



CITY OF BAYSWATER

MINUTES

**FOR THE
PLANNING AND DEVELOPMENT
SERVICES COMMITTEE MEETING**

20 June 2017



PLANNING AND DEVELOPMENT SERVICES COMMITTEE MINUTES

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CITY OF BAYSWATER

MINUTES of the meeting of the Planning and Development Services Committee which was held in Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on **Tuesday, 20 June 2017** commencing at 6:30pm.

Committee Recommendations to Council are subject to adoption, or otherwise, at the following Ordinary Meeting of Council, as recorded in Minutes of that Council Meeting.

MINUTES**1. OFFICIAL OPENING**

Notice is hereby given that the Meeting will be audio recorded in accordance with the resolution of Council of 17 May 2016.

Persons are not permitted to record (visual or audio) at the Committee meeting without prior approval of the Council.

The Chairperson, Cr Dan Bull, welcomed those in attendance and declared the meeting open for the ordinary business of Council at 6:30pm.

1.1 Traditional Owners Acknowledgement

The Chairperson, Cr Dan Bull, respectfully acknowledged the past, present and future traditional custodians of the land on which we are meeting, the Whadjuk (Perth) region people of the Noongar nation. Cr Bull acknowledged and respected their continuing culture and the contribution they make to the life of this city and this region.

Chairperson welcomed the City's new Chief Executive Officer, Mr Andrew Brien to the meeting.

1.2 Declaration of Due Consideration

The Chairperson read the Declaration of Due Consideration and all Councillors present raised their hands to indicate that due consideration was given to all matters contained in the Agenda.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE (PREVIOUSLY APPROVED) & ABSENCE**Members**

Cr Chris Cornish
Cr Sally Palmer
Cr Stephanie Coates, Deputy Mayor
Cr Dan Bull
Cr Catherine Ehrhardt (to 9:53pm)
Cr Alan Radford
Cr Michelle Sutherland
Cr Brent Fleeton

Officers

| | |
|---------------------|--|
| Mr Andrew Brien | Chief Executive Officer |
| Mr Des Abel | Director Planning and Development Services |
| Ms Helen Smith | Manager Planning Services |
| Mr Matt Turner | Manager Strategic Planning and Place |
| Mr Simon Barry | Manager Governance |
| Ms Mary-Ann Winnett | Administration Officer - Agendas and Minutes |

Observers

Public - 21
Press - 0

Apologies

Cr Terry Kenyon, JP
Cr John Rifici

Leave of Absence

Cr Barry McKenna, Mayor (*from 16/06/2017-22/06/2017*)

3. DELEGATED AUTHORITY BY COUNCIL**Delegated Authority**

In accordance with section 5.16(1) of the *Local Government Act 1995* and Council's resolution at its Ordinary Meeting held on 15 November 2016 (Item 13.7) the Planning and Development Services Committee has been granted delegated authority by Council, subject to the limitations on delegation of powers and duties contained in section 5.17 of the *Local Government Act 1995*, therefore, in accordance with section 5.23(1)(b) of the *Local Government Act 1995*, this meeting is open to the public.

Terms of Reference***Planning and Development Services:***

To receive reports and make decisions in accordance with delegated authority and to consider reports and make recommendations to Council in respect to issues relating to the delivery of services within the areas of:

- Planning,
- Building,
- Development,
- Policies,
- Regulations and enforcement; and
- all other aspects of the Planning and Development Services of the City of Bayswater.

4. PUBLIC QUESTION TIME

The following questions were submitted both in writing and verbally:

In accordance with section 5.24(1)(b) of the *Local Government Act 1995* and regulation 5(b) of the *Local Government (Administration) Regulations 1996*, time is allocated for questions to be raised by members of the public, as follows:

- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Pursuant to regulation 7(4)(c) of the *Local Government (Administration) Regulations 1996*, questions from the public must relate to a matter affecting a function of the Committee.

In accordance with section 5.25(1)(f) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* regulation 11(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.

Where a question is taken on notice at the meeting, in accordance with clause 5.6(7)(b) of the *City of Bayswater Standing Orders Local Law 2013* a summary of the response to the question will be included in the agenda for the following meeting of the Committee at which the questions were raised.

4.1 Responses to Public Questions Taken 'On Notice'

Nil.

4.2 Public Question Time

Public Question Time commenced at 6:32pm.

The following questions were submitted in verbally:

Harry Porrins
5 Cedar Street, Bayswater
Item 9.1.16

CR CATHERINE EHRHARDT DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Catherine Ehrhardt declared a financial interest in this item as she receives income from an Airbnb that she co-owns. At 6:33pm, Cr Ehrhardt withdrew from the meeting.

Question 1

Generally we agree with the policy however we do not wish to see accommodation in residential areas as where we live as we find it intrusive. Our residential area is becoming quite compact and doesn't need any more traffic and noise.

Can we see the report that identifies how Airbnb brings people and money into the City? It doesn't seem to be a report, more an opinion.

The Manager Strategic Planning and Place advised that it is an assessment, there are 150 Airbnb in the area and this may be due to the proximity to the city, airport and ease of access.

Question 2

We would like to see the report that identifies the need for increased accommodation because the city is close to the airport, or is this an opinion again?

The Manager Strategic Planning and Place advised that it is an assessment, there are 150 Airbnb in the area and this may be due to the proximity to the city, airport and ease of access.

Question 3

As there are 150 Airbnb operating, will they be brought into compliance with this new policy?

The Manager Strategic Planning and Place advised that the policy set out how Council will deal with applications that come before it. The City tends to do compliance mainly on a complaints basis.

Question 4

In terms of compliance for this new policy, is the City going to be employing policy compliance officers to check the accommodation meets the requirements and who is paying for it/

The Manager Strategic Planning and Place advised that the City isn't employing specific compliance officers for this matter.

At 6:37pm, Cr Ehrhardt returned to the meeting.

Craig Turner
224 Collier Road, Bayswater

Question 1

I believe the renaming of Collier Road is on the agenda, I would like Council to take into consideration the affect this will have on the business on the street.

Kathryn Gordon
58 Roberts Street, Bayswater
Item 9.1.16

CR CATHERINE EHRHARDT DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Catherine Ehrhardt declared a financial interest in this item as she receives income from an Airbnb that she co-owns. At 6:38pm, Cr Ehrhardt withdrew from the meeting.

Question 1

In reference to proposed modified short term accommodation policy agenda item 9.1.16.

I am an operator of short term accommodation since 2012 whose property fits seamlessly into our neighbourhood. I have had no complaints about our property and our house looks like every other home in the street. People come and go in and out just like every other house in the street.

If the policy is adopted, why am I faced with a large amount of paperwork to make an application when I have had no complaints?

The Chairperson advised that he will take this on board and trust other Councillors to also take this on board in consideration of this item.

Question 2

Why does Council wish to create an extra workload for themselves with potentially 150 operators making applications? This is more red tape for Council.

The Director Planning and Development Services advised the City has received less than 10 complaints. If there is a complaint officers look at the scheme provisions, which are currently silent, which makes it hard to deal with these premises.

Currently, if an application comes in, it has to be advertised and then presented to Council for determination as it is a use not listed under the City's town planning scheme.

The intention of the policy is to streamline the process so that some forms of short-term accommodation do not require planning approval, however if the application is beyond the threshold then the application is presented to Council.

Question 3

In regards to regulation 2, why has Council chosen 6 guests as the number for exemptions? As it is common place for a house to have 4 bedrooms each capable of having 2 people.

The Chairperson advised that the item is up for debate tonight. The Director Planning and Development Services further advised that the starting point for determining this was that the Residential Design Codes define a dwelling as accommodating a maximum of 6 unrelated persons or a family.

At 6:43pm, Cr Ehrhardt returned to the meeting.

**Harvey Tonkin
harveyt@iinet.net.au**

Question 1

Will the Councillors take into consideration the cost for amending their addresses to their suppliers, when amending the name of Collier Road?

The Chairperson advised that Councillors will take this on board when considering the item tonight.

Public Question Time was closed at 6:45pm.

5. DECLARATION OF INTEREST

5.1 Disclosures at the Planning and Development Services

In accordance with section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:

| Date | Name | Item No. | Item Name |
|--------------|-----------------------|----------|---------------------------------|
| 20 June 2017 | Cr Catherine Ehrhardt | 9.1.16 | Short-term Accommodation Policy |

In accordance with section 5.61 of the *Local Government Act 1995* the following disclosures of indirect financial interest were made at the meeting:

| Date | Name | Item No. | Item Name |
|--------------|-------------|----------|---|
| 20 June 2017 | Cr Dan Bull | 9.1.7 | Proposed Signage to Roof Sign to St John of God Hospital Mount Lawley - Lot 803, 5 Thirlmere Road, Mount Lawley |
| 20 June 2017 | Cr Dan Bull | 9.1.17 | Proposed Amendment No 71 to Town Planning Scheme No 24 - Modifications to Special Control Area 10 - Lot 10, 2-4 Railway Parade, Bayswater |

In accordance with section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:

| Date | Name | Item No. | Item Name |
|--------------|-----------------------|----------|--|
| 20 June 2017 | Cr Catherine Ehrhardt | 9.1.18 | Draft Report - Maylands Town Centre Car Parking Strategy |
| 20 June 2017 | Cr Catherine Ehrhardt | 10.1 | Proposed Trial of Nyoongar Outreach Services |

In accordance with regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* the following disclosure of interests affecting impartiality (Elected Members) were made at the meeting:

| Date | Name | Item No. | Item Name |
|--------------|---------------------|----------|--|
| 20 June 2017 | Cr Dan Bull | 9.1.9 | Proposed Site Establishment Works for the Wright Street Emergency Egress Shaft (Forrestfield Airport Link Project) - Lot 800, 74 Wright Crescent, and Lot 14378, Tonkin Highway, Bayswater |
| 20 June 2017 | Cr Stephanie Coates | 9.1.9 | Proposed Site Establishment Works for the Wright Street Emergency Egress Shaft (Forrestfield Airport Link Project) - Lot 800, 74 Wright Crescent, and Lot 14378, Tonkin Highway, Bayswater |

In accordance with regulation 34C of the *Local Government (Administration) Regulations 1996* and clause 5.5 of the City of Bayswater's Code of Ethics, the following disclosure of interests affecting impartiality (Officers) were made at the meeting:

6. CONFIRMATION OF MINUTES

The Minutes of the Planning and Development Services Committee Meeting held on Tuesday, 16 May 2017 which have been distributed, are to be presented for confirmation as a true and correct record.

CR SALLY PALMER MOVED, CR CHRIS CORNISH SECONDED

CARRIED UNANIMOUSLY

7. DEPUTATIONS

1. Proposed Three Storey Single House

Location: Lot 510, 16 The Look, Maylands

In relation to Item 9.1.2, Dr Andrew Marsh (on behalf of Residents - Joe and Nina Car - 8 Fourth Avenue East, Maylands, and Caroline Raines, Joint Owner of 14 Fourth Avenue East, Maylands) were in attendance, speaking in support of the officer's recommendation (*refer page 25*).

2. Proposed Three Storey Single House

Location: Lot 510, 16 The Look, Maylands

In relation to Item 9.1.2, Peter Gianatti, (Planning Consultant on behalf of the Applicant - AK Homes) was in attendance, speaking against the officer's recommendation (*refer page 25*).

3. Proposed Three Lot Survey Strata Subdivision, Involving Removal of Two Street Trees

Location: Lot 842, 39 Hudson Street, Bayswater

In relation to Item 9.1.4, Laurence Butler (Resident - 20 Langley Road, Bayswater) was in attendance, speaking on the item (*refer page 50*).

4. Proposed Signage to Roof Sign to St John of God Hospital Mount Lawley

Location: Lot 803, 5 Thirlmere Road, Mount Lawley

CR DAN BULL DECLARED AN INDIRECT FINANCIAL INTEREST

In accordance with section 5.61 of the Local Government Act 1995, Cr Dan Bull declared an indirect financial interest in this item as his employer ANZ is a financier to St John of God Hospital. At 7:12pm, Cr Bull withdrew from the meeting.

CR BRENT FLEETON MOVED that **CR CHRIS CORNISH** be elected Chairperson, and there being no other nominations, **CR CHRIS CORNISH** was declared elected.

Cr Fleeton moved that Cr Cornish take the chair.

At 7:12, Cr Cornish took the chair.

At 7:17pm, Cr Bull returned to the meeting and assumed the chair.

In relation to Item 9.1.7, Chris Hanna (Applicant - Chief Executive Officer, St John of God Mount Lawley Hospital) was in attendance, speaking against the officer's recommendation (*refer page 76*).

**5. Proposed Change of Use from Multiple Dwellings to Residential Building
(Short-Term Accommodation)**

Location: Lot 1, 1-9/20 Mount Prospect Crescent, Maylands

In relation to Item 9.1.10, Justin Ing (and Alison Poole, Residents - 18 Mount Prospect Crescent, Maylands) was in attendance, speaking in support of the officer's recommendation (*refer page 117*).

6. Draft Maylands Town Centre Car Parking Strategy

Location: Maylands

At 7:21pm, Cr Ehrhardt withdrew from the meeting - prox int.

In relation to Item 9.1.18, Marcus Whelan (on behalf of the West Australian Ballet Centre) was in attendance, speaking on the item (*refer page 220*).

At 7:33pm, Cr Ehrhardt returned to the meeting.

8. PETITIONS

Nil.

ORDER OF BUSINESS

Items were dealt with in the following order: Items 9.1.2, 9.1.4, 9.1.7, 9.1.10, 9.1.18, 9.1.3, 9.1.5, 9.1.6, 9.1.8, 9.1.9, 9.1.11, 9.1.12, 9.1.15, 9.1.16, 9.1.17, 9.1.19, 9.1.20, 9.1.21 and 10.1.

All remaining items were carried by en bloc resolution.

9. REPORTS BY OFFICERS (COMMITTEE DELEGATION)**9.1 Planning and Development Services****9.1.1 Proposed Alterations and Two Storey Additions to Single House**

Location: Lot 51, 4 George Street, Maylands
File Number: DA16-0586
Applicant: Grant Douglas Chamberlain
Owner: Grant Douglas Chamberlain & Jonika Melissa De Jonge
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

A planning application dated 26 October 2016 and plans dated 28 October 2016 have been received for alterations and two storey additions to single house at Lot 51, 4 George Street, Maylands.

Key Issues:

- The property is listed as Classification 3 on the City's Municipal Inventory of Heritage Places (MI) and Scheme Heritage List.
- The proposal does not meet the lot boundary setback and parking requirements of the Residential Design Codes (R-Codes).
- Impact of the development on the streetscape and amenity of the area, and the heritage value of the place.

BACKGROUND

| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Maylands Activity Centre Zone, R60 |
| Use Class: | Single House - 'P' |
| Lot Area: | 490m ² |
| Existing Land Use: | Single House |
| Surrounding Land Use: | Single Houses, Grouped dwellings, Vacant Lot and Commercial Uses |
| Size/Nature of Proposed Development: | Alterations and Two Storey Additions to Single House |

The primary consideration in relation to this application is whether the alterations and two storey additions are sympathetic to the heritage value of the existing single house which is listed on the City's Scheme Heritage List and MI. In addition the proposal does not meet the lot boundary setback and parking requirements of the Residential Design Codes (R-Codes).



CONSULTATION

The applicant obtained supportive comments from the adjacent affected property owners in relation to the proposed variations.

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|---|------------------------------|---------------|------------|
| Minimum Setbacks: | | | |
| Front | 2.0m minimum 4.0m average | Existing | Compliant |
| Ground floor side (north-east) | 1.0m - 1.5m | 1.0m - 2.8m | Compliant |
| Ground floor rear (south-east) | 1.5m | 16.0m - 20.4m | Compliant |
| Ground floor side (south-west) | 1.8m | 1.5m | Variation |
| Upper floor side (north-east) | 1.6m | 1.5m | Variation |
| Upper floor rear (south-east) | 3.0m - 3.2m | 16.0m - 20.4m | Compliant |
| Upper floor side (south west) | 1.2m - 1.6m | 1.5m - 5.6m | Compliant |
| Maximum Building Height: | | | |
| Wall Height | 9.0m | 6.2m | Compliant |
| Roof Pitch Height | 12.0m | 7.4m | Compliant |
| Minimum Open Space | 40% | 60.65% | Compliant |
| Maximum Overshadowing of Adjoining Property | 35% | 22.23% | Compliant |
| Minimum Parking | 1 car bay | 0 car bay | Variation |

Streetscape and Site Context

The affected streetscape is characterised by single and two-storey single houses. Access to the lot is only available from George Street. A large vacant commercial lot is located at the rear of the subject and adjoining lots (former Cascade Tavern site). There is a relatively consistent provision of street trees along the George Street verge. One street tree located within the verge area of the application site is to be retained. The roof of the existing house was recently replaced with no alterations to the existing roof pitch, elevations or dimensions.

Heritage

The site is listed under the City's Scheme Heritage list and MI as a Classification 3 heritage place. The MI indicates that the existing building was constructed circa 1890 as a simple cottage in the Federation Queen Anne style with a nautical theme. Any redevelopment, extension, modification, demolition or change of use requires the approval of Council and an assessment will be made based on the merits of the application. The MI states the following description for the subject site:

"Description Notes:

The simple cottage has a nautical flavour internally and externally and has generous internal spaces. The cottage is one of the unique Maylands houses in that it is an individual design based on the Federation Queen Anne style with a nautical theme. It is timber framed and clad, with a decramastic tile replacement roof."

"Historical Notes:

The house is one of the truly unique Maylands houses, with a very unusual nautical theme running through interior and external treatments. The house was the setting of a notorious murder in the 1970s for which nobody was convicted."

The MHI provides the following statement of significance for the subject site:

"The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. This house is a representative example of the Queen Anne Revival architectural style."

The existing pitched roof house is orientated towards the street with a front door and vertical wooden window openings visible from the street. A new verandah to match the existing style is proposed along the front façade with timber posts, beams and rafters with a zincalume roof. The proposed two storey additions to the rear of the existing house will be brickwork with a zincalume roof. All proposed brickwork will be red in colour with coloured banding in a traditional style to articulate the multi-storey section of the development. Wooden windows will be used throughout.

The rear portion of the existing house does not appear to form part of the original house and includes a dining room, bedroom, kitchen, bathroom, laundry area and existing outside deck area. The applicant states that this part of the house was originally poorly constructed and became dilapidated over time, and will be demolished. The proposed alterations will rebuild the dining room, kitchen, bathroom, laundry and bedroom on ground floor and the additions include a living room, bathroom and two bedrooms on the upper floor. The new alterations and additions to the house will include stepping down internally to ensure that very little of the rear addition will be visible from the street, contributing positively to the character of the existing streetscape. The proposal will not impact on the heritage value or the original building and its fabric and is considered to be sympathetic to the heritage value of the existing house.

The applicant also proposes to replace the existing dilapidated weatherboard cladding to the front and side façades of the front part of the existing house with a single brick leaf, red in colour, tied into the existing timber structural wall framing. This proposal will not be sympathetic to the heritage value of this unique Maylands house with its individual design and unusual nautical theme. While it is acknowledged that the weatherboards need replacement, it is also considered appropriate that the weatherboard element should be sympathetically restored to retain the heritage fabric of the place and enhance the identity and heritage significance of the house and area.

Lot Boundary Setbacks

The lot boundary setbacks of the development fully comply with exception to the ground floor (south-west) and upper floor (north-east) side lot boundaries. The variations to the lot boundary setbacks are considered relatively minor with the variation on the south-western and north-eastern lot boundaries being 0.3m and 0.1m respectively.

The reduced setbacks are mainly due to major openings provided for the dining room and upper living room and the new walls being an extension of the existing walls to be retained. The existing house has generous interior spaces with original fireplace openings to be retained. It is considered that this spacious historical interior creates functional living areas and outdoor amenity for the owner. Without retaining the width of the original house, these areas will appear cramped in and contrived and not in keeping with the original part of the house.

The development complies with overshadowing requirements of the R-Codes and the existing space between the proposed development and adjoining dwellings are considered sufficient to allow for ventilation. The proposed development is nestled in between the adjacent existing houses on the adjoining lots and is not considered to have any undue impact on direct sunlight to the outdoor living areas of the neighbours situated to the rear of the lots.

The adjacent affected property owners at 2 and 6 George Street both confirmed with a signed statement that they have no objection to the variations proposed to the lot boundary setbacks for the development at 4 George Street as mentioned above and also signed off on a full set of plans as submitted for determination.

Accordingly, the proposed development and the variations to the lot boundary setback requirements of the R-Codes are considered to meet the relevant design principles of the R-Codes and will not unduly impact the streetscape, and are therefore supported.

Parking

The existing parking of vehicles remains unchanged with one parking bay provided on the verge in front of the house and no additional parking proposed on site. The site is situated approximately 300m from the Maylands train station. Access to the lot is only available from George Street as the lot backs onto a private commercial property.

The existing house is setback at approximately 0.8m to each side boundary and between 3.5m and 5m to the street boundary. The minimum residential off-street parking requirement for a single parking space stipulates 5.4m length, 3.0m width and a 6.0m manoeuvring space. It is thus not possible to provide compliant parking in front or side or rear of the existing house.

A car bay within the front setback area would protrude into the verge area over the existing footpath, creating an obstruction for pedestrian traffic past the site, and provide additional hard stand area which is not considered sympathetic to the heritage value of the existing house. The City's records indicate that no complaints relating to the parking of vehicles on the verge in front of the site have been received by the City.

Given the above, it is recommended that the existing parking arrangement could remain unchanged.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for approval subject to appropriate conditions.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

| | |
|-------------|--|
| Theme: | Our Built Environment |
| Aspiration: | A quality and connected built environment. |
| Outcome B1: | Appealing streetscapes. |
| Outcome B3: | Quality built environment. |

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24 and local planning policies; and
- State Planning Policy 3.1 - Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council grants planning approval for the proposed alterations and two storey additions to single house at Lot 51, 4 George Street, Maylands, in accordance with planning application dated 26 October 2016 and plans dated 28 October 2016, subject to the following planning conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The extension and/or alterations shall be in complementary materials, colours and design with the existing building(s) to the satisfaction of the City of Bayswater. Details shall be submitted to and approved by the City of Bayswater, prior to the submission of a building permit application.
3. Revised plans shall be submitted to and approved by the City of Bayswater prior to the lodgement of a building permit application showing that the existing weatherboard cladding shall be sympathetically restored to the front and side façades of the front part of the existing house to the satisfaction of the City.
4. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.
5. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning. Any new crossover shall maintain a minimum clearance of 2.0m from the base of street trees.
6. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.

Advice Notes:

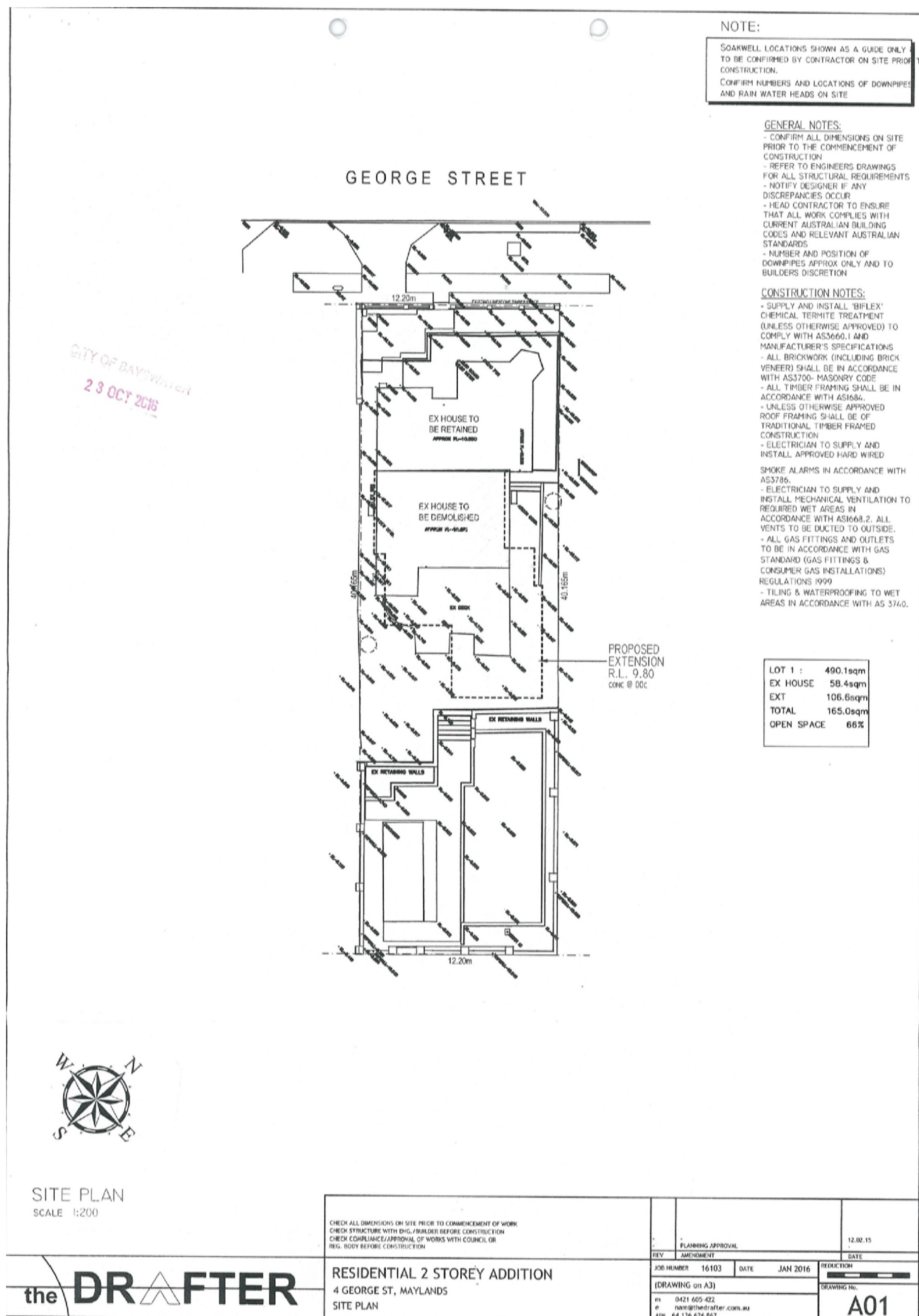
1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.

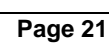
4. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should the applicant/landowner wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, the applicant/landowner must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
5. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.

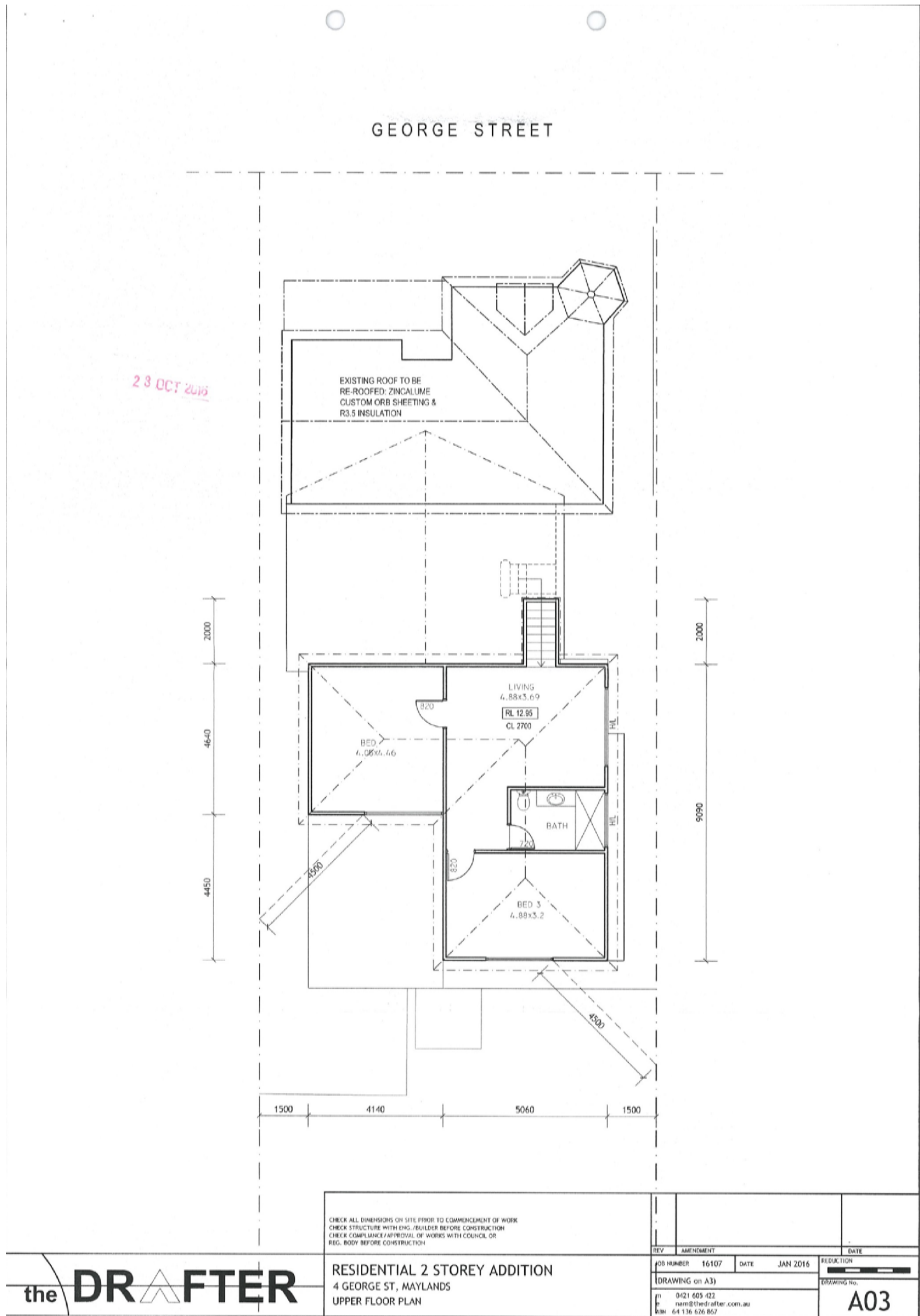
CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1







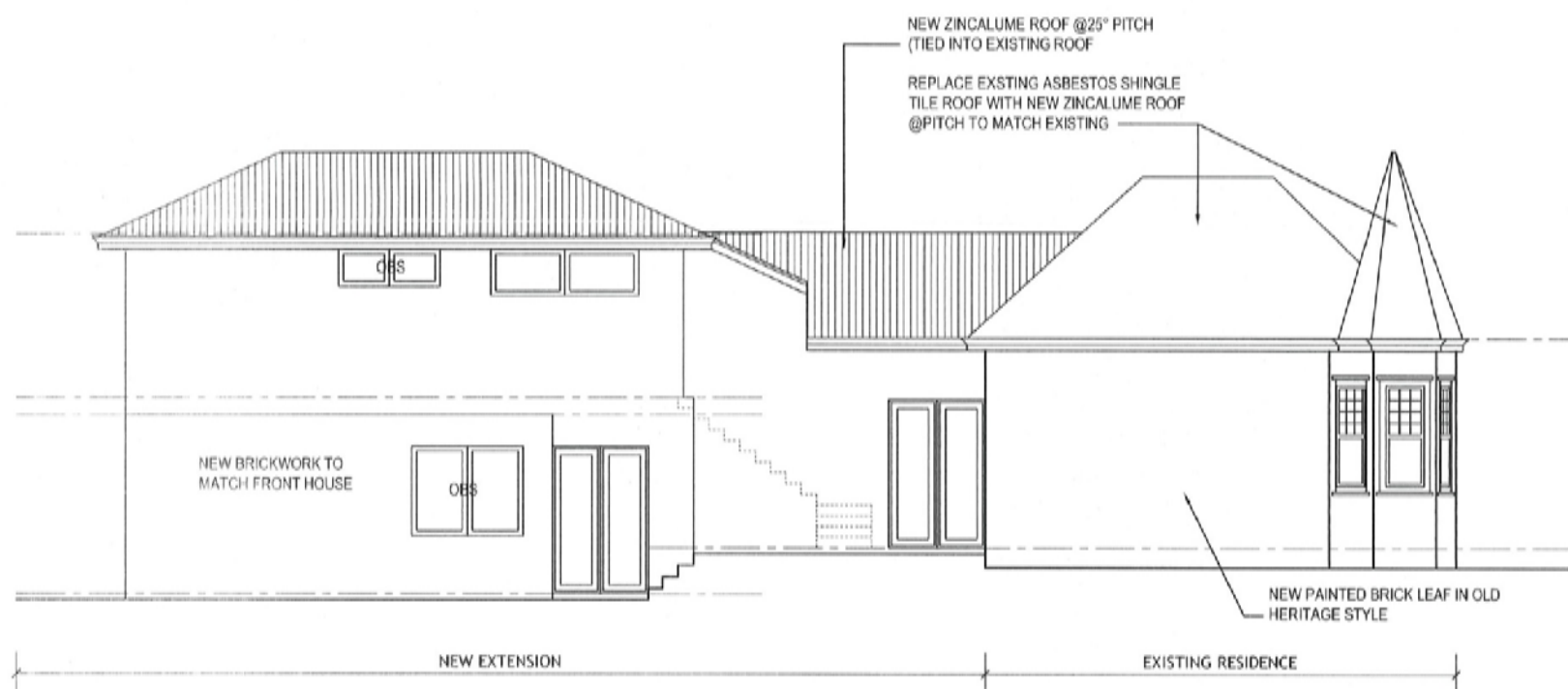


FRONT ELEVATION

scale 1:100

CITY OF BAYSWATE

23 OCT 2016



WEST SIDE ELEVATION

scale 1:100

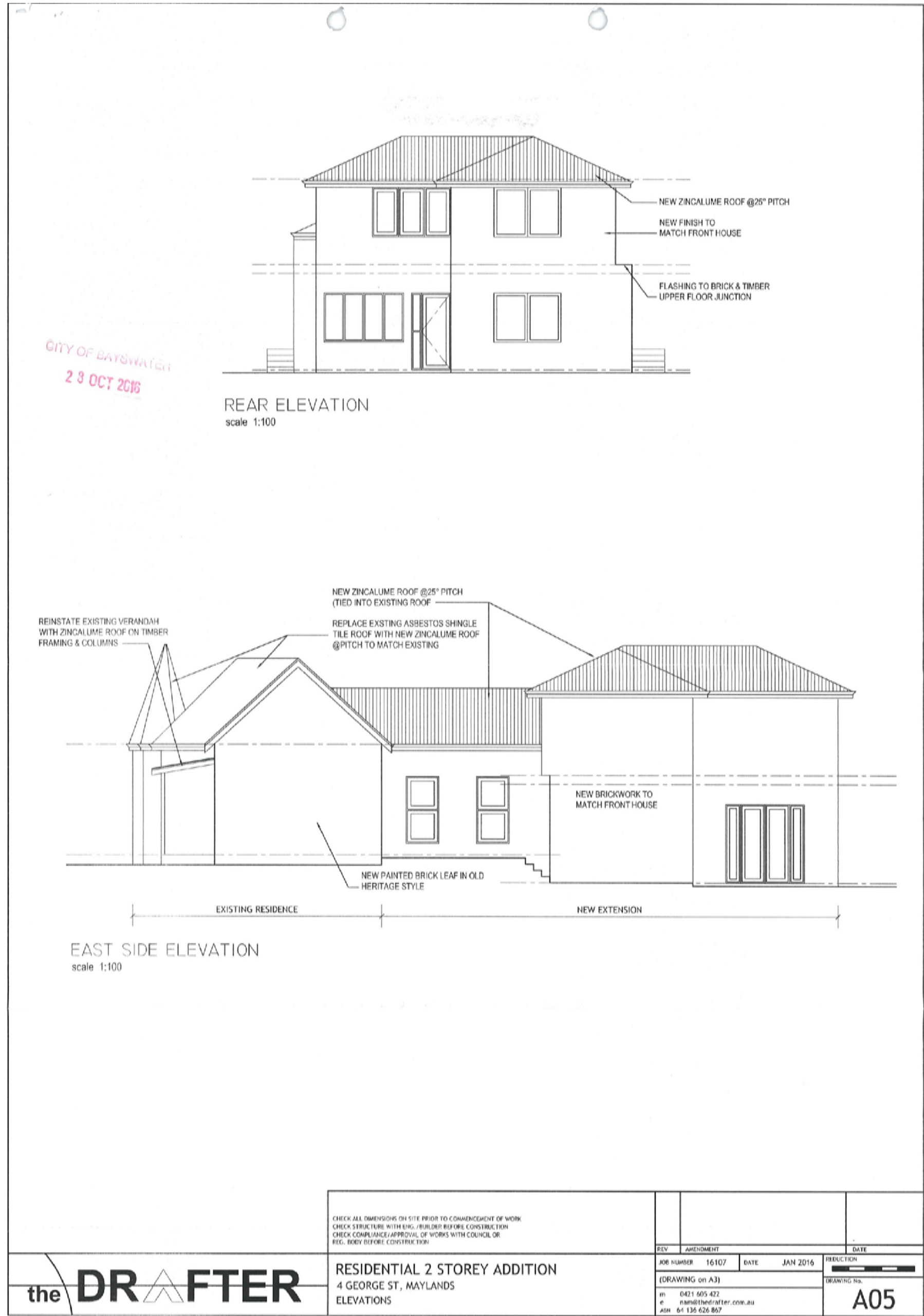
CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK
CHECK STRUCTURE WITH ENG./BUILDER BEFORE CONSTRUCTION
CHECK COMPLIANCE/APPROVAL OF WORKS WITH COUNCIL OR
REG. BODY BEFORE CONSTRUCTION

RESIDENTIAL 2 STOREY ADDITION
4 GEORGE ST, MAYLANDS
ELEVATIONS

| REV | AMENDMENT | DATE | REDUCTION |
|-----------------|-----------------------|------|-------------|
| JOB NUMBER | 16107 | DATE | JAN 2016 |
| (DRAWING on A3) | | | DRAWING No. |
| m | 0421 605 422 | | |
| e | nam@thedrafter.com.au | | |
| ABH | 64 136 626 867 | | |

A04

the **DRAFTER**



9.1.2 Proposed Three Storey Single House

Location: Lot 510, 16 The Look, Maylands
File Number: DA16-0673
Applicant: AK Homes Construction Pty Ltd
Owner: S Castensen & F Yeo
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

EXECUTIVE SUMMARY**Application:**

A planning application dated 2 December 2016 and amended plans dated 20 April 2017 have been received for proposed three storey single house at Lot 510, 16 The Look, Maylands.

Key Issues:

- The proposed development does not meet the building height requirement, boundary wall height, garage front setback, open space, privacy and lot boundary setbacks of the Residential Design Codes (R-Codes) and the City's Design Guidelines - Lot 1 and 12, No. 6-8 Fourth Avenue East Maylands Policy.
- Three objections received during community consultation. One of the objections co-signed by six adjoining owners within the estate.
- Impact of the proposal in terms of impact of height and loss of views and the amenity of the area.

BACKGROUND

| | |
|---|---|
| Town Planning Scheme No. 24 Zoning: | Medium and High Density - Residential R50 |
| Use Class: | Single House - 'P' |
| Lot Area: | 376 sqm ² |
| Existing Land Use: | Vacant |
| Surrounding Land Use: | Single House |
| Size/Nature of Proposed Development: | Three-Storey Single House |

The primary consideration in relation to this application is the visual impact of the proposed development on the amenity of the area, including the streetscape and the affected adjacent properties, given the proposal does not meet the building height, boundary wall height, open space, garage front setback, lot boundary setbacks and privacy requirements of the R-Codes and the City's Design Guidelines - Lot 1 and 12, No. 6-8 Fourth Avenue East Maylands Policy, and to consider objections that have been received in relation to the proposed development.



CONSULTATION

The City sought comment for the proposed variations from the adjacent affected property owners for a period of 14 days and the Department of Parks and Wildlife (Swan River Trust). The Department of Parks and Wildlife (Swan River Trust) advised no objection to the proposal subject to standard conditions. At the completion of the advertising period, three objections were received. One objection was co-signed by an additional six adjoining property owners. Details of the objections, applicant's responses and officer's comments are stated below.

| ISSUE | NATURE OF CONCERN | APPLICANT RESPONSE | OFFICER COMMENT |
|-----------------|---|---|---|
| Building Height | <i>"The proposed height is excessive and will impact the property to the rear of the subject property. A maximum height of 7.0m should be maintained."</i> | <p><i>"We have used the design itself to limit the bulk on the street and create a development that will suit the architectural character and feel of the area."</i></p> <p><i>The height of our building matches the height of the dwelling has been constructed at the opposite end of the street – Lot 504 and given the nature of the natural ground levels of Lot 511 and 503 along with the development guidelines, we also aimed to take the potential designs into consideration and create something that would in fact decrease the amount of deviation in the design and bulk among the adjoining properties."</i></p> <p><i>The design as a whole and the principles used in the design and streetscape will add to the high quality of development in the area and keep the distinct riverfront feel."</i></p> | Refer to 'Building Height' section below. |
| Open Space | <i>"The proposed open space should not be considered a minor variation and significantly impacts the adjoining properties given the flow-on effects from this. The issues include increase building bulk, width of the lot, loss of views and</i> | <i>"Given the small nature of the block, the need to create an aesthetically pleasing design and the intent to try and create an outdoor living area that allows sufficient northern access the open space has had to be slightly</i> | Refer to 'Open Space' section below. |

| ISSUE | NATURE OF CONCERN | APPLICANT RESPONSE | OFFICER COMMENT |
|---------------|--|--|---|
| | <i>reduction to the attractiveness and landscaped setting."</i> | <i>reduced. As mentioned we feel the design adequately creates balance between these points that are required for this specific block, keeping in mind the need for solar access to the Alfresco as well as maintaining the views required from the Balcony to the Swan River foreshore. We also believe the pool that is proposed along the existing retaining wall will create a sense of openness to the dwelling. Despite being limited by the paved driveway in our block the intention will be to provide landscaping to the whole front of the block where possible, as well incorporated into the porch to add to the natural and environment feel of the design."</i> | |
| Front Setback | Concern with regard to any intrusion into the 6.0 metre front setback. | <i>"The incursions are minor and do not impact any neighbours or the amenity of the development but rather increase the architectural form by creating features on the street elevation that align with the need for a design principles need for the area."</i> | Refer to 'Front Setback' section below. |
| Privacy | Concern in relation to overlooking of adjoining properties. | <i>"The house has been designed in such a way to reduce and limit the effects of the overlooking to any of the neighbours directly by limiting the use of windows to any areas that would be considered to be overlooking the neighbouring lots. We believe we have the right</i> | Refer to 'Privacy' section below. |

| ISSUE | NATURE OF CONCERN | APPLICANT RESPONSE | OFFICER COMMENT |
|---------------|---|--|---|
| | | <i>amount of balance in relation to the neighbours need for privacy and the aesthetic needs for the development as well as allowing sufficient access to direct sunlight and ventilation to the Living areas."</i> | |
| Loss of Views | Concern in relation to loss of views from the scale of the development. Note that the Mirvac Design Guidelines were put in place to protect all landowners amenity and potential views. | <i>"Given the nature and natural ground levels of the neighbouring lots and the design guidelines applicable to the area we strongly believe no views will be lost as a result of the proposed development. The house has been designed to take into consideration both Lot 511 & Lot 513 and as a result our design has been stepped in from the boundaries to negate any potential impact on these lots as well as ensuring we keep intact, the riverfront aspect for both these respective lots. Furthermore the design has been positioned to keep intact the access for natural light and ventilation to both our block and neighbouring lots."</i> | Refer to 'Loss of Views' section below. |

At the conclusion of the community consultation period the proposed plans were amended to reduce the height of the dwelling and to remove the majority of the privacy variations. The amended plans are forwarded to Council accordingly.

ANALYSIS

| Key Scheme Provisions | Required | Initial Proposal - Provided | Amended Proposal- Provided | Assessment |
|-------------------------------|----------|-----------------------------|----------------------------|------------|
| Minimum Setbacks: | | | | |
| Front (Main) | 4.0m | 5.39m - 6.0m | 5.39m - 6.0m | Compliant |
| Front (Garage) | 6.0m | 5.39m | 5.39m | Variation |
| Side (West) | | | | |
| Ground Floor | Nil | Nil | Nil | Compliant |
| First Floor | 5.7m | 2.75m | 2.75m | Variation |
| Second Floor | 6.9m | 2.75m | 2.75m | Variation |
| Side (East) | | | | |
| Ground Floor | 1.5m | 2.57m | 2.57m | Compliant |
| First Floor | 5.7m | 2.57m | 2.57m | Variation |
| Second Floor | 6.9m | 1.8m - 2.57m | 1.8m - 2.57m | Variation |
| Rear (North) | | | | |
| Ground Floor | Nil | Nil | Nil | Compliant |
| First Floor | Nil | Nil | Nil | Compliant |
| Second Floor | Nil | 3.8m | 3.8m | Compliant |
| Boundary Wall: | | | | |
| Maximum Wall Height | | | | |
| Side (West) - | | | | |
| Within 6.0m of lot boundary | 3.0m | 3.1m | 3.1m | Variation |
| Within 9.5m of lot boundary | 6.0m | 9.77m | 9.2m | Variation |
| Maximum Average Wall Height - | | | | |
| Side (West) | N/A | N/A | N/A | N/A |
| Maximum Wall Length | | | | |
| - | | | | |
| Side (West) | 23.5m | 24.07m | 24.07m | Variation |
| Maximum Building Height: | | | | |
| Concealed Roof Height | 7.0m | 9.77m | 9.2m | Variation |
| Minimum Open Space | 40% | 35.03% | 35.45% | Variation |

| | | | | |
|---|------|------|------|-----------|
| Maximum Overshadowing of Adjoining Property (Overshadows Reserve) | 50% | 8.6% | 7% | Compliant |
| Minimum Visual Privacy Setback: | | | | |
| First Floor Bed 4 (North) | 4.5m | 3.4m | 3.4m | Variation |

Site Context

The property is subject to the Design Guidelines - Lots 1 and 12, No. 6-8 Fourth Avenue East Maylands Policy which provides supplementary requirements to the R-Codes standards relating to height, front setbacks, boundary walls, open space and privacy. The estate and design guidelines have been designed with the intention of enabling all lots access to river views. The affected streetscape is currently characterised by two and three storey dwellings and vacant sites.

Currently five of the 13 lots within the estate have been developed, all containing two or three single storey houses. Bardon Park and the Maylands Yacht Club are nearby and land zoned Residential R30 lies to the north-east.

The subject property consists of a slight slope rising up from the paved driveway area on the southern end of the site to a relatively flat section for the remainder of the site. Constructed sites within the estate appear to have been designed to enable views of the river.

Building Height

The primary consideration is the variation proposed to overall building height. The majority of the building height is at 9.2m in lieu of 7.0m, reduced from 9.77m as initially proposed. The proposed dwelling is three storeys which is similar in scale and appearance to the other completed dwellings along this side of the street at 4 The Look, Maylands and the three storey dwelling (2 The Look) recently approved by the Planning and Development Services Committee at its meeting held on 16 May 2016.

The open nature of the balconies to the first and second floors at the front of the building provide for some amelioration of the bulk to the design. The feature brick stone pier through the middle of the front façade of the dwelling creates interest and also breaks up the design.

It is noted however the three level height of the western elevation and the boundary to boundary appearance are considered to create the appearance of excessive bulk. The design of the dwelling at a height of 9.2m effectively dictates that a reduction in height to comply with the design guidelines applicable to the lot would result in the removal of a floor of the dwelling and a redesign of the interior layout of the dwelling to accommodate the intended floor layout.

