.4.3	Private open space and balconies are integrated into the overall architectural form and detail of the building .	Private open spaces are sited, orientated, and designed to enhance liveability. This is achieved by maximising solar access and prevailing winds, where possible, generous sizes. Where balconies do not overlook the street frontages, they overlook the internal courtyard instead.
4.5 CIRCULATION AND COMMON SPACES OBJECTIVES		
O 4.5.1	Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	The development proposes a two ground floor lobbies accessed from King Road and Hough Road well as from the internal car parking areas. Corridors are provided on all levels. The building is served by two lifts, with a single circulation core running parallel all street frontages. Full length, glazed windows are proposed where the corridor meets the building façade providing natural light. All circulation corridors have a minimum width of 1.5 metres and are designed for universal access.
O 4.5.2	Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	All circulation spaces are generous in area, providing opportunities for informal social interactions and passive surveillance. The communal spaces provide further amenity for residents and their visitors. With the exception of dwellings overlooking the courtyard, no bedroom windows or major openings to living rooms open directly onto circulation or common spaces. For dwellings overlooking the courtyard, visual privacy and noise intrusion is managed by balconies that provide setback and landscaping on the ground floor.
4.6 STORAGE OBJECTIVES		
O 4.6.1	Well-designed, functional, and conveniently located storage is provided for each dwelling .	54 stores are provided in the development: one for each dwelling. All stores have a minimum dimension of 1.5m, minimum internal height of at least 2.1m and minimum area of 4m ² .
4.7 MANAGING THE IMPACT OF NOISE OBJECTIVES		
O 4.7.1	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 .	Refer Appendix 6 for an Acoustic Report demonstrating the proposal is acceptable in terms of noise compliance within the development.
O 4.7.2	Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.	Refer Appendix 6 for an Acoustic Report demonstrating how the proposal complies with the Scheme and National Construction Code requirements for reducing noise transmission.

ELEMENT OBJECTIVE		DESIGN RESPONSE
4.8 DWELLING MIX OBJECTIVES		
O 4.8.1	A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	A range of dwelling sizes are proposed, including one bedroom, two and three bedroom apartments, and four-bedroom townhouses. These comprise a breakdown of 18%, 59%, 17%, and 6% respectively, representing a range of dwelling types to cater to diverse household types and changing community demographics.
4.9 UNIVERSAL DESIGN OBJECTIVES		
O 4.9.1	Development includes dwelling s with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	12 (22%) of the dwellings meet silver level requirements as defined in the Liveable Housing Australia Design Guidelines.
4.10 FAÇADE DESIGN OBJECTIVES		
O 4.10.1	Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.	The architectural form of the building has been crafted in response to the local context, taking advantage of the inlet location and the commercial and fisheries buildings in the local centre.
O 4.10.2	Building façades express internal functions and provide visual interest when viewed from the public realm.	The design is crafted to sit within the existing and emerging built form along Austral Parade and incorporates coastal design elements into the overall form.
4.11 ROOF DESIGN OBJECTIVES		
O 4.11.1	Roof forms are well integrated into the building design and respond positively to the street .	The proposed development features a flat roof. Whilst the locality has a mixture of flat and pitched roofs, the proposed flat roof is consistent with the contemporary design of the development and commonly used for mixed use developments.
O 4.11.2	Where possible, roof spaces are utilised to add open space, amenity , solar energy generation or other benefits to the development .	The roof is proposed to be used to provide the necessary infrastructure such as solar PV cells to aid in the energy efficiency of the design, and lift overrun.
4.12 LANDSCAPE DESIGN OBJECTIVES		
O 4.12.1	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 .	Landscaped areas are proposed along street frontages, adjacent to the southern lot boundary, and in the internal courtyard to provide a green outlook for the development. Refer to Appendix 7 for a copy of the Landscaping Plan.
O 4.12.2	Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.	
O 4.12.3	Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	
O 4.12.4	Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.	