Based on the current scale and height of the proposed single house and the resulting impact to the adjoining and rear properties, this variation is not supported.

Front Setback

The proposed development has a 0.61m projection into the front setback area required for the garage. Whilst the garage is mainly setback 6.0m, the two sides of the garage include the projecting areas, which are mainly aesthetic features for the balconies and feature stone structure. These features are considered minor and whilst a setback of 6.0m is required by the estate design guidelines to provide adequate separation of the built form from the street, the variation is acceptable.

Lot Boundary Setbacks

The proposed side setback variations relate to the first and second floor of the development. The variation to the western lot boundary relates to the first and second floor balcony areas at the front of the property setback 2.75m in lieu of 5.7m and 6.9m respectively. The required setback is increased due to the wall containing major openings. In the event a privacy screen was placed on the western side of the balcony the setback required would be reduced to 2.8m and 3.8m respectively. It is noted that the walls are considered to have sufficient articulation to address any visual concerns and feature varying finishes and an open aspect through the balcony to promote surveillance of the street.

The eastern lot boundary setback variation includes the entire first and second floor, setback 2.57m in lieu of 5.7m and 1.8m - 2.57m in lieu of 6.9m, respectively. It is noted this wall adjoins the Maylands Yacht Club Reserve.

Boundary Walls

The western boundary wall abuts an existing vacant lot; there is no current development approval for this site. The estate design guidelines dictate that a boundary wall is permitted along this shared boundary, subject to compliance with building height, on each side enabling the impact of any boundary wall to be reduced.

In accordance with the design guidelines applicable to the subject lot, boundary walls are permitted along the western (side) lot boundary for a maximum height of 3.0m within a minimum setback of 6.0m from the front lot boundary. Boundary walls are also permitted along this boundary for a maximum height of 6.0m with a minimum setback of 9.0m from the front lot boundary. The subject development proposes a height of 3.1m and 9.2m, respectively. A variation of 0.1m and 3.2m in height is sought by the applicant to the requirements. In addition the proposed boundary wall includes a section of wall 0.611m long which intrudes into the maximum wall length. This intrusion is a design feature of the wall and is considered to have no undue impact on the adjoining properties.

The boundary wall height proposed along the western façade presents in a 'wedding cake' manner to this property. This enables a slight reduction in bulk from the wall to the second floor of the development. It also enables a stepping back of the boundary wall from the rear of the property which will enable light and ventilation to the property to the rear and the western side. It is however considered given the scale of the wall in its entirety, that the present height is considered excessive and is not supportable.

It is noted the cumulative impact of these setback variations result in a development which is excessive for the building envelope.

Open Space

The proposed open space is 35.45% in lieu of 40% (4.55% variation). Given the boundary to boundary design of the dwelling, there is only a narrow section of area of the lot along the eastern façade which provides an opportunity for an open and usable area to be provided. The proposed pool area along the eastern or reserve side of the dwelling provides an open area to the dwelling. The area provides for a useable and attractive area of the property where future residents will have an area for recreation. There is currently minimal landscaping proposed to the site, and therefore it is considered appropriate in the event of approval for additional landscaping to be provided on site through the condition of a landscaping plan in order to soften the built form and reduce the levels of paving.

Overall the open space of the development is considered to meet the design principles of the R-Codes, and given the minor lot frontage to the street it will not unduly affect it.

Visual Privacy

The development proposes one visual privacy variation, affecting the northern-adjoining lot. The first floor bedroom 4 presents a variation which can be alleviated by increasing the proposed sill height to 1.6m in accordance with the requirements of the R-Codes. In the event of approval a condition should be applied accordingly.

Loss of Views

The loss of views is of particular concern to objectors given the close proximity of the lots to the river foreshore. However, whilst it is noted in the R-Codes Explanatory Guidelines *"the R-Codes cannot guarantee the protection of views"*, a non-compliant building height is to meet the specific design principles of Clause 5.1.6 P6 of the R-Codes including access to views of significance. In this instance the design has the potential to reduce views of significance for the owners to the rear.

Conclusion

In light of the above, cumulatively, the variations proposed to the relevant requirements result in a development which is considered excessive in scale and bulk and would unduly impact the streetscape, adjoining properties and the amenity of the area.

Accordingly, it is recommended that the application be refused for the reasons outlined above.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for refusal.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

| | |
|-------------|--|
| Theme: | Our Built Environment. |
| Aspiration: | A quality and connected built environment. |
| Outcome B1: | Appealing streetscapes. |
| Outcome B3: | Quality built environment. |

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24;
- City of Bayswater local planning policies, including Design Guidelines -Lots 1 and 12 No. 6-8 Fourth Avenue East Maylands; and
- State Planning Policy 3.1 Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development
2. 3D Render Plan
3. Submission Location Plan (Confidential Attachment)

COMMITTEE RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council refuses planning application dated 5 December 2016 and plans dated 20 April 2017 for the proposed three storey single house at Lot 510, 16 The Look, Maylands, for the following reasons:

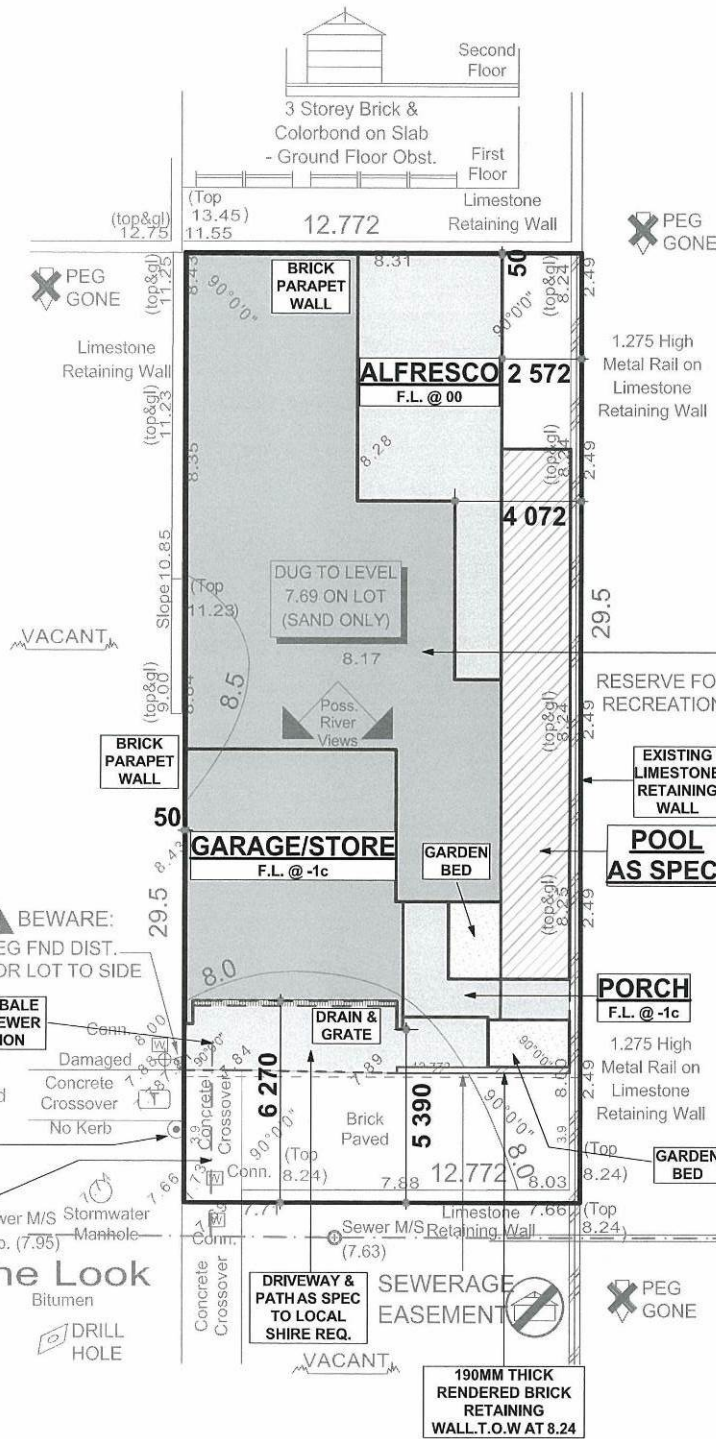
1. The proposal does not comply with the City's Design Guidelines - Lot 1 and 12, No 6-8 Fourth Avenue East Maylands Policy and Residential Design Codes relating to the overall building height, boundary wall height and visual privacy requirements.
2. The proposal is considered to have an undue impact on the amenity of the area.
3. The proposal is considered to be inconsistent with the orderly and proper planning of the locality.
4. Consideration of the objections received.

CR BRENT FLEETON MOVED, CR STEPHANIE COATES SECONDED

CARRIED UNANIMOUSLY

| SOIL DESCRIPTION | |
|-------------------|--|
| Sand | |
| Light Grass Cover | |

SITE PLAN
1:200



NOTE: ENGINEER
TO PROVIDE
DETAILS FOR
EXISTING
RETAINING/
FOOTING
CONNECTION &
HEIGHT
REQUIREMENTS.

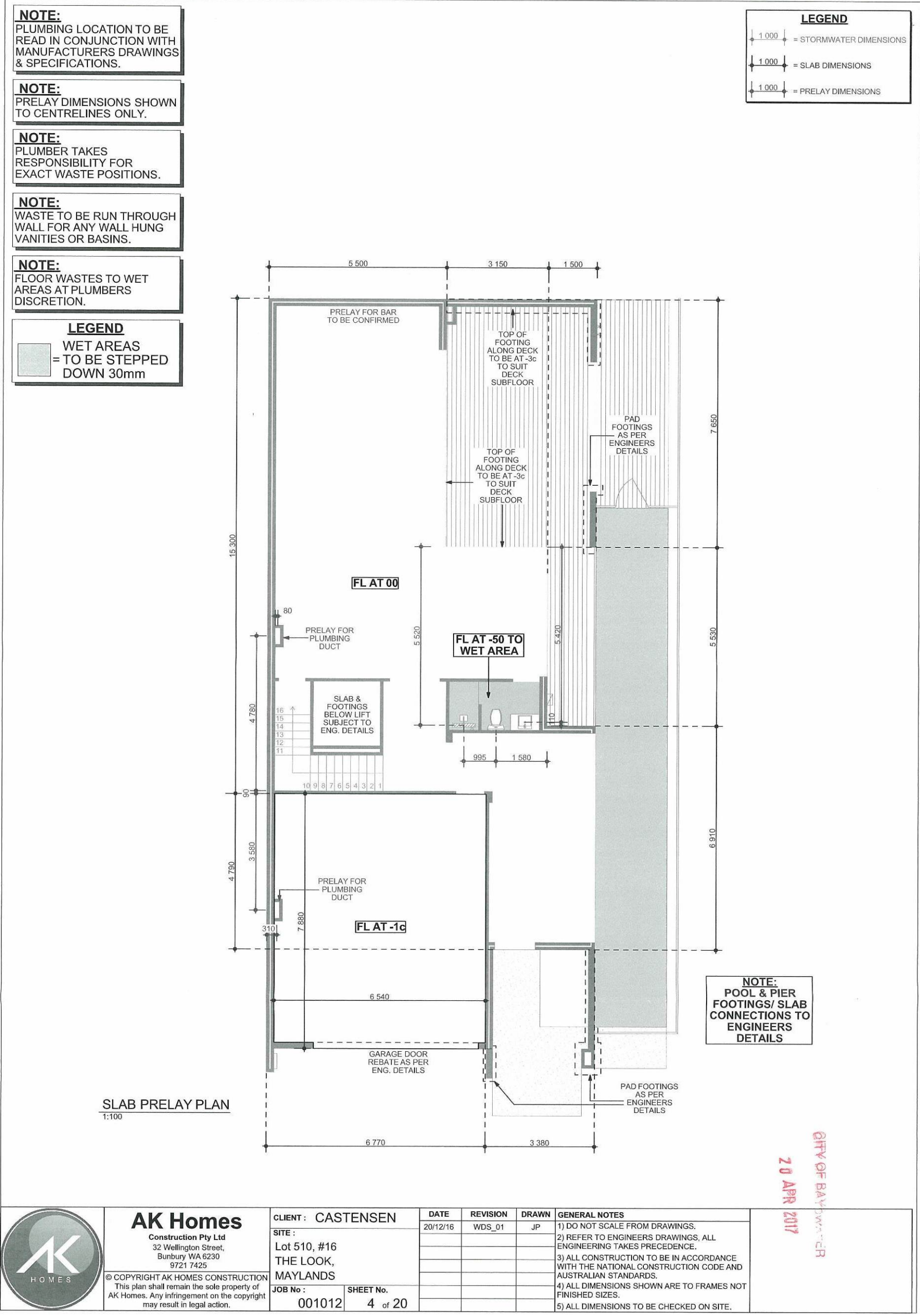
EARTHWORKS NOT TO COMMENCE UNTIL
A BUILDING LICENCE HAS BEEN ISSUED.

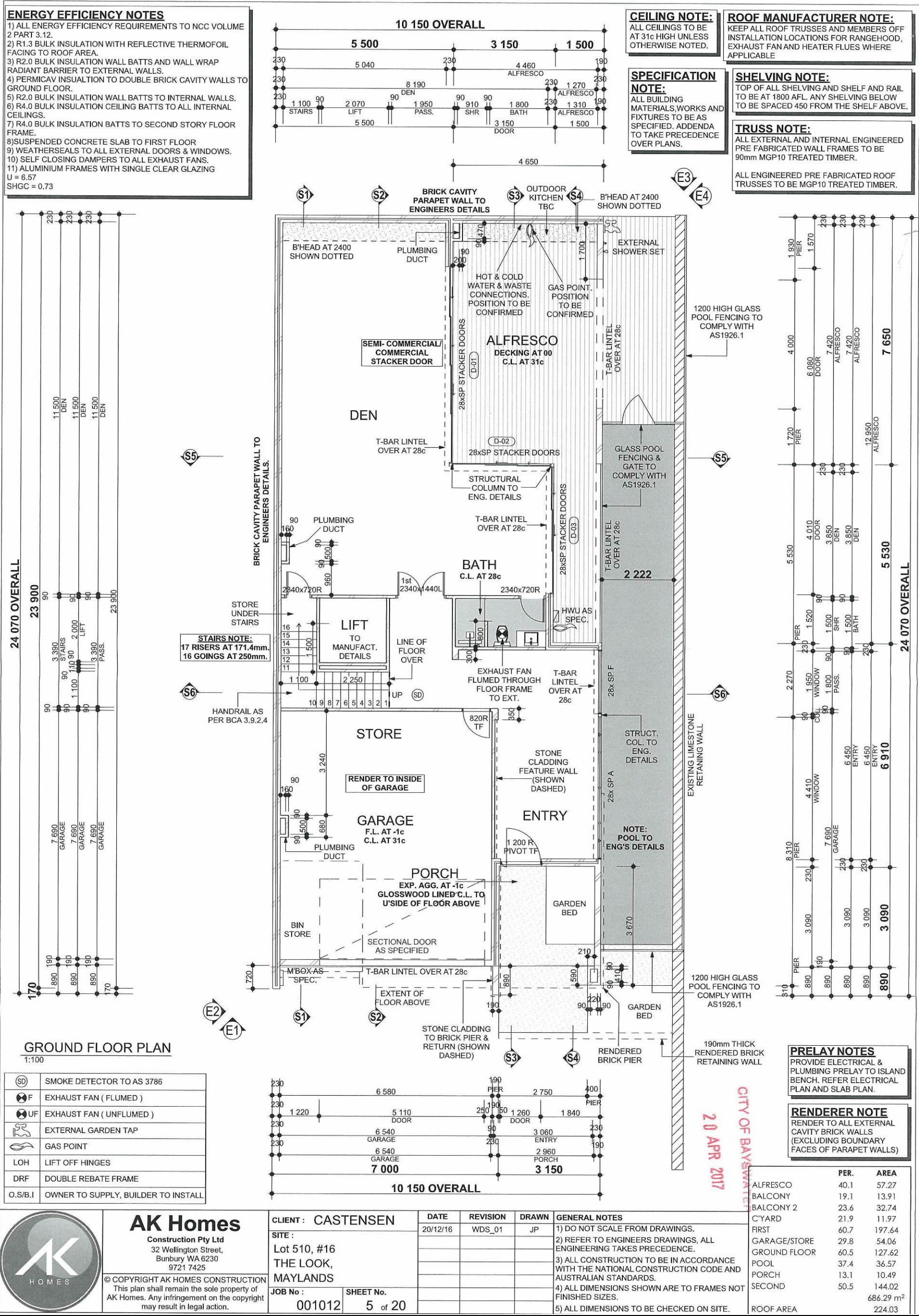
| | |
|-------------------------------|----------------------------|
| <u>OPEN SPACE</u> | |
| TOTAL SITE AREA: | <u>376.77m²</u> |
| OPEN SPACE REQUIRED (40%): | <u>150.70m²</u> |
| TOTAL OPEN SPACE PROVIDED: | <u>179.40m²</u> |



5) ALL DIMENSION

| | |
|----------------------|--|
| GENERAL NOTES | |
| 1) | DO NOT SCALE FROM DRAWINGS. |
| 2) | REFER TO ENGINEERS DRAWINGS, ALL ENGINEERING TAKES PRECEDENCE. |
| 3) | ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE AND AUSTRALIAN STANDARDS. |
| 4) | ALL DIMENSIONS SHOWN ARE TO FRAMES NOT FINISHED SIZES. |
| 5) | ALL DIMENSIONS TO BE CHECKED ON SITE. |





ENERGY EFFICIENCY NOTES

- 1) ALL ENERGY EFFICIENCY REQUIREMENTS TO NCC VOLUME 2 PART 3.12.
- 2) R1.3 BULK INSULATION WITH REFLECTIVE THERMOFOIL FACING TO ROOF AREA.
- 3) R2.0 BULK INSULATION WALL BATTS AND WALL WRAP RADIANT BARRIER TO EXTERNAL WALLS.
- 4) PERMACAV INSULATION TO DOUBLE BRICK CAVITY WALLS TO GROUND FLOOR.
- 5) R2.0 BULK INSULATION WALL BATTS TO INTERNAL WALLS.
- 6) R4.0 BULK INSULATION CEILING BATTS TO ALL INTERNAL CEILINGS.
- 7) R4.0 BULK INSULATION BATTS TO SECOND STORY FLOOR FRAME.
- 8) SUSPENDED CONCRETE SLAB TO FIRST FLOOR
- 9) WEATHERSEALS TO ALL EXTERNAL DOORS & WINDOWS.
- 10) SELF CLOSING DAMPERS TO ALL EXHAUST FANS.
- 11) ALUMINIUM FRAMES WITH SINGLE CLEAR GLAZING

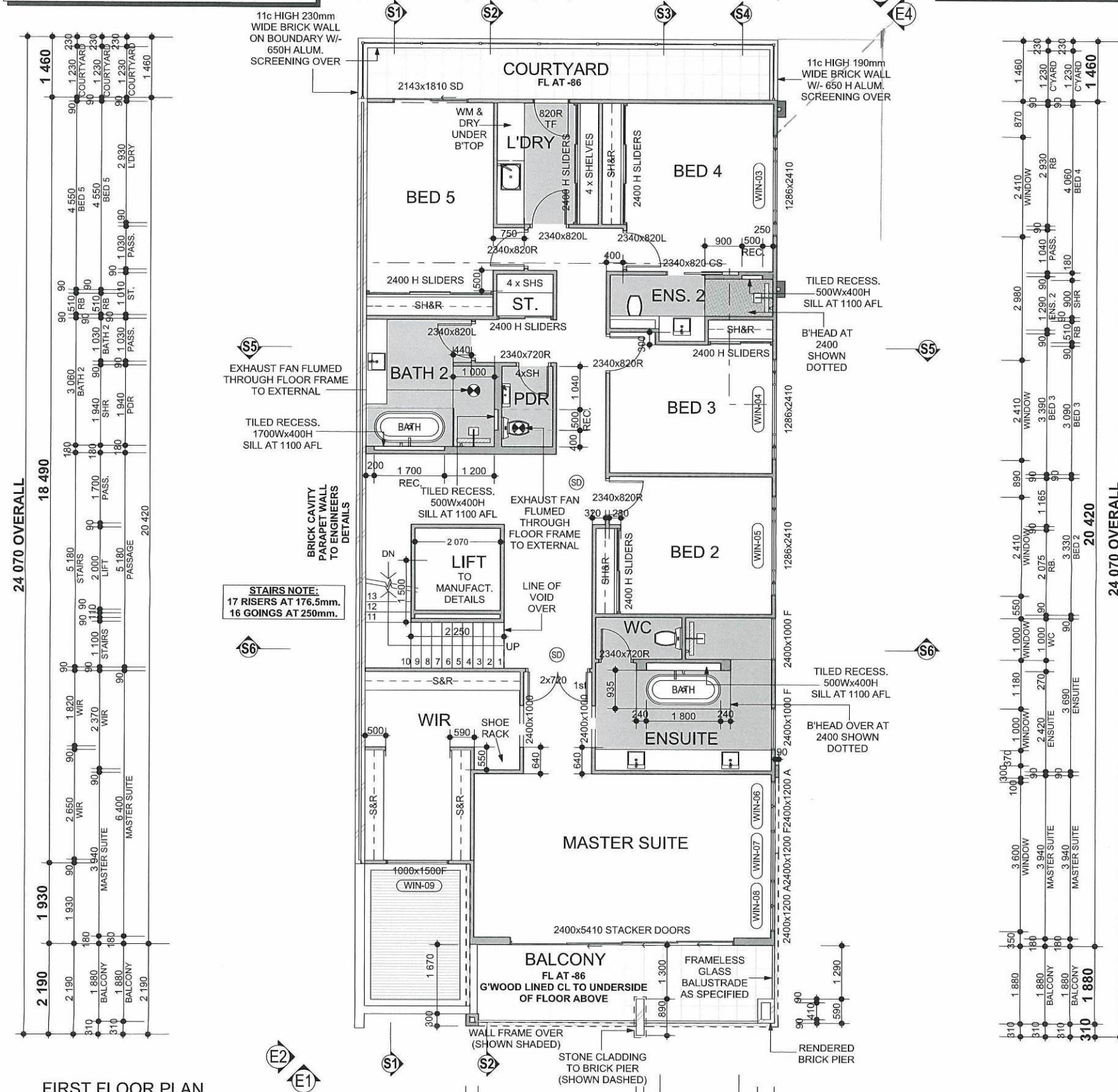
U = 6.57
SHGC = 0.73

ROOF MANUFACTURER NOTE:
KEEP ALL ROOF TRUSSES AND MEMBERS OFF
INSTALLATION LOCATIONS FOR RANGEHOOD,
EXHAUST FAN AND HEATER FLUES WHERE
APPLICABLE






SHELVING NOTE:
TOP OF ALL SHELVING AND SHELF AND RAIL
TO BE AT 1800 AFL. ANY SHELVING BELOW
TO BE SPACED 450 FROM THE SHELF ABOVE

TRUSS NOTE:
ALL EXTERNAL AND INTERNAL ENGINEERED
PRE FABRICATED WALL FRAMES TO BE
90mm MGP10 TREATED TIMBER.

ALL ENGINEERED PRE FABRICATED ROOF
TRUSSES TO BE MGP10 TREATED TIMBER.



FIRST FLOOR PLAN
1:100

| | |
|---|-------------------------------------|
|  | SMOKE DETECTOR TO AS 3786 |
|  | EXHAUST FAN (FLUMED) |
|  | EXHAUST FAN (UNFLUMED) |
|  | EXTERNAL GARDEN TAP |
|  | GAS POINT |
| LOH | LIFT OFF HINGES |
| DRF | DOUBLE REBATE FRAME |
| O.S/B.I | OWNER TO SUPPLY, BUILDER TO INSTALL |



Construction Pty Ltd
32 Wellington Street,
Bunbury WA 6230
9721 7425

© COPYRIGHT AK HOMES CONSTRUCTION
This plan shall remain the sole property of
AK Homes. Any infringement on the copyright
may result in legal action.

SITE :
Lot 510, #16
THE LOOK,
MAYLANDS

| | |
|----------|-----------|
| JOB No : | SHEET No. |
| 001012 | 6 of 20 |

| DATE | REVISION | DRAWN | GENERAL NOTES |
|----------|----------|-------|---|
| 20/12/16 | WDS_01 | JP | 1) DO NOT SCALE FROM DRAWINGS. |
| | | | 2) REFER TO ENGINEERS DRAWINGS, ALL ENGINEERING TAKES PRECEDENCE. |
| | | | 3) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE AND AUSTRALIAN STANDARDS. |
| | | | 4) ALL DIMENSIONS SHOWN ARE TO FRAMES NOT FINISHED SIZES. |
| | | | 5) ALL DIMENSIONS TO BE CHECKED ON SITE. |

| | PER. | AREA |
|--------------|------|-----------------------|
| ALFRESCO | 40.1 | 57.27 |
| BALCONY | 19.1 | 13.91 |
| BALCONY 2 | 23.6 | 32.74 |
| C'YARD | 21.9 | 11.97 |
| FIRST | 60.7 | 197.64 |
| GARAGE/STORE | 29.8 | 54.06 |
| GROUND FLOOR | 60.5 | 127.62 |
| POOL | 37.4 | 36.57 |
| PORCH | 13.1 | 10.49 |
| SECOND | 50.5 | 144.02 |
| | | 686.29 m ² |
| ROOF AREA | | 224.03 |

ENERGY EFFICIENCY NOTES

1) ALL ENERGY EFFICIENCY REQUIREMENTS TO NCC VOLUME 2 PART 3.12.

2) R1.3 BULK INSULATION WITH REFLECTIVE THERMOFOIL FACING TO ROOF AREA.

3) R2.0 BULK INSULATION WALL BATTS AND WALL WRAP RADIANT BARRIER TO EXTERNAL WALLS.

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6) R4.0 BULK INSULATION CEILING BATTS TO ALL INTERNAL CEILINGS.

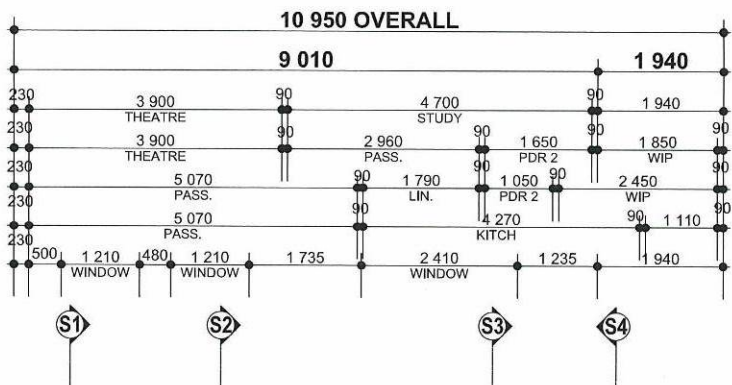
7) R4.0 BULK INSULATION BATTS TO SECOND STORY FLOOR FRAME.

8) SUSPENDED CONCRETE SLAB TO FIRST FLOOR

9) WEATHERSEALS TO ALL EXTERNAL DOORS & WINDOWS.

10) SELF CLOSING DAMPERS TO ALL EXHAUST FANS.

11) ALUMINIUM FRAMES WITH SINGLE CLEAR GLAZING
U = 6.57
SHGC = 0.73



ROOF MANUFACTURER NOTE:

KEEP ALL ROOF TRUSSES AND MEMBERS OFF INSTALLATION LOCATIONS FOR RANGEHOOD, EXHAUST FAN AND HEATER FLUES WHERE APPLICABLE

SHELVING NOTE:

TOP OF ALL SHELVING AND SHELF AND RAIL TO BE AT 1800 AFL. ANY SHELVING BELOW TO BE SPACED 450 FROM THE SHELF ABOVE.

TRUSS NOTE:

ALL EXTERNAL AND INTERNAL ENGINEERED PRE FABRICATED WALL FRAMES TO BE 90mm MGP10 TREATED TIMBER.

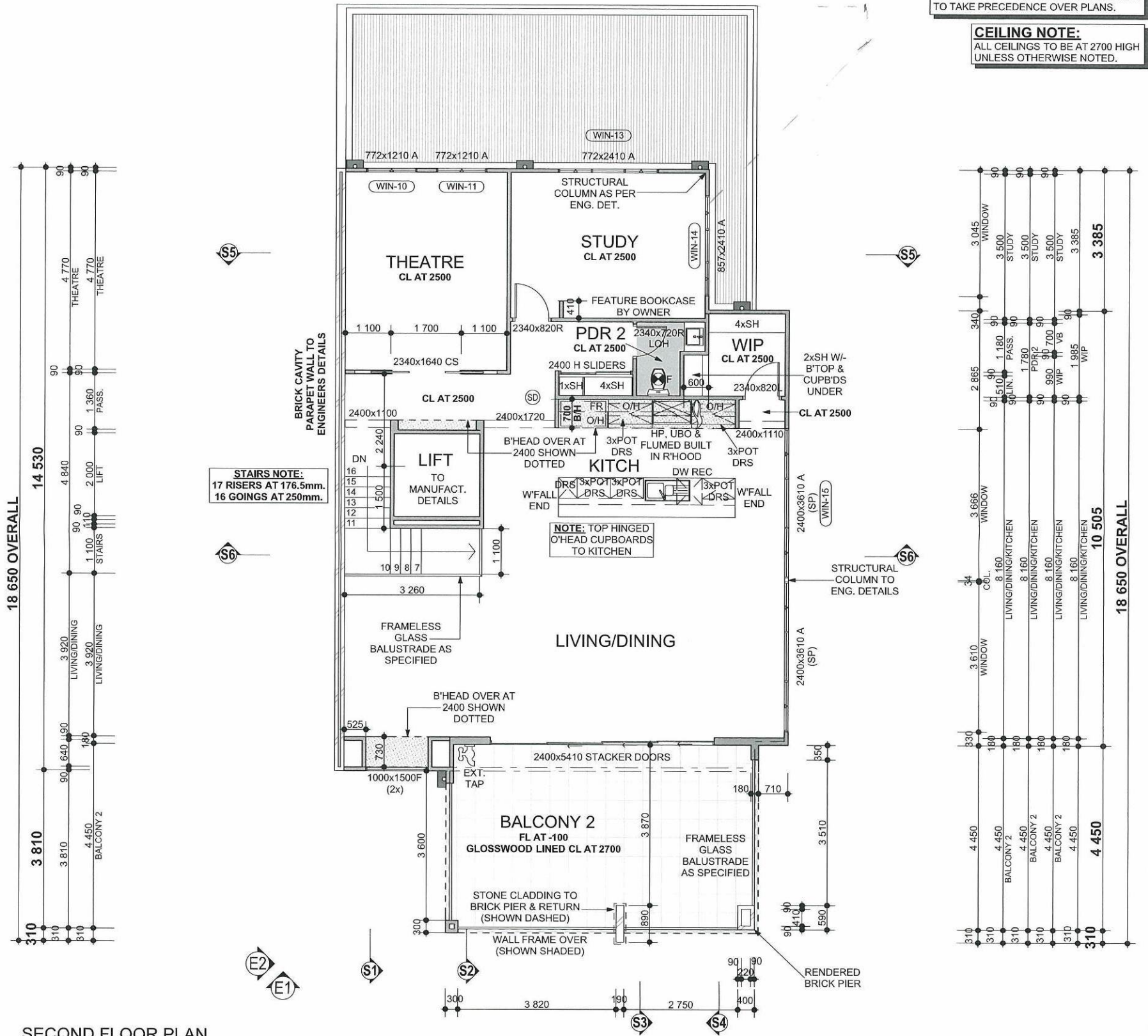
ALL ENGINEERED PRE FABRICATED ROOF TRUSSES TO BE MGP10 TREATED TIMBER.

SPECIFICATION NOTE:

ALL BUILDING MATERIALS,WORKS AND FIXTURES TO BE AS SPECIFIED. ADDENDA TO TAKE PRECEDENCE OVER PLANS.

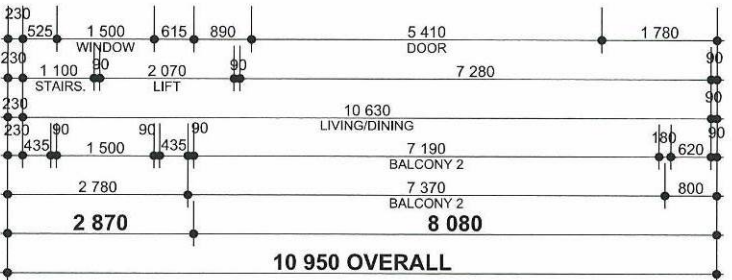
CEILING NOTE:

ALL CEILINGS TO BE AT 2700 HIGH UNLESS OTHERWISE NOTED.



SECOND FLOOR PLAN
1:100

| | |
|---------|-------------------------------------|
| SD | SMOKE DETECTOR TO AS 3786 |
| F | EXHAUST FAN (FLUMED) |
| UF | EXHAUST FAN (UNFLUMED) |
| ET | EXTERNAL GARDEN TAP |
| GP | GAS POINT |
| LOH | LIFT OFF HINGES |
| DRF | DOUBLE REBATE FRAME |
| O.S.B.I | OWNER TO SUPPLY, BUILDER TO INSTALL |



City of Bayswater
20 APR 2017

| | PER. | AREA |
|--------------|------|-----------------------|
| ALFRESCO | 40.1 | 57.27 |
| BALCONY | 19.1 | 13.91 |
| BALCONY 2 | 23.6 | 32.74 |
| C'YARD | 21.9 | 11.97 |
| FIRST | 60.7 | 197.64 |
| GARAGE/STORE | 29.8 | 54.06 |
| GROUND FLOOR | 60.5 | 127.62 |
| POOL | 37.4 | 36.57 |
| PORCH | 13.1 | 10.49 |
| SECOND | 50.5 | 144.02 |
| | | 686.29 m ² |
| ROOF AREA | | 224.03 |



AK Homes

Construction Pty Ltd
32 Wellington Street,
Bunbury WA 6230
9721 7425

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This plan shall remain the sole property of
AK Homes. Any infringement on the copyright
may result in legal action.

CLIENT : CASTENSEN

SITE :
Lot 510, #16
THE LOOK,
MAYLANDS

JOB No :
001012

SHEET No.
7 of 20

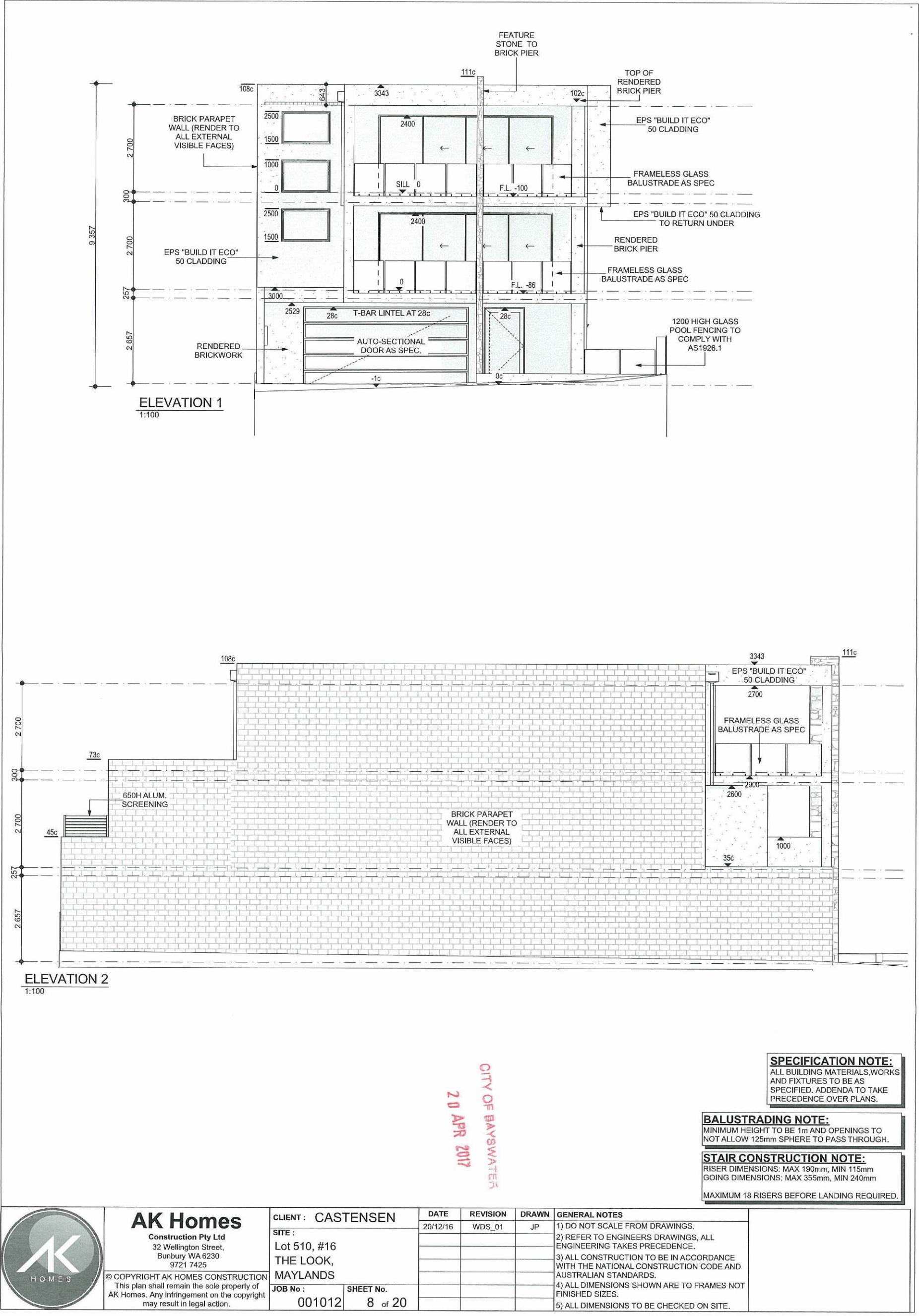
DATE
20/12/16

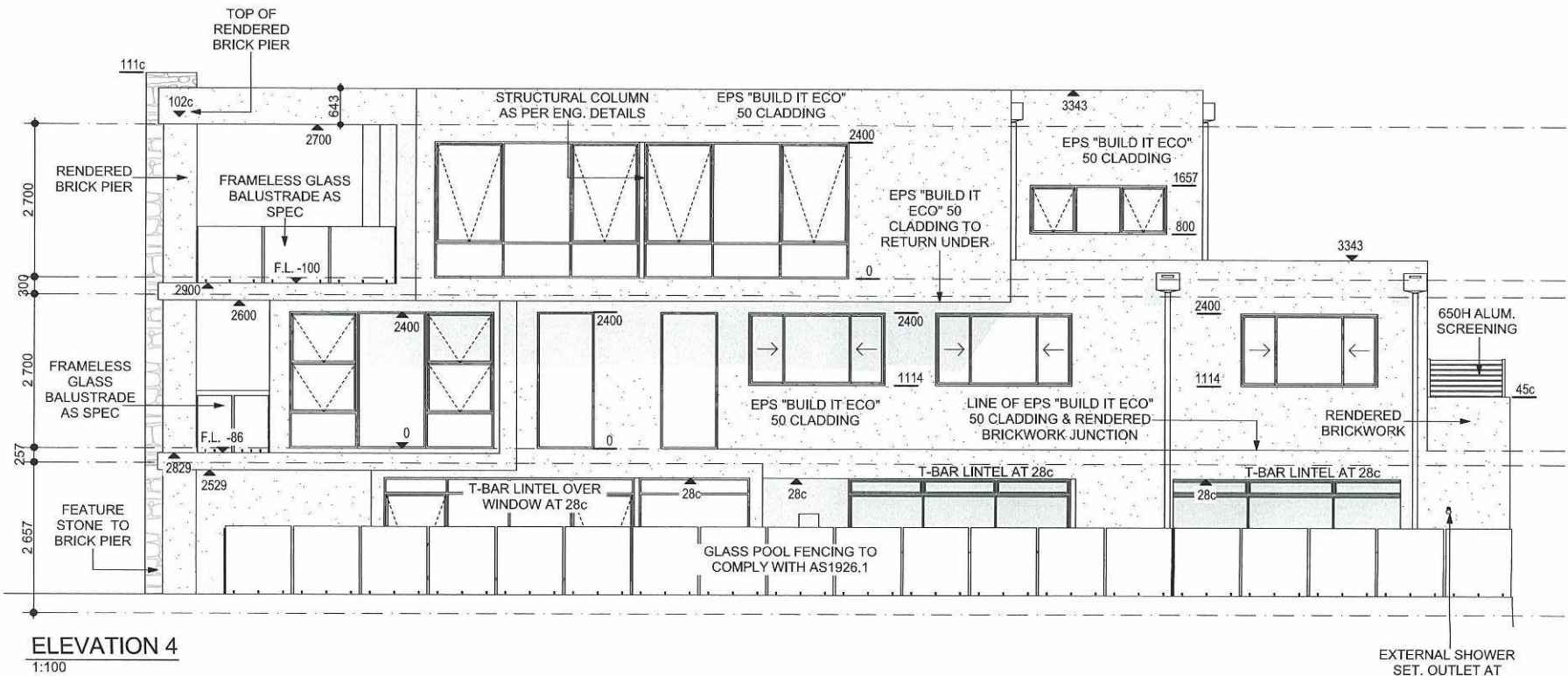
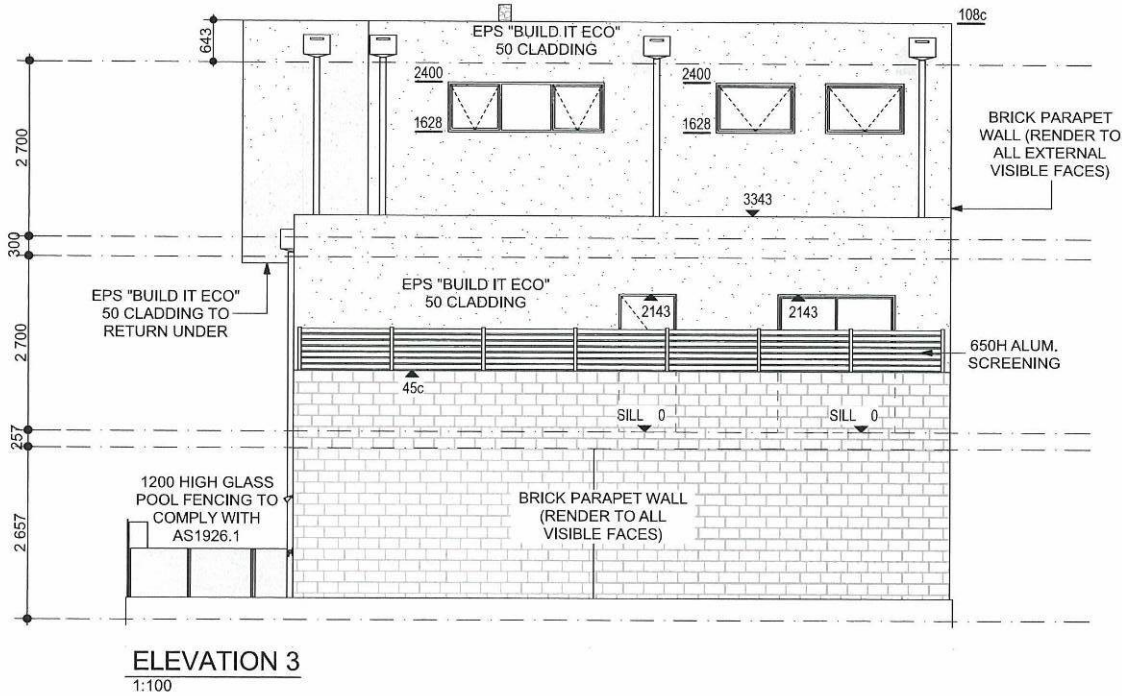
REVISION
WDS_01

DRAWN
JP

GENERAL NOTES

- 1) DO NOT SCALE FROM DRAWINGS.
- 2) REFER TO ENGINEERS DRAWINGS, ALL ENGINEERING TAKES PRECEDENCE.
- 3) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE AND AUSTRALIAN STANDARDS.
- 4) ALL DIMENSIONS SHOWN ARE TO FRAMES NOT FINISHED SIZES.
- 5) ALL DIMENSIONS TO BE CHECKED ON SITE.





SPECIFICATION NOTE:
ALL BUILDING MATERIALS, WORKS AND FIXTURES TO BE AS SPECIFIED. ADDENDA TO TAKE PRECEDENCE OVER PLANS.

BALUSTRADING NOTE:
MINIMUM HEIGHT TO BE 1m AND OPENINGS TO NOT ALLOW 125mm SPHERE TO PASS THROUGH.

STAIR CONSTRUCTION NOTE:
RISER DIMENSIONS: MAX 190mm, MIN 115mm
GOING DIMENSIONS: MAX 355mm, MIN 240mm
MAXIMUM 18 RISERS BEFORE LANDING REQUIRED.