ELEMENT OBJECTIVE		DESIGN RESPONSE
4.13 ADAPTIVE REUSE OBJECTIVES		
O 4.13.1	New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.	N/A – existing buildings on the site will be removed.
O 4.13.2	Residential dwelling s within an adapted building provide good amenity for residents, generally in accordance with the requirements of this policy.	
4.14 MIXED USE OBJECTIVES		
O 4.14.1	Mixed use development enhances the streetscape and activates the street .	The development proposes two commercial tenancies on the ground floor, accessible from Austral Parade. Whilst the tenants are not yet final, the spaces would suit café and retail. The commercial spaces are adaptable, allowing a variety of uses to be accommodated. The tenancies are accessed via the street and comprise a fully glazed façade, ensuring transparency and passive surveillance to the street. The ground floor tenancies will also accommodate alfresco dining, helping to energise and activate the street.
O 4.14.2	A safe and secure living environment for residents is maintained through the design and management of the impacts of non-residential uses such as noise, light, odour, traffic and waste.	The tenancies are situated on the ground floor only and are separate from all residential uses (with separate access). The spaces are not visible from any habitable residential space. Appropriate noise attenuation measures have been incorporated to ensure the protection of amenity. Separate residential and commercial parking is proposed.
4.15 ENERGY EFFICIENCY OBJECTIVES		
O 4.15.1	Reduce energy consumption and greenhouse gas emissions from the development .	The development is designed to meet 7-star NCC performance requirements.
4.16 WATER MANAGEMENT AND CONSERVATION OBJECTIVES		
O 4.16.1	Minimise potable water consumption throughout the development .	Where possible, water consumption will be minimised through the use of efficient appliances and fittings. Waterwise landscaping and irrigation systems will further minimise consumption.
O 4.16.2	Stormwater runoff from small rainfall events is managed on-site, wherever practical.	Stormwater/civil design will be addressed at the detailed design stage.
O 4.16.3	Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.	Stormwater/civil design will be addressed at the detailed design stage.
4.17 WASTE MANAGEMENT OBJECTIVES		
O 4.17.1	Waste storage facilities minimise negative impacts on the streetscape , building entries and the amenity of residents.	The bin storage is proposed on the ground floor to prevent odour. All bins will be collected from separated access door by private waste contractor.
O 4.17.2	Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.	The residential bin store provides for separation of general waste, recycling, and organic waste. A bulk waste store is also provided. Waste collection is proposed to be conducted via private collection from Hough Road. Nominated staff will transfer the bins to the bin pick up bay / hardstand on collection days and returned when emptied.

ELEMENT OBJECTIVE		DESIGN RESPONSE
4.18 UTILITIES OBJECTIVES		
O 4.18.1	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 site is serviced with all necessary urban services, fit for purpose and capable of meeting the needs of residents. This includes power, water, telecommunications, and fire services.
O 4.18.2	All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.	All utilities are located in accessible locations for maintenance and do not restrict safe movement of vehicles or pedestrians.
O 4.18.3	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 .	All such utilities are to be integrated into the building design and/or landscaping and are not visually obtrusive.
O 4.18.4	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 .	Air conditioning units are located in a screened enclosure on the rooftop and will not impact the amenity of the apartments, or the surrounding properties.

4.4 Local Planning Policies

4.4.1 LPP-3 Local Planning Policy for Zone Development Requirements

The purpose of LPP-3 is to set out the City's general requirements and standards for the development and use of premises in each zone (including the Local Centre zone) and to ensure that all development:

- (a) *seeks to achieve the aims of the scheme, desired environmental and development outcomes and objectives of the specific zone;*
- (b) *complies with the general development standards and requirements of the Scheme;*
- (c) *complies with the development standards and requirements of the Residential Design Codes (R-Codes) where relevant; and*
- (d) *is located, designed and constructed in accordance with the development standards and requirements of any relevant local planning policy, structure plan and/or local development plan.*

To achieve these purposes, a series of objectives are included at clause 3 of LPP-3. Where relevant, reference is made to these objectives in the specific assessment against the policy development standards.

Clause 4.1.1 of LPP-3 states development in accordance with the development standards of LPP-3 is 'deemed-to-comply', but alternative solutions may be considered if the development is in keeping with the intent of the Scheme and LPP-3.

Refer to **Table 7** below for consideration of the applicable development standards of LPP-3.

Table 7: Consideration of applicable development standards of LPP-3

Development standard of LPP-3	Provided	Complies
1 Building Height		
Maximum building height of 15m	The development has a maximum roof height of 12.986m	✓