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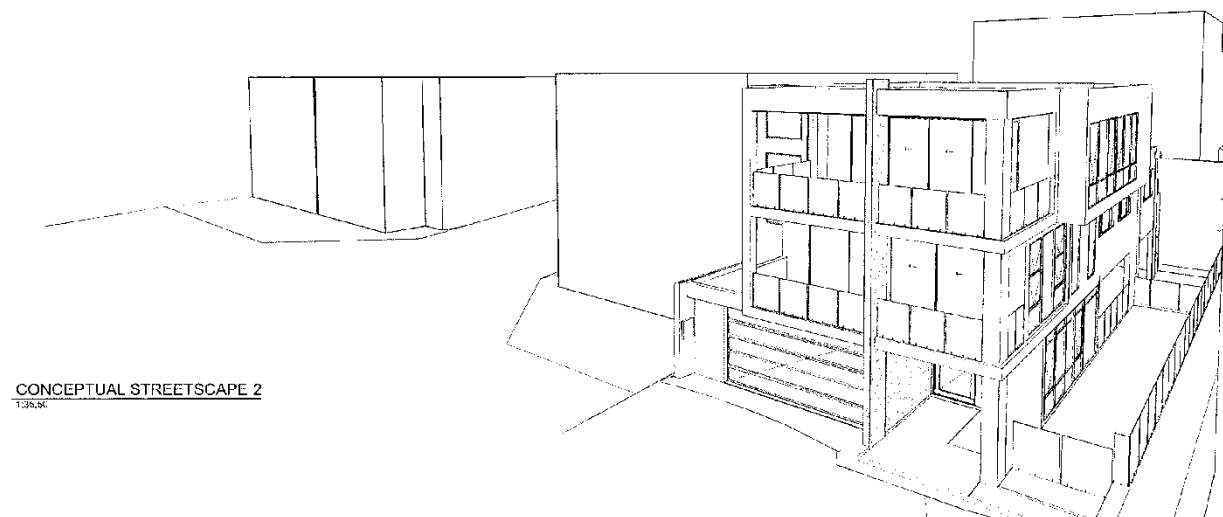
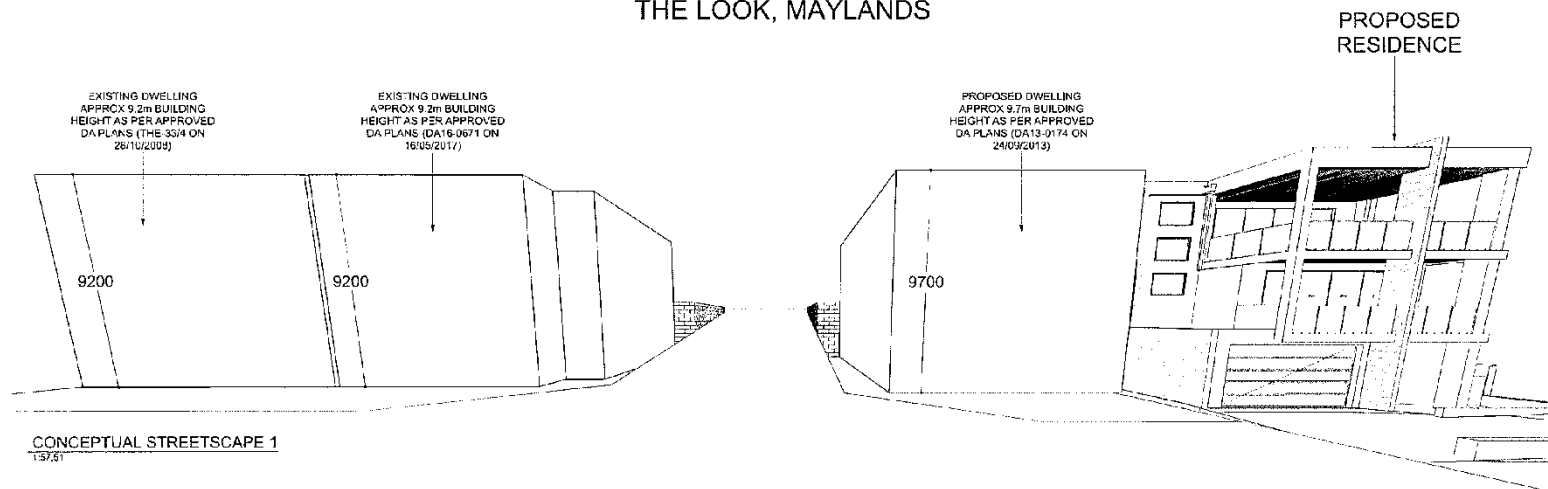
CLIENT : CASTENSEN
SITE :
Lot 510, #16
THE LOOK,
MAYLANDS
JOB No : 001012
SHEET No. 9 of 20

DATE 20/12/16
REVISION WDS_01
DRAWN JP

GENERAL NOTES
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ENGINEERING TAKES PRECEDENCE.
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WITH THE NATIONAL CONSTRUCTION CODE AND
AUSTRALIAN STANDARDS.
4) ALL DIMENSIONS SHOWN ARE TO FRAMES NOT
FINISHED SIZES.
5) ALL DIMENSIONS TO BE CHECKED ON SITE.

Attachment 2 - 3D Render Plan

STREETSCAPE RENDER
THE LOOK, MAYLANDS



NOTE: PROPOSED & EXISTING HOUSES SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

9.1.3 Proposed Two Lot Survey Strata Subdivision, Involving Removal of Two Street Trees

Location: Lot 387, 28 Ivory Street, Noranda
File Number: SD17-0061
Applicant: Morskate Planning and Project Management
Owner: Janet Mary O'Brien
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

An application dated 24 April 2017 and plans dated 20 April 2017 have been received for proposed two lot survey strata subdivision, involving removal of two street trees at Lot 387, 28 Ivory Street, Noranda.

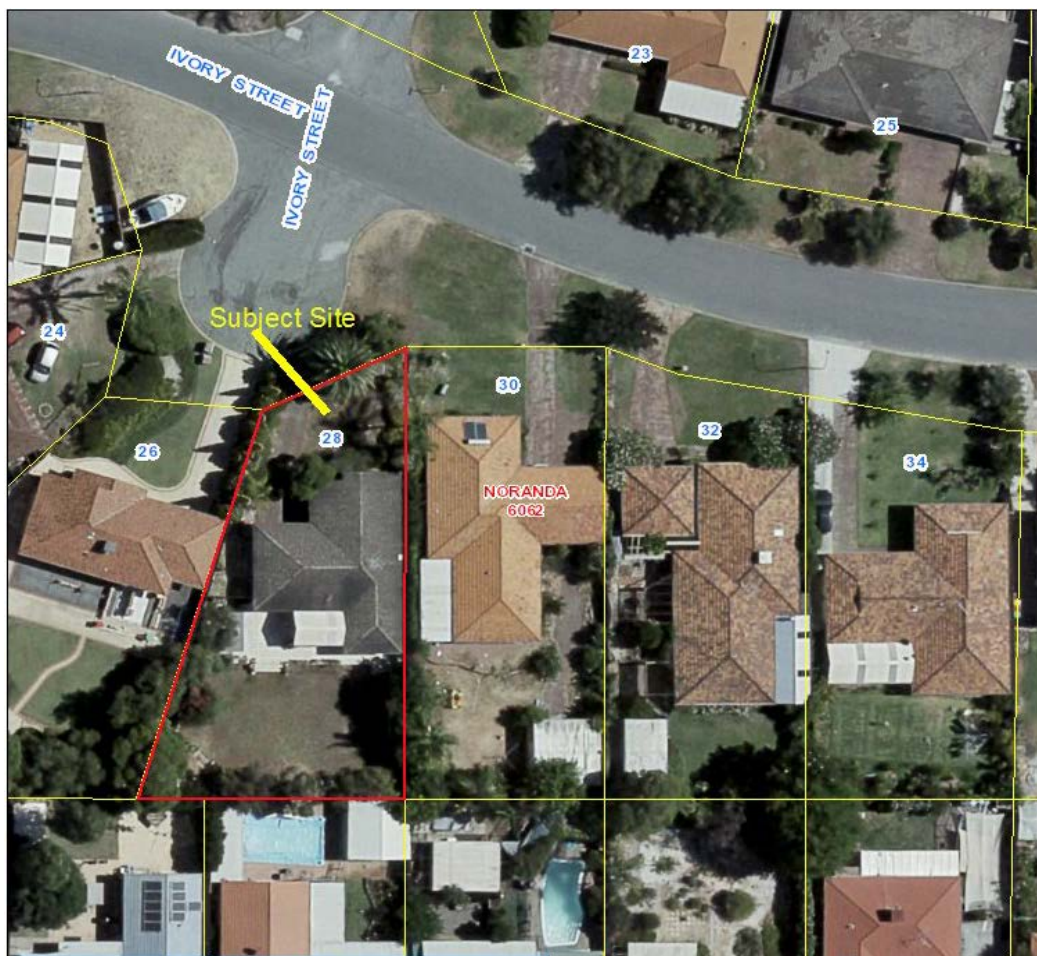
Key Issues:

- Proposed subdivision resulting in the removal of two street trees and impact on amenity and streetscape of the area.

BACKGROUND

| | |
|---|-----------------------------------|
| Town Planning Scheme No. 24 Zoning: | Residential - R20/35 |
| Use Class: | Single House - 'P' |
| Lot Area: | 799m ² |
| Existing Land Use: | Single Storey Single House |
| Surrounding Land Use: | Single Houses |
| Size/Nature of Proposed Development: | Two Lot Survey Strata Subdivision |

The primary consideration in relation to this application is the proposed removal of two street trees in the Ivory Street verge and the resultant impact on the amenity of the streetscape and the area.



CONSULTATION

The City sought comment for the proposed street trees removal from the adjacent affected property owners for a period of 14 days (to conclude on 7 June 2017). At the time of writing this report, no submissions have been received by the City. In the event any submission is received an Addendum addressing the submission will be presented to Committee.

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|--------------------------|-------------------|-----------------------|------------|
| Minimum Average Lot Area | 260m ² | 399.5 m ² | Compliant |
| Minimum Lot Area | 220m ² | 336.09 m ² | Compliant |

Street Trees

The affected streetscape is characterised by single storey single houses and grouped dwellings. Ivory Street also has a well-established planting of various street trees.

The subject subdivision application proposes a new single crossover onto Ivory Street which will require removal of the two western-most street trees. The City's current practice is to ensure a minimum 2.0m setback from the base of all street trees and to preserve trees where a viable alternative exists.

In accordance with Council's resolution at its Ordinary Meeting held on 9 December 2014, relating to an independent arborist's report for street tree removal, the City engaged an independent arborist to conduct an investigation into the trees. The affected trees have been identified as a mature Chinese Thuja and an early mature Golden Pencil Pine. The Chinese Thuja is located 1.8m from the roadway, 0.6m from the paved crossover of 26 Ivory Street. The tree measures 2.6m with a canopy spread of 2.0m. The Gold Pencil Pine is located 3m from the roadway, 0.6m from the paved crossover of 26 Ivory Street. The tree measures 5.2m high with a canopy spread of 0.5-0.9m. The arborist report advises that the trees were found to be in good health and structural condition typical of healthy specimens of the species.

The arborist's report states that an examination at ground level revealed the development of sound buttress root systems, with no visual signs of harmful root pathogens, root movement, soil heave or displacement, confirming both trees to be structurally root firm at this time. The arborist report advises that the proposed crossover appears likely to require the removal of both trees. Further, the two species characteristically develop a dense, fibrous root system and therefore may be able to be successfully relocated provided suitable preparation prior to lifting is undertaken.

The verge area adjacent to the subject property consists of a palm tree and bottlebrush tree in addition to the two conifer trees proposed to be removed. The two street trees located at the eastern-most side of the verge adjacent to the property (Palm tree and Bottlebrush tree) are able to be retained. The City's arborist has advised that the conifer trees hold little value to the streetscape and canopy coverage of the area. Further, the subject street trees are not contained within the City of Bayswater's list of suitable street trees. The subject trees are required to be removed in order to provide compliant vehicular access to the proposed rear lot. Further, the proposed common property will also be used to provide vehicular access to the existing dwelling. Given associated costs with relocation of the subject street trees and advice provided by the City's Parks and Gardens Services outlining that these trees hold little value to the streetscape and canopy coverage of the area, removal to provide vehicular access is considered supportable in this instance.

The City's practice is to require replacement street trees however in this instance given there are two trees to remain in the verge in front of the subject property a \$1,000 contribution (based on \$500 per tree being removed) towards tree planting in the area is considered appropriate.

Other Planning Matters

The other requirements of the R-Codes are considered to meet the relevant deemed to comply provisions of the R-Codes.

OPTIONS

The following options are available to Council:

1. Council supports the proposal and recommends to the Western Australian Planning Commission that the proposal be approved with or without conditions.
2. Council does not support the proposal.

CONCLUSION

In light of the above assessment of the proposed subdivision, the application is recommended for support subject to appropriate conditions.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24;
- City of Bayswater Local Planning Policies, including Street Trees Planning Policy R-Codes Performance Criteria; and
- State Planning Policy 3.1 - Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Subdivision Plan.

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council recommends approval to the Western Australian Planning Commission of the proposed two lot survey strata subdivision of Lot 387, 28 Ivory Street, Noranda, in accordance with application dated 24 April 2017 and plans dated 20 April 2017, subject to the following conditions:

1. The two western-most street trees (Chinese Thuja tree and Golden Pencil Pine tree) on Ivory Street adjacent to the property may be removed, subject to the following matters being met:
 - (a) The trees are to be removed to the satisfaction of the City of Bayswater. The owner/applicant is responsible for engaging a qualified contractor, the cost of removing the trees, and any claims that may arise from the removal of the trees.
 - (b) Prior to the registration of the subdivision, the owner/applicant is to pay the City the amount of \$1,000 which will cover the cost of two replacement trees.
2. The two eastern-most street trees (Palm tree and Bottlebrush tree) on Ivory Street adjacent to the property are to be retained, and appropriate tree protection fencing consistent with AS 4970-2009 *Protection of Trees on Development Sites* is required to provide an enclosed area of no less than 6m (2.5m x 2.5m around the trunk of each tree and all works without written permission of the City of Bayswater are prohibited within the fenced area. Any new crossover shall have a minimum clearance of 2.0m from the base of these trees.
3. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
4. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on proposed lot 2 and C.P. at the time of subdivision approval being demolished and materials removed from the lot(s).
5. The existing dwelling being retained is to comply with the requirements of the Residential Design Codes.
6. The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the local government.
7. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.
8. The existing vehicle crossover to be removed and the verge reinstated with grass or landscaping to the specifications of the local government.
9. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.

Advice Notes:

1. In regard to Condition 5, the existing dwelling to be retained is to be upgraded to comply with the requirements of the Residential Design Codes to the satisfaction of the local government, including but not limited to the following:
 - (a) The provision and construction of two car bays;
 - (b) The provision of a permanent enclosed storage facility and adequate provision for rubbish storage;
 - (c) The provision of a 30m² outdoor living area, with a minimum dimension of 4 m; and
 - (d) The provision of adequate stormwater storage within the lot.
2. In relation to condition 4, planning approval and/ or demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.

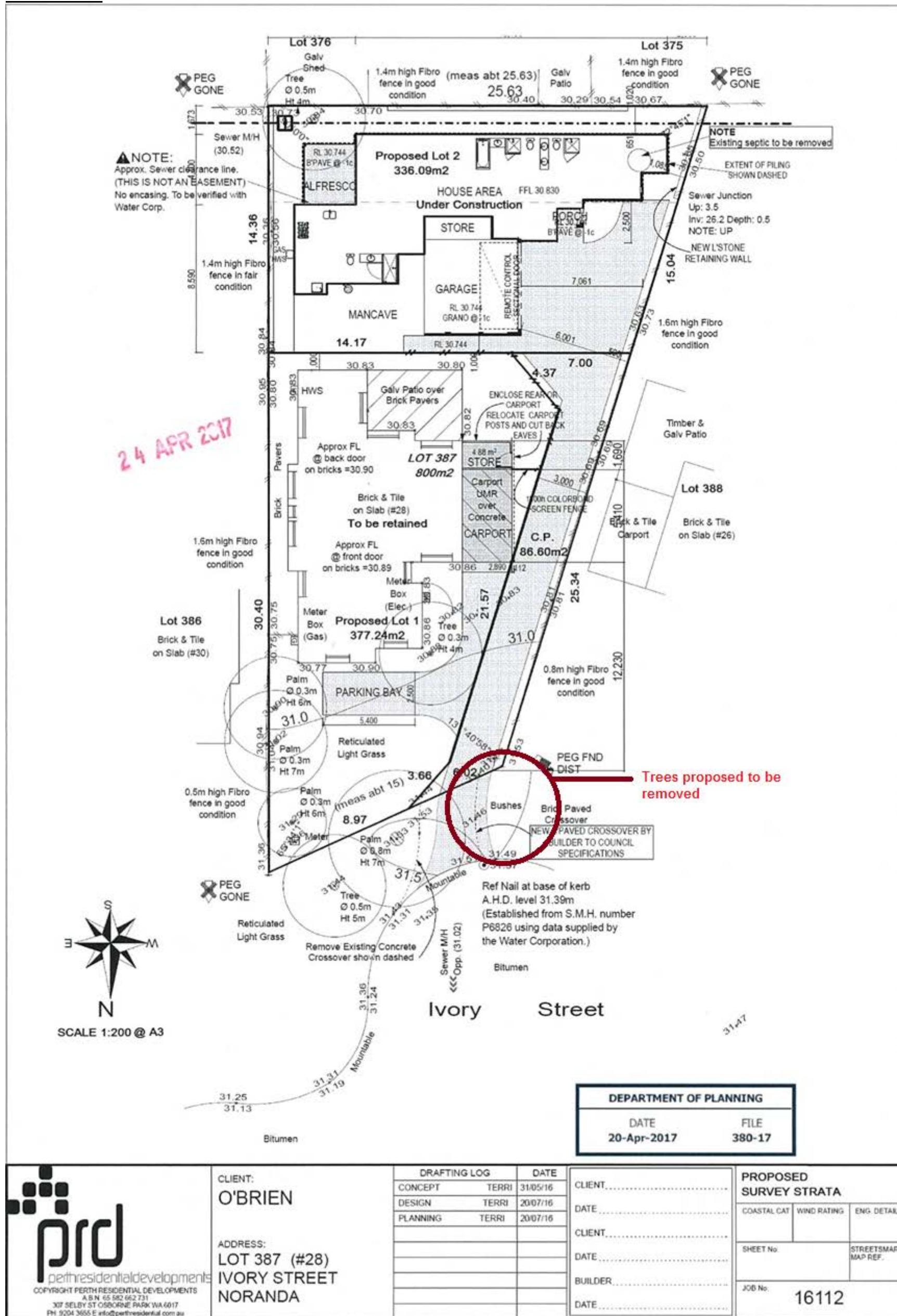
CR ALAN RADFORD MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 6/2

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Michelle Sutherland, Cr Sally Palmer, Cr Brent Fleeton and
Cr Catherine Ehrhardt.

AGAINST VOTE - Cr Chris Cornish and Cr Dan Bull.

Attachment 1



9.1.4 Proposed Three Lot Survey Strata Subdivision, Involving Removal of Two Street Trees

Location: Lot 842, 39 Hudson Street, Bayswater
File Number: SD17-0030
Applicant: Pro West Surveying
Owner: Mitchell J Behan & Angela R Carroll-Behan
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

An application dated 24 February 2017 and plans dated 2 May 2017 have been referred to the City from the Western Australian Planning Commission (WAPC) for a proposed three lot survey strata subdivision, involving removal of two street trees, at Lot 842, 39 Hudson Street, Bayswater. The WAPC is seeking the City's comments and/or any recommended conditions.

Key Issues:

- Proposed removal of two street trees in the Hudson Street verge and the resultant impact on the amenity of the streetscape and the area.
- No objections received during public advertising.

BACKGROUND

| | |
|---|---|
| Town Planning Scheme No. 24 Zoning: | Medium and High Density Residential - R25 |
| Use Class: | Grouped Dwelling - 'P' |
| Lot Area: | 1,011m ² |
| Existing Land Use: | Single House |
| Surrounding Land Use: | Single Houses and Grouped Dwellings |
| Size/Nature of Proposed Development: | Three Lot Survey Strata Subdivision |

The primary consideration in relation to this application is the visual impact on the amenity of the streetscape and the area, given the proposed removal of two existing street trees in the Hudson Street verge adjacent to the subject site.



CONSULTATION

The City sought comment for the proposed street tree removals from the adjacent affected property owners for a period of 14 days. At the completion of the advertising period, no objections were received.

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|--------------------------|--------------------|--------------------|------------|
| Minimum Average Lot Area | 350 m ² | 337 m ² | Variation |
| Minimum Lot Area | 300 m ² | 322 m ² | Compliant |

Street Trees

The 312m length of Hudson Street between Langley Road to the south-east and Rothbury Road to the north-west comprises mainly single storey single houses and grouped dwellings. There are 22 existing street trees situated in the verge on the south-west side of the road and another 22 on the north-east side. The trees are generally 3m in height and 29 of them are Queensland Box trees and 15 comprise other tree species.

The subject subdivision application proposes a new 4.8m wide crossover onto Hudson Street to provide vehicular access to the existing dwelling on proposed Lot 3 which will require the removal of two of the existing four street trees in this verge adjacent to the property. The two subject trees have been identified as early mature Brazilian Pepper trees planted below power lines. The westernmost tree is 5.2m high with a canopy spread of 5m and the easternmost tree is 4.8m high with a canopy spread of 4m.

In accordance with Council's resolution at its Ordinary Meeting held on 9 December 2014, relating to an independent arborist's report for street tree removal, the City engaged an independent arborist to conduct an investigation into the trees. The subject trees were found to be in fair to good health and structural condition. The report however recommends removal of the two trees because of the poor suitability of the species as a street tree due to their spreading growth habit, their capacity to sucker and the status of the species by the Department of the Environment and Energy as an environmental weed.

The City's Arborist is in agreement with the arborist report findings and recommendation. Given the above and that there are two other existing suitable street trees which are unaffected by the proposed subdivision and which will remain in the Hudson Street verge adjacent to the property, it is considered acceptable for the two Brazilian Pepper trees to be removed. In this particular instance, it is considered that there will be no undue impact on the amenity of the streetscape or the area.

The City's practice is to require replacement street trees however in this instance given there are numerous trees to remain in the verge in front of the subject property a \$1,000 contribution (based on \$500 per tree being removed) towards tree planting in the area is considered appropriate.

Minimum Average Lot Area

The proposed average lot area is 13m² below the 350m² minimum deemed-to-comply requirement of the Residential Design Codes (R-Codes). However given that this variation is less than 5% in area than the R-Codes requirement and that it facilitates the development of a corner lot with separate and sufficient frontage to more than one public street it is considered that the proposed subdivision complies with the R-Codes' design principles.

Other Planning Matters

The other requirements of the R-Codes are considered to meet the relevant deemed-to-comply provisions of the R-Codes.

OPTIONS

The following options are available to Council:

1. Council supports the proposal and recommends to the Western Australian Planning Commission that the proposal be approved with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for support, subject to appropriate condition.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24;
- City of Bayswater Local Planning Policies, including Street Trees Planning Policy R-Codes Performance Criteria; and
- State Planning Policy 3.1 - Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Subdivision Plan

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council recommends approval to the Western Australian Planning Commission of the proposed three lot survey strata subdivision of Lot 842, 39 Hudson Street, Bayswater, in accordance with the application dated 24 February 2017 and plans dated 2 May 2017, subject to the following conditions:

1. The two Brazilian Pepper street trees on Hudson Street adjacent to the proposed crossover to proposed Lot 3 may be removed, subject to the following matters being met:
 - (a) The trees are to be removed to the satisfaction of the City of Bayswater. The owner/applicant is responsible for engaging a qualified contractor, the cost of removing the trees, and any claims that may arise from the removal of the trees.

- (b) Prior to the registration of the subdivision, the owner/applicant is to pay the City the amount of \$1,000 which will cover the cost of two replacement trees.
2. The remaining street trees on Hudson Street and Langley Road adjacent to the property are to be retained, and appropriate tree protection fencing consistent with AS 4970-2009 Protection of Trees on Development Sites is required to provide an enclosed area of no less than 6m² (2.5m x 2.5m) around the trunk of each tree and all works without written permission of the City of Bayswater are prohibited within the fenced area. Any new crossover shall have a minimum clearance of 2.0m from the base of these trees.
 3. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.
 4. The existing vehicle crossover to be removed and the verge reinstated with grass or landscaping to the specifications of the local government.
 5. The existing dwelling being retained is to comply with the requirements of the Residential Design Codes.
 6. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
 7. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on proposed Lots 1 and 2 at the time of subdivision approval being demolished and materials removed from the lots.
 8. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.
 9. A 6m x 6m truncation is to be provided at the junction of the Hudson Street road reserve and the Langley Road road reserve.
 10. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - (a) lots can accommodate their intended development;
 - (b) finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - (c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.
 11. Arrangements are to be made to the satisfaction of the Western Australian Planning Commission for the filling of any bores on proposed Lot 2.

Advice Notes:

1. In regard to Condition 5, the existing dwelling to be retained is to be upgraded to comply with the requirements of the Residential Design Codes to the satisfaction of the local government, including but not limited to the following:
 - (a) The provision and construction of two car bays;

- (b) The provision of a permanent enclosed storage facility and adequate provision for rubbish storage;
 - (c) The provision of a 30m² outdoor living area, with a minimum dimension of 4 metres; and
 - (d) The provision of adequate stormwater storage within the lot.
2. In regard to Condition 7, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.
 3. The City may be prepared for the existing crossover to remain should it be in good condition and to be used for the proposed Lot 1.

CR SALLY PALMER MOVED, CR BRENT FLEETON SECONDED

CARRIED UNANIMOUSLY

PRO WEST SURVEYING
Licensed and Engineering Surveying Consultants
T (08) 9443 8217 E: admin@prowestsurveying.com.au
F (08) 9443 8844 Web: www.prowestsurveying.com.au
Po Box 1463 Osborne Park DC 6916 DWG# 2153002

Proposed Survey-Strata Subdivision of: Lot 842, No. 39 Hudson Street, BAYSWATER

| | | | |
|------------------------------|-----------------------------------|------------------------------|-----------------------|
| CLIENT: | PLAN: P 3402 | LOT AREA: 1012m ² | SURVEY DATE: 09/02/17 |
| BUILDER: R CODE DEVELOPMENTS | C/T Vol: 1634 Fol: 88 | MAP REFERENCE: | |
| BUILDER JOB # | HEIGHT DATUM: LOCAL | COASTAL ZONE: >1KM | |
| AUTHORITY: CITY OF BAYSWATER | HEIGHT CORRECTION TO AHD: +13.41m | SEWER INFORMATION: YES | |

FEATURE SYMBOL LEGEND

- POWER**: CABLE DOME, POWER POLE PP
- WATER**: WATER METER / TAP, STOP VALVE SV, BORE
- SEWERAGE**: INSPECTION OPENING IO, HOUSE CONNECTION HC
- TELSTRA**: TELSTRA PIT
- GAS**: GAS METER GM
- SURVEY MARKS**: BENCH MARK, PEG GONE PG
- MISCELLANEOUS INFO.**: STREET SIGN S, SPOT HEIGHT, SMALL TREE, BIG TREE, OVERHEAD POWER LINE, FENCE LINE, SEWER LINE, WINDOW / OPENING W

SERVICE DETAILS

WATER: L
OVERHEAD POWER: L
U/G POWER: NS
TELSTRA: L
GAS: L
SEWER: L

SERVICE NOTES

L: LOCATED NS: NO SERVICE
A: AVAILABLE BUT NOT LOCATED
TBC: LOCATION TO BE CONFIRMED

SEWER JUNCTION DETAILS

HOUSE CONNECTION (HC) IL: 7.72
UP DISTANCE: 0
DEPTH TO CONNECTION: 1.78

NOTES

- (1) FOR CLARITY, TREE SPREADS ARE NOT SHOWN TO SCALE
- (2) ALL BUILDINGS & STRUCTURES ON PROPOSED LOTS 1 & 2 TO BE REMOVED
- (3) PROPOSED LOT 1 & 2 AREAS = 322m² EACH
- (4) PROPOSED LOT 3 AREA = 368m²
- (5) ORIGINAL LOT 842 AREA = 1012m²

SCALE 1:200 AT A3 SIZE

IMPORTANT FEATURE SURVEY NOTES

- The boundary information on this site plan is approximate only. The boundary has been positioned using a best-fit of available survey marks and fence lines. A repeg / bdy identification survey is recommended if an accurate position of features / improvements relative to the boundary is required.
- The sewer junction on this plan has been plotted using information provided by the Water Corporation. A site inspection is required by the builder / developer in order to verify the position and depth of the sewer connection.
- The lot dimensions shown on this feature survey plan have been taken from L.T.O survey plans. The final pegged dimensions may vary due to adjustments made during field survey.
- All service information shown on this plan should be verified with the relevant authorities.
- Pro West Surveying does not accept liability for any loss or damage caused by the use of this feature survey plan for any purpose.

9.1.5 Proposed Signage Addition to Restaurant at Coventry Village

Location: Lot 1, 243-253 Walter Road West, Morley
File Number: DA17-0150
Applicant: Coventry Village Pty Ltd
Owner: Coventry Village Pty Ltd
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

A planning application dated 28 March 2017 and plans dated 30 March 2017 have been received for a proposed signage addition to restaurant (Flamed) located in Coventry Village at Lot 1, 243-253 Walter Road West, Morley.

Key Issues:

- The wall sign does not comply with the design and amenity or wall sign requirements of the City's Signage Policy.
- Proliferation of advertising at Coventry Village and in the Morley Activity Centre.
- Impact of the signage on the amenity of the area.

BACKGROUND

| | |
|--|---|
| Town Planning Scheme No. 24 Zoning: | Morley City Centre R80 - Precinct 2A: Coventry's Central |
| Morley Activity Centre Structure Plan Zoning: | Central Core (R-AC0) |
| Use Class: | Restaurant - 'P' |
| Lot Area: | 46,678m ² |
| Existing Land Use: | Market, Shop, Restaurant, Fast Food Outlet |
| Surrounding Land Use: | Commercial, Residential, and Morley Sport and Recreation Centre |
| Size/Nature of Proposed Development: | Signage Addition to Restaurant |

Council at its Ordinary Meeting held on 15 December 2015 approved an application for a wall sign to Coventry Village (Chemist Warehouse), and included in its resolution the following point:

- "2. In the event future signage is contemplated at Lot 1, 243-253 Walter Road West, Morley, the application/owner is to submit a sign strategy demonstrating all proposed external signage on-site is consistent with the objectives of the City's Policy TP-P1.13 relating to the Morley Activity Centre Structure Plan (MACSP), to the satisfaction of the City of Bayswater."

To date the City has not received a sign strategy for the site in accordance with the above resolution.

The primary consideration in relation to this application is the visual impact of the wall sign on the amenity of the area, including the streetscape, given the signage does not meet the headway, area and height requirements of the City's Signage Policy.



CONSULTATION

Not required.

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|-----------------------|------------------|--------------------|------------|
| Wall Sign: | | | |
| Maximum area | 10m ² | 46.8m ² | Variation |
| Maximum height | 1.5m | 7.8m | Variation |
| Minimum headway | 2.75m | <2.75m | Variation |

Site Context

Coventry Village is located centrally within the Morley Activity Centre and adjoins various residential and commercial development, and local public open space. The development site adjoins both Walter Road West and Wellington Street, with the main façade fronting Walter Road West. Some of the nearby notable developments include the Galleria Shopping Centre, Morley Markets, Morley Library and the Morley Sport and Recreation Centre.

Proposed Signage

The City's Signage local planning policy provides both general and sign specific requirements for signage within the City. The general requirements for signage primarily relate to signage being designed and located such that it is sympathetic and harmonious with the character of the surrounding environment, and with the building or structure to which it is attached, and the design, number or variety of signs within an area not being injurious to the amenity or natural beauty of the locality.

The proposed signage falls within the classification of a wall sign in the City's policy. The primary requirements for wall signs relate to maximum area and height, and the sign proposed represents approximately five times that permitted for both requirements. The location of the signage is to the primary frontage of Walter Road West, and adjoins the entry statement for Coventry Village. The signage will be visible from both Walter Road West and Progress Street.

The sign is considered to be a significant deviation from the wall sign requirements of the policy, and will be in addition to the existing horizontal signage located along the top of the Flamed tenancy façade. The additional signage is considered excessive and unnecessary in light of the restaurant's existing signage which already provides exposure to Walter Road West and Progress Street. The location of the sign, situated above the existing façade signage would be the first of its kind and would potentially set a precedent for other tenancies fronting Walter Road West to propose similar signage behind their existing signage. This is not considered a desirable outcome as it would unduly impact the appearance of the building, reducing the significance of the adjoining entry statement and negatively impacting on the streetscape.

There are concerns that the number of signs on site is steadily increasing in an ad hoc manner contributing to a proliferation of signage on site. In this instance the proposed signage is considered to represent a proliferation of signage on site, and would potentially set the precedent for further oversized signage fronting Walter Road West.

It is considered appropriate that the applicant develop a sign strategy as requested by Council at its Ordinary Meeting on 15 December 2015 to ensure that signage on-site is consistent with the objectives of the City's Morley Activity Centre Structure Plan (MACSP) Policy. The MACSP encourages high quality streetscapes which provide a strong sense of place, and given the site is prominent within the centre, it is considered that the amenity of the development should be maintained at a quality standard. A sign strategy will demonstrate how current and future uses within the premises will be advertised externally and establish whether it is in accordance with keeping high quality streetscapes.

The signage is not consistent with the objectives of the City's Signage Policy or supported by an approved sign strategy, and therefore the proposed variations are not supported. It is considered necessary that a signage strategy be prepared for the site prior to any further signage applications, particularly of this nature, being considered to ensure the type and number of signs on site are managed appropriately.

Other Planning Matters

In addition to the requirements above, walls signs are also required to meet the following criteria:

- Be affixed parallel to a wall of a building.
- Not project more than 300mm from the face of the wall.
- Have a minimum headway of 2.75m.

The first two points are considered to comply, and in this instance, in the event of approval it is not considered necessary that the minimum headway be complied with given the sign is not located directly above any pedestrian or vehicular access ways.

The sign is proposed to be illuminated, and whilst the City's policy does not prohibit illumination, there are requirements associated with illumination. These requirements ensure illumination does not result in distraction to drivers or public nuisance, and should be addressed through conditions in the event of approval.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for refusal.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

| | |
|-------------|--|
| Theme: | Our Built Environment |
| Aspiration: | A quality and connected built environment. |
| Outcome B1: | Appealing streetscapes. |
| Outcome B3: | Quality built environment. |

Theme: Our Local Economy
Aspiration: A business and employment destination.
Outcome E2: Active and engaging town and city centres.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 23; and
- City of Bayswater local planning policies, including Signage Policy and Morley Activity Centre Structure Plan Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development

OFFICER'S RECOMMENDATION

That Council refuses planning application dated 28 March 2017 and plans dated 30 March 2017 for the proposed signage addition to restaurant at Coventry Village, Lot 1, 243-253 Walter Road West, Morley, for the following reasons:

1. The signage does not comply with the general signage requirements of the City's Signage local planning policy relating to design and amenity:
 - (a) Signage is required to be sympathetic and harmonious the building to which it is attached.
 - (b) The design, number and variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality.
2. The signage does not comply with sign specific requirements of the City's Signage local planning policy relating to the area and height of wall signs..
3. The signage contributes to a proliferation of ad hoc signage on site, and not considered appropriate unless guided by an approved signage strategy for the site.
4. The signage is considered to be inconsistent with orderly and proper planning of the locality.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that given the area, the proposed sign will not unduly affect the amenity and streetscape of the area.

COMMITTEE RESOLUTION

That Council grants planning approval for the proposed signage addition to restaurant at Coventry Village, Lot 1, 243-253 Walter Road West, Morley, in accordance with planning application dated 28 March 2017 and plans dated 30 March 2017, subject to the following planning conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The signage hereby permitted shall not contain any flashing, moving or pulsating lighting, nor contain lighting that is distracting to road users, or interferes with traffic signals, to the satisfaction of the City of Bayswater.
3. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes:

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.

CR BRENT FLEETON MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 6/2

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Michelle Sutherland,
Cr Sally Palmer, Cr Dan Bull, Cr Brent Fleeton and
Cr Catherine Ehrhardt.

AGAINST VOTE - Cr Alan Radford and Cr Chris Cornish.

CITY OF BAYSWATER
30 MAR 2017

COVENTRY VILLAGE.
NEW PROPOSED SIGN LOCATION.

Rev: 1

11-03-2015

A-1



Digital print outdoor PVC Banner finished with a Kedar Edge for Sail Track. Attached to building with tech screws. Sign to be illuminated.



9.1.6 Proposed Signage Addition to Shop at Coventry Village

Location: Lot 1, 243-253 Walter Road West, Morley
File Number: DA17-0126
Applicant: Henry Atturo
Owner: Coventry Village Pty Ltd
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

A planning application dated 17 March 2017 and plans dated 17 March 2017 have been received for a proposed signage addition to shop (Red Dot) located in Coventry Village at Lot 1, 243-253 Walter Road West, Morley.

Key Issues:

- The wall sign does not comply with the design and amenity or wall sign requirements of the City's Signage Policy.
- Proliferation of advertising at Coventry Village and in the Morley Activity Centre.
- Impact of the signage on the amenity of the area.

BACKGROUND

| | |
|--|---|
| Town Planning Scheme No. 24 Zoning: | Morley City Centre R80 - Precinct 2A: Coventry's Central |
| Morley Activity Centre Structure Plan Zoning: | Central Core (R-AC0) |
| Use Class: | Shop - 'P' |
| Lot Area: | 46,678m ² |
| Existing Land Use: | Market, Shop, Restaurant, Fast Food Outlet |
| Surrounding Land Use: | Commercial, Residential, and Morley Sport and Recreation Centre |
| Size/Nature of Proposed Development: | Signage Addition to Shop |

Council at its Ordinary Meeting held on 15 December 2015 approved an application for a wall sign to Coventry Village (Chemist Warehouse), and included in its resolution the following point:

- "2. *In the event future signage is contemplated at Lot 1, 243-253 Walter Road West, Morley, the application/owner is to submit a sign strategy demonstrating all proposed external signage on-site is consistent with the objectives of the City's Policy TP-P1.13 relating to the Morley Activity Centre Structure Plan (MACSP), to the satisfaction of the City of Bayswater.*"

To date the City has not received a sign strategy for the site in accordance with the above resolution.

The primary consideration in relation to this application is the visual impact of the wall sign on the amenity of the area, including the streetscape, given the signage does not meet the headway, area and height requirements of the City's Signage Policy.



CONSULTATION

Not required.

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|-----------------------|------------------|------------------|------------|
| Wall Sign: | | | |
| Maximum area | 10m ² | 18m ² | Variation |
| Maximum height | 1.5m | 3.0m | Variation |
| Minimum headway | 2.75m | <2.75m | Variation |

Site Context

Coventry Village is located centrally within the Morley Activity Centre and adjoins various residential and commercial development, and local public open space. The development site adjoins both Walter Road West and Wellington Street, with the main façade fronting Walter Road West. Some of the nearby notable developments include the Galleria Shopping Centre, Morley Markets, Morley Library and the Morley Sport and Recreation Centre.

Proposed Signage

The City's local planning policy relating to signage provides both general and sign specific requirements for signage within the City. The general requirements for signage primarily relate to signage being designed and located such that it is sympathetic and harmonious with the character of the surrounding environment, and with the building or structure to which it is attached, and the design, number or variety of signs within an area not being injurious to the amenity or natural beauty of the locality.

The proposed signage falls within the classification of a wall sign in the City's policy. The primary requirements for wall signs relate to maximum area and height, and the sign proposed represents approximately double that permitted for both requirements. The signage is proposed within a relatively inconspicuous area on site, adjoining the main car parking area and access way from Walter Road West. The signage will be visible from the Wellington Road frontage however will have limited visibility when the car parking area is utilised due to the signs relatively low height clearance and significant street setback (approximately 80m).

The sign is consistent with exiting signage on the same building elevation utilised for the Spud Shed, and therefore considered sympathetic with the existing development. Similar to the adjoining signage on site, the advertisements relate to an internal shop which otherwise would not have exposure from the public realm, and the advertising will help to provide exposure to improve viability of the business.

There are concerns that the number of signs on site is steadily increasing in an ad hoc manner, with particular concern for signs exceeding the size requirements of the City's policy. Notwithstanding the signage being inconspicuously located, it is considered appropriate that a signage strategy be prepared in accordance with Council's resolution in order to ensure the cumulative impact of signage on site is taken into consideration when assessing the appropriateness of additional signage.

Other Planning Matters

In addition to the requirements above, walls signs are also required to meet the following criteria:

- Be affixed parallel to a wall of a building.
- Not project more than 300mm from the face of the wall.
- Have a minimum headway of 2.75m.

The signage is considered to meet the first two requirements already, however does not meet the minimum headway requirement. The requirement for minimum headway relates primarily to ensuring the sign does not obstruct access ways, and in this instance the signage is proposed directly above a pedestrian access path. The existing pedestrian access path is approximately 1.5m wide and the applicant has advised the sign will protrude 28mm from the face of the wall. The protrusion is similar to the nearby Spud Shed signage also adjoining the same pedestrian access path, and is not considered to obstruct pedestrian flow or be detrimental to pedestrian safety. Accordingly the variation to headway is supported subject ensuring the sign does not project more than 30mm from the face of the wall.

Whilst the sign is not indicated to be illuminated, the City's policy permits illumination, however there are requirements associated to ensure illumination does not result in distraction to drivers or public nuisance. It is considered appropriate that a condition be included in the officer's recommendation to address these requirements in the event illuminated is installed at a future date.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for refusal.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

Theme: Our Local Economy
Aspiration: A business and employment destination.
Outcome E2: Active and engaging town and city centres.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 23; and
- City of Bayswater local planning policies, including Signage Policy and Morley Activity Centre Structure Plan Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development

OFFICER'S RECOMMENDATION

That Council refuses planning application dated 17 March 2017 and plans dated 17 March 2017 for the proposed signage addition to shop at Coventry Village, Lot 1, 243-253 Walter Road West, Morley, for the following reasons:

1. The signage does not comply with the general signage requirements of the City's Signage local planning policy relating to design and amenity:
 - (a) The design, number and variety of signs within an area shall not be injurious to the amenity or natural beauty of the locality.
2. The signage contributes to a proliferation of ad hoc signage on site, and not considered appropriate unless guided by an approved signage strategy for the site.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that given the area, the proposed sign will not unduly affect the amenity and streetscape of the area.

COMMITTEE RESOLUTION

That Council grants planning approval for the proposed signage addition to shop at Coventry Village, Lot 1, 243-253 Walter Road West, Morley, in accordance with planning application dated 17 March 2017 and plans dated 17 March 2017, subject to the following planning conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The signage hereby permitted shall not contain any flashing, moving or pulsating lighting, nor contain lighting that is distracting to road users, or interferes with traffic signals, to the satisfaction of the City of Bayswater.
3. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes:

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.

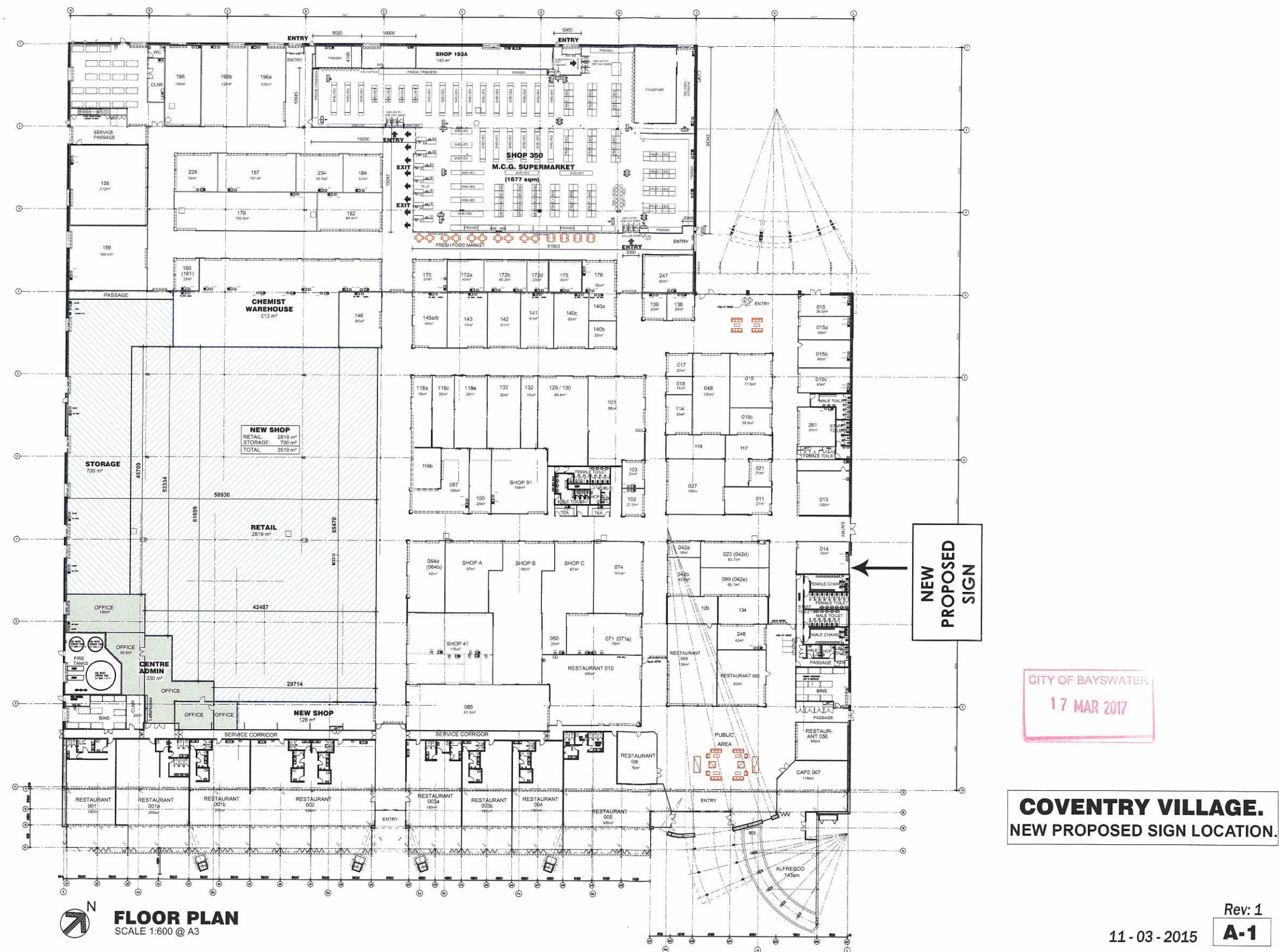
CR MICHELLE SUTHERLAND MOVED, CR BRENT FLEETON SECONDED

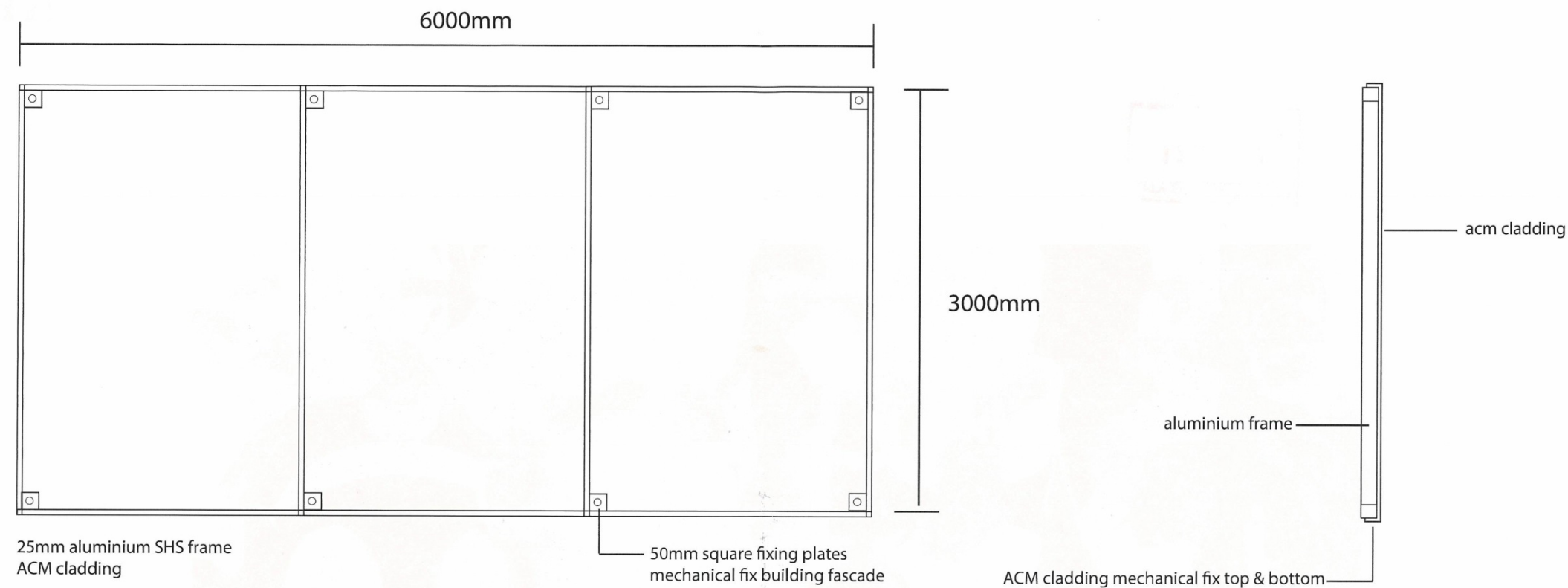
CARRIED: 7/1


FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish, Cr Michelle Sutherland, Cr Sally Palmer, Cr Dan Bull, Cr Brent Fleeton and Cr Catherine Ehrhardt.

AGAINST VOTE - Cr Alan Radford.

Attachment 1

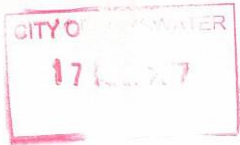





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|  <div>59 Grantham Street Wembley Perth W.A. 6014 ph: (08)9387 4002</div> | CLIENT APPROVAL | | File name: Red Dot Coventry Description: External Panel Sign Scale <input checked="" type="checkbox"/> NTS <input checked="" type="checkbox"/> @ Drawing Size <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other (W x H) | Page 4 | ENGINEERING MANAGER CHECK | PROJECT MANAGER CHECK | 01 | Revision Details | A | Author | Checked | Revised Date |
| | NAME: | | | Drawn by BG | NAME: | | 00 | Initial Release | | | | 19 Jan 2017 |
| | SIGNATURE: | | | | SIGNATURE: | | 01 | Revised Layout | | | | |
| COPYRIGHT- ALL RIGHTS RESERVED | DATE: | | | | DATE: | | 02 | | | | | |
| | ARTWORK FILES: Graphic Design Files: PDF Drawing Files: | | | | PRODUCTION READY FILES: Vinyl Files: Insert File Path Once Prepared Print Files: Insert File Path Once Prepared Router Files: Insert File Path Once Prepared | | 03 | | | | | |
| | | | | | | | 04 | | | | | |
| | | | | | | | 05 | | | | | |



ACM panel sign
Digital printed graphics with anti-graffitti over laminate



| | | | | | | | | | | | | |
|---|-----------------|--|----------------------------------|---|---------------------------|-----------------------|----|---|---|--------|---------|-----------------------------|
|  <div>59 Grantham Street Wembley Perth W.A. 6014 ph: (08)9387 4002</div> | CLIENT APPROVAL | | File name: Red Dot Coventry | Page 3 | ENGINEERING MANAGER CHECK | PROJECT MANAGER CHECK | 01 | Revision Details Initial Release Revised Layout | A | Author | Checked | Revised Date 19 Jan 2017 |
| | NAME: | | Description: External Panel Sign | Drawn by BG | NAME: | NAME: | 00 | | | | | |
| | SIGNATURE: | | Scale NTS @ | Drawing Size <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other (W x H) | SIGNATURE: | SIGNATURE: | 01 | | | | | |
| COPYRIGHT- ALL RIGHTS RESERVED | DATE: | | | | DATE: | DATE: | 02 | | | | | |
| | | | | | | | 03 | | | | | |
| | | | | | | | 04 | | | | | |
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CITY OF BAYSWATER
17 MAR 2017

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|---|-----------------|--|---|----------------|---------------------------|-----------------------|---|-----------------------------------|--|--|--|---|-------------|---------|--------------|
| <div><div>SIGN SELECTION</div><div>59 Grantham Street Wembley Perth W.A. 6014 ph: (08)9387 4002</div></div> | CLIENT APPROVAL | | File name: Red Dot Coventry | Page | ENGINEERING MANAGER CHECK | PROJECT MANAGER CHECK | 01 | Revision Details | | | | A | Author | Checked | Revised Date |
| | NAME: | | Description: External Panel Sign | Drawn by BG | NAME: | NAME: | 00 | Initial Release Revised Layout | | | | | 19 Jan 2017 | | |
| | SIGNATURE: | | Scale @ Drawing Size | | SIGNATURE: | SIGNATURE: | 01 | | | | | | | | |
| | DATE: | | NTS <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other {W x H} | | DATE: | DATE: | 02 | | | | | | | | |
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| COPYRIGHT- ALL RIGHTS RESERVED | | | ARTWORK FILES: Graphic Design Files: PDF Drawing Files: | | | | PRODUCTION READY FILES: Vinyl Files: Insert File Path Once Prepared Print Files: Insert File Path Once Prepared Router Files: Insert File Path Once Prepared | | | | | | | | |

9.1.7 Proposed Roof Sign to St John of God Hospital Mount Lawley

Location: Lot 803, 5 Thirlmere Road, Mount Lawley
File Number: DA17-0144
Applicant: F Clark - St John of God Hospital - Mount Lawley
Owner: St John of God Hospital- Mount Lawley
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

CR DAN BULL DECLARED AN INDIRECT FINANCIAL INTEREST

In accordance with section 5.61 of the Local Government Act 1995, Cr Dan Bull declared an indirect financial interest in this item as his employer ANZ is a financier to St John of God Hospital. At 7:45pm, Cr Bull withdrew from the meeting.

CR BRENT FLEETON MOVED, CR SALLY PALMER SECONDED that **CR CHRIS CORNISH** be elected Chairperson, and there being no other nominations, **CR CHRIS CORNISH** was declared elected.

EXECUTIVE SUMMARY**Application:**

A planning application dated 14 March 2017 and plans dated 28 March 2017 have been received for proposed roof sign to the St John of God Hospital at Lot 803, 5 Thirlmere Road, Mount Lawley.

Key Issues:

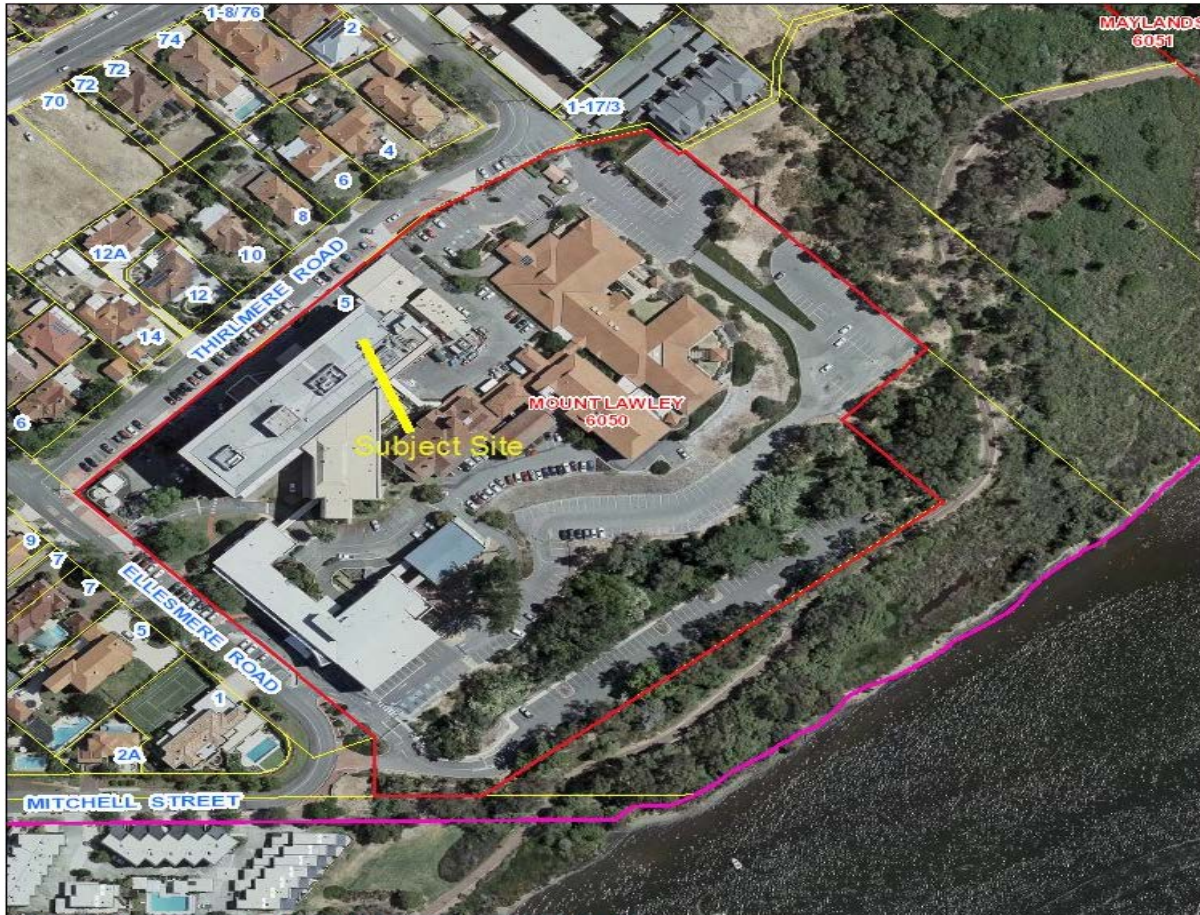
- The roof sign does not meet the area requirements of the City's Signage Policy.
- The place is listed on the City's Municipal Inventory of Heritage Places (MI), and Scheme Heritage List.
- The property adjoins the Mount Lawley Character Protection Area (CPA).
- Impact of the signage on the riverscape and amenity of the area.
- Consideration of the submissions received during community consultation

BACKGROUND

| | |
|---|---|
| Town Planning Scheme No. 24 Zoning: | Special Purpose/Local Public Open Space |
| Use Class: | Hospital |
| Lot Area: | 44,426m ² |
| Existing Land Use: | Hospital |
| Surrounding Land Use: | Single Houses |
| Size/Nature of Proposed Development: | Roof Sign to Hospital |

The primary consideration in relation to this application is the visual impact of the proposed signage on the amenity of the area, including the streetscape and riverscape surrounding reserves, given the roof sign exceeds the area requirements of the City's Signage Policy.

Part of the subject lot includes an area within the Development Control Area administered by the Department of Parks and Wildlife (DPAW) and therefore will be required to be determined by the Western Australian Planning Commission (WAPC) under Clause 30 A (2) a (i) of the Metropolitan Region Scheme (MRS).





CONSULTATION

The City sought comment for the proposed roof sign from the adjacent affected property owners for a period of 14 days. At the completion of the advertising period, 4 objections were received with additional 14 owner's signatories to one of the objections. Details of the objections, applicant's responses and officer comments are stated below.

| ISSUE | NATURE OF CONCERN | APPLICANT RESPONSE | OFFICER COMMENT |
|---------------------------------------|---|--|-----------------------------------|
| Size of sign | Concern in relation to the excessive size, location in the corner of the building. The area of the sign at 95m ² is excessive as well as the height above a building which is 10m in height. | <i>"The signage is still within the building height (its actually lower than the highest point)."</i> | Refer to 'Signage' comment below. |
| Glare from signage | Concern in relation to the potential glare and light shining into the front of residential properties. | <i>"There will be no glare or light shining into residential properties as the height of the signage is well above all surrounding properties and the set back of the signage on the roof will eliminate any light from radiating down".</i> | Refer to 'Signage' comment below. |
| Signage does not fit in with the area | Concern that the signage is not designed to be harmonious or | <i>"The signage is what it is just like any other branding illuminated</i> | Refer to 'Signage' comment below. |

| | | | |
|--|--|---|---|
| | sympathetic to the area. | <i>signage within any area."</i> | |
| Signage will detract from the area | Concern that the adjoining residents will be significantly affected by the development and non-residents who enjoy the natural beauty of the river area. | <i>"The signage will not affect the area as the set back from the green zone is well set back. If that is the case the surrounding sports precinct is more than affecting the natural beauty of the area."</i> | Refer to 'Signage' comment below. |
| Impact of illumination on adjoining residential properties | Concern in relation to the likely cost to be incurred by the residents to install 100% block out blinds to shield them from the glare from the signage, which will be pursued by owners in relation to reimbursement from the City and Hospital if approved. | <i>"As per above response there will be no light effect on residential buildings. A street light would have more impact."</i> | Refer to 'Signage' comment below. |
| Impact to skyline | Concern in relation to the effects and change in skyline. | <i>"If this is their concern then what about the sporting precinct that they look onto. The signage is still within the building line."</i> | Refer to 'Signage' comment below. |
| Heritage | Concern that the proposal will detract from the Heritage Character of the area and not fit in with the area. | <i>"There is no heritage overlay in this area as far as we know."</i> | Refer to 'Heritage' comment below. |
| Precedent of further signage | Concern that the development will set a precedent for further signage to be installed, possibly to the front of the hospital building which would have an impact to a large number of residents. | <i>"This is the only large building within this area. Placement of signage on the front would affect more people and that is why it was not considered its actually lower to the surrounding residential area."</i> | Each application for signage is assessed on its own merit in accordance with the City's Signage Policy. |
| Commercialisation of the site | - Concern of the intent of the intent of the sign with its commercial branding and the fact the proposed positioning does not provide patrons the hospitals location if entering via | <i>"The hospital like residents has the right to use their property as it seems fit as long as it meets with Council guidelines and regulations. Just like a residential property</i> | Refer to 'Signage' comment below. |

| | | | |
|---------------------------|--|---|-----------------------------------|
| | <p>Guildford Rd as there is sufficient signage already. The sign will bring a commercialisation to what is a residential area. The hospital is not a public hospital and does not provide accident or emergency services, which would not require excessive signage denoting its location.</p> <p>- Note that the building is not an iconic building which would require significant signage.</p> | <p><i>wishing to do building or renovations on their own property. Many public and private buildings are not iconic. Building signage does not just go on iconic buildings."</i></p> | |
| Overall impact of signage | <p>Concern that the fact that there has been no light spill study conducted by a lighting engineer, which does nothing to alleviate local residents concerns regarding the visual pollution the sign will create.</p> <p>- Note that there are no other illuminated signage in the area as it is a residential area and not a commercial zone.</p> <p>- Overall the signage structure will dwarf the white panelling around the hospital, it will be an imposing structure that will be seen by all and emit excessive light.</p> <p>- Consideration should be given to a smaller sign and positioned to the far north eastern end. This would enable less residents to be affected.</p> | <p><i>"There will be no glare or light shining into residential properties as the height of the signage is well above all surrounding properties and the set back of the signage on the roof will eliminate any light from radiating down. From the surrounding street areas the signage will hardly be visible.</i></p> <p><i>Our documentation illustrates this fact.</i></p> <p><i>There will be more light and sound coming from the surrounding sports precinct than from the signage. The properties facing the river will all be affected by that precinct rather than a sign mounted well above all residential properties and all facing the rear of any property facing the river.</i></p> <p><i>From our inspections we found no properties actually facing the hospital or its roof line directly."</i></p> | Refer to 'Signage' comment below. |

ANALYSIS

| Key Scheme Provisions | Required | Provided | Assessment |
|-------------------------------------|----------|----------|------------|
| Roof Sign (Height of Roof over 10m) | | | |
| Maximum Area | 15m2 | 95m2 | Variation |

Heritage

The subject property is a classification 2 place on the City's MI and Scheme Heritage List. The listing primarily relates to the place known as *Killowen House*, which is a two storey building located onsite. The house was built in 1903 and is now surrounded by modern hospital buildings. The proposed signage will have no impact to the visibility of the *Killowen House* onsite as it is located well above the existing heritage listed building.

The site is not located within a Character Protection Area (CPA), however the property abuts properties within the Mount Lawley CPA. The Mount Lawley CPA is defined by a high percentage of places that positively contribute to the streetscape, with a number of places that have strong interwar architectural styles.

Site Context

Whilst the subject hospital site is large in area and dominates the locality, the affected streetscape along both Thirlmere Road and the adjacent Ellesmere Road is characterised with mainly single houses and grouped dwellings. The south-western boundary of the property abuts an existing Parks and Recreation reserve.

A site inspection of the property has noted that the signage is likely to be partially visible from the south-eastern end of Ellesmere Road to the corner of Mitchell Street. Given the topography of the site which falls to the river, the proposed roof sign will be clearly visible from the Swan River to the east.

Signage

The proposed roof sign is to be located on the south-eastern elevation of the main hospital building located on the north-western side of the property, behind the top main wall façade of the building. The proposed roof sign consists of the St John of God corporate logo and the St John of God Mount Lawley Hospital wording (red and blue colours), and illuminated after hours.

The proposed sign is to have an area of 95m2, well in excess of the 15m2 requirement for signage with roofs of a height over 10m as per the City's Signage Policy. Whilst the signage will be no greater in height than the existing maximum height of lift shaft on the roof of the building, it is considered that this variation is significant. It is considered that the resultant impact on the area and streetscape would create an undue visual impact to surrounding residents and will further 'commercialise' the area.

Whilst the roof sign will be largely obscured to the immediately surrounding residents along Ellesmere Road and near totally obscured to those residents along Thirlmere Road, the roof sign will be more visible further away to the residential properties to the south of the subject site. Furthermore, the roof sign is proposed to be illuminated and is considered to unduly affect the amenity of these residents. The roof sign will also be highly visible to the nearby Swan River foreshore, Belmont Park Racecourse, Perth Stadium and traffic utilising the Graham Farmer Freeway.

Given the above, the proposed roof signage is not supported.

OPTIONS

The following options are available to Council:

1. Council supports the proposal and recommends to the WAPC that the proposal be approved with or without conditions.
2. Council does not support the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the roof sign is recommended for refusal to the WAPC.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment.
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies, including Signage Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

Attachments to be embedded within report as much as possible, otherwise, list as follows:

1. Plans for Development
2. Submission Location Plan (Confidential)

OFFICER'S RECOMMENDATION

That Council recommends to the Western Australian Planning Commission that the planning application dated 14 March 2017 and plans dated 28 March 2017 for the proposed roof sign to St John of God Hospital Mount Lawley at Lot 803, 5 Thirlmere Street, Mount Lawley be refused for the following reasons:

1. The roof sign does not comply with the signage area requirement of the City's Signage Policy.
2. The roof sign is excessive in size and is considered to have an undue impact on the amenity of the area.
3. The roof sign is considered to be inconsistent with the orderly and proper planning of the locality.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that the sign faces Graham Farmer Freeway, it's an excellent branding exercise, it looks very good, it's improving the building and the benefits outweigh the costs.

COMMITTEE RESOLUTION

That Council recommends to the Western Australian Planning Commission that the planning application for the proposed roof sign to the St John of God Hospital at Lot 803, 5 Thirlmere Road, Mount Lawley, in accordance with planning application dated 14 March 2017 and plans dated 28 March 2017, be supported subject to the following planning conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. The signage hereby permitted shall not contain any flashing, moving or pulsating lighting, nor contain lighting that is distracting to road users, or interferes with traffic signals, to the satisfaction of the City of Bayswater.
3. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.

Advice Notes:

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.

CR BRENT FLEETON MOVED, CR SALLY PALMER SECONDED

CARRIED: 6/1

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Chris Cornish, Cr Michelle Sutherland, Cr Sally Palmer, and
Cr Brent Fleeton.

AGAINST VOTE - Cr Catherine Ehrhardt.

At 7:47pm Cr Bull returned and assumed the chair.

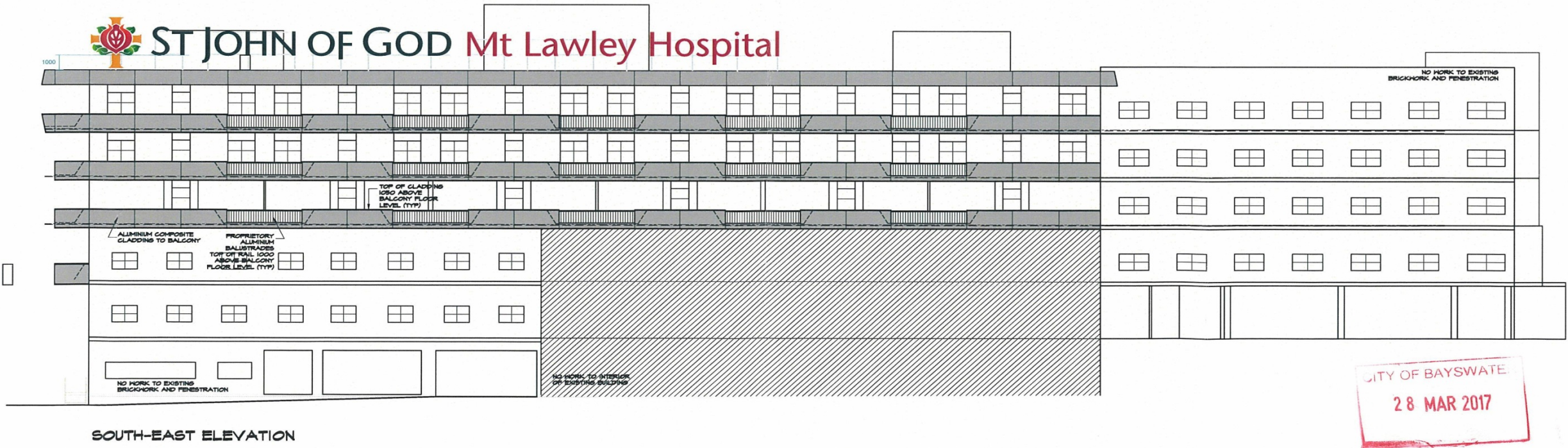
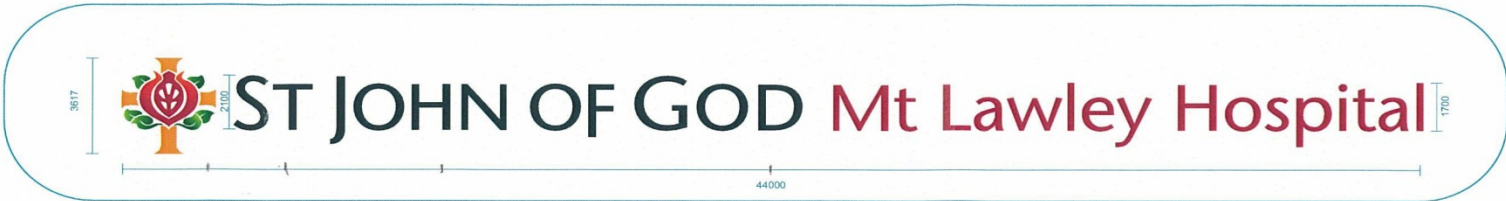
Attachment 1



INTERNALLY ILLUMINATED FABRICATED LOGO AND LETTERS
FINISHED IN POLISHED STAINLESS STEEL SECTIONS
FACE PANELS IN OPAL ACRYLIC WITH TRANSLUCENT
CORPORATE COLOUR FILM
LETTERS AND LOGO SUPPORTED WITH STRUCTURAL
GALVANISED FRAME TO ENGINEERS COMPUTATIONS

ILLUMINATION CONNECTED TO LIGHT SENSOR AND
LINKED TO BUILDING LIGHTING GRID

ALL STRUCTURAL FRAMES ARE TO BE HOT DIPPED
GALVANISED.
CONTRACTOR TO SET OUT SUPPORT LEGS TO BE MINIMAL IN NUMBER
COORDINATE THE FRAME FIXING PLATES WITH FIXING PLATES ON ROOF.
SUPPLIED IN STRUCTURAL STEEL DOCUMENTATION
SIGN CONSTRUCTION DESIGN BY CONTRACTOR TO ENABLE ECONOMICAL
MAINTENANCE TO FACES OF LETTERS AND LOGOS

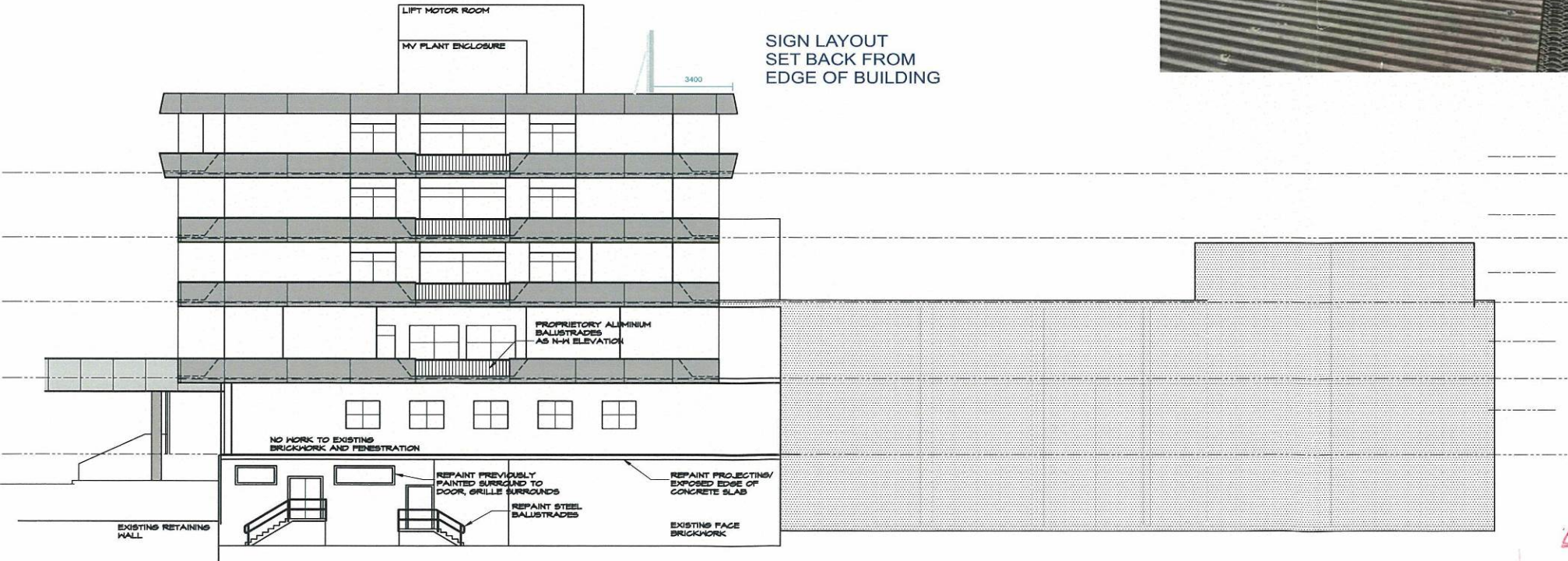
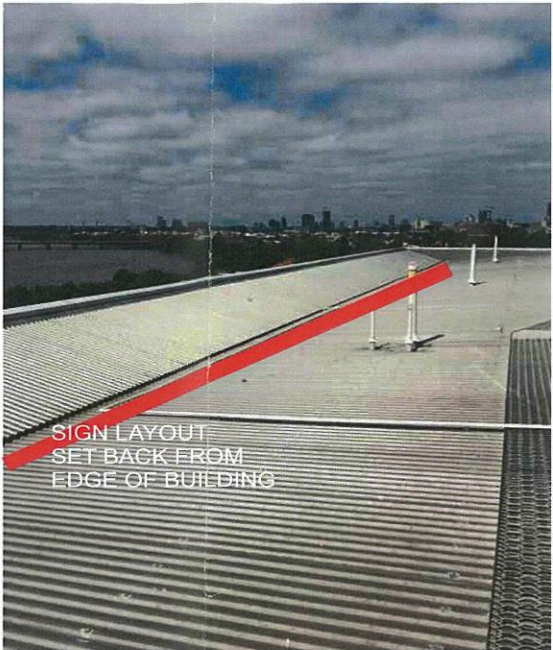




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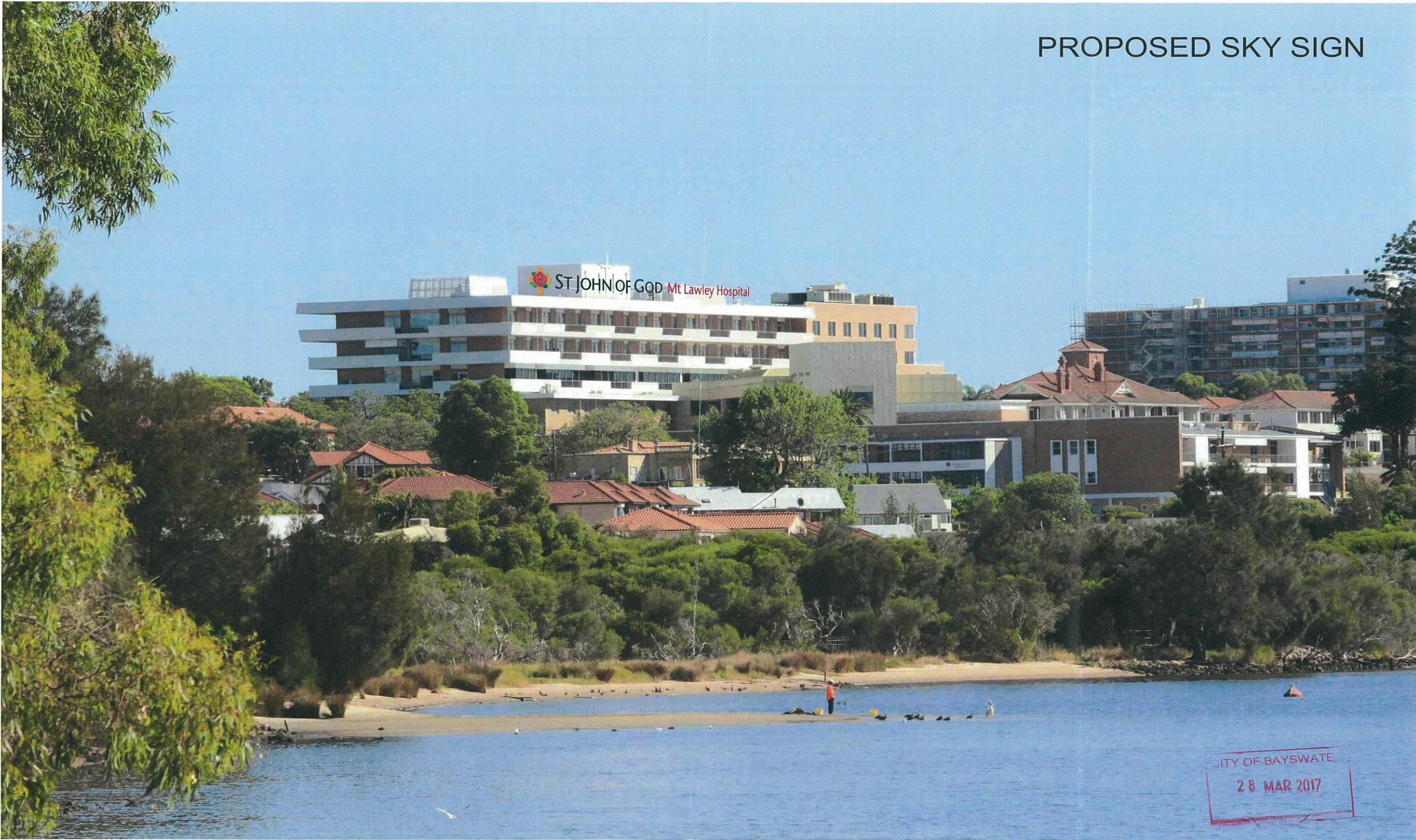
ILLUMINATION CONNECTED TO LIGHT SENSOR AND
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SUPPLIED IN STRUCTURAL STEEL DOCUMENTATION
SIGN CONSTRUCTION DESIGN BY CONTRACTOR TO ENABLE ECONOMICAL
MAINTENANCE TO FACES OF LETTERS AND LOGOS



SOUTH-WEST ELEVATION

wayforward consultancy



wayforward consultancy

9.1.8 Proposed Removal of Trees for Temporary Site Office Facilities and Car Parking for Forrestfield Airport Link Project

Location: Reserve 32727, 39 Railway Parade, Bayswater
File Number: DA17-0210
Applicant: R. Orton - Salini Impregilo - NRW Joint Venture
Owner: State of Western Australia
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services
Refer: Item 8.1.11: PDSC 21.3.2017

EXECUTIVE SUMMARY

Application:

A planning application and plans dated 8 May 2017 have been received for the proposed removal of trees at Reserve 32737, 39 Railway Parade, Bayswater following the planning approval granted by the Western Australian Planning Commission on 20 April 2017 for proposed temporary site office facilities and car parking (Forrestfield Airport Link Project).

Key Issues:

- Proposed removal of four on-site trees associated with the temporary use of the reserve for site office facilities and car parking to support the construction of the Forrestfield Airport Link (FAL).
- The impact of the removal of trees within the reserve and the amenity of the area.

BACKGROUND

| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Northern Portion - Local Public Open Space Southern Portion - No Zone |
| Use Class: | Office/Car Park |
| Lot Area: | 4,852m ² |
| Existing Land Use: | Local Public Open Space |
| Surrounding Land Use: | Commercial/Railway Reserve/Single House |
| Size/Nature of Proposed Development: | Removal of Onsite Trees |

The property is owned by the State of Western Australia, and vested with the City. The subject property is zoned Urban under the MRS and is zoned for Local Public Open Space (northern portion)/No zone (southern portion) under the Town Planning Scheme No. 24 (TPS 24).

In light of the land being vested in the City, the application has been referred to Council for consideration. If Council is supportive of the proposal the application will be referred to the Western Australian Planning Commission (WAPC) for determination in view of the public works in relation to Clause 5 of the *Planning and Development Act*.

The primary consideration in relation to this application is the impact of the proposed removal of four on-site trees on the amenity and preservation of the existing site.



CONSULTATION

The proposed removal of trees onsite was not required to be advertised to the community.

ANALYSIS

The surrounding area is characterised as predominately industrial with single houses to the west and the associated railway and curtilage land abutting the southern end of the site.

The subject property is public open space with low vegetation and grassed areas and a number of mature trees.

The Planning and Development Services Committee at its meeting held on 21 March 2017 resolved to support the proposed use of the site for temporary site office facilities and associated car parking for the FAL project, and recommended conditional planning approval for the development to the WAPC. The WAPC issued planning approval for the development on 20 April 2017.

The WAPC approval included condition 2 and advice note 2 relating to the requirement for all trees located onsite and within the street verges to be retained, as follows:

Condition

- "2. *All trees located onsite and on the street verges adjoining the subject property shall be retained, and appropriate protection measures consistent with the relevant Australian Standard shall be implemented to the specification of the Local Government and the satisfaction of the Western Australian Planning Commission*"

Advice Note:

- "2. *In relation to condition 2, tree protection measures should be consistent with AS4970-2009 Protection of Trees on Development Sites, including the following:*
- i. A 2.5m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the trees on-site and verge (chain mesh panels or other suitable material) during construction and use of the subject development.*
 - ii. All activities related to construction and use of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.*
 - iii. Any roots identified to be pruned shall be pruned with a final cut to undamaged wood. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.*
 - iv. The street and verge trees shall be provided with adequate water during the construction and use period.*
 - v. Photographic evidence prior to the use of the site is required to be provided by the applicant to the City and at the conclusion of the use of the site to be provided to ensure evidence of any damage to its use is recorded."*

The applicant advised that the primary reason for the need to remove four trees from the site is for the construction of a new retaining wall associated with the relocation of rail lines along the northern side of the Public Transport Authority (PTA) reserve corridor.

The realignment of the rail lines further to the north has enabled the existing street trees along Whatley Crescent to remain. However, this has effectively resulted in a shifting north of the works and as a consequence four trees are proposed to be removed on the subject site.

The applicant has provided the following justification:

"The original concept designs for the Bayswater area required trees along Whatley Crescent to be cleared. This was due to the space constraints within the PTA corridor to maintain the PSP which was required to be relocated closer to Whatley Cr and hence through the trees. Following discussions with the City in July/August 2016 via the Bayswater Working Group, the City advised their strong preference to retain the Whatley Cr trees and requested PTA investigate alternate design options. Over the remainder of 2016 the SINRW design team assessed a number of potential options including for constructability and safety. The preferred design solution maintained the trees and was agreed with PTA however had resulted in the inclusion of a significant retaining wall along the northern side of the PTA Rail Reserve.

In addition to the above rail alignment design work, the APA Group's Parmelia Gas Pipeline traversed the existing PTA Rail Reserve and conflicted with the new FAL dive structure. This gas pipeline was proposed to be relocated outside of the Rail Reserve along the northern side of the Whatley Cr road reserve. The new pipeline route was heavily constrained by existing major Water Corporation services as well as limitations in position by the Department of Mines and Petroleum's operating licence. As such, the original relocation route had the new pipeline running under the existing Whatley Cr trees. This was viewed as a disappointing result given the extensive work undertaken to retain the trees from the Bayswater rail and PSP alignments. In conjunction with the PTA, SINRW undertook negotiations with APA to decommission the existing pipeline in lieu of relocation which was subsequently accepted by APA.

Following completion of the Detailed Design of the Railway Pde retaining wall, it became apparent that additional clearing along the Whatley Pde road reserve was required. This was due to the proximity of the trees to the existing PTA Rail Reserve boundary (and hence retaining wall) as well as the overhanging canopies which would need to be pruned to allow the construction of the wall, and placement of the rail overhead traction power equipment. An arborist was engaged to assess each impacted tree and has made recommendations regarding their removal. A copy of this report has been provided to the City previously. We note that the trees being removed along Railway Pde are within a semi-industrial area and some are hidden by existing mature trees within the Railway Pde reserve.

Whilst we understand the removal of any tree is not desirable, we feel that given the context of the alternative solution and extensive work undertaken by the project to mitigate the removal at Whatley Cr, the removal at Railway Pde should be permitted".

The applicant has sought an independent arborist to report on each tree within the subject site as per the arborist report submitted. The arborist report identified that four of the existing trees on site would require removal to enable the works to progress including the construction of a retaining wall along the southern boundary of the lot and the PTA rail reserve corridor. The applicant has noted that the need to move the existing and new rail lines north to limit the extent of impact to the south of the site and the existing trees located along Whatley Crescent, has meant that the removal of the subject trees are required.

The trees identified as 9, 18, 21 and 22 within the arborist report along the southern boundary of the lot, are considered to require removal. The remaining trees health, size, maintenance and remediation requirements were also stated in the arborist report and their retention noted.

The arborist report states the following in relation to each tree:

Tree 9: *"Located 5.6m from the existing rail reserve perimeter fence. Removal likely to be required due to the proximity of the proposed retaining structure and the associated access and deep excavation required."*

Tree 18: *"Located 4.6m from the existing rail reserve perimeter fence. Removal likely to be required due to the proximity of the proposed retaining structure and the associated access and deep excavation required."*

Tree 21: *"Remove due to safety concerns associated with the structural condition of the tree, increased targets and likely proximity of proposed works."*

Tree 22: *"Removal likely to be required due to the location of the tree and the proximity of proposed works."*

The City's arborist has identified that tree 9 can be retained with pruning undertaken to ensure clearance to temporary overhead wires, subject to measurements being taken onsite and works to be carried out to be guided by the City. The City's arborist agrees that trees 18, 21 and 22 require removal to allow the works for FAL to be undertaken.

Accordingly, it is recommended that tree 9 is retained and that in order to offset the removal of the trees 18, 21 and 22, that 15, minimum five litre additional street verge trees are required to be planted at the applicant's cost along Railway Parade, on the advice of the City's arborist.

OPTIONS

The following options are available to Council:

1. Council supports the proposal and recommends to the WAPC that the proposal be approved with or without conditions.
2. Council does not support the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for support subject to appropriate conditions, including the retention of tree 9.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment
Outcome B3: Quality built environment

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development
2. Photographs of Trees (9, 18, 21, 22) to be considered for removal

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council supports the proposed removal of three trees (trees 18, 21 and 22) for the temporary site office facilities and car parking for the Forrestfield Airport Link project at Reserve 32727, 39 Railway Parade Bayswater, and recommends to the Western Australian Planning Commission (WAPC) that planning approval be granted in accordance with planning application dated 8 May 2017 and plans dated 8 May 2017, subject to the following planning conditions:

1. Fifteen, 5 litre street verge trees are to be planted along Railway Parade at the applicant's/owner's cost at the conclusion of the works to replace the proposed removal of three onsite trees (trees 18, 21 and 22) to the satisfaction of the City of Bayswater.
2. Tree 9 as identified in the Arborist Tree Survey Report is to be retained and protected from any damage including unauthorised pruning to the satisfaction of the City of Bayswater.
3. This recommendation of support is subject to all conditions (1-4) of development approval (DA17-0074) issued by the WAPC on 20 April 2017.

CR BRENT FLEETON MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 5/3

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Michelle Sutherland, Cr Sally Palmer and Cr Brent Fleeton.
AGAINST VOTE - Cr Chris Cornish, Cr Dan Bull and Cr Catherine Ehrhardt.

Attachment 1

Attachment 2



Tree 9



Tree 18



Tree 21



Tree 22

9.1.9 Proposed Site Establishment Works for the Wright Street Emergency Egress Shaft (Forrestfield Airport Link Project)

Location: Lot 800, 74 Wright Crescent, and Lot 14378, Tonkin Highway, Bayswater

File Number: DA17-0201

Applicant: Salini Impregilo - NRW Joint Venture

Owners: Western Australian Planning Commission; and State of Western Australia

Reporting Branch: Statutory Planning Services

Responsible Directorate: Planning and Development Services

Refer: Item 8.1.11: PDSC 21.03.2017

CR STEPHANIE COATES, DEPUTY MAYOR DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Stephanie Coates, Deputy Mayor declared an impartial interest in this item as she lives on Wright Crescent, not opposite to or next to the proposed site. Cr Coates remained in the room during voting on this item.

CR DAN BULL DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007, Cr Dan Bull declared an impartial interest in this item as the lot is at the end of his street. Cr Bull remained in the room during voting on this item.

EXECUTIVE SUMMARY**Application:**

A planning application dated 26 April 2017 and plans dated 26 April 2017 have been received for proposed site establishment works for the Wright Crescent emergency egress shaft relating to the Forrestfield Airport Link project at Lot 800, 74 Wright Crescent and Lot 4378 Tonkin Highway, Bayswater.

Key Issues:

- Removal of 24 trees and impact on amenity of the area.
- The diversion of the Principal Shared Path (PSP).
- Managing traffic, noise, vibration and dust during construction.
- Managing the risk of harbouring and breeding mosquitos as a result of the development.
- Managing the risk that acid sulphate soil disturbance can have on the environment.

BACKGROUND

| | |
|--|--|
| Town Planning Scheme No. 24 Zoning: | Metropolitan Regional Scheme: Lot 800 Parks and Recreation Reserve Lot 14378 Primary Regional Road Reserve |
| Use Class: | Site Establishment Works |
| Lot Area: | Lot 800: 42,512 m ² Lot 14378: 88,524 m ² |

Existing Land Use:

Lot 800: Parks and Recreation Reserve

Lot 14378: Tonkin Highway Road Reserve

Surrounding Land Use:

Parks and Recreation Reserve, Road Reserve and Single Houses

Size/Nature of Proposed Development:

Site Establishment Works

The application is in relation to the Forrestfield Airport Link (FAL) project, which comprises an 8.5km rail line from the Perth Airport to east of the Bayswater Train Station on the existing Perth to Midland rail line. Three new train stations will be created at Belmont, Airport Central and Forrestfield. The majority of the rail line will be constructed underground within twin bored tunnels, which starts in Forrestfield, crosses under the Perth Airport then generally follows Tonkin Highway before surfacing to east of the Bayswater Train Station, as shown below.



This report relates to site establishment works for the development of one of the emergency egress shafts for the underground rail line.

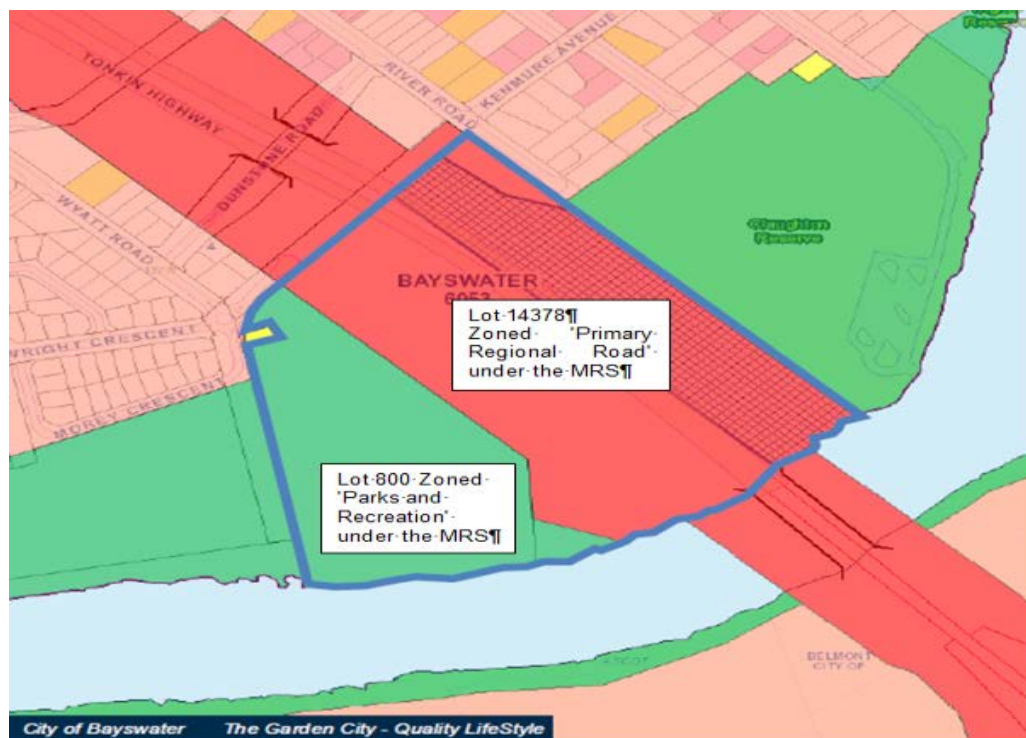
The proposed development is situated over two lots, being:

- Lot 800 owned by the Western Australian Planning Commission (WAPC) and vested in the City of Bayswater; and
- Lot 14378 owned by the State of Western Australia and vested in Main Roads WA.



Both lots are reserved under the Metropolitan Region Scheme (MRS) as follows:

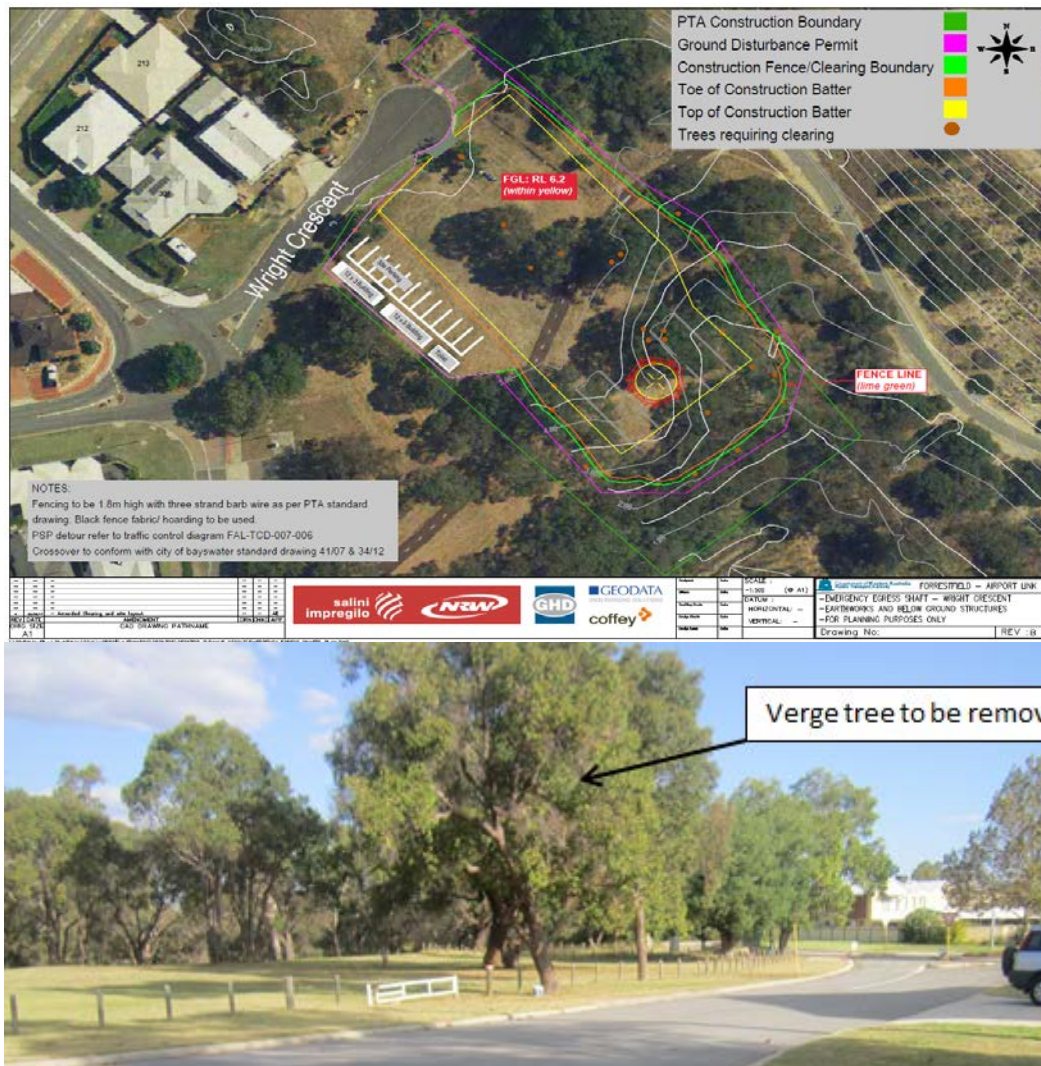
- Lot 800 - Parks and Recreation; and
- Lot 14378 - Primary Regional Road.