Development standard of LPP-3	Provided	Complies
3 Finished Floor to Floor Heights		
Minimum finished floor to floor height of all development is to be: 4m for residential and non-residential grouped dwellings 3.5m for non-residential upper floors Residential upper floors in accordance with the R-Codes	Minimum 2.7m finished floor height of all residential upper floors	✓
4. Building Setbacks		
Front Setback Minimum 2m setback for the primary and secondary street. Upper floor balconies need to be behind the 2m setback line.	Proposed street setbacks are generally: 4.0m to Austral Parade 2.0m to King Road 4.0m to Hough Road Most balconies are setback 2.0m (or greater) from streets, however, corner balconies and balconies along the King Road frontage extend closer than 2.0m. The balconies are considered appropriate. They are integrated with the building design and provide shade along the northern and western frontages improving energy efficiency. The setbacks do not impact other properties, and warrant approval.	VARIATION
6 Active Ground Floor		
Residential dwellings, or permanent accommodation uses within a mixed use development, must not be located on the ground floor of any development adjoining a street and/or public open space.	The development includes retail uses facing Austral Parade and King Road, and five ground-floor dwellings facing King Road. The King Road dwellings are appropriate on the basis King Road is a local street which is residential in character, and the ground-level residential does not introduce commercial uses to an otherwise residential street. It is appropriate to direct activity towards the main streets in the local centre, which in this case on Austral Parade, so that the amenity of residents on King Road is not adversely affected.	VARIATION
8 Building Design and Appearance		
Mixed use and non-residential development and/or land uses must be designed to address the street and complement or enhance the local streetscape character and amenity.	This development is designed in such a way to address the streetscape and provide for visual interest within the local area.	✓
Building facades and walls that front a street are to be detailed and articulated with design indentations/reliefs, variation in materials architectural features, colour schemes and active frontages, that include door and window opening to reduce the visual impact of large blank wall spaces and provide for visual interest.	The building façade within this development are detailed and articulated with terrace balustrade balconies, aluminium batten screens, windows and doors creating visual interest within the development.	✓
Building orientation and frontage to street and/or public open space must be designed for public safety and must incorporate major openings that permit passive surveillance over public and semi-public spaces, including car parking areas.	The building is orientated to face all frontage streets. Apartment windows and balconies provides an outlook to all sides of the building.	✓

Development standard of LPP-3	Provided	Complies
Building should be designed to minimise overshadowing of adjoining premises and/or public open space in order to ensure adequate provision of direct sun and ventilation for buildings and to ameliorate the impact of building bulk, privacy and overshadowing on adjoining properties. Protection of solar access for neighbouring properties should avoid significant overshadowing of: outdoor living area; north facing major openings and habitable rooms; north and west facing roof areas; and existing solar collectors.	The building bulk is situated in the northern half of the subject site, minimising overshadowing of adjoining properties.	✓
9 Building Orientation and Entrances		
(a) Buildings are to have their main pedestrian entrance on or as close as practicable to and directly facing, the primary street frontage. When development is located on a corner lot/development site, the main pedestrian entrance is to be facing the primary street or the corner.	The main pedestrian entrance is located on the Austral Parade frontage.	✓
(b) Building must provide shelter for pedestrians from the elements at the point of entry.	The ground floor has a verandah that provides shelter for pedestrians.	✓
(c) Pedestrians must be able to access the ground floor and any floor above from an entrance to a building which is at grade and directly accessible from a street or public space.	At-grade entries are provided to the building.	✓
(d) Separate pedestrian entrance are to be provided between residential and non-residential uses. Stairwells within mixed use developments are to ensure separate access to dwellings by residential occupants/visitors.	Entry to dwellings is provided via the ground floor on King Road and Hough Road. Stairs and lift provide access to the apartments on the upper floor. Ground floor dwellings fronting King Road have direct pedestrian access from King Road.	✓
(e) For sites with a sloping frontage, the ground floor must not exceed more than 1.2m above or below the level of the site frontage. The level of the site frontage is measured at every point along the boundary.	The ground floor sits 0.25m above the site frontage.	✓
11 Landscaping		
Except for a change of use of an existing development, on-site car parking areas within new development are to be located with shade trees planted at the rate of no less than 1 tree per 6 car parking bays. Species must have a clean trunk to 2m with non-invasive roots to the specifications and satisfaction of the local government.	Parking is internal to the building on the ground floor and mezzanine level.	✓
12 Vehicle Access and Parking		
(b) Vehicle parking, servicing, loading and unloading areas and accessways are to be located where they will not dominate the streetscape and not detract from convenient and safe pedestrian and vehicle movement.	Parking is provided internal to the building. The façade of the car park on Hough Road is to be suitably treated so as to not dominate the streetscape.	✓

Development standard of LPP-3	Provided	Complies
(c) Vehicle parking bays/areas are to be located to the side and/or rear of the premises (behind the primary building line) or underground (basement), except for instances involving only the change of use of an existing building where opportunities for car parking to the side and/or rear are impracticable. Car parking is not permitted within the front setback area(s) of new development.	Parking is provided internal to the building. Basement parking is not possible due to the high-water table at the subject site.	VARIATION
(d) Vehicle parking bays/areas adjoining residential premises are to be visually and acoustically screened from adjoining walls.	All residential dwellings will be acoustically compliant.	✓
(e) For a mixed use development, the number of car parking bays required for the overall development under the car parking table of this scheme may be reduced by a maximum of up to 30% provided that: Peak hours of operation of the different uses on the land are different or do not substantially overlap The bays are clearly marked limiting the purpose for which the parking may be used at different times of the day	N/A	N/A
(f) Service vehicle loading/unloading bays/ areas provided on-site are to be separated from pedestrian access areas and readily accessible from all non-residential uses on the lot/development site.	The loading bay is readily accessible for commercial tenants.	✓
(g) Entrance points to parking and unloading/loading areas are to have clear and unobstructed visibility of pedestrians pathways, with pedestrian crossing points clearly identified which give priority to pedestrians.	No structures (or other thing obstructing sightlines) are proposed near the carpark entrances.	✓

The proposal is largely compliant with LPP-3 and accordingly warrants approval. Variations to the provisions of the policy are minor and inconsequential in nature.