The development is confined to a small area, as shown below, and consists of:

- Removal of 24 mature trees (23 onsite and 1 on the verge);
- Boundary fencing/hoardings, signage and security;
- Clearing, grubbing, earthworks and topsoil removal;

- Pad construction (outlined in yellow in below plan at Relative Level (RL) 6.2, which aligns with the level of the vehicle entry point at the Wright Crescent cul-de-sac;
- Installation of temporary site offices, ablutions and parking facilities; and
- Diversion of the PSP crossing the site.



The area proposed to be cleared (the clearing boundary outlined in green in Figure 4) is significantly larger than the development footprint. However, the large cleared area is required for:

- The laydown of materials, site offices/ablutions, associated plant setup for diaphragm walls and jet grouting.
- Trucks to turnaround within the site to reduce the impact to Wright Crescent and Wyatt Road.
- The operation of at least two cranes on the site, including adequate clear space for them to safely slew around.

As the subject site is reserved land under the MRS, the WAPC is the determining authority for the proposed development. The recommendations of Council will be referred to the WAPC for consideration.

The primary considerations in relation to this application are:

- Removal of 24 mature trees, and the impact on the amenity of the area.
- The diversion of the PSP.
- Managing traffic, noise, vibration and dust during construction.
- Managing the risk of harbouring and breeding mosquitos as a result of the development.
- Managing the risk that acid sulphate soil disturbance can have on the environment.

CONSULTATION

As part of the Public Transport Authority's engagement with the community in relation to the FAL project, a community information session was held onsite on 27 May 2017. Approximately 60 letters were delivered to residents nearby to the site inviting them to attend the session. The onsite session involved:

- A walkthrough of the site area with the site engineer and project manager;
- Identifying trees that are proposed to be removed and retained;
- The works that are proposed as part of the application;
- Proposed traffic management; and
- The enquiry and complaints procedure.

The session provided an opportunity for any concerns of residents to be raised. The City's Manager Planning Services was in attendance to answer any planning-related questions regarding the application.

Concerns raised by the community were in relation to the final design of the site, namely the building to be constructed and the associated fencing and communications required, details of which are yet to be finalised. The final design and development of the structures on the site will be subject to a future development application and any concerns raised can be addressed as part of that future application.

ANALYSIS

The area consists of parkland with single houses to the north and west. Wetlands leading to the Swan River are situated to the south and Tonkin Highway is situated to the east of the site. The site contains low vegetation, grassed areas and a number of mature trees.

Tree Removal and Amenity

The works will result in the removal of grassed areas and 24 mature trees, 23 onsite and 1 on the verge. While the removal of mature trees is a concern, the works have been positioned to minimise tree removal. In particular the works are positioned in a relatively cleared part of the site, which avoids the densely vegetated area to the south of the site and retains a number of trees between the nearby residential area and the area to be developed.

The City's Consulting Arborist suggests that due to the limited space available to plant new trees, replacing the same number of trees with mature new trees (minimum 45 litres) is considered adequate to offset the amenity and environmental impacts to the area. A condition to this effect is recommended.

Accordingly given the necessity for the works as part of the FAL project, the measures taken to minimise tree removal and damage and the above tree removal condition, the proposal is supported in this instance.

Diversion of PSP

An existing PSP runs through the area where the proposed development is located. It is proposed to close and divert the PSP to enable the continued connection of the PSP to the wider network.

Although the final diversion route of the PSP has not been finalised, the below figure shows a possible temporary route. The applicant will undertake further consultation with Main Roads WA, the Department of Transport and relevant pedestrian/cycling groups before deciding on a finalised route.

A condition is recommended to ensure that a temporary PSP diversion route is constructed prior to the commencement of the development and a permanent PSP route constructed prior to occupation.



Managing Traffic, Noise, Vibration and Dust

Access to the site will be from the Wright Crescent cul-de-sac to the north of the site only. Vehicles will access the site via Dunstone Road and the nearby industrial area to the northeast of Tonkin Highway to minimise amenity impacts on the surrounding residential area.

The works associated with the site will occur over a number of phases during the construction program.

A Traffic Management Plan is recommended to be provided and approved by the City to manage any impacts as part of the construction.

If the construction is not managed appropriately, noise, vibration and dust have the potential to impact the surrounding area. A Construction Management Plan is recommended to be provided and approved by the City to manage these potential impacts as part of the construction.

Managing the Risk of Harbours and Breeding Mosquitos

Stormwater and any ponding of surface water produced as a result of the development works, if not drained or treated adequately can potentially create ideal breeding conditions for mosquitos in this area. In addition, the proposed egress shaft has the potential to be a mosquito harbourage site.

If not managed appropriately, mosquito harbouring and breeding as a result of the works could impact the surrounding area. A Mosquito Management Plan is recommended to be provided and approved by the City to manage these potential impacts.

Managing the Acid Sulphate Soils

There is a chance that soils on the site contain acid sulphate levels that when disturbed could create environmental issues.

If not managed appropriately, acid sulphate soils could impact the surrounding area. An Acid Sulphate Soil Management Plan is recommended to be provided and approved by the City to manage any potential impacts.

OPTIONS

The following options are available to Council:

1. Council supports the proposal and recommends to the WAPC that the proposal be approved with or without conditions.
2. Council does not support the proposal and recommends to the WAPC that the proposal be refused.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for support, subject to appropriate conditions.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

| | |
|-------------|--|
| Theme: | Our Built Environment |
| Aspiration: | A quality and connected built environment. |
| Outcome B1: | Appealing streetscapes. |
| Outcome B3: | Quality built environment. |

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plan for Development

OFFICER'S RECOMMENDATION

That Council supports the proposed site establishment works for the Wright Crescent emergency egress shaft on Lot 800, 74 Wright Crescent, Bayswater and Lot 14378 Tonkin Highway, Bayswater, and recommends to the Western Australian Planning Commission that planning approval be granted for the development in accordance with planning application dated 26 April 2017 and plans dated 26 April 2017, subject to the following planning conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. A detailed plan of the development works shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City, including details of the following:
 - (a) Boundary fencing/hoardings, signage and security; and
 - (b) Temporary site offices, ablutions and parking facilities.
3. A tree removal and retention plan shall be submitted to and approved by the City of Bayswater prior to the commencement of the development, and implemented to the satisfaction of the City, including the following:
 - (a) All trees to be removed and all trees to be retained onsite and on the street verges adjacent to the development site; and
 - (b) The size and species of the trees to be removed.
4. An Arborist Report, assessing the health of all trees and providing management recommendations, for all of the trees that are not scheduled to be removed onsite and on the street verges adjacent to the development site, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.
5. All trees that are not scheduled to be removed onsite and on the street verges adjacent to the development site shall be retained and appropriate measures consistent with AS4970-2009 Protection of Trees on Development Sites shall be implemented to protect the trees, include the following unless the measures conflict with the management recommendations in the approved arborist report referred to in Condition 3:
 - (a) A 2.5m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the trees on site and verge (chain mesh panels or other suitable material) during construction and use of the subject development.
 - (b) All activities related to construction and use of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.
 - (c) Any roots identified to be pruned shall be pruned with a final cut to undamaged wood. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.
 - (d) The street and verge trees shall be provided with adequate water during the construction and use period.
 - (e) Photographic evidence prior to use of the site is required to be provided by the applicant to the City and at the conclusion of the use of the site to be provided to ensure evidence of any damage to its use is recorded.

6. The applicant shall deposit \$10,000 with the City with respect to the protection of all trees that are not scheduled to be removed onsite and on the street verges near to the development site, prior to commencement of the development, as a bond to be held in trust for 12 months from cessation of all onsite works.
7. For each tree removed a new tree, with a minimum size of 45 litres, shall be planted near to the development site, prior to occupation of the site, to the satisfaction of the City of Bayswater.
8. A Traffic Management Plan addressing how traffic associated with the development will be managed, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.
9. A Construction Management Plan detailing how the construction of the development will be managed to minimise noise, vibration and dust impacts on the surrounding area, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.
10. A Mosquito Management Plan addressing how mosquito harbourage and breeding associated with the development will be managed, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.
11. An Acid Sulphate Soil Management Plan addressing how any acid sulphate in the soil will be managed, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.
12. A temporary diverted Principal Shared Path shall be designed and constructed prior to the commencement of the development, to the satisfaction of the City of Bayswater.
13. A permanent diverted Principal Shared Path shall be designed and constructed prior to occupation of the site, to the satisfaction of the City of Bayswater.
14. A separate application including plans or description of all signs for the proposed development (including signs painted on a building) shall be submitted to and approved by the City of Bayswater, prior to the erection of any signage.
15. All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.
16. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition, to the satisfaction of the City of Bayswater.
17. All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.

Advice Notes:

1. To activate the planning approval, the development/use subject of this approval must be substantially commenced within a period of two years of the date of this approval notice. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
2. This approval is not a building permit or an approval under any other law than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

3. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as but not limited to an easement or restrictive covenant. It is the responsibility of the applicant/owner to investigate any such constraints before commencing development.
4. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.

ADDENDUM - PLANNING AND DEVELOPMENT SERVICES COMMITTEE - 20 JUNE 2017

Additional Information

The Department of Planning (DOP) provided written advice on 14 June 2017 that the subject proposed development does not need to be approved by the Western Australia Planning Commission (WAPC), as stated below:

"To clarify, for the purposes of the MRS (Metropolitan Region Scheme) the proposed works are considered incidental and subordinate to the underground section of the railway which is a development that may be commenced or carried out without the approval of the WAPC under Part 4 of the Railway (Forrestfield-Airport Link) Act 2015."

Part 4 Section 8 of the *Railway (Forrestfield-Airport Link) Act 2015* states:

- "8. *Planning approval not required for underground section of railway*
For the purposes of the Metropolitan Region Scheme, the underground section of the railway is a development that may be commenced or carried out without the approval of the Planning Commission."

And the underground section of railway is defined under the Act as:

"Underground section of the railway means so much of the railway as is constructed, or proposed to be constructed, underground, but does not include any part of a railway station, or any part of a related car park, public transport interchange facility or associated means of pedestrian or vehicular access, that is constructed, or proposed to be constructed, underground."

In addition, the proposed development does not need planning approval by the City of Bayswater under the City's Town Planning Scheme No. 24 (TPS 24), as the development is classified as a 'public work'. Although planning approval is not required from the City, the development is required to be undertaken in accordance with Section 6 of the *Planning and Development Act 2005*, namely the development is required to have regard to the purpose and intent of TPS 24, orderly and proper planning and the preservation of the amenity of the locality. The City is to be consulted prior to the development being undertaken to ensure that these requirements have been carried out.

Further, the City still has a 'say' in what occurs on Lot 800 as the lot is vested in the City.

Recommendation Implications

In light that no planning approval is required from the WAPC (or the City), the officer's recommendation has been modified as follows:

That Council supports the proposed site establishment works for the Wright Street emergency egress shaft on Lot 800, 74 Wright Crescent, Bayswater and Lot 14378 Tonkin Highway, Bayswater, and recommends to Salini Impregilo - NRW Joint Venture that the development is undertaken in accordance with the plans and details dated 26 April 2017, and the following planning conditions:

1. *A detailed plan of the development works shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City, including details of the following:*
 - (a) *Boundary fencing/hoardings, signage and security; and*
 - (b) *Temporary site offices, ablutions and parking facilities.*
2. *A tree removal and retention plan shall be submitted to and approved by the City of Bayswater prior to the commencement of the development, and implemented to the satisfaction of the City, including the following:*
 - (a) *All trees to be removed and all trees to be retained onsite and on the street verges adjacent to the development site; and*
 - (b) *The size and species of the trees to be removed.*
3. *An Arborist Report, assessing the health of all trees and providing management recommendations, for all of the trees that are not scheduled to be removed onsite and on the street verges adjacent to the development site, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.*
4. *All trees that are not scheduled to be removed onsite and on the street verges adjacent to the development site shall be retained and appropriate measures consistent with AS4970-2009 Protection of Trees on Development Sites shall be implemented to protect the trees, include the following unless the measures conflict with the management recommendations in the approved arborist report referred to in Condition 3:*
 - (a) *A 2.5m radius tree protection zone (TPZ) shall be provided through 1.8m high fencing around the trees on site and verge (chain mesh panels or other suitable material) during construction and use of the subject development.*
 - (b) *All activities related to construction and use of the subject development, including parking of vehicles, storage of materials, and washing of concreting tools and equipment is prohibited within the designated TPZ.*
 - (c) *Any roots identified to be pruned shall be pruned with a final cut to undamaged wood. Pruning cuts shall be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds shall not be treated with dressings or paints. It is not acceptable for roots to be 'pruned' with machinery such as backhoes or excavators.*
 - (d) *The street and verge trees shall be provided with adequate water during the construction and use period.*
 - (e) *Photographic evidence prior to use of the site is required to be provided by the applicant to the City and at the conclusion of the use of the site to be provided to ensure evidence of any damage to its use is recorded.*
5. *The applicant shall deposit \$10,000 with the City with respect to the protection of all trees that are not scheduled to be removed onsite and on the street verges near to the development site, prior to commencement of the development, as a bond to be held in trust for 12 months from cessation of all onsite works.*
6. *For each tree removed a new tree, with a minimum size of 45 litres, shall be planted near to the development site, prior to occupation of the site, to the satisfaction of the City of Bayswater.*
7. *A Traffic Management Plan addressing how traffic associated with the development will be managed, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.*

8. *A Construction Management Plan detailing how the construction of the development will be managed to minimise noise, vibration and dust impacts on the surrounding area, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.*
9. *A Mosquito Management Plan addressing how mosquito harbourage and breeding associated with the development will be managed, shall be submitted to and approved by the City of Bayswater prior to commencement of the development, and implemented to the satisfaction of the City.*
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11. *A temporary diverted Principal Shared Path shall be designed and constructed prior to the commencement of the development, to the satisfaction of the City of Bayswater.*
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13. *A separate application including plans or description of all signs for the proposed development (including signs painted on a building) shall be submitted to and approved by the City of Bayswater, prior to the erection of any signage.*
14. *All vehicle crossings being upgraded, designed and constructed to the satisfaction of the City of Bayswater.*
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16. *All stormwater and drainage runoff produced onsite is to be disposed of onsite to the satisfaction of the City of Bayswater.*

Advice Notes:

1. *This support is not a building permit or an approval under any other law than the Planning and Development Act 2005. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
2. *It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
3. *Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.*

MOTION

That Council supports the proposed site establishment works for the Wright Crescent emergency egress shaft on Lot 800, 74 Wright Crescent, Bayswater and Lot 14378 Tonkin Highway, Bayswater, and recommends to Salini Impregilo - NRW Joint Venture that the development is undertaken in accordance with the plans and details dated 26 April 2017, and the following planning conditions:

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Advice Notes:

1. This support is not a building permit or an approval under any other law than the Planning and Development Act 2005. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
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3. Kerbs, roadways, footpaths, open drains, stormwater pits, service authority pits and verge areas must be adequately protected, maintained and reinstated if required, during and as a result of carting and all works associated with this development.

CR ALAN RADFORD MOVED, CR MICHELLE SUTHERLAND SECONDED

COMMITTEE RESOLUTION

That the motion be now put.

CR BRENT FLEETON MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED: 7/1

FOR VOTE - *Cr Alan Radford,* *Cr Chris Cornish,* *Cr Michelle Sutherland,*
 Cr Sally Palmer, *Cr Dan Bull,* *Cr Brent Fleeton* *and*
 Cr Catherine Ehrhardt.

AGAINST VOTE - *Cr Stephanie Coates, Deputy Mayor.*

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council supports the proposed site establishment works for the Wright Crescent emergency egress shaft on Lot 800, 74 Wright Crescent, Bayswater and Lot 14378 Tonkin Highway, Bayswater, and recommends to Salini Impregilo - NRW Joint Venture that the development is undertaken in accordance with the plans and details dated 26 April 2017, and the following planning conditions:

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Advice Notes:

1. This support is not a building permit or an approval under any other law than the Planning and Development Act 2005. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
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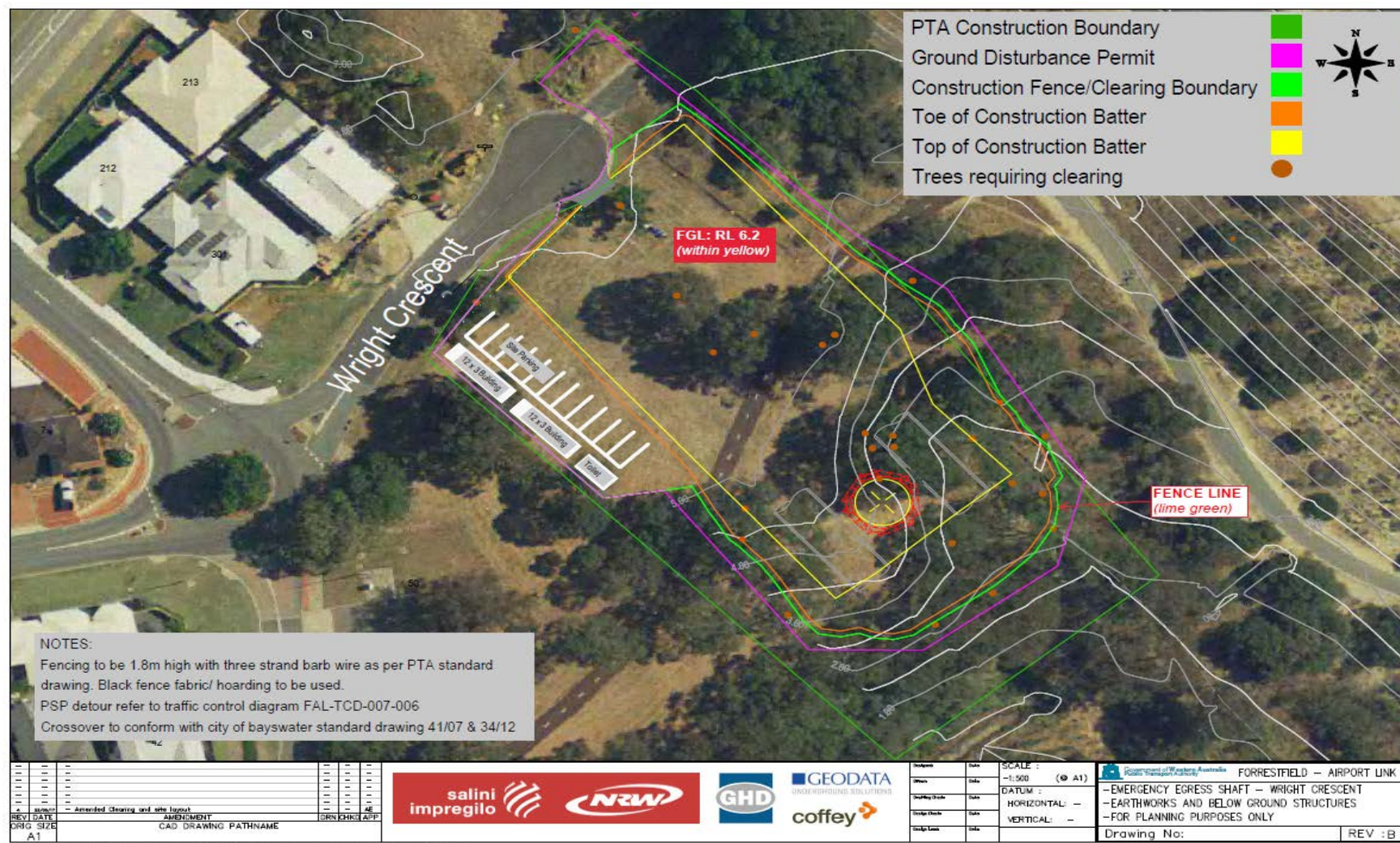
CR ALAN RADFORD MOVED, CR MICHELLE SUTHERLAND SECONDED

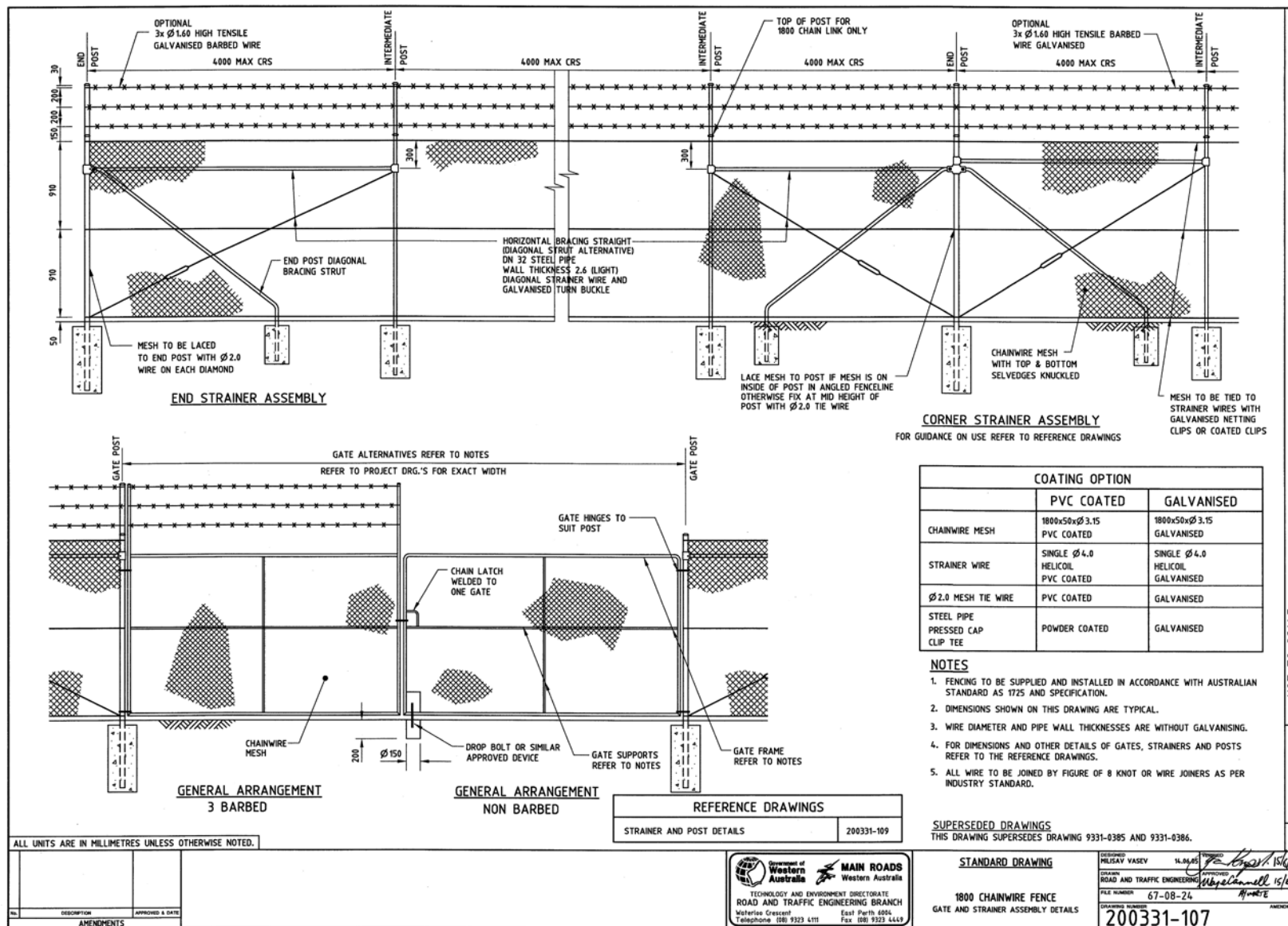
LOST: 4/4

In accordance with section 5.21 (3) of the Local Government Act 1995, as the votes were equally divided, the Presiding Member (Chairperson), Cr Dan Bull, cast a second vote.

FOR VOTE - Cr Alan Radford, Cr Michelle Sutherland, Cr Sally Palmer and Cr Brent Fleeton.

AGAINST VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish, Cr Dan Bull and Cr Catherine Ehrhardt.

Attachment 1



Indicative fencing



Indicative site buildings



9.1.10 Proposed Change of Use from Multiple Dwellings to Residential Building (Short-Term Accommodation)

Location: Lot 1, 1-9/20 Mount Prospect Crescent, Maylands
File Number: DA17-0081
Applicant: Propport Pty Ltd
Owner: Propport Pty Ltd
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services
Refer: Item 11.1.5: OCM 15.04.14

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

EXECUTIVE SUMMARY**Application:**

A planning application dated 13 February 2017 and plans dated 20 February 2015 have been received for proposed change of use from multiple dwellings to residential building (short-term accommodation) at Lot 1, 1-9/20 Mount Prospect Crescent, Maylands.

Key Issues:

- Residential building is an 'A' use within the current zoning of the subject property under Town Planning Scheme No. 24 (TPS 24).
- Impact of the use on the amenity of the area.
- Eight submissions (objections) received during community consultation.

BACKGROUND

| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Medium and High Density Residential - R40 |
| Use Class: | Residential Building - 'A' |
| Lot Area: | 1,093m ² |
| Existing Land Use: | Multiple Dwellings |
| Surrounding Land Use: | Single Houses, Grouped and Multiple Dwellings |
| Size/Nature of Proposed Development: | Change of Use from Multiple Dwellings to Residential Building (Short-Term Accommodation) |

The subject development was approved for nine multiple dwellings by Council at its Ordinary Meeting held on 15 April 2014.

The primary consideration in relation to this application is the suitability of the proposed land use under TPS 24, potential impact on the amenity of the area, and to consider objections that have been received in relation to the proposed use.



CONSULTATION

The City sought comment for the proposed variations from the adjacent affected property owners for a period of 14 days. At the completion of the advertising period, eight objections were received. Details of the objections, applicant's responses and officer's comments are stated below.

| ISSUE | NATURE OF CONCERN | APPLICANT RESPONSE | OFFICER COMMENT |
|-------------------|--|---|--|
| Use Class | <p>The development is located within a residential zone and is not suited for short-term accommodation.</p> <p>The development does not comply with the location requirements for short-term accommodation in accordance with the City's draft Short-term Accommodation local planning policy.</p> <p>The unmanaged short-term accommodation could lead to overcrowding.</p> <p>An increase to short-term occupants living in the area raises security concerns and reduces the capacity to develop a sense of community.</p> <p>The development was constructed less than one year ago, if short-term accommodation was the intention this should have been indicated in the initial proposal.</p> <p>The proposal essentially converts the development into a quasi-hotel complex.</p> | <p><i>"It is a residential use they are being contemplated for. What sort of an area would you prefer to accommodate people?"</i></p> <p><i>"I don't think these apartments would fit the definition of any of the listed types of accommodation described subject to more information as to what they are. They are simply proposed to be rented like they currently are albeit potentially for less than 3 months at a time."</i></p> <p><i>"They are two bedroom apartments. We would not be renting to more than two couples at any time similarly to what we currently do."</i></p> <p><i>"I haven't seen much of a community in the area. If anything this would support patronage of local shops and cafes and community spirit."</i></p> <p><i>"This is just an opportunity to optimise this property and many others like it for the benefit of the community. The apartments are currently all rented on a 6mths plus basis but we would like to be able to consider a mixture."</i></p> <p><i>"That is rubbish. It's identical to its current form other than potentially for a shorter tenure."</i></p> | Refer to 'Appropriateness of Use' section below. |
| Parking / Traffic | The development does not have sufficient parking to cater for nine short-term apartments. Car parking | <i>"The parking is the same as for the long term tenants. One bay per apartment. All long term</i> | Refer to 'Appropriateness of Use' section below. |

| | | | |
|-----------------------|--|--|--|
| | will spill out onto the adjoining residential streets and result in traffic and sightline issues, particularly where the road bends. | <i>tenants are expressly advised that they are limited to one car bay per apartment and they appear to be complying with that."</i> | |
| | The increase of people moving in and out of the development will lead to an increase of heavy vehicles utilising the road (moving vans, trailers etc.) and will further damage the road which is already in a poor state. | <i>"The short term tenancies would be on a furnished basis, as, for example, apartment one currently is. I don't believe there will be any more movement flowing from a short term tenancy than a longer term tenant. Do you have any statistics as to movements of short v's long term tenants? I would imagine a stay at home mum/dad would have more wearing out of the roads than a short term tenant who would go out for the day and return in the evening."</i> | |
| Anti-social Behaviour | <p>Concerns of an increase to anti-social behaviour associated with short-term guests, particularly related to parties and drug use.</p> <p>A lack of on-site management/long term occupants could lead to the development being utilised for illegal activities such as a brothel/drug haven etc.</p> | <p><i>"The anti social behaviour and drug use doesn't come from short term tenants. It is more likely to come from long term state housing tenants and street people. Short term occupants are likely to be more affluent than average."</i></p> <p><i>"This sounds like a comment coming from a drug haven, brothel or mental asylum. Any of these activities would more likely rent on a long term basis. We are also not likely to rent to unacceptable tenants as it would be detrimental to our property. The systems to source shorter term tenancies are largely self policing with tenant rating systems allowing any bad tenants to be filtered</i></p> | Refer to 'Appropriateness of Use' section below. |

| | | | |
|-----------------------|--|---|--|
| | | <i>out more so than longer term tenants."</i> | |
| | <p>The proposal would allow for a large number of short-term guests being accommodated with little to no accountability for noise or anti-social behaviour.</p> <p>The proposal may attract squatters or vandals if units remain empty for long periods of time.</p> | <p><i>"Please show me the stats on average tenancies of short v's long term occupancies. I don't believe there is any correlation to that suggested."</i></p> <p><i>"No more so than a vacant long term tenanted property and it will be more likely vacant if not able to be tenanted on a short term basis."</i></p> | |
| Noise | <p>Concern regarding increased noise associated with short-term guests and potential parties.</p> <p>Concern regarding noise associated with guest check-in and check-out at all hours.</p> | <p><i>"The point of short term tenants would likely be they are from out of town so would be less likely to have local friends that they might party with. I'm not sure where whoever is providing this feedback is getting their perception from but I've never seen a party in a hotel room and I've travelled to a few (writing this on the way back from Sydney having stayed in a hotel). And this isn't a hotel in any event."</i></p> <p><i>"The check-in would be on-line. There is no noise other than the key in the door."</i></p> | Refer to 'Appropriateness of Use' section below. |
| Building Requirements | <p>Concern the development does not meet fire regulations for this type of use.</p> <p>Concern the development does not meet disability access requirements for this type of use.</p> | <p><i>"You better tell the current tenants that then unless there is some science behind shorter term tenants being more combustible?."</i></p> <p><i>"Similarly to the above. Disabled people will be restricted to the ground floor apartments or not at all if there are more restrictions than that."</i></p> | Refer to 'Other Matters' section below. |

ANALYSIS

Site Context

The subject site is located in a prominent position on a bend in Mount Prospect Crescent. A grouped dwelling development comprising four units is located to the north of the subject site and the adjoining property to the south contains a single house positioned towards the front of the property. To the rear of the site is a grouped dwelling development comprising a mixture of single and two storey grouped dwellings.

Appropriateness of Use

The proposed use of residential building (short-term accommodation) is an 'A' use within the medium and high density residential zone of TPS 24, and accordingly the use is not permitted unless the City has exercised its discretion by granting planning approval after giving special notice in accordance with Schedule 2, Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The applicant has advised that the proposal is to provide a greater level of flexibility for usage of the dwellings. The change of use would allow for the development to cater to a wider range of occupants which may help to ensure a higher overall level of occupancy for the dwellings on site which is considered positive to activate the area. Advertising would occur via websites such as AirBnB or other short term rental advertising.

The City has prepared a draft local planning policy relating to short-term accommodation, which most recently was referred to a Councillor workshop held on 9 May 2017, and is also an item on this Committee Meeting Agenda with a recommendation for adoption.

The draft policy indicates preferred locations for short-term accommodation which include within 800m of an identified activity corridor or high frequency train station, 250m of a high frequency bus stop, or located on a distributor road. The proposal does not meet any of these criteria and therefore would not be considered a preferable location for short-term accommodation.

Car parking for a residential building (short-term accommodation) is at the rate of 1 car bay per 3 beds provided in accordance with the draft policy. The development contains a total of 36 beds (two double beds per dwelling), resulting in a total of 12 car bays required on site. A total of 12 car bays have been provided, however the car bays do not function on a communal basis. The development has been strata titled into nine individual lots, with each lot allocated the exclusive use of one car bay, and three communal visitor car bays. It is noted that whilst the total number of bays complies when assessing the development as a whole, if calculated individually for each strata lot the car parking requirement would increase (due to rounding) and car parking would not comply.

A number of comments were submitted in respect of the proposal during the community consultation stating the use was not appropriate for the location and would negatively impact on the existing nearby residents and community. The issues raised primarily related to concerns about potential noise, anti-social behaviour, and parking issues. Whilst these issues are typically addressed through a management plan for the site, there are concerns that permitting a large number of short-term units within a single development in a suburban location may result in a higher frequency of incidents impacting on adjoining residents.

The location is not considered preferable by both the City's draft policy and the site would potentially accommodate up to nine groups of short term guests at any one time with no on-site management to monitor behaviour or ensure timely responses to complaints. These factors are all considered to contribute to a high level of risk for the development to unduly impact on the area and in particular adjoining residents.

It is also noted that as the development has been subdivided that there is potential for the units to be individually sold which could lead to difficulties in coordinating management of the short-term occupants and enforcement of any management plan.

Accordingly the proposal for change of use to residential building (short-term accommodation) is not considered appropriate for the location or subject development, and is not supported.

Other Matters

The City's Building Services has advised that a class 2 building (multiple dwelling) may require a change of classification for occupation on a short term basis dependant on how the units are proposed to be occupied. It is the responsibility of the applicant to seek independent advice from a building certifier as to whether the change in use would result in the need for modifications to comply with the Building Code requirements.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

In light of the above assessment of the proposed development, the application is recommended for refusal.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

| | |
|-------------|--|
| Theme: | Our Built Environment |
| Aspiration: | A quality and connected built environment. |
| Outcome B1: | Appealing streetscapes. |
| Outcome B3: | Quality built environment. |

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development
2. Submission Location Plan (Confidential)

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council refuses planning application dated 13 February 2017 and plans dated 20 February 2017 for the proposed change of use from multiple dwellings to residential building (short-term accommodation) at Lot 1, 1-9/20 Mount Prospect Crescent, Maylands, for the following reasons:

1. The short-term accommodation is not located within a preferred location as defined by the City's draft Short-term Accommodation local planning policy.
2. The number of units proposed for short-term accommodation in one location without on-site management is considered excessive and likely to have an undue impact on the amenity of the area.
3. The strata titled development is not considered appropriate for use as short-term accommodation; accountability for implementation of a management plan involving multiple owners may not be practical to enforce and is considered more likely to result in impact on the amenity of nearby residents.
4. The proposal is considered to be inconsistent with the orderly and proper planning of the locality.
5. Consideration of the submissions received.

CR STEPHANIE COATES MOVED, CR ALAN RADFORD SECONDED

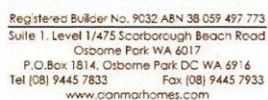
CARRIED: 5/3

*FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Chris Cornish, Cr Sally Palmer and Cr Dan Bull.*

AGAINST VOTE - Cr Michelle Sutherland, Cr Catherine Ehrhardt and Cr Brent Fleeton.

Attachment 1

21 FEB 2017

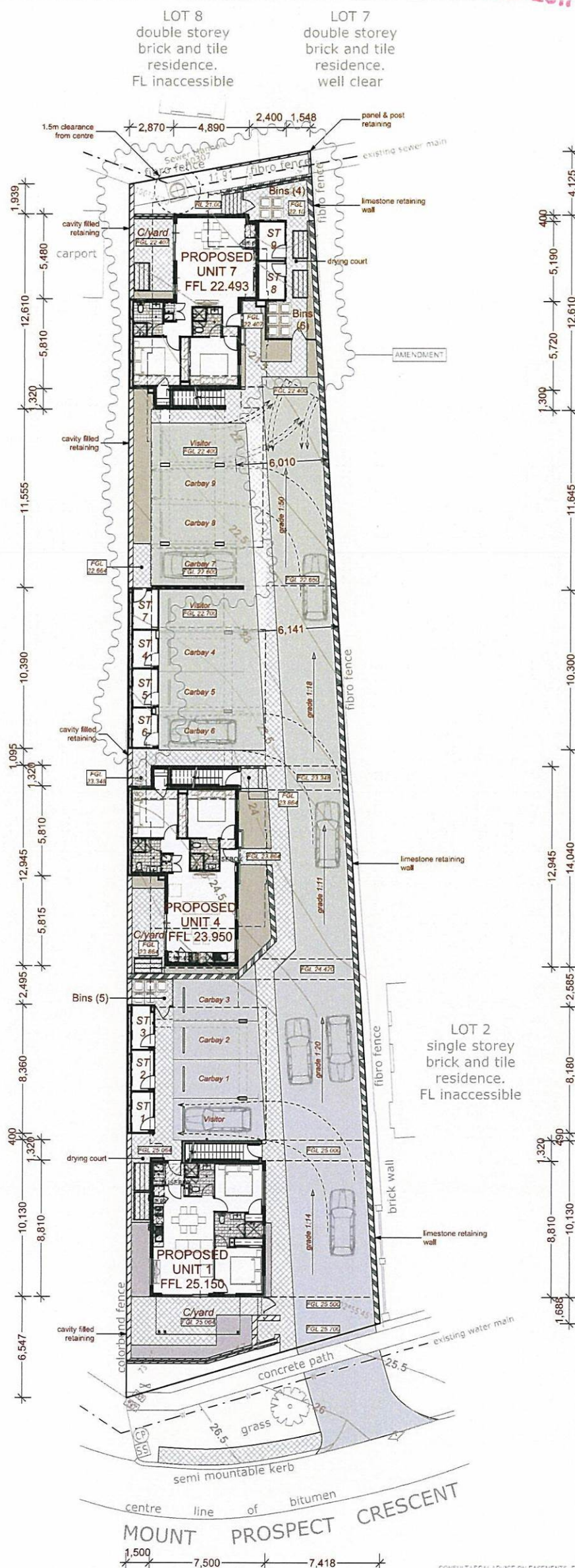


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| | |
|------------------|---|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. DATE | 2 - Apartment 7 re-design 15/10/2014 |
| DRAWN BY | GD |

Momentum Wealth Apartments

#20 Mt. Prospect Crescent Maylands
Path: T:\Working Drawings\3238-40 PROPPORT PTY LTD (Mt Prospect Cres,
Maylands)\Ref\Amended Design\Rev 2\3238-40 Site (Rev 2).pln



LEGEND

- | | | | |
|---|---|---|----------------------|
|  | Temporary benchmark, nail & plate in bitumen RL 25.82m AHD |  | AHD height contour |
|  | Street sign |  | Spot height in metre |
|  | Sewerage manhole |  | Overhead power |
|  | Water meter |  | Consumer pole |
|  | Significant tree |  | Telephone pit |

Feature Survey by
THE LANO DIVISION
PLANNING | SURVEYING | DESIGN
PO Box 4454,
Myaree BC, WA 6960
Tel 089 333 5700
Fax 089 317 7023

| | | |
|--|--|----------------|
| TBM nail & plate in bitumen equals RL 25.82 AHD Based on sewer manhole A0307 RL 21.25 AHD (Water Corp e-plan) Contractor to check datum before adopting levels | Date: 21 MAY 2013 | Scale 1:300@A3 |
| | Client: Marc Loftus | |
| | Position and depth of services to be confirmed on site by contractor. | |
| | Note: Features are related to fence-lines only. No connection made to boundaries. REPEX RECOMMENDED | |

FEATURE AND CONTOUR SURVEY
OF LOT 1 ON DIAGRAM 16672
VOLUME 1153 FOLIO 647
20 MOUNT PROSPECT CRESCENT, MAYLANDS
our ref. 13/5066

21 FEB 2017



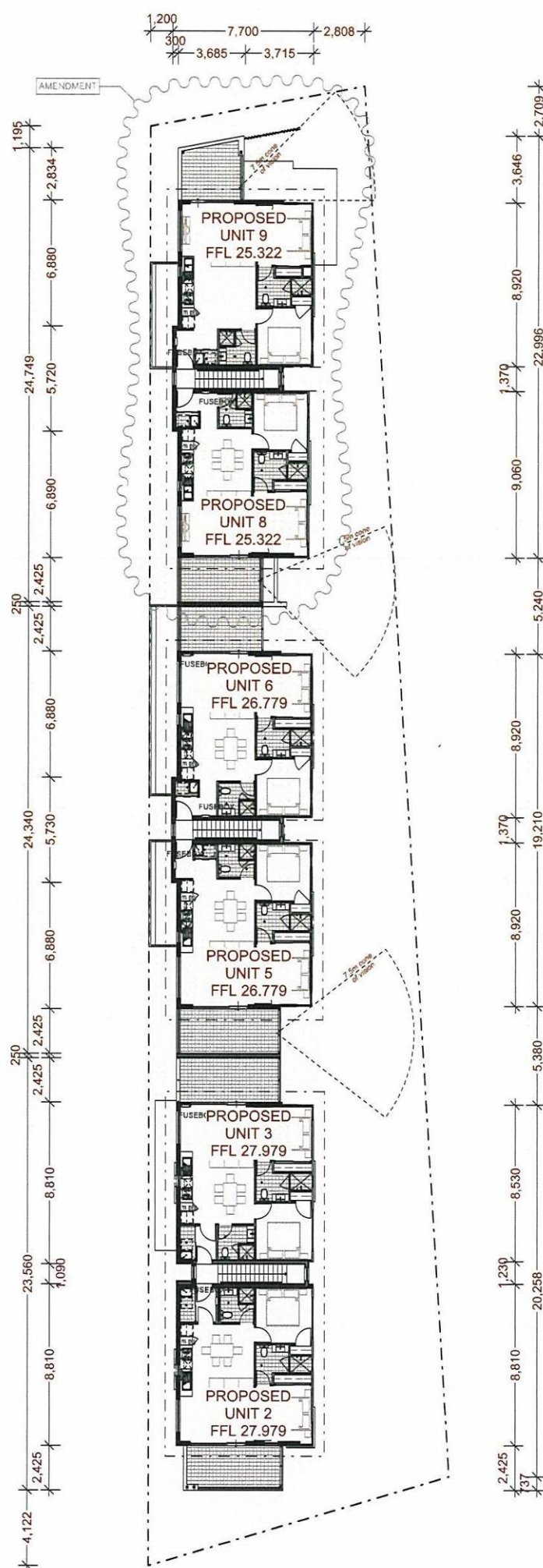
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P.O.Box 1814, Osborne Park DC WA 6916
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| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. | 2 - Apartment 7 re-design |
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Maylands)\Ref\Amended Design\Rev 2\3238-40 Site (Rev 2).pln



LEGEND

- Temporary benchmark, nail & plate in bitumen RL 25.82m AHD
- Street sign
- Sewerage manhole
- Water meter
- Significant tree
- AHD height contour
- Spot height in metres
- Overhead power
- Consumer pole
- Telephone pit

Feature Survey by
THE LAND DIVISION
PLANNING | SURVEYING | DESIGN
PO Box 4454,
Myaree BC, WA 6960
Tel 089 333 5700
Fax 089 317 7023

TBM nail & plate in bitumen equals RL 25.82 AHD
Based on sewer manhole A0307 RL 21.25 AHD (Water Corp e-plan)
Contractor to check datum before adopting levels

Date: 21 MAY 2013

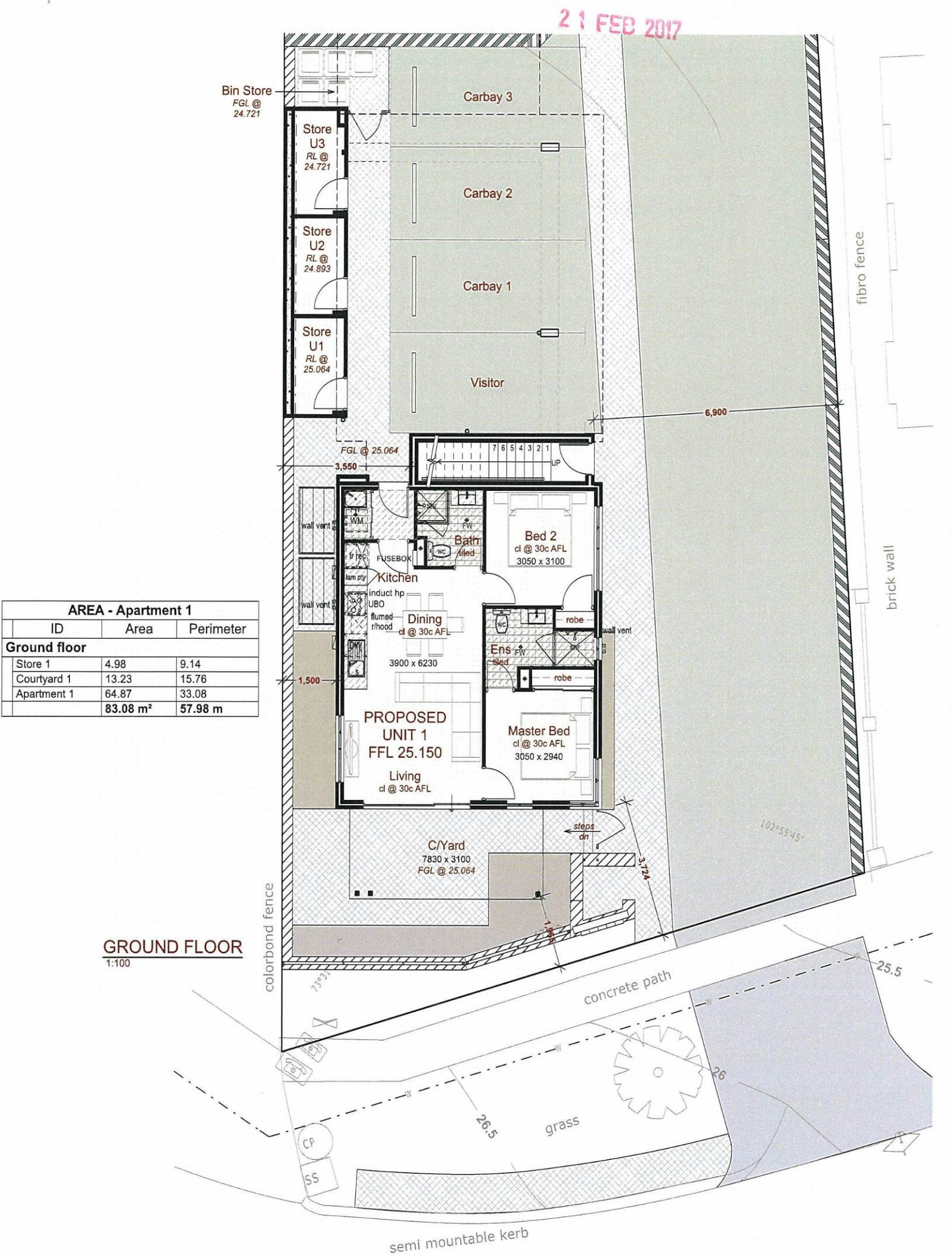
Scale 1:300@A3

Client: Marc Loftus

Position and depth of services to be confirmed on site by contractor.

Note: Features are related to fence-lines only.
No connection made to boundaries.
REPEG RECOMMENDED

FEATURE AND CONTOUR SURVEY
OF LOT 1 ON DIAGRAM 16672
VOLUME 1153 FOLIO 647
20 MOUNT PROSPECT CRESCENT, MAYLANDS
our ref. 13/5066



| | |
|------------|---------------------------|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
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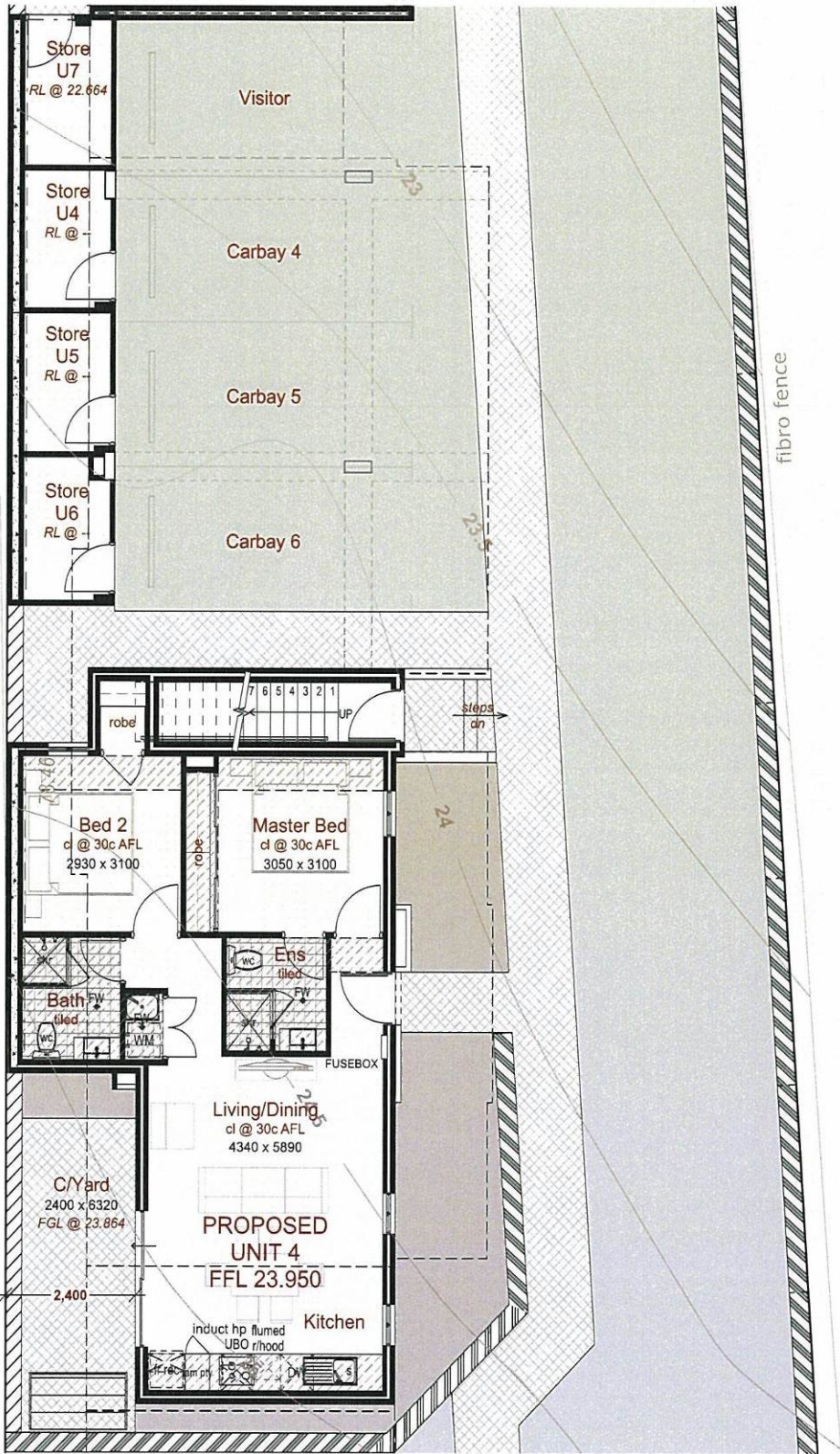
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| AREA - Apartment 4 | | |
|--------------------|----------------------|-----------|
| ID | Area | Perimeter |
| Ground floor | | |
| Store 4 | 5.19 | 9.20 |
| Courtyard 4 | 13.96 | 16.43 |
| Apartment 4 | 70.08 | 40.29 |
| | 89.23 m ² | 65.92 m |

GROUND FLOOR
1:100



| | |
|------------------|---|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. DATE | 2 - Apartment 7 re-design 15/10/2014 |
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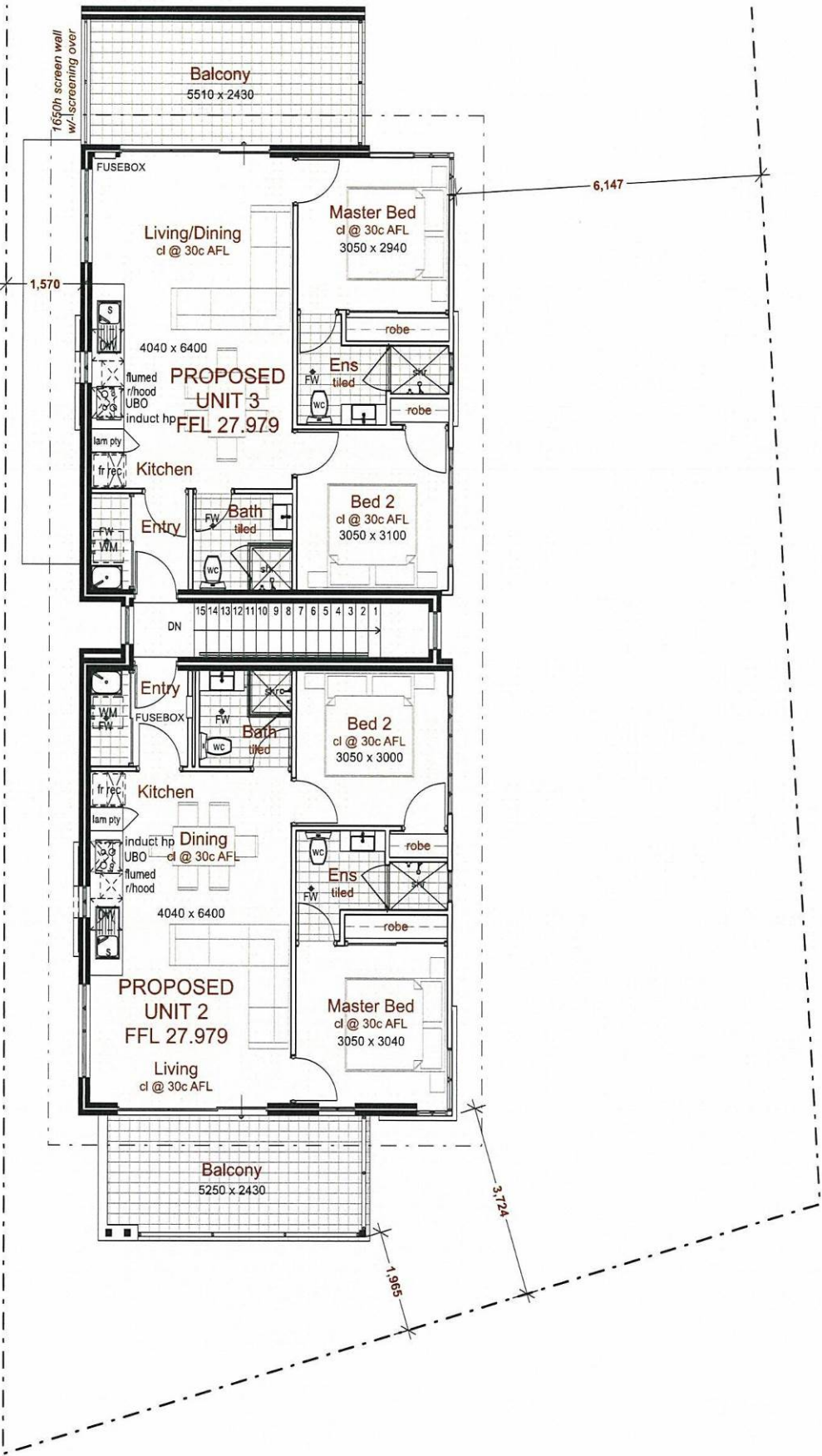
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| AREA - Apartment 3 | | |
|--------------------|----------|-----------|
| ID | Area | Perimeter |
| 1st floor | | |
| Balcony 3 | 14.54 | 16.50 |
| Apartment 3 | 65.93 | 32.66 |
| | 80.47 m² | 49.16 m |
| Ground floor | | |
| Store 3 | 5.17 | 9.36 |
| | 5.17 m² | 9.36 m |
| | 85.64 m² | 58.52 m |

| AREA - Apartment 2 | | |
|--------------------|----------|-----------|
| ID | Area | Perimeter |
| 1st floor | | |
| Balcony 2 | 13.23 | 15.76 |
| Apartment 2 | 66.20 | 32.66 |
| | 79.43 m² | 48.42 m |
| Ground floor | | |
| Store 2 | 4.82 | 8.96 |
| | 4.82 m² | 8.96 m |
| | 84.25 m² | 57.38 m |

UPPER FLOOR
1:100



| | |
|------------|---------------------------|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. | 2 - Apartment 7 re-design |
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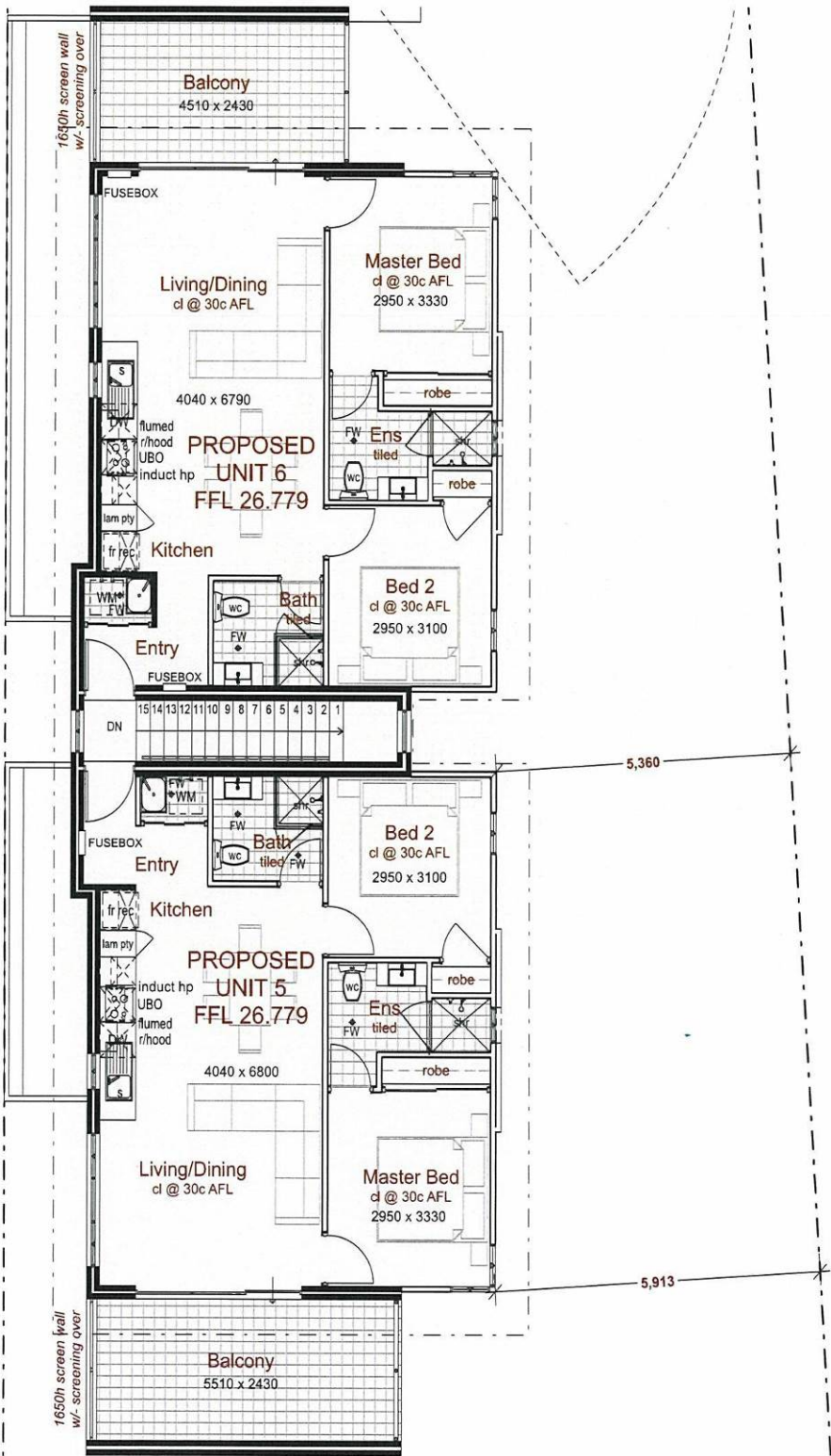
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| AREA - Apartment 6 | | | |
|--------------------|----------|-----------|--|
| ID | Area | Perimeter | |
| 1st floor | | | |
| Balcony 6 | 11.99 | 14.50 | |
| Apartment 6 | 66.96 | 33.52 | |
| | 78.95 m² | 48.02 m | |
| Ground floor | | | |
| Store 6 | 5.17 | 9.18 | |
| | 5.17 m² | 9.18 m | |
| | 84.12 m² | 57.20 m | |

| AREA - Apartment 5 | | | |
|--------------------|----------|-----------|--|
| ID | Area | Perimeter | |
| 1st floor | | | |
| Balcony 5 | 14.54 | 16.50 | |
| Apartment 5 | 66.91 | 33.52 | |
| | 81.45 m² | 50.02 m | |
| Ground floor | | | |
| Store 5 | 5.03 | 9.04 | |
| | 5.03 m² | 9.04 m | |
| | 86.48 m² | 59.06 m | |

UPPER FLOOR
1:100



| | |
|------------------|---|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. DATE | 2 - Apartment 7 re-design 15/10/2014 |
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#20 Mt. Prospect Crescent Maylands

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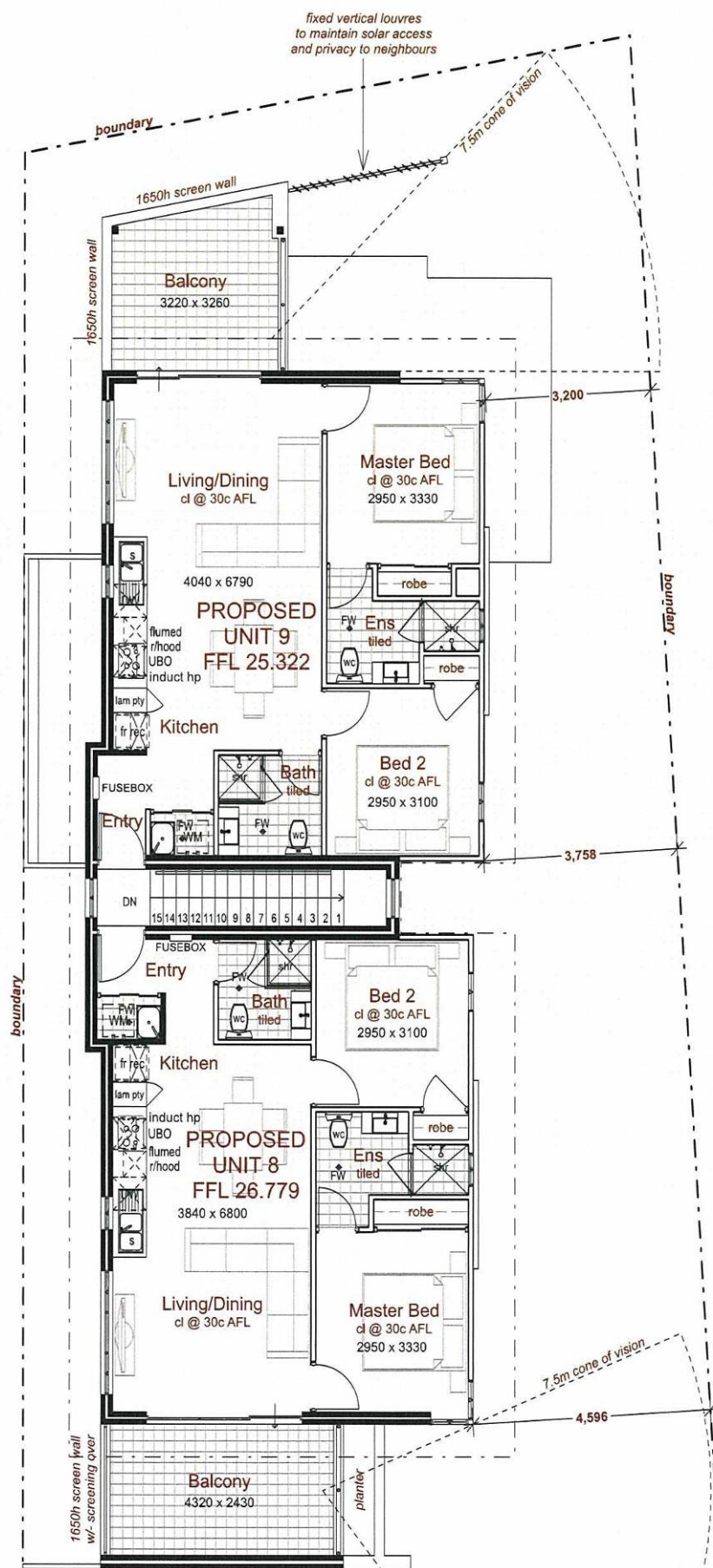
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| AREA - Apartment 9 | | |
|---------------------|-----------------|----------------|
| ID | Area | Perimeter |
| 1st floor | | |
| Balcony 9 | 11.41 | 13.60 |
| Apartment 9 | 66.92 | 33.52 |
| | 78.33 m² | 47.12 m |
| Ground floor | | |
| Store 9 | 4.54 | 8.69 |
| | 4.54 m² | 8.69 m |
| | 82.87 m² | 55.81 m |

| AREA - Apartment 8 | | | |
|---------------------|-------------|-----------------|----------------|
| | ID | Area | Perimeter |
| 1st floor | | | |
| | Balcony 8 | 11.99 | 14.50 |
| | Apartment 8 | 65.34 | 33.12 |
| | | 77.33 m² | 47.62 m |
| Ground floor | | | |
| | Store 8 | 4.54 | 8.69 |
| | | 4.54 m² | 8.69 m |
| | | 81.87 m² | 56.31 m |

UPPER FLOOR



| | |
|------------------|---|
| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Eagleton |
| REV. NO. DATE | 2 - Apartment 7 re-design 15/10/2014 |
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Momentum Wealth Apartments

#20 Mt. Prospect Crescent Maylands

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FRONT ELEVATION - 1
1:100

Unit 1 & 2

SIDE ELEVATION - 2
1:100

DANMAR DEVELOPMENTS

Registered Builders No. 9557 ABN 38 559 497 273
Suite 1 Level 1/475 Scarborough Beach Road
Cottesloe Park, WA 6017
P.O. Box 1814, Cottesloe Park DC WA 6016
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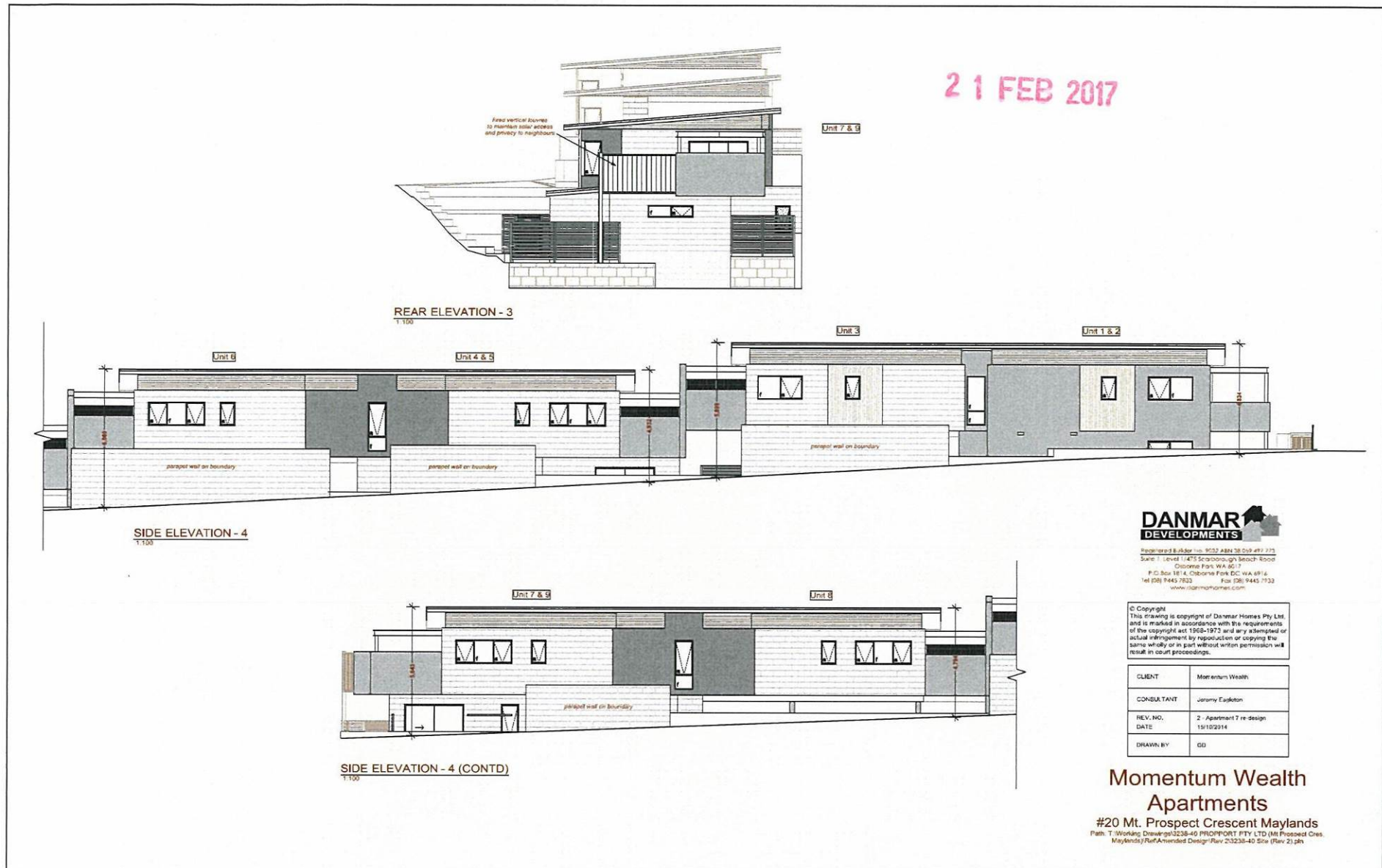
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| CLIENT | Momentum Wealth |
| CONSULTANT | Jeremy Engelen |
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Momentum Wealth Apartments

#20 Mt. Prospect Crescent Maylands
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Maylands\Ref\Annotated Design\Rev 2\3235-40 Site (Rev 2).dwg

SIDE ELEVATION - 2 (CONTD)
1:100



9.1.11 Proposed Public Art to Concrete Batching Plant

Location: Lot 2, 277-279 Collier Road, Bayswater
File Number: DA10-0741.03
Applicant: Proport Pty Ltd
Owner: Ransberg Pty Ltd
Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services
Refer: Item 11.1.16: OCM 22.09.15

EXECUTIVE SUMMARY**Application:**

A public art project was received 22 May 2017 to satisfy a condition of approval for the concrete batching plant at Lot 2, 277-279 Collier Road, Bayswater.

Key Issues:

- Public art is required by the planning approval granted by the State Administrative Tribunal for the concrete batching plant development.
- Artwork is to comply with the City's Percent for Public Art local planning policy.
- Artwork consists of a standalone concrete sculpture located at the front of the lot.

BACKGROUND

| | |
|---|-------------------------|
| Town Planning Scheme No. 24 Zoning: | General Industry |
| Use Class: | Noxious Industry - 'D' |
| Lot Area: | 12,325m ² |
| Existing Land Use: | Concrete Batching Plant |
| Surrounding Land Use: | General Industry |
| Size/Nature of Proposed Development: | Public Art |

The State Administrative Tribunal (SAT) determined on 28 January 2014 to conditionally approve the concrete batching plant at 277-279 Collier Road, Bayswater. Condition 25 of the approval states as follows:

"The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide an Art Project for a minimum value of one per cent (\$15,000) of the estimated total cost of the development (\$1,500,000). Prior to the lodgement of a building permit application, the owner/applicant shall submit details to the City, including plans of the artwork, its cost and construction, and other matters relating to the artwork's on-going maintenance and acknowledgements in accordance with the City's Percent for Public Art Policy. Upon the City receiving this information, the Art Project shall be presented to Council for its consideration and determination. The approved public art shall be installed prior to the submission of an Occupancy Permit for the subject development, and thereafter maintained at the cost of the owner/applicant."

An amended application for the concrete batching plant was subsequently determined by the SAT on 14 December 2016, and included an amendment to the original percent for public art condition. Condition 26 of the amended approval states as follows:

"The owner, or the applicant on behalf of the owner, shall comply with the City of Bayswater policy relating to Percent for Public Art, and provide an art project for a minimum value of one per cent (\$60,000) of the estimated total cost of the development (\$6,000,000). Prior to the lodgement of a building permit application, the owner/applicant shall submit details to the City of Bayswater, including plans of the artwork, its cost and construction, and other matters relating to the artwork's ongoing maintenance and acknowledgements in accordance with the City of Bayswater's Percent for Public Art Policy. Upon the City of Bayswater receiving this information, the art project shall be presented to Council for its consideration and determination. The approved public art shall be installed prior to the submission of an 'Occupancy Permit' for the subject development, and thereafter maintained at the cost of the owner/applicant."

The City has lodged an appeal against condition 2 of the associated works approval for the concrete batching plant issued by the Department of Environment Regulation. A decision has not yet been made in respect of the City's appeal however it will not have any effect on the proposed public art.

The primary consideration in relation to this proposal is whether the public art is compliant with the City's Percent for Public Art local planning policy. A copy of the plans for development and supporting information are attached to this report.





CONSULTATION

Not required.

ANALYSIS

Proposed Artwork

The City's local planning policy relating to percentage for public art prescribes that the required public art is to be undertaken by a professional artist whom earns more than 50% of income from art related activities, has a track record of exhibiting artworks or has a university qualification or high level technical college qualification in the arts. The artists proposed for the works are Nicole and Alex Mickle of Safehaven Studios, who are considered to satisfactorily meet these criteria through a track record of public art commissions. Examples of works undertaken are detailed in **Attachment 2**.

The policy requires the public art to be original and positively interact with the public realm, accessible and/or visible to the public. It may be freestanding or integrated into the exterior of a building. The proposed public art includes a freestanding sculpture located at the front of the property behind a visually permeable fence. The sculpture extends above the fence and will also be clearly visible through the fence, providing visibility from the public realm. The concept idea provided by the artists for the proposed public art is as follows:

'We are intrinsically bound to concrete through its extensive use in our built environment. Underfoot, it literally forms the foundations of many a home, business, footpath or bridge. Encircling us it acts as a vessel for water or skateboarders for our sheer pleasure & recreation. Surrounding us it gives us protection or support.'

A concrete knot challenges our perception. It suggests a fluid form when concrete as its name suggests is rigid and solid.

Concrete is an amazingly versatile material, we have designed an artwork that expresses this idea in a bold but simple way. Whilst the knotted form of the sculpture itself could hardly be more basic, it is also strikingly obvious that there is a tremendous level of complexity to the work as a built form. Concrete is just not supported to do this. The most successful public sculptures take established ideas, objects or forms and turn them on their head. Tying a knot in a concrete pillar... No way!"

The sculpture is to be constructed of steel and fibre reinforced concrete, approximately 0.4m (base) to 1.5m (knot) wide, 5.3m high and weighing 3.2 tonnes. The total cost of the artwork is estimated at \$60,000, excluding GST, meeting the cost requirement of the associated condition.

The proposed artwork is considered to make a positive contribution to the Collier Road streetscape, and provide a point of interest within a location which currently offers limited visual amenity. The location of the artwork behind the security fence reduces the opportunity for vandalism, reducing maintenance whilst not unduly impacting the presence of the artwork on the streetscape. Accordingly, the proposed public art is considered to meet the requirements of the public art policy, and is recommended for approval subject to appropriate conditions.

Other Matters

In the event the artwork is damaged, modified or altered, the owner(s) are to take all necessary action promptly to return the artwork to its original state. Conditions have been included in the officer's recommendation to address this matter.

OPTIONS

The following options are available to Council:

1. Council approves the proposal with or without conditions.
2. Council refuses the proposal.

CONCLUSION

Whilst acknowledging Council's position of not supporting the subject concrete batching plant, in light of the SAT's determination to approve the concrete batching plant and the above assessment of the proposal, the public art is considered to meet the objectives of the policy and is recommended for approval subject to appropriate conditions.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 24; and
- City of Bayswater local planning policies, including Percent for Public Art Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Plans for Development
2. Supporting Information

OFFICER'S RECOMMENDATION

In light of the State Administrative Tribunal's determination to grant conditional planning approval for a concrete batching plant at Lot 2, 277-279 Collier Road, Bayswater, Council approves the proposed public art to the concrete batching plant in accordance with plans and details received 22 May 2017, subject to the following conditions:

1. The artist and owner/applicant shall provide written acknowledgement of the implications of the *Copyright Amendment (Moral Rights) Act 2000*, including how the artist will be acknowledged, consent for any required maintenance or relocation, and consent for the City of Bayswater to publish images of the artwork.
2. Once the artwork has been completed and accepted by the City of Bayswater, copyright will be held mutually by the City of Bayswater and the artist.
3. The artwork is required to be identified with the artist's name, and the name of the artwork.
4. The artwork must be completed and installed prior to the first occupation of the development to the satisfaction of the City of Bayswater.
5. The artist shall present a copy of the maintenance schedule to the owner(s) and the City of Bayswater following completion and installation of the public artwork.
6. The owner(s) is to undertake the ongoing care, maintenance and management of the artwork in accordance with the artist's maintenance requirements.

MOTION

That this item be deferred to the next Planning and Development Services Committee meeting pending further information.

CR SALLY PALMER MOVED, CR DAN BULL SECONDED

LOST: 3/5

FOR VOTE - Cr Alan Radford, Cr Sally Palmer and Cr Dan Bull.

AGAINST VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish, Cr Michelle Sutherland, Cr Brent Fleeton and Cr Catherine Ehrhardt.

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

In light of the State Administrative Tribunal's determination to grant conditional planning approval for a concrete batching plant at Lot 2, 277-279 Collier Road, Bayswater, Council approves the proposed public art to the concrete batching plant in accordance with plans and details received 22 May 2017, subject to the following conditions:

1. The artist and owner/applicant shall provide written acknowledgement of the implications of the *Copyright Amendment (Moral Rights) Act 2000*, including how the artist will be acknowledged, consent for any required maintenance or relocation, and consent for the City of Bayswater to publish images of the artwork.
2. Once the artwork has been completed and accepted by the City of Bayswater, copyright will be held mutually by the City of Bayswater and the artist.
3. The artwork is required to be identified with the artist's name, and the name of the artwork.
4. The artwork must be completed and installed prior to the first occupation of the development to the satisfaction of the City of Bayswater.
5. The artist shall present a copy of the maintenance schedule to the owner(s) and the City of Bayswater following completion and installation of the public artwork.

6. The owner(s) is to undertake the ongoing care, maintenance and management of the artwork in accordance with the artist's maintenance requirements.

CR CHRIS CORNISH MOVED, CR MICHELLE SUTHERLAND SECONDED

Following the item being moved and seconded, further discussion took place on this item during which it was established that additional information was required. The item was deferred to a future meeting of the Ordinary Council meeting being held on 27 June 2017, in accordance with clause 10.6 of the Standing Orders Local Law 2013.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that the item should be deferred pending further information.

COMMITTEE RESOLUTION

That this item be deferred to the Ordinary Council Meeting.

CR STEPHANIE COATES MOVED, CR ALAN RADFORD SECONDED

CARRIED: 5/3

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Chris Cornish, Cr Sally Palmer and Cr Dan Bull.
AGAINST VOTE - Cr Michelle Sutherland, Cr Brent Fleeton and Cr Catherine Ehrhardt.

Attachment 1

WE ARE INTRINSICALLY BOUND TO CONCRETE
THROUGH IT'S EXTENSIVE USE IN OUR BUILT ENVIRONMENT

UNDERFOOT, IT LITERALLY FORMS THE FOUNDATIONS
OF MANY A HOME, BUSINESS, FOOTPATH OR BRIDGE.

ENCIRCLING US IT ACTS AS A VESSEL FOR WATER OR SKATEBOARDERS
FOR OUR SHEAR PLEASURE & RECREATION.

SURROUNDING US, IT GIVES US PROTECTION OR SUPPORT.

THE CONCEPT

- A CONCRETE KNOT CHALLENGES OUR PERCEPTION.
- IT SUGGESTS A FLUID FORM WHEN CONCRETE AS
IT'S NAME SUGGESTS IS RIGID & SOLID.

FLOW

PUBLIC ARTWORK

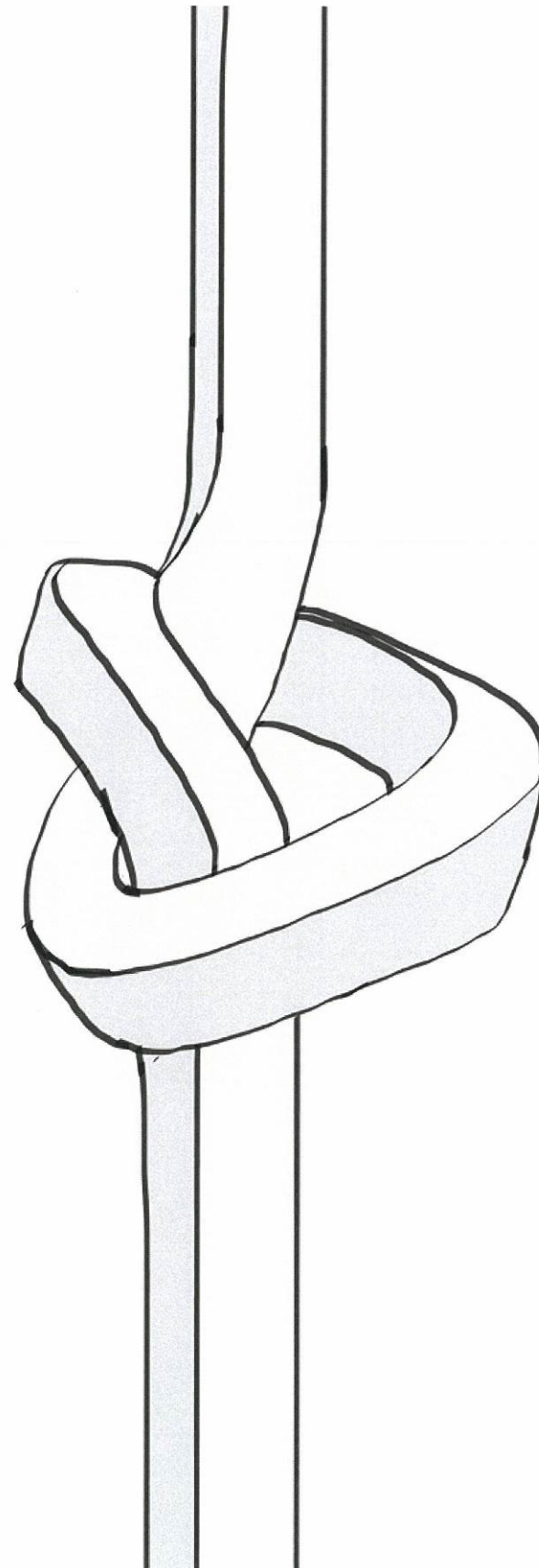
LOCATION: 277 COLLIER ROAD, BAYSWATER, WA / CONCRETE BATCHING PLANT

COMMISSIONER: WA PREMIX / WA LIMESTONE

ARTISTS: SAFEHAVEN STUDIOS ALEX & NIC MICKLE



No.
33
SAFEHAVEN
STUDIOS



- **CONCRETE** is an amazingly versatile material, we have designed an artwork that expresses this idea in a bold but simple way.

- Whilst the knotted form of the sculpture itself could hardly be more basic it is also strikingly obvious that there is a tremendous level of complexity to the work as a built form. Concrete is just not supposed to do this.

- The most successful public sculptures take established ideas, objects or forms and turn them on their head.
Tying a knot in a concrete pillar.... No way!

FLOW

PUBLIC ARTWORK



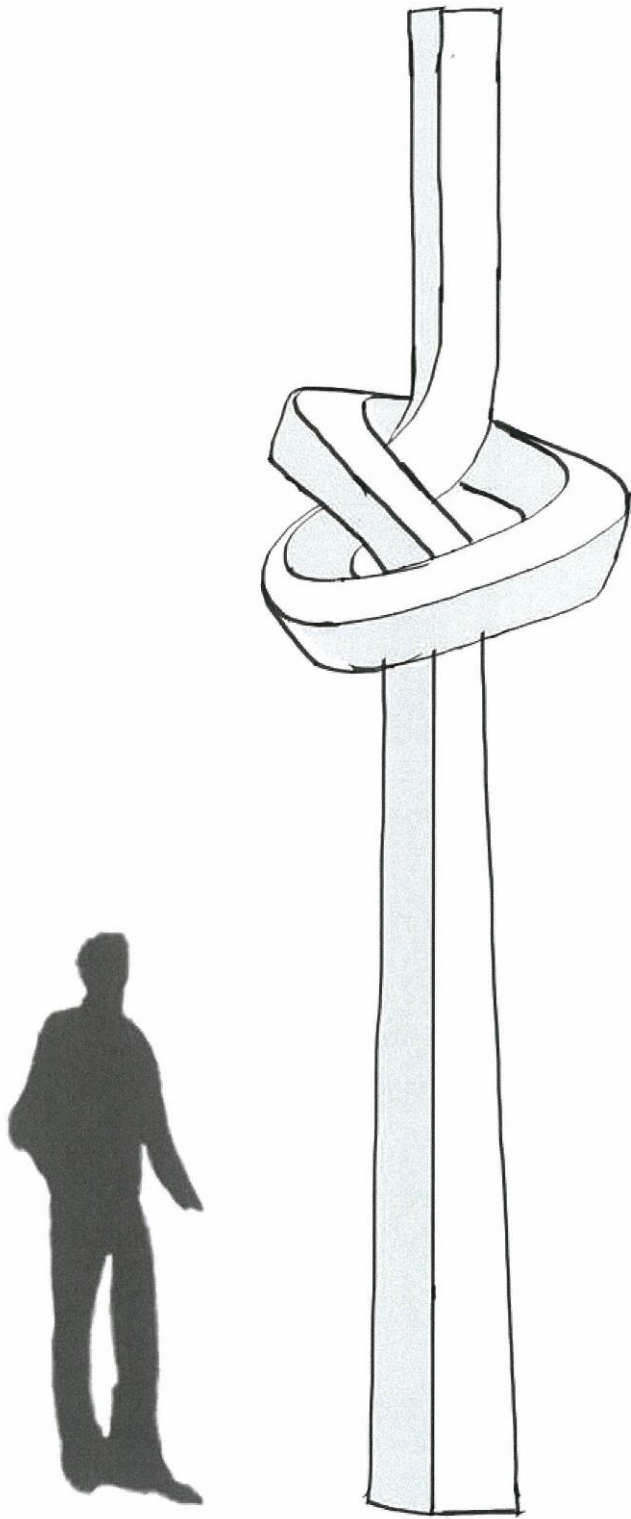
W.A. PREMIX

No.
33
SAFEHAVEN
STUDIOS

HEIGHT: APPROX 5300mm

WIDTH AT KNOT APPROX: 1500mm

TAPERED BASE COLUMN WIDTH
APPROX. 400mm



FREESTANDING SCULPTURE

MATERIALS

STEEL & FIBRE REINFORCED CONCRETE
CONCRETE TO ENGINEERS SPECIFICATIONS

VOLUME & WEIGHT

CONCRETE VOLUME = APPROX: 1.312m3
CONCRETE WEIGHT= 3.2 Tonne

LOCATION

277 COLLIER ROAD, BAYSWATER, WA
CONCRETE BATCHING PLANT

COMMISSIONER

WA PREMIX / WA LIMESTONE

ARTISTS

SAFEHAVEN STUDIOS ALEX & NIC MICKLE

FLOW

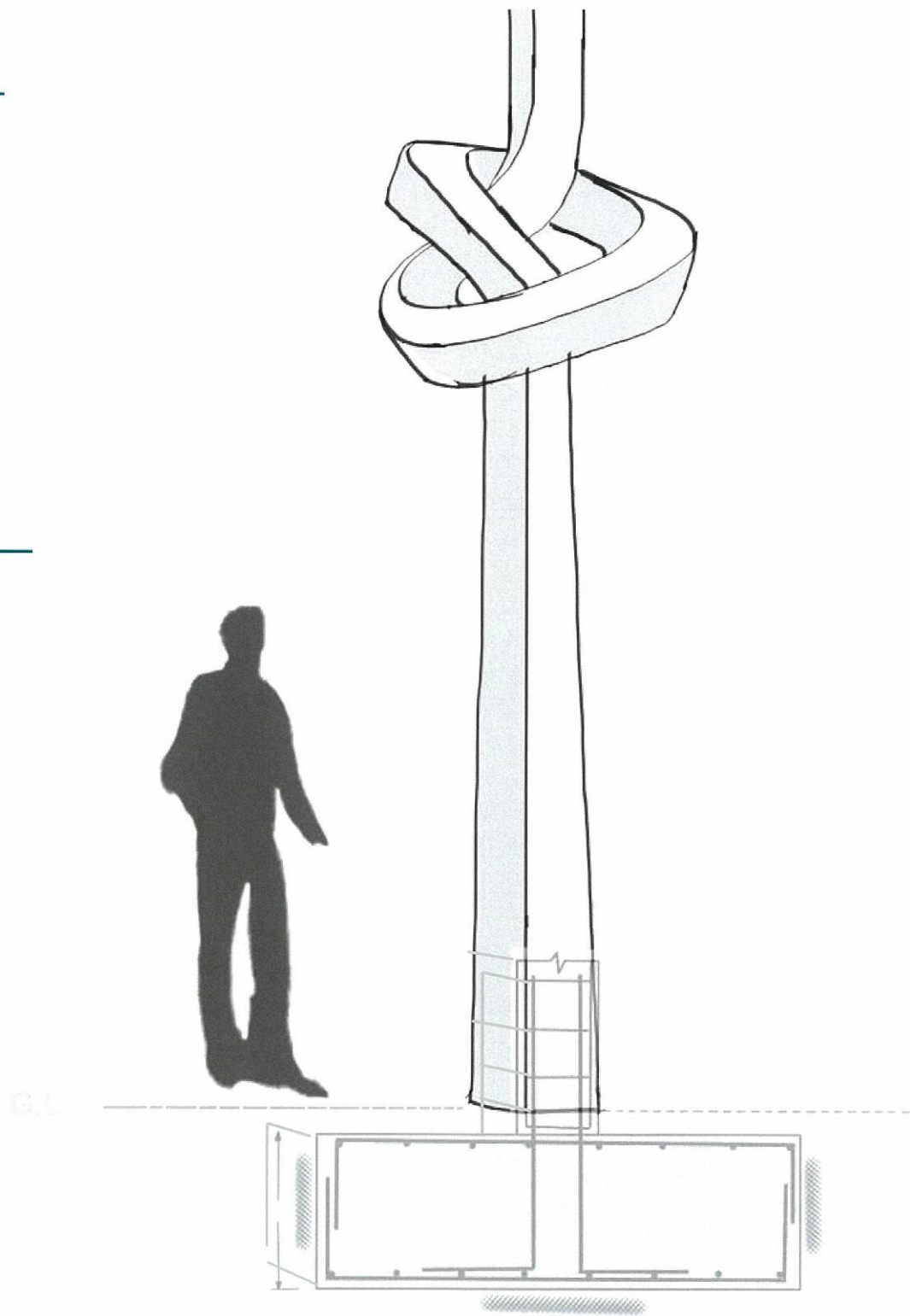
PUBLIC ARTWORK



No.
33
SAFEHAVEN
STUDIOS

HEIGHT: APPROX 5300mm

WIDTH AT KNOT APPROX: 1500mm



TAPERED BASE COLUMN WIDTH
APPROX. 400mm

NOTE: THIS DRAWING DOES NOT DETAIL INTERNAL REINFORCING
ONLY POSSIBLE FOOTING

STRUCTURAL ENGINEERING & FOOTINGS

FOOTING DESIGN & DIMENSIONS TO
ENGINEERS SPECIFICATIONS

LOCATION

277 COLLIER ROAD, BAYSWATER, WA

CONCRETE BATCHING PLANT

COMMISSIONER

WA PREMIX / WA LIMESTONE

ARTISTS

SAFEHAVEN STUDIOS ALEX & NIC MICKLE

FLOW

PUBLIC ARTWORK



No.
33
SAFEHAVEN
STUDIOS



**PROPOSED LOCATION
FOR PUBLIC ARTWORK**

**AMENITIES
BUILDING**



LOCATION ON SITE **FLOW**

PUBLIC ARTWORK

LOCATION
277 COLLIER ROAD, BAYSWATER, WA
WA PREMIX, CONCRETE BATCHING PLANT



No.
33
SAFEHAVEN
STUDIOS

Attachment 2

CITY OF BAYSWATER

PUBLIC ARTWORK PROPOSAL

COMMISSIONER: WA PREMIX / WA LIMESTONE

ADDRESS: 277 COLLIER ROAD, BAYSWATER WA
CONCRETE BATCHING PLANT

ARTISTS: NIC & ALEX MICKLE - SAFEHAVEN STUDIOS, WA

No.
33
SAFEHAVEN
STUDIOS

May 11th 2017

ATTENTION:
ELIZABETH BREEN

CITY OF BAYSWATER

ARTWORK PROPOSAL: FLOW - PUBLIC ARTWORK
277 COLLIER ROAD BAYSWATER / WA PREMIX - CONCRETE BATCHING PLANT

NICOLE & ALEX MICKLE - SAFEHAVEN STUDIOS.