4.4.2 Local Planning Policy 3.1 - Access & Parking for Pedestrians, Bicycles and Vehicles

The City's Local Planning Policy: Access & Parking for Pedestrians, Bicycles and Vehicles (**LPP3.1**) applies to non-residential development. Its purpose is to create consistent and accountable approach to the provision of car parking. It guides the exercise of discretion with respect to those matters affecting the provision of parking and access for pedestrians, bicycles and vehicles.

Refer to **Table 8** for an assessment of the Part B requirements of LPP3.1.

Table 8: Assessment of the Part B requirements of LPP3.1

Requirement	Provided	Complies
8.1 Land Use & Development for Access & Parking		
Dimensions of bays	All car parking bays are designed in accordance with AS/NZS 2890.1 and Local Planning Policy 3.1.	✓

Requirement	Provided	Complies
8.6 Existing Development (as part of a New Development or Change of Use)		
Clause 8.6.2 provides additional parking is required for the extension provided there is adequate parking for the existing development.	N/A	N/A
8.11 Mixed Use Discretionary Threshold		
Where greater than 50% of a premises is used for residential purposes, and the balance of the floor areas is used predominantly between the hours of 9am and 5pm, the total number of car parking bays required may be reduced by a maximum 25%.	N/A	N/A
8.14 On-Street Vehicle Parking		
Clause 8.14.1 of LPP3.1 allows the City to approve the development and use of on-street parking.	N/A	N/A
Clause 8.14.8 requires a development application to be made for on-street parking.	The application includes reinstatement of on-street parking bays along Austral Parade, and a loading bay on Hough Road.	✓
8.15 Verge Crossovers		
Clause 8.14.1 of LPP3.1 allows the City to approve the development and use of on-street parking.	As above.	✓

4.4.3 Local Planning Policy for Non-Residential Development Adjoining Residential Development

The purpose and intent of LPP-5.4 is to ensure that guidance is provided for non-residential land use and development adjoining or abutting land use in the 'Residential Zone'. While the subject site does not adjoin Residential-zoned land, the measures in this policy have been applied to consider the existing residential development abutting the southern boundary of the subject site.

Table 9: Assessment against provisions of LPP-5.4

Requirement	Provided	Complies
5.2.1 Boundary Treatments		
(a) Subject to not exceeding a maximum height of 3.5m, a masonry wall with a minimum height of 2.2m above finished ground level shall be constructed along the full length of property boundaries of any proposed non-residential development adjoining residential premises at the applicant's (for non- residential development) expense.	The existing boundary treatment (Colourbond fence) with the existing carpark will be retained. Generally, the planning system recognises pre-existing development which is not being altered by a development application does not need to be upgraded or amended to reflect contemporary requirements. An applicant is entitled to confine their application to the development for which approval is sought.	VARIATION
(b) Alternatively to (a), and subject to not exceeding a maximum height of 3.5m, a colour bond metal fence with a minimum height of 2.2m above finished ground level shall be constructed together with a 3.0m wide landscaped buffer along the full length of property boundaries, entirely on the land where a non-residential development is proposed adjoining residential premises at the applicant's (for non- residential development) expense.		

Requirement	Provided	Complies
5.2.2 Setbacks		
Where a non-residential development site abuts any boundary of a residential premises, the building setback shall be no less than half the height of the wall of the proposed building with a minimum setback of 3.0m.	The building is approximately 9.9m tall, requiring a 4.5m setback. With a setback of at least 6m, the policy requirement is achieved.	✓

5 CONCLUSION

As detailed above, the proposed development of three-storey mixed-use development on the subject site and achieves the purpose and intent of the applicable local planning framework. The proposal appropriately responds to all the relevant aspects of the planning framework and warrants approval for the following key reasons:

- The proposed multiple dwelling land use is permissible in this location, pursuant to the Scheme, and is consistent with the planning vision for development, as established by the City.
- The proposed density and scale of development has been sensitively managed in terms of its interface with the adjoining residential property to the south and more broadly with existing development in the locality.
- The proposed development complies with the requirements of the local planning framework and performs strongly against the various design element objectives of the R-Codes.
- The proposed development is supported by expert consultant reports demonstrating the suitability of the design with respect to transport/access and noise transmission.

On balance, the proposed development warrants approval on its individual merits.