We are a husband & wife team with a particular focus on large scale public art works. Safehaven Studios has conceptualised, created and delivered 22 significant Public Art Commissions in Western Australia over the past 18 years. **Refer to condensed CV on next page.*

We have successfully completed many projects for the State Government through the Percent for Art scheme, developers, arts organisations, major resource companies and significant infrastructure projects, which enliven & engage the communities they inhabit.

- **CONCEPT** - Please see attached full concept description & drawings for 'FLOW'. This will be a low maintenance, easy to maintain Public Artwork that fits comfortably within the environment that it will stand. CONCRETE is an amazingly versatile material & we have designed an artwork that expresses this idea in a bold but simple way. Whilst the knotted form of the sculpture itself could hardly be more basic, it is also strikingly obvious that there is a tremendous level of complexity to the work as a built form. Concrete is just not supposed to do this. The most successful public sculptures take established ideas, objects or forms and turn them on their head. Tying a knot in a concrete pillar.... No way!

- **INSURANCES** - (Attached) QBE INSURANCE (AUSTRALIA) Ltd. Artsource Max Insurance. PROFESSIONAL LIABILITY - \$5,000,000 to value. PUBLIC LIABILITY - \$20,000,000 to value.

- The value of the ARTWORK IS \$60,000 + GST. This covers all design, fabrication & installation. Once given approval by council the design & footings will be designed & certified by an Engineer in Stage 2 (COMMISSIONING STAGE). We understand the artwork must be installed prior to the owner occupying the premises & that a Maintenance Schedule must be submitted to both the client & the City of Bayswater.

- **COPYWRITE** – will be jointly held between the client, artists & City of Bayswater.
- **ACKNOWLEDGMENT** of artists & the name of the work is required as follows.
'FLOW – SAFEHAVEN STUDIOS /NICOLE & ALEX MICKLE, 2017'

alex & nicole mickle
visual artists.

safehavenstudios@bigpond.com

33 Leschenault Parade LESCHENAULT W.A 6233 PHONE/FAX: (08) 97 25 8891

Nicole & Alex Mickle Condensed CV 2016

SAFEHAVEN STUDIOS

ACADEMIC QUALIFICATIONS

NICOLE: 1990 Bachelor of Art, Design, Curtin University, Perth WA.
ALEX: 1988 Ceramics - Edith Cowan University
1990 Diploma of Art & Design (Sculpture) Claremont School of Art WA.

NICOLE & ALEX
MICKLE
Born: 1970
Live & Work-
SAFEHAVEN
STUDIOS
Leschenault WA

PUBLIC ART COMMISSIONS

2016 – 2017 **A PLACE FOR HOPE** Community Labyrinth. Projects of Heart & Soul WA Inc. Queens Gardens. Bunbury WA. Preliminary Designs & Discussions.

2015 – 2016 **UNION** - Dirk Hartog Public Art Project & Denham Foreshore Redevelopment. The Western Australian Museum, Government of Western Australia. A sculpture celebrating 400 Years since European arrival on the coast of WA. 6.3 X 2.6m.

2015 **KOOMBANA BAY 'SOUNDWALL'** - Edith Cowan University, City of Bunbury. Public Art Mentorship program for Visual Arts Honours Students. 100 mtr steel sketch.

2013 - 14 **FIVE, 'RESILIENCE'** - Paraburdoo WA. Rio Tinto/DADAA, Mental Health Commission, Australia Council for the Arts & the Shire of Ashburton. A Two Year Community Arts & Cultural Development Pilot. Using mining processes and explosive forming to create artwork. 4.2 mtrs x 9.5 tonne

2013/14 **FIVE - 'Ludlow Doorway'** - Ephemeral Arts Project, Busselton WA. Rio Tinto/DADAA WA – City of Busselton

2012-14 **HARVEY DIVERSION ENHANCEMENT PROJECT, An army of men – shovel in hand.** Shire of Harvey, WA /South West Development Commission Interpretive Public Artwork – Commemorating the Harvey Diversion. Dug by 2500 men in the Depression (1930's). Suspended Artwork above watercourse. 26 x 17 meters. 250 Steel Shovels, Galvanised Steel Cable, polychromed detail to concrete

2012 **ST. JOHN OF GOD HOSPITAL ONCOLOGY UNIT** – Bunbury WA. Perkins Builders.

2012 **LOADING DOCK FEATURE GATES - WOOLWORTHS/BUSSELTON** – Taylor Robinson Architects, Perth WA

2012 **RIVERLEA ENTRY STATEMENT**– Vantage Land Developments, Bunbury WA

2010 – 12 **BUSSELTON JETTY REDEVELOPMENT** - City of Busselton WA
2012 Western Australian Heritage Award Finalist & Highly Commended
'Outstanding interpretation project that enhances a place.'
Research/Community Consultation & Workshops.
Design & Construction: Series of three Interpretive Kinetic Markers, Interpretive Signage, Figurative Bronze & 2 x External Shelters & seating.
Bronze, Timber, Steel, Cor10, Steel Cable, Aluminium.

2008 – 09 **PRESTON RIVER INDIGENOUS SCULPTURE TRAIL** – Shire of Donnybrook, WA

2005 - 10 **BRIDGING THE GAP** - City of Bunbury / D.A.D.A.A WA.

2008 **HUNGRY HOLLOW** Embellished Tilt Panels for ablution block, City of Bunbury WA

2007/08 **CAPE NATURALISTE COLLEGE**, Vasse Newtown, WA.
Dept. of Housing & Works, Percent for Art Scheme.

2007/08 **SOUTH WEST HEALTH CAMPUS**, Acute and Community Psychiatric Health Unit. Bunbury WA.
Dept. of Housing & Works, Percent for Art Scheme.

2005/06 **SOUTHERN FOREST SCULPTURE WALK (UNDERSTORY)**, Northcliffe WA.

OFFICES HELD

2013 - 15 **Creative Industries/ Course Consultative Committee Member.** Edith Cowan University, Bunbury WA.

2007 - 15 **Regional Arts Fund Panel Department of Culture & the Arts Representative.** Government of Western Australia.

2004 – 15 **Arts Development Panel (Peer Assessment) Visual Arts**, Dept of Culture & the Arts

2011-12 **Steering Committee, FRONT ROOM Artist Run Space,**

2007 - 11 **Bunbury Regional Arts Management Board (BRAMB)** Bunbury WA.
Department of Culture & the Arts (DCA), Government of Western Australia.

2008 - 10 **Looking Forward Fund- Panel Assessor.** DCA, State Government W.A.

2004 – 06 **Built Environment Advisory Committee (BEAC)** City of Bunbury, WA

9.1.12 Heritage Fund Application

Location: Lot 31, 6 Hamilton Street, Bayswater
Applicant: Christopher James Fox, Clare Elizabeth Bestow
Owner: Christopher James Fox, Clare Elizabeth Bestow
Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

EXECUTIVE SUMMARY**Application:**

A heritage fund application dated 21 May 2017 has been received for repair and painting works and for the heritage listed place at Lot 31, 6 Hamilton Street, Bayswater.

Key Issues:

- Works comprise exterior painting and balustrade repair.
- The place is listed on both the City's Municipal Inventory of Heritage Places (MI) and Scheme Heritage List.

BACKGROUND

| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Mixed Use - R40 |
| Use Class: | Single House - 'P' |
| Existing Land Use: | Single House |
| Surrounding Land Use: | Single Houses, Grouped Dwellings and Public Open Space |
| Size/Nature of Proposed Development: | Heritage Fund Application for Repair Works |

The subject site is listed as a Classification 3 property on the MI, and is included on the City Scheme Heritage List.

The building is described in the MI as being constructed circa 1900 to 1905, and *"Substantial brick residence with corrugated iron hipped roof pierced by two large brick chimneys featuring decorative stucco treatment to top section. The separate bull nosed roof over the verandah across the front and side is supported on full height timber posts with large decorative brackets and linked by a close set balustrade. Windows are tall double hung sashes. A weatherboard and iron lean-to section runs across the rear"*.

The building is further considered as *"This Edwardian style residence in Hamilton Street overlooking Bert Wright Reserve is associated with settlement on the Hamilton Estate. Information from the Rate Books and Electoral Rolls indicates that the house was built in 1906 by Frederick Johnson, machinist. This would make it one of the earliest residences on the Estate, which was subdivided in 1904. The design style of the house indicates a more elaborate and substantial type of house than that being built at the time"*.

The MI includes the following statement of significance: *"The place is representative of early development within Bayswater, in particular the Hamilton Estate, and makes a positive contribution to the streetscape".*

The heritage place information including the statement of significance is included as **Attachment 1**.



CONSULTATION

Not applicable.

ANALYSIS

The applicant has applied for the heritage grant to rebuild the balustrades and repaint them to maintain and conserve the original integrity of the verandah (**Attachment 2**).

In view of the above, the applicant has provided three quotes for each of the proposed works and has stated that the total cost of the project, excluding GST, will be approximately \$6,000.00. Therefore, the applicant has requested a \$3,000.00 heritage grant. A copy of the application, project summary and quotes received for the works is attached included in **Confidential Attachment 3**.

Notwithstanding the applicant's request, it is noted that the total of the lowest quotes, as outlined in the application documents (\$2,045.45 and \$1,850.00 (excluding GST)), is \$3,895.45 (excluding GST). Accordingly, the maximum allowable heritage grant for the proposed repair works is \$1,947.73 (excluding GST) in accordance with the City of Bayswater Heritage Fund Policy.

The proposed repair and painting works are considered consistent with the permitted works listed in the City of Bayswater Heritage Fund Policy, and furthermore there have been no previous heritage fund applications made for the subject property in the last five years. The subject policy stipulates that to be eligible for funding the subject property must not have received any funding from the City's heritage fund in the previous five years.

In light of the above, it is considered that approval of a heritage grant of \$1,947.73 (excluding GST) complies with the City of Bayswater Heritage Fund Policy and would assist with the conservation of the subject heritage place.

OPTIONS

The following options are available to Council:

1. Council approves the full allocation of \$3,000.00 (excluding GST) as requested in the heritage fund application, with or without conditions.
2. Council approves allocation of \$1,947.73 (excluding GST) in accordance with the City of Bayswater Heritage Fund policy, with or without conditions.
3. Council approves a lesser amount than requested in the heritage fund application or allowed in the policy, with or without conditions.
4. Council refuses the heritage fund application.

CONCLUSION

In light of the above it is recommended that Council approves the application for heritage funding to the value of \$2,050.00 (excluding GST) (Option 2).

FINANCIAL IMPLICATIONS

The current available funding for the Heritage Incentive Fund is as follows:

- \$9,680.46 paid from the fund in the 2016-2017 budget (\$8,981.82 committed in 2015-2016 claimed in 2016-2017).
- \$10,319.54 remains available in the 2016-2017 budget.
- It is noted that there two other separate heritage fund application to be considered at this meeting, totalling \$6,730.91 (excluding GST).

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

City of Bayswater Heritage Fund Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Municipal Heritage Inventory Site Information.
2. Site Photograph.
3. Cover Letter and Quotes. (Confidential)

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council approves the allocation of \$1,947.73 (excluding GST) from the 2016-2017 Heritage Incentives Fund for the proposed repair and painting works to the heritage-listed place at Lot 31, 6 Hamilton Street, Bayswater.

CR SALLY PALMER MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED: 6/2

FOR VOTE - *Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford, Cr Sally Palmer, Cr Dan Bull, Cr Brent Fleeton and Cr Catherine Ehrhardt.*
AGAINST VOTE - *Cr Chris Cornish, Cr Michelle Sutherland.*

Attachment 1**Place Number: 104**

Heritage Council Ref: 11278

COB ID: 3581

**SITE DETAILS**

Place Name: Dwelling

Other Names:

Street Number:

6

Lot Number:

31

Street Name:

Hamilton St

Suburb/Town:

Bayswater

Postcode:

6053

Reserve No.

Lot/Location No.

Plan/Diag

Vol/Folio

Lots 31

P002621

1852/794 18

DESCRIPTION OF PLACE

Construction Year: Circa 1900 To 1905

Architectural Style:

Description Notes:

Substantial brick residence with corrugated iron hipped roof pierced by two large brick chimneys featuring decorative stucco treatment to top section. The separate bull nosed roof over the verandah across the front and side is supported on full height timber posts with large decorative brackets and linked by a close set balustrade. Windows are tall double hung sashes. A weatherboard and iron lean-to section runs across the rear.

Historical Notes:

This Edwardian style residence in Hamilton Street overlooking Bert Wright Reserve is associated with settlement on the Hamilton Estate. Information from the Rate Books and Electoral Rolls indicates that the house was built in 1906 by Frederick Johnson, machinist. This would make it one of the earliest residences on the Estate, which was subdivided in 1904. The design style of the house indicates a

more elaborate and substantial type of house than that being built at the time.

Condition: Poor condition

Integrity/ Authenticity: Integrity - Moderate
Authenticity - High

LISTINGS

| Listing Type | Status | Date | Entry |
|---------------------|---------|------------|-------|
| Municipal Inventory | Adopted | 24/02/1998 | |

SIGNIFICANCE

Statement of Significance: The place is representative of early development within Bayswater, in particular the Hamilton Estate, and makes a positive contribution to the streetscape.

Management Category: Classification 3

Management Category Description: Sites have heritage significance, though it is likely that these places will or have experienced development pressure. Owners of properties are encouraged to retain and conserve their property wherever possible, although demolition would be supported where there is limited opportunity to retain the existing buildings.

Landowners are encouraged to retain and conserve their property wherever possible. Any redevelopment, extension, modification, demolition or change of use requires the approval of Council and an assessment will be made based on the merits of the application. Council's preference is to see heritage aspects maintained wherever possible, however Council may consider removal of heritage aspects; Demolition would be supported where there is limited opportunity to retain existing buildings and a photographic record should be created prior to demolition so that the historical information may be retained. Applicants have right of appeal to Council's decision.

OTHER IMAGES

6 Hamilton Street (2)



Attachment 2



9.1.13 Heritage Fund Application

Location: Lot 59, 68 Ferguson Street, Maylands
Applicant: Kathryn Louise Tenger
Owner: Kathryn Louise Tenger
Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

EXECUTIVE SUMMARY**Application:**

A heritage fund application dated 25 April 2017 has been received for repair works for the heritage listed place at Lot 59, 68 Ferguson Street, Maylands.

Key Issues:

- Works comprise façade painting of verandah, window/door frames and roof fascia, general structural repairs, guttering and rerouting runoff and verandah repair and structural reinforcement.
- The place is listed on both the City's Municipal Inventory of Heritage Places (MI) and Scheme Heritage List.

BACKGROUND

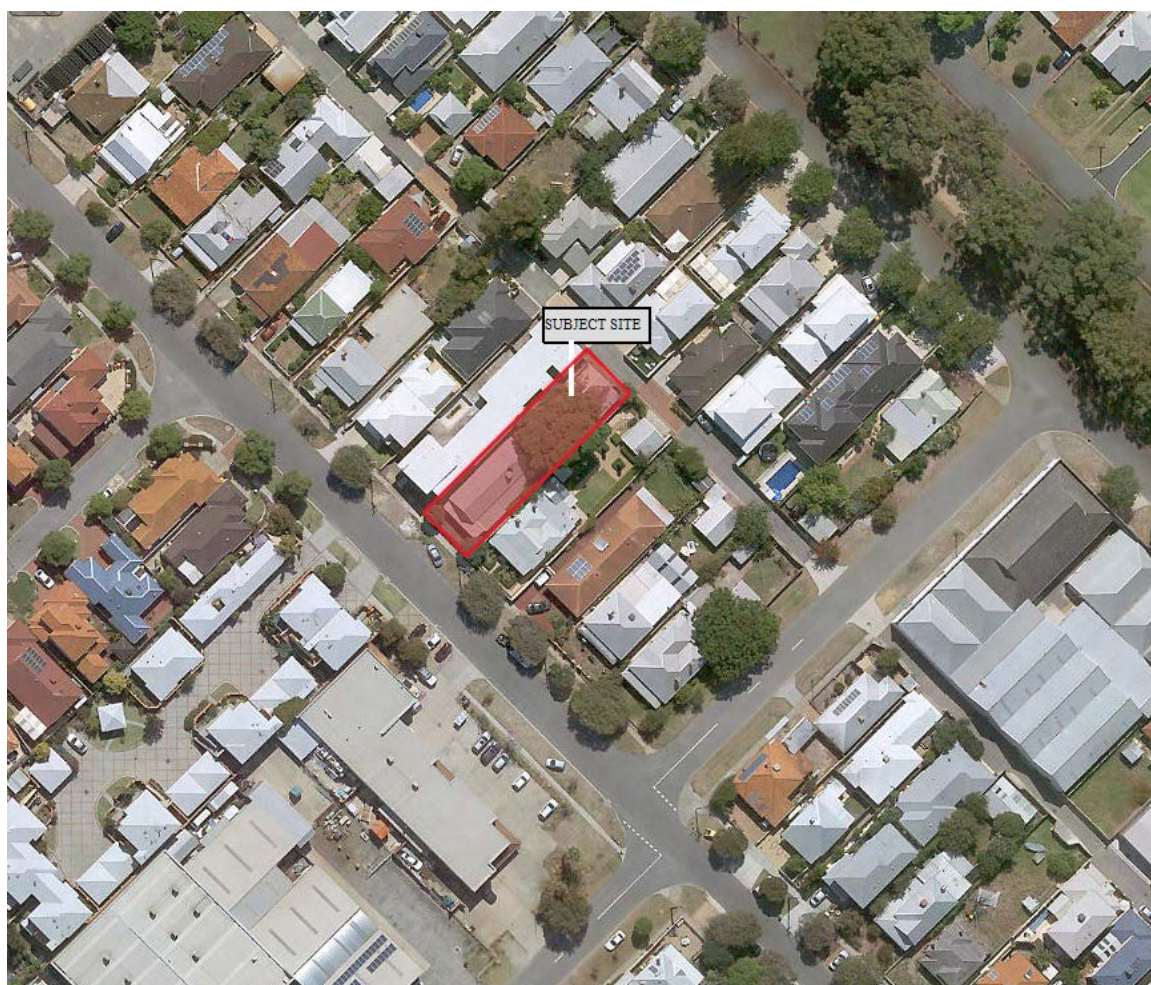
| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Medium and High Density Residential - R40 |
| Use Class: | Single House - 'P' |
| Existing Land Use: | Single House |
| Surrounding Land Use: | Single Houses and Grouped Dwellings |
| Size/Nature of Proposed Development: | Heritage Fund Application for Repair Works |

The subject site is listed as a Classification 3 property on the MI, and is included on the City Scheme Heritage List.

The building is described in the MI as being constructed circa 1907, and "A brick & stucco gabled roof cottage with a full width verandah across the front supported on square posts, with a four panel front door and flanked by double hung sash windows. The astragals in the windows are in an unusual Catherine wheel pattern".

The MI also includes the following statement of significance: "The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. It is an example of a workers cottage and is representative of the development of Maylands following the turn of the century".

The heritage place information including the statement of significance is included as **Attachment 1**.



CONSULTATION

Not applicable.

ANALYSIS

The applicant has advised that age as impacted on the façade/frontage of the building and the verandah joists, bearers and gutters/roofing and is therefore in need of some sound structural work (**Attachment 2**). Accordingly the applicant is proposing to undertake the following works:

- Façade painting of verandah, window/door frames and roof fascia;
- General structural repairs to roofing, guttering and runoff routed to aid in waterproofing, etc.; and
- Verandah repair and structural reinforcement (includes retainers, stumps, frame restoration, joists and jarrah decking).

The applicant has provided three quotes for each of the abovementioned works and the preferred quotes (\$1,676, \$9,1113.19 and \$5,890) sum up to \$16,679.19 (excluding GST). A copy of the application, cover letter and quotes received for the works is attached included in **Confidential Attachment 3**.

The lowest quotes received estimate the cost of the proposed total works outlined in the application at \$12,737.66 (excluding GST). Accordingly, the requested heritage fund amount of \$4,000.00 is approximately 31.5% of the lowest quote.

The proposed repair works are considered consistent with the permitted works listed in the City of Bayswater Heritage Fund Policy, and furthermore there have been no previous heritage fund applications made for the subject property in the last five years. The subject policy stipulates that to be eligible for funding the subject property must not have received any funding from the City's heritage fund in the previous five years.

The funding request complies with the City of Bayswater Heritage Fund Policy and it is considered that its approval would assist with the conservation of the subject heritage place.

OPTIONS

The following options are available to Council:

1. Council approves the full allocation of \$4,000.00 (excluding GST) as requested in the heritage fund application, with or without conditions.
2. Council approves a lesser amount than requested in the heritage fund application, with or without conditions.
3. Council refuses the heritage fund application.

CONCLUSION

In light of the above it is recommended that Council approves the application for heritage funding to the value of \$4,000.00 (excluding GST) (Option 1).

FINANCIAL IMPLICATIONS

The current available funding for the Heritage Incentives Fund is as follows:

- \$9,680.46 paid from the fund in the 2016-2017 budget (\$8,981.82 committed in 2015-2016 claimed in 2016-2017).
- \$10,319.54 remains available in the 2016-2017 budget.
- It is noted that there two other separate heritage fund applications to be considered at this meeting, totalling \$4,678.64 (excluding GST).

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

City of Bayswater Heritage Fund Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Municipal Heritage Inventory Site Information.
2. Site Photographs.
3. Cover Letter and Quotes. (Confidential)

COMMITTEE RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council approves the allocation of \$4,000.00 (excluding GST) from the 2016-2017 Heritage Incentives Fund for the proposed repair works to the heritage-listed place at Lot 59, 68 Ferguson Street, Maylands.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1**Place Number: 70**

Heritage Council Ref: 9323

COB ID: 1235124

**SITE DETAILS**

Place Name: Dwelling

Other Names:

Street Number: 68

Lot Number: 59

Street Name: Ferguson St

Suburb/Town: Maylands

Postcode: 6051

Reserve No.

Lot/Location No.

Plan/Diag

Vol/Folio

Lot 59

P0001588

1408/025

DESCRIPTION OF PLACE

Construction Year: Circa 1907

Architectural Style:

Description Notes: A brick & stucco gabled roof cottage with a full width verandah across the front supported on square posts, with a four panel front door and flanked by double hung sash windows. The astragals in the windows are in an unusual Catherine wheel pattern.

Historical Notes: An authentic and representative example of a well to do blue collar workers' cottage.

Condition: Good condition

Integrity/ Integrity - High

Authenticity: Authenticity - High

LISTINGS

| Listing Type | Status | Date | Entry |
|---------------------|---------|------------|---|
| Municipal Inventory | Adopted | 17/06/1997 | City of Stirling Municipal Inventory adopted 1997 |

SIGNIFICANCE

| | |
|----------------------------------|---|
| Statement of Significance: | The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. It is an example of a workers cottage and is representative of the development of Maylands following the turn of the century. |
| Management Category: | Classification 3 |
| Management Category Description: | Sites have heritage significance, though it is likely that these places will or have experienced development pressure. Owners of properties are encouraged to retain and conserve their property wherever possible although demolition would be supported where there is limited opportunity to retain the existing building. |

OTHER IMAGES

Attachment 2





9.1.14 Heritage Fund Application

Location: Lot 5, 69 Coode Street, Maylands
Applicant: Lachlan Jonathon Silberstein
Owner: Evelyn Claire Chuk, Lachlan Jonathon Silberstein
Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

EXECUTIVE SUMMARY**Application:**

A heritage fund application dated 8 May 2017 has been received for repair and painting works for the heritage listed place at Lot 5, 69 Coode Street, Maylands.

Key Issues:

- Works comprise external painting of all weatherboards and wood trims and replacement of cracked windows.
- The place is listed on both the City's Municipal Inventory of Heritage Places (MI) and Scheme Heritage List.

BACKGROUND

| | |
|---|--|
| Town Planning Scheme No. 24 Zoning: | Medium and High Density Residential - R40 |
| Use Class: | Single House - 'P' |
| Existing Land Use: | Single House |
| Surrounding Land Use: | Single Houses and Grouped Dwellings |
| Size/Nature of Proposed Development: | Heritage Fund Application for Repair Works |

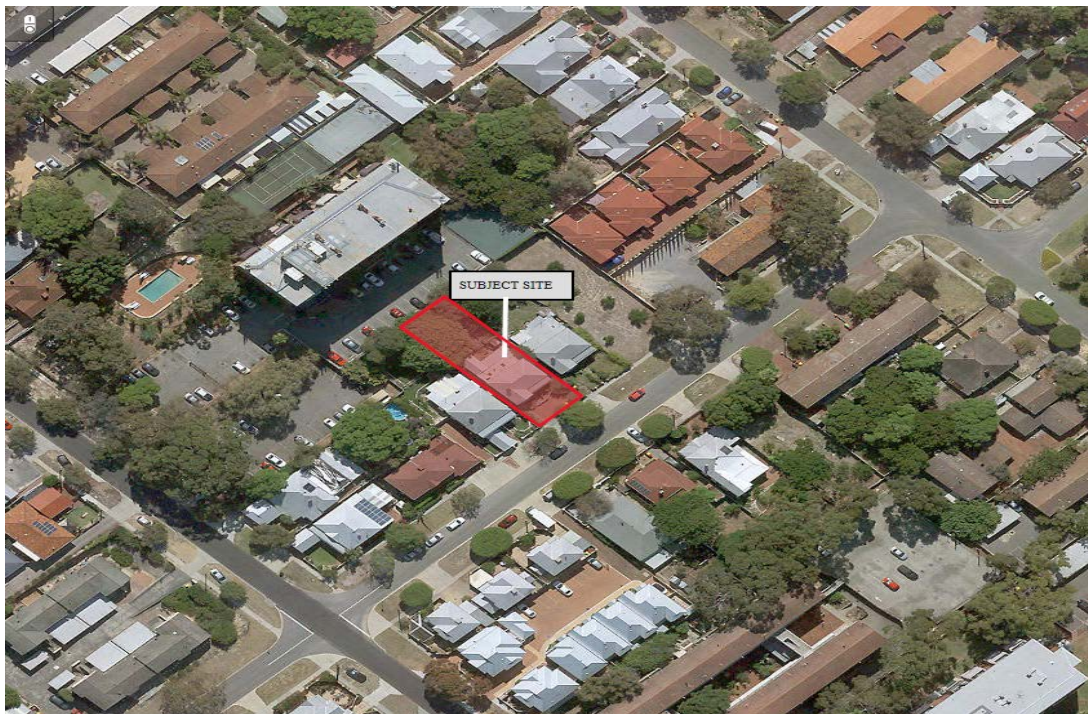
The subject site is listed as a Classification 3 property on the MI, and is included on the City Scheme Heritage List.

The building is described in the MI as being constructed circa 1910, and *"A timber framed cottage with weatherboard cladding and an iron roof. A simple asymmetrically planned house on an elevated block, the house is raised high on stumps and has a half width balustraded bull nosed roof verandah. The turned verandah posts remain, as does much of the detail work such as valances and brackets"*.

The building is further considered as *"An important house that is an integral part of a minor precinct representing the earlier period of suburban development of Maylands. One of a group of timber framed cottages at this end of Coode Street representing the medium size dwelling of the time"*.

The MI includes the following statement of significance: *"The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. It is representative of the development of Maylands following the turn of the century"*.

The heritage place information including the statement of significance is included as **Attachment 1**.



CONSULTATION

Not applicable.

ANALYSIS

The applicant has advised that the proposed works aim to restore the residence and maintain the integrity of the property. *"The cracked windows are a priority as they both undermine the heritage value of the property and pose a security risk to the occupants. Furthermore, as the exterior of the property has not been painted for at least the last 10 years, an exterior paint would restore the aesthetic of the property, thus improving its overall integrity. Paint will also provide weather protection, which the property is in need of. There are a number of damaged original jarrah weatherboards, which have deteriorated due to poor maintenance."*

In view of the above, the applicant has provided three quotes for each of the proposed works and has stated that the total cost of the project will be to approximately \$8,500.00 (excluding GST). Therefore, the applicant has requested a \$4,000.00 heritage grant. A copy of the application, project summary and quotes received for the works is attached included in **Confidential Attachment 3**.

Notwithstanding the applicant's request, it is noted that the lowest quotes, as outlined in the application documents, is a total of \$5,461.82 (excluding GST). Accordingly, the maximum allowable heritage grant for the proposed repair works is \$2,730.91 (excluding GST), in accordance with the City of Bayswater Heritage Fund policy.

The proposed repair and painting works are considered consistent with the permitted works listed in the City of Bayswater Heritage Fund Policy, and furthermore there have been no previous heritage fund applications made for the subject property in the last five years. The subject policy stipulates that to be eligible for funding the subject property must not have received any funding from the City's heritage fund in the previous five years. Should the available fund be approved, it will assist with the conservation of the subject heritage place.

In light of the above, it is considered that approval of a heritage grant of \$2,730.91 (excluding GST) complies with the City of Bayswater Heritage Fund Policy and would assist with the conservation of the subject heritage place.

OPTIONS

The following options are available to Council:

- Council approves the full allocation of \$4,000.00 (excluding GST) as requested in the heritage fund application, with or without conditions.
- Council approves allocation of \$2,730.91 (excluding GST) in accordance with the City of Bayswater Heritage Fund policy, with or without conditions.
- Council approves a lesser amount than requested in the heritage fund application or allowed in the policy, with or without conditions.
- Council refuses the heritage fund application.

CONCLUSION

In light of the above, it is recommended that Council approves the application for heritage funding to the value of \$2,730.91 (excluding GST) (Option 2).

FINANCIAL IMPLICATIONS

The current available funding for the Heritage Incentives Fund is as follows:

- \$9,680.46 paid from the fund in the 2016-2017 budget (\$8,981.82 committed in 2015-2016 claimed in 2016-2017).
- \$10,319.54 remains available in the 2016-2017 budget.

- It is noted that there two other separate heritage fund applications to be considered at this meeting, totalling \$5,947.73 (excluding GST).

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

City of Bayswater Heritage Fund Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Municipal Heritage Inventory Site Information.
2. Site Photographs.
3. Cover Letter and Quotes. (Confidential)

COMMITTEE RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council approves the allocation of \$2,730.91 (excluding GST) from the 2016-2017 Heritage Incentives Fund for the proposed repair and painting works to the heritage-listed place at Lot 5, 69 Coode Street, Maylands.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1**Place Number: 25**

Heritage Council Ref: 9206

COB ID: 1157989

**SITE DETAILS**

Place Name: Dwelling

Other Names:

Street Number: 69

Lot Number: 5

Street Name: Coode St

Suburb/Town: Maylands

Postcode: 6051

| Reserve No. | Lot/Location No. | Plan/Diag | Vol/Folio |
|-------------|------------------|-----------|-----------|
| | Lot 5 | D0001721 | 999/65 |

DESCRIPTION OF PLACE

Construction Year: Circa 1910

Architectural Style:

Description Notes: A timber framed cottage with weatherboard cladding and an iron roof. A simple asymmetrically planned house on an elevated block, the house is raised high on stumps and has a half width balustraded bull nosed roof verandah. The turned verandah posts remain, as does much of the detail work such as valances and brackets.

Historical Notes: An important house that is an integral part of a minor precinct representing the earlier period of suburban development of Maylands. One of a group of timber framed cottages at this end of Coode Street representing the medium size dwelling of the time.

Condition: Good condition

Integrity/ Integrity - High
Authenticity: Authenticity - High

LISTINGS

| Listing Type | Status | Date | Entry |
|---------------------|---------------|-------------|---|
| Municipal Inventory | Adopted | 17/06/1997 | City of Stirling Municipal Inventory adopted 1997 |

SIGNIFICANCE

Statement of Significance: The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. It is representative of the development of Maylands following the turn of the century.

Management Category: Classification 3

Management Category Description: Sites have heritage significance, though it is likely that these places will or have experienced development pressure. Owners of properties are encouraged to retain and conserve their property wherever possible, although demolition would be supported where there is limited opportunity to retain the existing buildings.

Landowners are encouraged to retain and conserve their property wherever possible. Any redevelopment, extension, modification, demolition or change of use requires the approval of Council and an assessment will be made based on the merits of the application. Council's preference is to see heritage aspects maintained wherever possible, however Council may consider removal of heritage aspects; Demolition would be supported where there is limited opportunity to retain existing buildings and a photographic record should be created prior to demolition so that the historical information may be retained. Applicants have right of appeal to Councils decision.

OTHER IMAGES

Integrity/ Integrity - High
Authenticity: Authenticity - High

LISTINGS

| Listing Type | Status | Date | Entry |
|---------------------|---------------|-------------|---|
| Municipal Inventory | Adopted | 17/06/1997 | City of Stirling Municipal Inventory adopted 1997 |

SIGNIFICANCE

Statement of Significance: The place, for its building form and architectural characteristics, makes a positive contribution to the streetscape. It is representative of the development of Maylands following the turn of the century.

Management Category: Classification 3

Management Category Description: Sites have heritage significance, though it is likely that these places will or have experienced development pressure. Owners of properties are encouraged to retain and conserve their property wherever possible, although demolition would be supported where there is limited opportunity to retain the existing buildings.

Landowners are encouraged to retain and conserve their property wherever possible. Any redevelopment, extension, modification, demolition or change of use requires the approval of Council and an assessment will be made based on the merits of the application. Council's preference is to see heritage aspects maintained wherever possible, however Council may consider removal of heritage aspects; Demolition would be supported where there is limited opportunity to retain existing buildings and a photographic record should be created prior to demolition so that the historical information may be retained. Applicants have right of appeal to Councils decision.

OTHER IMAGES

Attachment 2



9.1.15 Review of Naming of Parks, Reserves, Streets and Infrastructure Policy

Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services
Refer: Item 11.1: OCM 17.5.2016

EXECUTIVE SUMMARY**Application:**

Council consideration is sought in relation to the review of the City of Bayswater's Naming of Parks, Reserves, Streets and Infrastructure Policy.

Key Issues:

- Council previously requested a review of the subject policy at its Ordinary Council Meeting held 17 May 2016.
- The review has considered naming right opportunities for components of reserves, theming of street names, and other changes to ensure consistency with State policy.

BACKGROUND

At its Ordinary Council Meeting held 17 May 2016 Council considered an application for renaming of Frank Drago Reserve Stadium to Finance 365 Stadium. The subject proposal was not considered to satisfy the allowable listed categories for naming a street, recreation reserve or infrastructure as stated in the Naming of Parks, Reserves, Streets and Infrastructure Policy. Accordingly, Council approved the proposal and further resolved to:

- "2. *Requests a review of the applicable policy - naming of a street, recreation reserve or infrastructure to:*
- a) *Protect the existing approved naming of a street, recreation reserve or infrastructure indefinitely, and*
 - b) *Include a provision to approve short term sponsorship or naming right opportunities."*

It is further noted that the City has a separate policy in relation to Sponsorship Signage on Reserves, which all the sponsorship signage on reserves have to comply with. The proposed review of the Naming of Parks, Reserves, Streets and Infrastructure Policy will not affect that policy.

CONSULTATION

No consultation has yet occurred on this matter.

ANALYSIS

This report recommends Council to modify the Naming of Parks, Reserves, Streets and Infrastructure Policy, which is a policy made under the *Local Government Act 1995*.

Modifications have been made throughout the policy to allow for clarity, enabling Council to recognise commercial short term names for components of recreational reserves for the purpose of event promotion and sponsorship.

It is further noted that, in recent years, the City has had difficulties in choosing names which would fall under historical figures or commemorative names categories for streets, as there are a limited number of historical figure or which meet the State criteria. For example, under State policy, 'Policies and Standards for Geographical Naming in Western Australia' being a landowner is not sufficient to have a road named after a person and similarly government officials are excluded.

Accordingly, the proposed modified policy allows acceptable theming for street names, which are compliant with the subject State policy.

Further, the State policy does not allow names that commemorate living persons, because *"Community attitudes and opinions may change over time and as a result any requirement to rename may lead to confusion and be costly to process."*

In addition, it is proposed to include a statement that chosen names will be expected to be permanent, and re-naming is discouraged. Renaming will only be considered in exceptional circumstances and where significant community support has been demonstrated.

Incorrect references to legislation have also been removed from the original policy.

OPTIONS

The following options are available to Council:

| OPTION | BENEFIT | RISK |
|---|--|--|
| 1. Modify the 'Naming of Parks, Reserves, Streets, and Infrastructure Policy as per the officer's recommendation. Estimated Cost: Nil. | <ul style="list-style-type: none"> Provides clear guidance for naming of parks, reserves, streets and infrastructure. Provides guidance in regard to commercial naming of components of recreational reserves. | <ul style="list-style-type: none"> Nil. |
| 2. Modify the 'Naming of Parks, Reserves, Streets and Infrastructure Policy with other modifications. Estimated Cost: Nil. | <ul style="list-style-type: none"> Dependent on the proposed modifications. | <ul style="list-style-type: none"> Dependent on the proposed modifications. |
| 3. Not modify the 'Naming of Parks, Reserves, Streets and Infrastructure Policy. Estimated Cost: Nil. | Nil. | <ul style="list-style-type: none"> The unmodified policy does not reflect current practices. The unmodified policy is not consistent with the Geographic Names Committee Policies and Standards for Geographic Naming in Western Australia. The unmodified policy will remain silent in regard to commercial naming of components of recreational reserves and renaming requests. |

CONCLUSION

In light of the above, it is recommended that Council supports modifying the 'Naming of Parks, Reserves, Streets and Infrastructure Policy' as per the officer's recommendation (Option 1).

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC LINK

In accordance with the City of Bayswater's Strategic Community Plan 2017-2027, the following applies.

Theme: Our Built Environment
Aspiration: A quality and connected built environment
Outcome B3: Quality built environment

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- *Local Government Act 1995.*

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Naming of Parks, Reserves, Streets and Infrastructure Policy - recommended modifications.
2. Naming of Parks, Reserves, Streets and Infrastructure Policy - recommended modified policy.

OFFICER'S RECOMMENDATION

That Council adopts the modified Naming of Parks, Reserves, Streets and Infrastructure Policy as contained in Attachment 2 to this report.

At 8:45pm, Cr Fleeton withdrew from the meeting.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that further information was required.

COMMITTEE RESOLUTION

That this item be deferred to a workshop for further consideration.

CR DAN BULL MOVED, CR SALLY PALMER SECONDED

CARRIED: 4/3

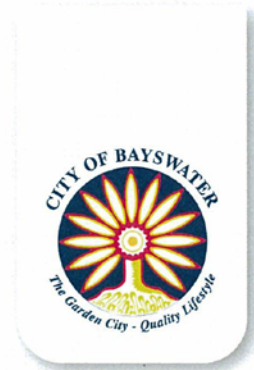
FOR VOTE - Cr Alan Radford, Cr Michelle Sutherland, Cr Sally Palmer, and Cr Dan Bull.

AGAINST VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish, Cr Catherine Ehrhardt.

At 8:49pm, Cr Fleeton returned to the meeting.

Attachment 1 - Recommended Modifications**NAMING OF PARKS, RESERVES, STREETS & INFRASTRUCTURE POLICY**

| | |
|-----------------------------|--|
| Responsible Division | Planning and Development Services |
| Responsible Business Unit/s | Planning Services Strategic Planning and Place Services, Recreation Services |
| Responsible Officer | Planning Manager Manager Strategic Planning and Place |
| Affected Business Unit/s | Planning Services Strategic Planning and Place Services, Recreation Services |

**PURPOSE:**

To outline ~~Council's~~ the City of Bayswater's requirements, in support of the consistent approach for the naming of parks, reserves, streets and infrastructure as set out by the Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia. ~~and assist in making recommendations to the Geographic Names Committee.~~

POLICY STATEMENT:

In accordance with Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia:

1. The naming of ~~a streets and park, recreation~~ reserves, street and infrastructure shall be determined by Council. ~~and~~
2. A list of all names and their origins ~~is to~~ will be kept within a Geographic Names Register.
3. ~~2.~~ Priority will be given to the naming of parks and reserves after an adjacent street or feature to maximise the identification of that park or reserve with an area.
4. ~~3.~~ Components of recreational reserves (e.g. pavilions, ovals, gardens etc.) may:
 - a. be named in honour of community members who have contributed towards the establishment of the particular facility or towards the community in general. Such proposals may include forename/surname combinations; ~~or~~
 - b. have commercial short term names for the purposes of event promotion or sponsorship. Any proposed sponsorship signage shall be in accordance with the Sponsorship Signage on Reserves Policy.
5. All requests for the naming of a ~~park, street, recreation~~ reserve or infrastructure must be identified within one of the following categories:
 - a. ~~War veteran from within the City of Bayswater;~~
 - b. ~~Founding member of a Bayswater community organisation;~~
 - c. ~~Ex-councillor, Local Member of Parliament or Senior Council Officer;~~

- ~~d. Contribution to the Bayswater community (contribution must be verifiable, i.e. long-term member of a community organisation); or~~
 - a. A figure of local historical note;
 - b. Geographic feature(s); or
 - c. Other acceptable theme(s).
6. ~~4.~~ Requests for the naming of a **park**, street, ~~recreation~~ reserve or infrastructure after a person ~~should-must~~ be made in writing and ~~should~~ contain the following details **of the person intended to be recognised**:
- a. Name;
 - b. Date of birth and year of death, ~~if applicable~~;
 - ~~c. Length of residency within the City of Bayswater;~~
 - ~~d. Membership of community organisation(s);~~
 - ~~e. Involvement in community projects;~~
 - ~~f. Contributions towards the development or improvement of the City of Bayswater; and~~
~~The category, as described in (5) below, under which the name is proposed to be included.~~
 - c. Detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc.) to demonstrate the person's contribution(s)/relevance to the local community; and
 - d. Evidence of all efforts to gain consent from family members of the person who is being recognised in the name.
- ~~6. No street or reserve name shall be duplicated within the City of Bayswater.~~
7. Names chosen for City parks, reserves, streets and infrastructure are expected to be permanent, and re-naming is discouraged. Renaming will only be considered in exceptional circumstances and where significant community support has been demonstrated.
8. Nothing in this policy prevents Council from approving short term names for the purposes of event promotion or sponsorship.

DEFINITIONS:

Nil

RELATED LEGISLATION:

~~Section 9.59 of the Local Government Act 1995~~

Section 2.7(2)(b) of the Local Government Act 1995

RELATED DOCUMENTATION:

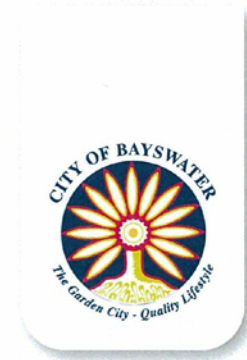
Nil

| | |
|----------------------|--|
| Relevant Delegations | |
| Risk Evaluation | |

| | | |
|---------------------|------|-------------------|
| Council Adoption | Date | 23 April 1996 |
| Reviewed / Modified | Date | 22 September 1998 |
| Reviewed / Modified | Date | 25 January 2005 |
| Reviewed / Modified | Date | 1 March 2016 |
| Reviewed / Modified | Date | |

Attachment 2 - Recommended Modified Policy**NAMING OF PARKS, RESERVES, STREETS & INFRASTRUCTURE POLICY**

| | |
|-----------------------------|--|
| Responsible Division | Planning and Development Services |
| Responsible Business Unit/s | Strategic Planning and Place Services, Recreation Services |
| Responsible Officer | Manager Strategic Planning and Place |
| Affected Business Unit/s | Strategic Planning and Place Services, Recreation Services |

**PURPOSE:**

To outline the City of Bayswater's requirements, in support of the consistent approach for the naming of parks, reserves, streets and infrastructure as set out by the Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia.

POLICY STATEMENT:

In accordance with Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia:

1. The naming of a park, reserve, street and infrastructure shall be determined by Council.
2. A list of all names and their origins will be kept within a Geographic Names Register.
3. Priority will be given to the naming of parks and reserves after an adjacent street or feature to maximise the identification of that park or reserve with an area.
4. Components of recreational reserves (e.g. pavilions, ovals, gardens etc.) may:
 - a. be named in honour of community members who have contributed towards the establishment of the particular facility or towards the community in general. Such proposals may include forename/surname combinations; or
 - b. have commercial short term names for the purposes of event promotion or sponsorship. Any proposed sponsorship signage shall be in accordance with the Sponsorship Signage on Reserves Policy.
5. All requests for the naming of a park, street, reserve or infrastructure must be identified within one of the following categories:
 - a. A figure of local historical note;
 - b. Geographic feature(s); or
 - c. Other acceptable theme(s).
6. Requests for the naming of a park, street, reserve or infrastructure after a person must be made in writing and contain the following details of the person intended to be recognised:
 - a. Name;
 - b. Date of birth and year of death;

- c. Detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc.) to demonstrate the person's contribution(s)/relevance to the local community; and
 - d. Evidence of all efforts to gain consent from family members of the person who is being recognised in the name.
7. Names chosen for City parks, reserves, streets and infrastructure are expected to be permanent, and re-naming is discouraged. Renaming will only be considered in exceptional circumstances and where significant community support has been demonstrated.
 8. Nothing in this policy prevents Council from approving short term names for the purposes of event promotion or sponsorship.

DEFINITIONS:

Nil

RELATED LEGISLATION:

Section 2.7(2)(b) of the Local Government Act 1995

RELATED DOCUMENTATION:

Nil

| | | |
|----------------------|------|-------------------|
| Relevant Delegations | | |
| Risk Evaluation | | |
| Council Adoption | Date | 23 April 1996 |
| Reviewed / Modified | Date | 22 September 1998 |
| Reviewed / Modified | Date | 25 January 2005 |
| Reviewed / Modified | Date | 1 March 2016 |
| Reviewed / Modified | Date | |
| Reviewed / Modified | Date | |

9.1.16 Short-Term Accommodation Policy

Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services
Refer: Item 8.1.12: PDSC 21.03.2017
Item 8.1.5: PDSC 21.02.2017
Item 11.1.17: OCM 15.12.2015
Item 11.1.17: OCM 22.09.2015

CR CATHERINE EHRHARDT DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Catherine Ehrhardt declared a financial interest in this item as she receives income from an Airbnb that she co-owns. At 8:46pm, Cr Ehrhardt withdrew from the meeting.

EXECUTIVE SUMMARY**Application:**

Council consideration is sought in relation to the final adoption of draft planning policy 'Short-Term Accommodation', and the rescission of existing planning policy 'Bed and Breakfast Facilities in Residential Areas'.

Key Issues:

- Council previously considered the draft policy and deferred consideration.
- Two submissions on the draft policy were received after the previous consultation period ended.
- Councillors provided further feedback on the draft policy at the Councillor Workshop on 9 May 2017.

BACKGROUND

At its Ordinary Meeting held 29 July 2015 Council considered an application for a change of use to short-term accommodation at Lot 85, 4 Tillingdon Way, Morley. Council approved the application subject to conditions and resolved in part as follows:

"3. Council requests the Chief Executive Officer to prepare a draft policy relating to short-term accommodation to be considered by Council at its Ordinary Meeting to be held on 22 September 2015."

The draft policy 'Short-Term Accommodation' was developed in light of the above resolution. Council considered the draft policy at its Ordinary Meeting held on 22 September 2015, where it adopted the draft document for public advertising.

The draft was advertised for a period of 21 days from 6 October 2015. No responses from the community were received during this period. It is noted that the policy received a large amount of media interest at the end of the advertising period and the City received two submissions after the advertising period ended.

Council considered a report on the final adoption of draft policy 'Short-Term Accommodation' at its Ordinary Meeting held 15 December 2015 where it resolved the following:

"That Council defer the item and further consider the development of Policy No. TP-P3.5 'Short Term Accommodation' at a future Councillor Workshop."

Councillors considered the draft policy at a Councillor Workshop held 15 February 2016. At the Planning and Development Services Committee meeting held 21 February 2017 the Committee considered an application for short-term accommodation (guest house) at 4A Cedar Street, Bayswater and resolved as follows:

"That this item be deferred until a new policy dealing with short-term accommodation is adopted by Council."

The City modified the draft 'Short-term Accommodation' policy in response to the feedback received at the 15 February 2016 Councillor Workshop. The modified draft policy was considered by the Planning and Development Services Committee at its meeting held 21 March 2017 where the Committee resolved as follows:

"That this item be deferred to a Councillor Workshop."

The draft policy was further considered by Councillors at the Councillor Workshop held 9 May 2017. Councillors considered at the workshop that planning approval should not be required where the number of guests is no greater than six and a keeper resides at the premise and that the City undertake a 12 month trial period of the policy.

On 18 May 2017 the City undertook a review of Airbnb to understand how many short-term accommodation facilities are operating within the City. There were approximately 150 residences / private rooms available. The majority of residences were within Maylands and Bayswater.

CONSULTATION

In accordance with Council's 22 September 2015 resolution the City advertised the draft policy for a period of 21 days between 6 October 2015 and 27 October 2015 via notices in the local newspapers, information on the City's website and at the customer service counter at the City's Civic Centre, The RISE and the Max Tulley Centre. During the consultation period no comments on the draft policy were received by the City. In light of media attention received on the draft policy, the City received two submissions after the advertising period.

Both submissions considered that the City should be encouraging Airbnb within the City, as it helps bring people and money to the area. City Officers consider that the policy will encourage Airbnb within the City as it will provide clear guidance on the City's position on short-term accommodation.

One submission considered the draft policy to be overly restrictive, particularly in regards to wheel chair access as similar requirements are not required for long term tenants. The draft policy is proposed to be modified as detailed below to help alleviate these concerns.

ANALYSIS

Planning Bulletin 99 - Holiday Homes

The City reviewed the draft 'Short-term Accommodation' policy in line with the Western Australian Planning Commission (WAPC) Planning Bulletin 99 'Holiday Homes Guidelines'. The Planning Bulletin was released by the WAPC in September 2009 to guide local governments on how to manage holiday home accommodation within the local area. The guidelines propose possible changes to local planning schemes (such as the inclusion of holiday homes as a land use within the land use table and holiday homes definitions) and the preparation of policies tailored to address specific issues encountered by local governments in their region.

In addition to the planning bulletin the WAPC released a set of guidelines for developing local planning policies. In accordance with the guidelines the location of holiday homes should be restricted to appropriate areas such as the beach, town centres or rural locations, the guidelines note that suburban locations may not be appropriate as it can cause conflict with surrounding landowners. Additionally, it notes that holiday homes should be residential dwellings on freehold lots and not units or apartments unless the entire complex is established for this purpose.

The guidelines recommend the following conditions of approval for holiday homes:

1. A management plan should be submitted as a part of the planning application and prior to the commencement of business. The management plan may include:
 - Nomination of a local manager / caretaker within the vicinity of the property;
 - Details of how nuisance issues such as noise will be addressed by the manager; and
 - A fire and emergency response plan.

It is noted that other matters such as car parking provision, signage, the number of people occupying the premises, maximum period of stay can be imposed as part of the planning approval and subsequently enforced as pursuant to the *Planning and Development Act 2005*.

2. An emergency response plan (ie fire escape route maps) is required to be clearly displayed in a conspicuous location within the dwelling, plus:
 - Each bedroom is to be fitted with a hard wired smoke detector;
 - A fire extinguisher, in a clearly visible location, is to be maintained in proper working order; and
 - Outside barbeques are to be gas or electric.
3. Approval should be limited to one year initially and renewed on a three year to five year period subject to compliance as determined by the local government to ensure that there is minimal impact on the amenity of neighbouring properties.

The draft 'Short-term Accommodation' policy does not reflect all the recommendation within the 'Holiday Homes Guidelines'. As the guidelines are nine years old it is considered that they do not reflect current practise or market demands. Additionally the recommended conditions of approval are considered onerous as they require more detail than suggested in the draft policy. The conditions of approval are based on an old model of holiday home rental, with changing technology it has become easier to rent out single rooms or whole residences and it is considered that the conditions of approval need to reflect this. It is considered that the draft policy better reflects the current market and practice.

Current Process

Currently the land use 'Short-term Accommodation' is not defined within Town Planning Scheme No. 24 (TPS 24). Therefore all applications for short-term accommodation are considered a 'use not listed' and require 14 days advertising and referral to Council for determination. Additionally, City officers require that the applicant to submit site plans and a management plan detailing complaints management procedures, how to control anti-social behaviour and the potential conflict between temporary residents and permanent residents of the area.

In the event Council do not adopt a policy on short-term accommodation, any short-term accommodation facility will still require planning approval under TPS24. Prior to a property being used for short-term accommodation they are generally considered a 'dwelling' land use. As short-term accommodation generally does not involve permanent residence they are no longer considered as a dwelling and therefore require a change of use application.

In the event the draft policy is adopted some applications for 'Short-term Accommodation' will no longer require planning approval, or can be approved under delegated authority by City officers, reducing the amount of time taken for determination. Additionally, the draft policy will provide clarity for the City and operators of short-term accommodation on the City's approach to short-term accommodation and streamline the process.

Proposed Modifications

In light of the feedback received at the Councillor Workshops and the submissions received, the draft policy that was advertised in October 2015 is proposed to be modified in the following ways:

New Provision

It is recommended to insert the following new provision:

"Short-term Accommodation with the following characteristics does not require planning approval:

- (a) A keeper resides at the premise when there is a guest;*
- (b) The number of guests is no greater than six at any one time (exclusive of the keeper and keeper's family); and*
- (c) Any vehicle parking associated with the short-term accommodation is contained on the site."*

It is considered that the issues associated with short-term accommodation can be mitigated where a keeper resides at the premise, as they can monitor guest's behaviour and surrounding landowners will be able to speak with them if issues arise.

Following discussion at the Councillor Workshop held 9 May 2017 it is considered that the number of guests should be greater than six to require planning approval.

Building Approval

It is recommended that the provision relating to building approvals be modified to state the following:

"Other Approvals

This policy does not exempt short-term accommodation from the requirement to obtaining any other necessary approvals, such as building approval."

It is also recommended that this provision be moved to the end of the policy.

It is considered that the modified provision is less onerous than the existing provision as it does not require applicants to obtain other approvals, but highlights that they may be necessary in some circumstances.

Modification to Management Plan Requirements

It is recommended that the requirements for a management plan be modified in the following way:

"All applications for short-term accommodation ~~will require a detailed~~ are to provide a management plan ~~to be submitted~~ with the planning application. The management plan is to include, but not be limited to the following matters:

- (a) Complaints management procedures, which is to include the provision of the contact telephone number of the accommodation owner and operator to adjoining neighbours.*
- (b) Control of anti-social behaviour and the potential conflict between temporary residents and permanent residents of the area. A code of conduct shall be prepared detailing the expected behaviour of guests/residents in order to minimise any adverse impact on adjoining residents.*
- (c) ~~Temporary residents must be made aware of the 'house rules' and code of conduct and the documents are to be displayed in a prominent position within the premises at all times."~~*

It is considered that where a keeper is not residing on the premise a management plan is required to ensure guests and surrounding landowners know who to contact should an issue arise. It is noted that a management plan is a standard requirement for most local governments when planning approval is required.

Modifications to Consultation Requirements

It is recommended that the consultation section be modified in the following ways:

"All applications for short-term accommodation are to be advertised in accordance with the advertising procedures defined in ~~Clause 3.3 of the City of Bayswater Town Planning Scheme No. 24 and Clause 3.7 of the City of Bayswater Town Planning Scheme No. 23~~ Clause 64 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015."

In 2015 the State Government released the *Planning and Development (Local Planning Schemes) Regulations 2015* which included Schedule 2 Deemed Provisions. The deemed provisions introduced a number of clauses which replaced existing clauses within the City's town planning schemes. Clause 3.3 of TPS 24 and 3.7 of Town Planning Scheme No. 23 were replaced by Clause 64 of the deemed provisions. The proposed modification is to reflect this change.

Rescission of 'Bed and Breakfast in Residential Areas' Policy

In the event Council approves the final adoption of draft modified policy the existing 'Bed and Breakfast Facilities in Residential Areas' policy will be superseded and require rescission. It is considered the draft policy better manages the establishment of bed and breakfast facilities as well as other forms of short-term accommodation within the City.

In accordance with Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed Provisions for Local Planning Schemes*. The City is required to publish formal notice of the rescission by Council in local newspaper(s).

OPTIONS

The following options are available to Council:

| OPTION | | BENEFIT | RISK |
|--------|--|---|---|
| 1. | <p>Adopt the draft Short-term Accommodation policy without modification, and revokes the existing 'Bed and Breakfasts in Residential Areas' policy.</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> \$950.00 (for advertising) | <ul style="list-style-type: none"> Provides clear guidance for owners/operators on how to establish short-term accommodation within the City. | <ul style="list-style-type: none"> Resident dissatisfaction associated with retrospective applications. Dissatisfaction by operators of short-term accommodation on extent of requirements. |
| 2. | <p>Adopt the draft Short-term Accommodation policy with the officer proposed modifications, and revokes the existing 'Bed and Breakfasts in Residential Areas' policy.</p> <p>Estimated Cost:</p> <p>\$950.00 (for advertising)</p> | <ul style="list-style-type: none"> Provides clear guidance for owners/operators on how to establish short-term accommodation within the City. Does not require planning approval for short-term accommodation where the keeper resides at the premise. Reduces the amount applicants have to apply for short-term accommodation. | <ul style="list-style-type: none"> Resident dissatisfaction associated with retrospective applications. Dissatisfaction by operators of short-term accommodation on extent of requirements. |

| OPTION | BENEFIT | RISK |
|---|--|--|
| 3. Adopt the draft Short-term Accommodation policy with other modifications, and revokes the existing 'Bed and Breakfasts in Residential Areas' policy. Estimated Cost: \$950.00 (for advertising) | <ul style="list-style-type: none"> Dependent on the proposed modifications. | <ul style="list-style-type: none"> Dependent on the proposed modifications. |
| 4. Do not proceed with the draft policy. Estimated Cost: Nil | <ul style="list-style-type: none"> Incurs no advertising fee. | <ul style="list-style-type: none"> Does not manage the establishment of short-term accommodation within the City. |

CONCLUSION

In light of the above, it is recommended that Council adopts the draft 'Short-Term Accommodation' policy with the officer proposed modifications, and revokes the existing 'Bed and Breakfasts in Residential Areas' policy (Option 2).

FINANCIAL IMPLICATIONS

As detailed in the table above.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
 Aspiration: A quality and connected built environment
 Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

The draft 'Short-term Accommodation' policy is recommended to be a new planning policy pursuant to the relevant provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed Provisions for Local Planning Schemes*.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

- Modified 'Short-term Accommodation' policy.

OFFICER'S RECOMMENDATION

That:

- Council adopts the modified 'Short-Term Accommodation' policy as included in Attachment 1 to this report.
- Council revokes the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
- The City publishes the following notification(s) in the local newspaper(s):
 - The adoption of the modified 'Short-Term Accommodation' policy.

- (b) The revocation of the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
- 4. The City reviews the impact of the 'Short-Term Accommodation' policy during a 12 month period, and a report relating to this matter be referred to Council.

At 8:53pm, Cr Cornish withdrew from the meeting and returned at 8:55pm.

MOTION

That:

1. Council adopts the modified 'Short-Term Accommodation' policy as included in Attachment 1 to this report subject to clause 1 being amended to read:
 - (i) Clause 1 being amended to read "1. *Exemption from Planning Approval.*
Short Term Accommodation with the following characteristics does not require planning approval:
 - (a) The number of guests on a freehold lot, is no greater than 10, or 6 in addition to the keeper and keeper's family, at any one time.
 - (b) Any vehicle parking associated with the Short-term Accommodation is contained on the site or adjoining verge area."
 - (ii) Deletion of Clause 2.4 Number of Guests Accommodated.
2. Council revokes the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
3. The City publishes the following notification(s) in the local newspaper(s):
 - (a) The adoption of the modified 'Short-Term Accommodation' policy.
 - (b) The revocation of the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
4. The City reviews the impact of the 'Short-Term Accommodation' policy during a 12 month period, and a report relating to this matter be referred to Council.

CR STEPHANIE COATES MOVED, CR SALLY PALMER SECONDED

COMMITTEE RESOLUTION

That Standing Orders be suspended.

CR BRENT FLEETON MOVED, CR STEPHANIE COATES SECONDED

CARRIED: 4/3

FOR VOTE: *Cr Sally Palmer, Cr Chris Cornish, Cr Brent Fleeton and Cr Stephanie Coates, Deputy Mayor.*

AGAINST VOTE: *Cr Alan Radford, Cr Michelle Sutherland and Cr Dan Bull.*

At 8:59pm, Standing Orders were suspended.

At 9:11pm, Cr Sutherland withdrew from the meeting and returned at 9:12pm.

COMMITTEE RESOLUTION

That Standing Orders be resumed.

CR CHRIS CORNISH MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 7/1

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish, Cr Michelle Sutherland, Cr Sally Palmer, Cr Dan Bull, Cr Brent Fleeton and Cr Catherine Ehrhardt.
AGAINST VOTE - Cr Alan Radford.

At 9:18pm, Standing Orders were resumed.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that the City hadn't received many complaints about Airbnb, it would reduce red tape and enable extended families to share a house together.

COMMITTEE RESOLUTION

That:

1. Council adopts the modified 'Short-Term Accommodation' policy as included in Attachment 1 to this report subject to:
 - "1. *Exemption from Planning Approval.*
 - (i) Clause 1 being amended to read
Short Term Accommodation with the following characteristics does not require planning approval:
 - (a) The number of guests on a freehold lot, is no greater than 10, or 6 in addition to the keeper and keeper's family, at any one time.
 - (b) Any vehicle parking associated with the Short-term Accommodation is contained on the site or adjoining verge area."
 - (ii) Deletion of Clause 2.4 Number of Guests Accommodated.
2. Council revokes the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
3. The City publishes the following notification(s) in the local newspaper(s):
 - (a) The adoption of the modified 'Short-Term Accommodation' policy.
 - (b) The revocation of the existing 'Bed and Breakfast Facilities in Residential Areas' policy.
4. The City reviews the impact of the 'Short-Term Accommodation' policy during a 12 month period, and a report relating to this matter be referred to Council.

CR STEPHANIE COATES MOVED, CR SALLY PALMER SECONDED

CARRIED: 4/3

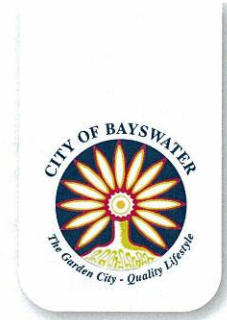
FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Michelle Sutherland, Cr Sally Palmer and Cr Brent Fleeton.
AGAINST VOTE - Cr Alan Radford, Cr Chris Cornish and Cr Dan Bull.

At 9:27pm, the Chairperson, Cr Dan Bull adjourned the meeting in accordance with Council's resolution at its Ordinary Meeting held on 17 November 2015 (Item 9.3) and Clause 8.6(1) of the City of Bayswater's Standing Orders Local Law 2013.

At 9:37pm Cr Ehrhardt returned to the meeting.

Attachment 1 - Modified Short-Term Accommodation Policy**Short-Term Accommodation**

| | |
|-----------------------------|-----------------------------------|
| Responsible Division | Planning and Development Services |
| Responsible Business Unit/s | Planning |
| Responsible Officer | - |
| Affected Business Unit/s | - |

**PURPOSE:**

To provide guidance to applicants who wish to establish a short-term accommodation facility within a dwelling or residential building within the City of Bayswater.

OBJECTIVES

To:

1. Provide guidance of the requirements for the establishment of short-term accommodation within the City of Bayswater;
2. Promote a variety of accommodation options within the City of Bayswater's activity centres and surrounding high frequency public transport routes;
3. Provide a high level of amenity for both long-term residents of adjoining properties and the occupants of short-term accommodation; and
4. Provide guidance to the operators of short-term accommodation as to the operator's responsibilities and obligations.

INTRODUCTION

Short-term accommodation is accommodation where all or part of a dwelling or residential building is utilised to provide accommodation for a period no longer than three consecutive months for hire or reward (a fee). Due to the City of Bayswater's proximity to the Perth CBD, high frequency public transport and the Perth Airport, there is increasing local demand for short-term accommodation.

POLICY STATEMENT:**DEFINITIONS**

Short-term accommodation means a premises providing temporary accommodation, either continuously or from time to time with no guest accommodated for periods totalling more than three months in a 12 month period. Short-term accommodation is not subject to a Residential Tenancy Agreement.

The types of short-term accommodation that are the subject of this policy are as follows:

- Bed and breakfast;
- Guest house/temporary accommodation;
- Lodging house;
- Residential building; and



- Serviced apartments.

Bed and Breakfast has the same meaning as defined in the City of Bayswater Town Planning Scheme No. 24.

Guest House / Temporary Accommodation means a dwelling or part of a dwelling occupied by a person but containing rooms used to accommodate temporary guests for hire or reward.

Lodging House has the same meaning as defined in the City of Bayswater Town Planning Scheme No. 24.

Serviced Apartments has the same meaning as defined in the City of Bayswater Town Planning Scheme No. 24.

Keeper means a person who permanently resides at the dwelling or residential building and is responsible for its upkeep and management of the accommodation.

Guest means a person who accommodates a short-term accommodation on a temporary basis for a fee, but is not covered by a Residential Tenancy Agreement.

Dwelling has the same meaning as defined in the City of Bayswater Town Planning Scheme No. 24.

Residential Building has the same meaning as defined in the City of Bayswater Town Planning Scheme No. 24.

Self-Contained means accommodation having its own kitchen, bathroom and bedroom facilities.

Strata Company means a body corporate constituted under section 32 of the Strata Titles Act 1985 whether for a strata scheme or a survey-strata scheme.

Council of Owners means an elected representative council of a strata company constituted or deemed to have been constituted under the Strata Titles Act 1985.

REQUIREMENTS

General Requirements for all Short-Term Accommodation

1. Exemption from Planning Approval

Short-term Accommodation with the following characteristics does not require planning approval:

- (a) A keeper resides at the premise when there is a guest;
- (b) The number of guests is no greater than six at any one time (exclusive of the keeper and keeper's family); and
- (c) Any vehicle parking associated with the Short-term Accommodation is contained on the site or adjoining verge area."

2. Planning Applications

Unless exempted above, proposals to operate short-term accommodation require the submission and approval of a planning application prior to commencement of operation.



A management plan is to be submitted with the planning application. The management plan is to include, but not be limited to the following matters:

- (a) Complaints management procedures, which is to include the provision of the contact telephone number of the accommodation owner and operator to adjoining neighbours.
- (b) Control of anti-social behaviour and the potential conflict between temporary residents and permanent residents of the area. A code of conduct shall be prepared detailing the expected behaviour of guests/residents in order to minimise any adverse impact on adjoining residents.

2.1. Consultation

All applications for short-term accommodation are to be advertised in accordance with the advertising procedures defined in Clause 64 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Where an application involves short-term accommodation in a strata title situation, all owners and occupiers are to be notified of the proposal. Short-term accommodation in strata title situations will not be supported except where the consent of the strata company/council of owners have been given in accordance with the provisions of the Strata Titles Act 1985 and associated by-laws.

2.2. Compliance

If the owner/operator disputes the classification of a short-term accommodation premises, the owner/operator is required to provide the City of Bayswater with evidence of tenancy agreements for all tenants residing at the premises which clarify occupancy in excess of three months such as:

- (a) Copies of current lease agreements for each tenant indicating tenancy is for a period exceeding three months; or
- (b) Statutory declaration for each tenant stating that the tenancy agreement is for a period exceeding three months.

2.3. Location

Short-term accommodation will be more favourably considered by the City of Bayswater, where it is located in the following preferred locations:

- (a) In or within 800m of an identified activity centre or activity corridor.
- (b) Within 250m of a high frequency bus stop or 800m of high frequency train station.
- (c) Along a primary, district or local distributor road.

2.4. Number of Guests Accommodated

The maximum number of guests accommodated in a 'bed and breakfast', 'guest house / temporary accommodation' or 'serviced apartments' must not exceed six (exclusive of the keeper and his/her family).

Where approval is sought to accommodate more than six guests (exclusive of the keeper and his/her family) a planning application for a 'change of use' to a 'lodging house' or a 'residential building' is required to be submitted to and approved by the City of Bayswater.

3. Car Parking

Car parking bays are to be provided in accordance with Table 1 of this policy.



Table 1 - Onsite Car Parking Requirements for Short-term Accommodation

| Accommodation Type | Car Bays to be Provided |
|---------------------------------------|--|
| Bed and Breakfast | 1 space per 2 guest bedrooms provided in addition to the Residential Design Codes (R-Codes) requirements for the dwelling. |
| Guest House / Temporary Accommodation | As per the R-Codes for the dwelling type. (i.e. no additional car parking is required) |
| Serviced Apartments | As per the R-Codes for multiple dwellings. (i.e. no additional car parking is required) |
| Lodging House | As per the City of Bayswater Town Planning Scheme No.24 requirements for a lodging house. |
| Residential Building | 1 space per 3 beds provided. |

Note: where the accommodation is within a 250m radius of a high frequency bus route or within an 800m radius of a high frequency train station the car parking requirements of this policy may be varied at the discretion of the City of Bayswater.

4. Signage

On land zoned 'Residential', 'Medium Density Residential' or 'Medium and High Density Residential' under the City of Bayswater's town planning scheme(s), a maximum of one sign on the site not exceeding 0.2m² in area, and incorporated into a front fence, wall, structure or building, that identifies the short-term accommodation is permitted.

Specific Requirements for Short-Term Accommodation

1. Bed and Breakfast

(a) Management:

The keeper of the bed and breakfast accommodation must reside at the premises at all times while the Bed and Breakfast is in operation;

- Breakfast is required to be provided to guests;
- Breakfast (and other meals if provided) are provided to bed and breakfast guests only;
- Access to a separate bathroom must be provided for bed and breakfast guests; and
- Access to a dining area and laundry facilities should be provided for bed and breakfast guests.

2. Guest House / Temporary Accommodation

(a) Management:

A keeper is not required to reside at the premise while it is being used for the purpose of a guest house / temporary accommodation.

3. Lodging House

(b) Management

The keeper of a lodging house accommodation must reside on site at all times while the lodging house is in operation.

(c) Health Requirements

Applications for a lodging house are subject to the requirements set out in the *Health Act 1911*.



(d) Outdoor Communal Open Space

Outdoor communal open space for lodging houses shall be provided in accordance with the following:

- Sufficient area is to be provided outside the building for external recreation in accordance with Table 2 of this policy and to have a minimum dimension of 4m:

Table 2 - External Communal Open Space Requirements

| No. of Occupants / Guests | Minimum Area of External Communal Space Required |
|--------------------------------|--|
| 100 or less | 20m ² |
| Greater than 100 less than 150 | 30m ² |
| 150 or greater | 40m ² |

- Design and location of external communal space to be easily accessible by guests.
- Appropriate landscaping demonstrating the use of water conservation measures and paving to be provided that meets the needs of guests and enhances security, safety and amenity of the development and adjoining properties.
- Landscaping to be provided to screen communal spaces from adjoining properties and/or adjoining public areas and to enhance the amenity of the property.
- External communal space should be designed to gain solar access.

(e) Internal Communal Space

- Internal communal space shall be located adjacent to commonly used spaces, such as kitchen, lobby entry area, manager's office etc., or adjacent to the outdoor communal open space.
- Sufficient area is to be provided inside the building for the purpose of passive recreation.

4. Residential Building

(a) Management:

A keeper is not required to reside at the premise while it is being used for the purpose of a residential building.

5. Serviced Apartments

(a) Design

Applications for serviced apartments shall be subject to the siting and design requirements applicable to the site for multiple dwellings under the Residential Design Codes.

Applications for serviced apartments shall include within the entrance, foyer or lobby a reception desk which shall be attended by staff at all times when apartment check-ins and check-out can occur.

(b) Servicing Strategy

In addition to the management plan required by this policy, all applications for serviced apartments shall include a servicing strategy detailing the level of servicing containing, but not limited to the following:

- Opening hours for guest check-ins and check-outs;
- Method of reservations/bookings;



- Means of attending to guest complaints;
- Cleaning and laundry services, where available;
- Company name and relevant experience of management/operator; and
- Management and accommodation of servicing vehicles within the context of the overall car parking for the development.

Details Required for Planning Applications

1. Additional Information

In addition to the management plan detailed above, and normal planning application requirements (for lodgement of plans), the following additional information is required to be submitted on application for planning approval:

- Information justifying the proposed location of the accommodation; and
- Justification as to how and why the proposed accommodation will be compatible with the surrounding area.

Initial planning approval for a 12 month probationary period may apply after which a renewal of approval may be considered.

2. Other Approvals

This policy does not exempt short-term accommodation from the requirement to obtaining any other necessary approvals, such as building approval.

RELATED LEGISLATION:

Policy is adopted under the City of Bayswater's town planning scheme(s), in accordance with *Schedule 2, Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015*.

RELATED DOCUMENTATION:

Nil

| | | |
|----------------------|------|--|
| Relevant Delegations | | |
| Risk Evaluation | | |
| Council Adoption | Date | |
| Reviewed / Modified | Date | |
| Reviewed / Modified | Date | |
| Reviewed / Modified | Date | |



9.1.17 Proposed Amendment No 71 to Town Planning Scheme No 24 - Modifications to Special Control Area 10

Location: Lot 10, 2-4 Railway Parade, Bayswater
Applicant: TPG and Placematch
Owner: Bayswater Industrial Estate
Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services
Refer: Item 8.1.12: PDSC 24.01.17
Item 15.5: OCM 23.02.15
Item 11.1.15: OCM 23.04.13
Item 11.1.7: OCM 24.05.11
Item 11.1.12: OCM 14.12.10
Item 12.2.2: OCM 20.11.07

Confidential Attachment - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - personal affairs of any person.

CR DAN BULL DECLARED A FINANCIAL INTEREST

In accordance with section 5.60A of the Local Government Act 1995, Cr Dan Bull declared a financial interest in this item as the mortgagee on the title is his employer, ANZ. At 9:37pm, Cr Bull withdrew from the meeting.

CR BRENT FLEETON MOVED, CR CHRIS CORNISH SECONDED that CR CHRIS CORNISH be elected Chairperson, and there being no other nominations, CR CHRIS CORNISH was declared elected.

EXECUTIVE SUMMARY**Application:**

Council consideration is sought regarding Amendment No. 71 to Town Planning Scheme No. 24 (TPS 24) to modify the precinct boundaries and land use provisions for Special Control Area 10 (SCA 10).

Key Issues:

- Council at its Planning and Development Services Committee Meeting held 24 January 2017 resolved to initiate Amendment No. 71 for public advertising.
- The proposed scheme amendment was advertised for a period of 48 days and eight submissions were received including one from the applicant.
- Of the submissions received two provided comment, four supported the proposed amendment and two (the applicant) suggested modifications.

BACKGROUND

At its Planning and Development Services Committee Meeting held 27 January 2017 Council considered the proposed scheme amendment and resolved in part as follows:

"That Council:

1. *Initiates Amendment No.71 to the City of Bayswater Town Planning Scheme No. 24 in relation to Special Control Area (SCA) 10 as included in **Attachment 2** to:*
 - (a) *Modify the common boundaries of Precinct A and B;*
 - (b) *Modify the land use provisions in Precinct A, B and C;*
 - (c) *Modify the existing development provisions for Precinct A, B and C; and*

(d) *Introduce on-site car parking standards for SCA 10.*

...

5. *Upon Notice of Assessment from the Environmental Protection Authority being received (and issues raised being complied with), causes the proposed scheme amendment documentation to be advertised for public comment for 42 days by way of:*

- i. Notification being published in the local newspapers;*
- ii. The relevant public authorities being notified in writing of the amendment details;*
- iii. All surrounding landowners within a 400m radius of the site being notified in writing of the amendment details;*
- iv. Information being placed on the City's website; and*
- v. Hard copies of the amendment documentation made available for inspect at the City of Bayswater Civic Centre, City of Bayswater libraries, Max Tulley Office and Information Centre and the RISE One Stop Shop."*

CONSULTATION

Environmental Assessment and Heritage Referral

In accordance with section 81 of the *Planning and Development Act 2005* the scheme amendment documentation was referred to the Environmental Protection Authority (EPA) for assessment. In correspondence dated 7 March 2017 the EPA advised the City that the proposed scheme amendment would not require environmental assessment.

The Heritage Council of WA had no concerns with the proposed scheme amendment.

Public Advertising

Following notification from the EPA the City undertook public advertising of the proposed amendment in accordance with part 5 of the Committee resolution of 27 January 2017. The advertising period was for 48 days, in lieu of the 42 days as resolved by Council, as it fell over the Easter and ANZAC breaks. The advertising period was extended to provide the community sufficient time to respond. A total of 414 letters were sent to surrounding land owners in the City of Bayswater and the Town of Bassendean.

Submissions

A total of eight submissions were received during the consultation period. Two submissions were from government agencies, four submissions were from surrounding landowners, one submission was from the Town of Bassendean and one was from the applicant. Of the submissions received two provided comment, four supported the proposed amendment and two recommended modifications.

A full summary of submissions is contained in **Confidential Attachment 1**.

ANALYSIS

Town of Bassendean Comments

The Town of Bassendean provided comment on the proposed scheme amendment. They have advised that the Town has no objection in general to the proposed scheme amendment, subject to a number of minor modifications as outlined in the table below.

| Town of Bassendean Comments | Applicants Comments | City of Bayswater Officer Comments |
|--|--|--|
| <i>"Clarifying permissibility of land uses, particularly within Precincts B & C, and amending the Scheme Amendment Documentation accordingly."</i> | <i>"Noted. In order to provide further clarity regarding the list of prohibited land uses in Precincts B and C it is suggested the land uses listed within the 'Uses Not Permitted' table be further expanded. "</i> | <i>Noted. City officers support the modification to expand the land uses listed within the 'Uses Not Permitted'.</i> |

| | | |
|--|--|--|
| <p>"Clarifying whether those land uses deemed undesirable in Precinct B by reason of noise, odour or atmospheric emissions will also be prohibited in Precinct C and amending the Scheme Amendment documentation accordingly."</p> | <p>"Yes Precinct B shall also apply the same standards as Precinct C. It is suggested the existing Precinct C description under 'Provisions' be expanded as shown in the bold text:</p> <p>Precinct C – To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions), where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site."</p> | <p>Officers support this modification to clarify whether land uses deemed undesirable in Precinct B will also be prohibited in Precinct C.</p> |
| <p>"Incorporating land use definitions within DPS24 for all land uses identified within the Scheme Amendment documentation."</p> | <p>"Do not support. The land uses listed under the 'Permitted Uses', 'Discretionary Uses' and 'Uses Not Permitted' are all defined under the City's Town Planning Scheme No.24 (TPS24).</p> <p>The listed industries under the Precinct A footnote "****" provide more guidance and rigour for the City when an application is assessed. For clarification, land uses listed as a prescribed premises (as outlined in Schedule 1 of the Environmental Protection Regulations 1987) are not permitted within Precincts A, B and C, as they fall under the land use definition of 'Industry - Noxious' under the City's TPS24. "</p> | <p>The City does not considered it necessary to introduce new land use definitions at this stage. The City will consider introducing the new land use definitions as a part of the review of the town planning scheme.</p> |
| <p>"Modifying 'Table 1 Comparison of Car Parking Requirements Across Local Authorities' on page 25 of the Scheme Amendment report to remove the incorrect parking figures that have been attributed to the Town of Bassendean and replacing with the following."</p> | <p>"Agreed. Table 1 shall be amended."</p> | <p>Noted. Modification will be made to the scheme report documentation.</p> |
| <p>"Maintaining a parking requirement of 1 bay per 50 sq. metres of floor area for Factory land use (as currently applies within the City and which is consistent with local</p> | <p>"Disagree. The proposed ratio should remain as part of the scheme amendment. Historical planning scheme provisions should be reviewed in the context of current industry</p> | <p>The City has discussed the proposed modification in further detail with the applicant. It is recommended that the car parking requirements be modified as detailed in the</p> |

| | | |
|---|--|--|
| <p>government industry practise) in lieu of the 1 bay per 75sq.metres of floor area which is advocated within the Scheme Amendment documentation."</p> | <p>practice. The existing ratio is not reflective of current and evolving industry requirements for factory industry operations. There is a recognised drive for efficiency in the industrial sector to keep manufacturing and operating costs down through the investment in automation. The trend for the automation of processing and distributing goods on-site is resulting in efficiencies in the number of staff required on site. Based on Linc Property's experience in developing the Swan Brewery Industrial Estate in Canning Vale, the proposed 1:75sqm GLA car parking ratio is appropriate for the 'Factory' land use.</p> <p>Any concerns the City may have regarding this adjustment in parking ratio should be allayed by the substantial number of car parking bays made available as embayments within the verge throughout the estate. The provision of these car embayments through the estate shall result in the orderly parking of vehicles rather than informal verge parking that is often seen in older industrial estates."</p> | <p>'Modification 2 - Car Parking Requirements for Factory and Factory Units' section below.</p> |
| <p>"Modifying discussion on page 26 of the Scheme Amendment report which incorrectly refers to a parking ratio of 1 bay per 75sq.metres of floor are being an improvement to the parking requirements specified within the Town of Bassendean when it is not."</p> | <p>"Agreed. Text shall be amended."</p> | <p>Noted. Modification will be made to the scheme report documentation.</p> |
| <p>"Modifying the discussion on page 26 of the scheme amendment report which incorrectly compares a proposal to establish on street car parking on one side of the road carriageway to an established arrangement within the Town of Bassendean when no such arrangement exists."</p> | <p>"Agreed. Text shall be amended."</p> | <p>Noted. Modification will be made to the scheme report documentation.</p> |
| <p>"Noting that any proposal to establish on street parking on one side of the road carriageway may create future conflicts with vehicle movements in the estate when, by virtue of the size of the</p> | <p>"Disagree. This may have been misinterpreted by the Town of Bassendean as on-street car parking within the road carriageway. The estate developer shall be providing car parking embayments within the</p> | <p>Noted. The City supports the on street parking within embayments and therefore has not recommended that this requirement be modified.</p> |

| | | |
|---|--|--|
| commercial vehicle that is being used to service a given development, such vehicle requires the entire width of the road carriageway for manoeuvring purposes." | verge area; not within the carriageway." | |
|---|--|--|

Proposed Modifications

The proposed scheme amendment is recommended to be modified in the following ways:

1. Modify the landscaping provisions for Precinct C;
2. Modify the car parking requirements for Factory and Factory Units;
3. Include a provision reducing the minimum lot area requirement for 'Factory/Factory Units';
4. Modify Precinct C's objective; and
5. Modify the list of 'Uses Not Permitted' for Precinct's B and C.

Modification 1 - Precinct C Landscape Provisions

The applicant has requested that the existing landscaping provisions for Precinct C be modified to remove the clause relating to planting non-irrigated trees within Precinct C and to include the 5% landscaping requirement as per Precinct A and B apply.

The applicant provided the following justification for the proposed modification:

"The introduction of hard stand and buildings with stormwater soaks may alter the groundwater conditions by introducing point sources of stormwater infiltration rather than the current diffuse source. There had previously been concerns regarding the implementation of stormwater soaks within Precinct C, which contains some residual cinders, by introducing point sources of stormwater infiltration rather than the current diffuse source. This was addressed through the Special Control Area 10 provisions by including the following landscape requirements for Precinct C:

- *Localised stormwater disposal via soakage shall not occur within this precinct. Lot connection pits will be provided to discharge all runoff to the road drainage network.*
- *Soakwells are not permitted.*
- *Groundwater extraction is prohibited.*

Properties located within Precinct C will therefore be prevented from infiltrating stormwater as it will be piped via the main drainage pipe through the site to the Railway Parade line of the Bayswater Main Drain. Despite the inclusion of the above provisions, the following requirement was also included:

- *No planting other than non-irrigated trees shall occur. Areas not used for car parking are to be treated with gravel or an alternative impermeable hard or paved surface.*

Infiltration of rainwater at the subject site, in its current vacant state, is diffuse. As landscaping is also a diffuse source of infiltration there is no reason for lot owners in Precinct C to convert 5% of their site to impermeable hard surfaces. Soft landscaping for 5% of the site can still be appropriately irrigated, resulting in a softer and more inviting streetscape. On this basis this provision should be deleted."

The proposed modification is considered supportable as it will improve the standard of landscaping that can be planted within Precinct C. The City also sought comment from the Department of Environmental Regulation (DER) who advised they had no objection to the removal of the landscaping requirement relating to non-irrigated trees.

Modification 2 - Car Parking Requirements for Factory and Factory Units

As a part of the scheme amendment the applicant proposed a car parking requirement of 1 bay per 75sqm for factory / factory units. The City officers raised concerns with the proposed car parking ratio in response to the submission received from the Town of Bassendean. The City discussed the proposed car parking ratio with the applicant. The City considered that a car parking requirement of 1 bay per 75sqm was appropriate for single factory uses, given the industry is becoming increasingly automated, however that the existing TPS 24 requirement of 1 bay per 50sqm should be retained for factory unit land uses (multiple tenancies) as they often contain small scale operation which require higher levels of parking. In light of the above the applicant has proposed to separate the Factory and Factory Unit land uses and provide different car parking requirements for each land use as follows:

| Car Parking Requirements | |
|---|-------------------------------------|
| Land Use | Proposed SCA 10 Requirements |
| Factory | 1 bay per 75sqm GLA |
| Factory Units / Factory Tenement Building | 1 bay per 50sqm GLA |

It is recommended that the car parking table in **Attachment 3** be included in the scheme amendment in lieu of the previously proposed car parking requirements table. It is noted that the recommended table includes minimum lot area requirements. The lot area requirements are in accordance with the requirements of 'Table 2 - Development Standards Table' of TPS 24 other than the lot area requirements for 'Factories' which is proposed to be modified as detailed below.

Modification 3 - Minimum Lot Area for Factory

The applicant has requested that the minimum lot area for factory be reduced from 2,000m² to 1,000m² and include a provision affirming the need for proponents to comply with site development and operational requirements in relation to on-site car parking, truck manoeuvrability, landscaping and building setbacks in accordance with the relevant TPS 24 requirements at the Development Application stage. The applicant has recommended that this be done by including minimum lot size requirements in the car parking table as detailed below:

| Car Parking Requirements | | Minimum Lot Area |
|---|-------------------------------------|-------------------------|
| Land Use | Proposed SCA 10 Requirements | |
| Factory | 1 bay per 75sqm GLA | 1,000sqm |
| Factory Units / Factory Tenement Building | 1 bay per 50sqm GLA | 2,000sqm |
| Office* | 1 bay per 30sqm GLA | None stipulated |
| Warehouse | 1 bay per 100sqm GLA | 1,000sqm |
| * Where a development includes office as an ancillary use, the car parking for that component is calculated at the Warehouse land use rate of 1 bay per 100sqm for the first 10% of GLA of the ancillary use. | | |
| All land uses not identified are as per the requirements of Town Planning Scheme No. 24 | | |

The applicant considers that lot area requirements for 'Factory' should be based on a proponent's unique operational needs; not through the application of a generic minimum lot size. Factory tenants range from small to large operations and associated building footprints. Proponents are required to demonstrate to the City that the development has an appropriate site layout which complies with the spatial and operational requirements listed under TPS 24.

It is considered that the landscaping and car parking requirements will sufficiently limit the size of factories/factory units to limit their impact on the surrounding area. Accordingly the proposed modification is supported.

Modification 4 - Objective for Precinct C

The Town of Bassendean in their submission questioned whether the land uses deemed undesirable in Precinct B by reason of noise, odour or atmospheric emissions will also be prohibited in Precinct C. To provide clarity it is recommended that the objective of Precinct C be modified as follows:

Precinct C – To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions), where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site.

It is considered that the proposed modification sufficiently clarifies the intent of Precinct C, and is supported.

Modification 5 - Uses Not Permitted List

The Town of Bassendean suggested in their submission that the proposed amendment should better clarify the permissibility of land uses within Precinct B and C. In response the applicant has suggested to expand the land uses listed within the 'Uses Not Permitted' as follows:

| Precinct A | Precincts B and C |
|--|---|
| Uses Not Permitted | Uses Not Permitted |
| <ul style="list-style-type: none"> • Automotive Wrecking • Builders Yard • Caravan Park/Camping Area • Caretakers Dwelling • Child Care Centre • Display Home Centre • Dwellings • Extractive Industry • Fuel Depot • Home Business • Home Occupation • Homestore • Hospital • Hostel • Hotel • Lodging House • Motel • Noxious Industry • Public Assembly • Reception • Restricted Premises • Retirement Premises • Retirement Village • Zoological Gardens | <ul style="list-style-type: none"> • Automotive Wrecking • Caravan Park/Camping Area • Caretakers Dwelling • Child Care Centre • Display Home Centre • Dwellings • Extractive Industry • Fuel Depot • Home Business • Home Occupation • Homestore • Hospital • Hostel • Hotel • Lodging House • Motel • Noxious Industry • Public Assembly • Reception • Restricted Premises • Retirement Premises • Retirement Village • Zoological Gardens |

The City supports a modification to provide further clarity on the permissibility of uses. However to provide greater flexibility of land uses City officers recommend the inclusion of the below clause in lieu of expanding the list of 'Uses Not Permitted' table:

"If the use of the land for a particular purpose is not specifically mentioned in the above 'Permitted Use', 'Discretionary Use' and 'Use Not Permitted' tables and cannot reasonably be determined as falling within the interpretation of one of the above mentioned use classes the Council may:

- (a) *Determine by Absolute Majority that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted; or*
- (b) *Determine by Absolute Majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow procedures of clause 64 of the deemed provisions in considering an application for planning approval; or*
- (c) *Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted."*

OPTIONS

The following options are available to Council:

| OPTION | | BENEFIT | RISK |
|--------|--|--|--|
| 1. | Adopt Amendment No.71 with no modifications and forward it to the WAPC for final approval. Estimated Cost: <ul style="list-style-type: none"> • \$1,000 (for Gazettal) | <ul style="list-style-type: none"> • Enables the site to be redeveloped for industrial purposes. • Increases the amount of industrial land within the City. • Provides more flexibility of land uses. • Aligns with the strategic intent of the Ashfield Precinct Structure Plan. | <ul style="list-style-type: none"> • Reduces the extent of the commercial precinct. • Less clarity on car parking and landscaping requirements and uses not permitted. |
| 2. | Adopt Amendment No.71 with the officer recommended modifications and forward it to the WAPC for final approval. Estimated Cost: <ul style="list-style-type: none"> • \$1,000 (for Gazettal) | <ul style="list-style-type: none"> • Enables the site to be redeveloped for industrial purposes. • Increases the amount of industrial land within the City. • Provides more flexibility of land uses. • Aligns with the strategic intent of the Ashfield Precinct Structure Plan. • Provides clearer guidance on car parking requirement and uses not permitted. • Provides greater clarity on the landscaping requirements within Precinct C. | <ul style="list-style-type: none"> • Reduces the extent of the commercial precinct. |
| 3. | Adopt Amendment No.71 with other modifications and forward it to the WAPC for final approval. Estimated Cost: <ul style="list-style-type: none"> • \$1,000 (for Gazettal) | <ul style="list-style-type: none"> • Dependent on the modifications proposed. | <ul style="list-style-type: none"> • Dependent on the modifications proposed. |
| 4. | Advise the WAPC that the City does not wish to proceed with the amendment. Estimated Cost: <ul style="list-style-type: none"> • Nil | <ul style="list-style-type: none"> • Precinct A will only be able to be used for primarily commercial uses in the future. | <ul style="list-style-type: none"> • The site may not be developed for a significant period of time. • Does not meet the markets expectations for industrial land. • Does not provide flexibility of land uses. |

CONCLUSION

In light of the above it is recommended that Council proceed with Option 2 to adopt Amendment No. 71 with the officer recommended modifications and forward it to the WAPC for final approval.

FINANCIAL IMPLICATIONS

The City's draft 2017-2018 Budget contains funds for gazettal notification of scheme amendments. The cost of the various options are detailed in the 'Options' section above.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* prescribes the process for scheme amendments.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Summary of Submissions (Confidential)
2. Marked Up Changes to Special Control Area 10 Provisions
3. Final Special Control Area 10 Provisions

COMMITTEE RESOLUTION **(OFFICER'S RECOMMENDATION)**

That:

1. Council recommends approval of Amendment No. 71 to Town Planning Scheme No. 24 with the following modifications:
 - (a) Modify the landscaping provisions for Precinct C to remove the following clause -
 - No planting other than non-irrigated trees shall occur. Areas not used for car parking are to be treated with gravel or an alternative impermeable hard or paved surface.
 - (b) Modify the car parking requirements for Factory and Factory Units as detailed in Attachment 3.
 - (c) Include a provision reducing the minimum lot area requirement for 'Factory/Factory Units' as detailed in Attachment 3.
 - (d) Modify Precinct C's objective to state;

Precinct C – To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions), where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site.

- (e) Include the following clause as detailed in Attachment 3:

If the use of the land for a particular purpose is not specifically mentioned in the above 'Permitted Use', 'Discretionary Use' and 'Use Not Permitted' tables and cannot reasonably be determined as falling within the interpretation of one of the above mentioned use classes the Council may:

- Determine by Absolute Majority that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted; or
 - Determine by Absolute Majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow procedures of clause 64 of the deemed provisions in considering an application for planning approval; or
 - Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted.
2. The applicant modifies all scheme amendment documentation in accordance with Council's resolution to the satisfaction of the City of Bayswater.
 3. Council authorises the affixing of the Common Seal to the modified scheme amendment document, and the documentation be forwarded to the Western Australian Planning Commission for approval.
 4. The City advises all those who lodged a submission on the proposed amendment of Council's resolution.

CR BRENT FLEETON MOVED, CR CATHERINE EHRHARDT SECONDED

CARRIED UNANIMOUSLY

At 9:39pm, Cr Bull returned to the meeting and assumed the chair.

Attachment 2 - Marked Up Changes to Special Control Area 10 Provisions**SPECIAL CONTROL AREA (SCA) 10:**

Corner of Tonkin Highway and Railway Parade, Bayswater.

Site Particulars:

Lot 10, No 2 - 4 Railway Parade, Bayswater

Description:

SCA No. 10 is bound by Tonkin Highway to the west, Railway Parade to the south, Vincent Street and the rear boundaries of Lots 55, 59, 60, 61, 102, 103, 104, 301 and 302 Clune Street to the east.

Provisions**Purpose**

To facilitate the redevelopment of Lot 10 Railway Parade, Bayswater site into a quality industrial/commercial estate, guiding development form and land use in a manner which articulates a high level of amenity whilst achieving well designed, functional and efficient buildings.

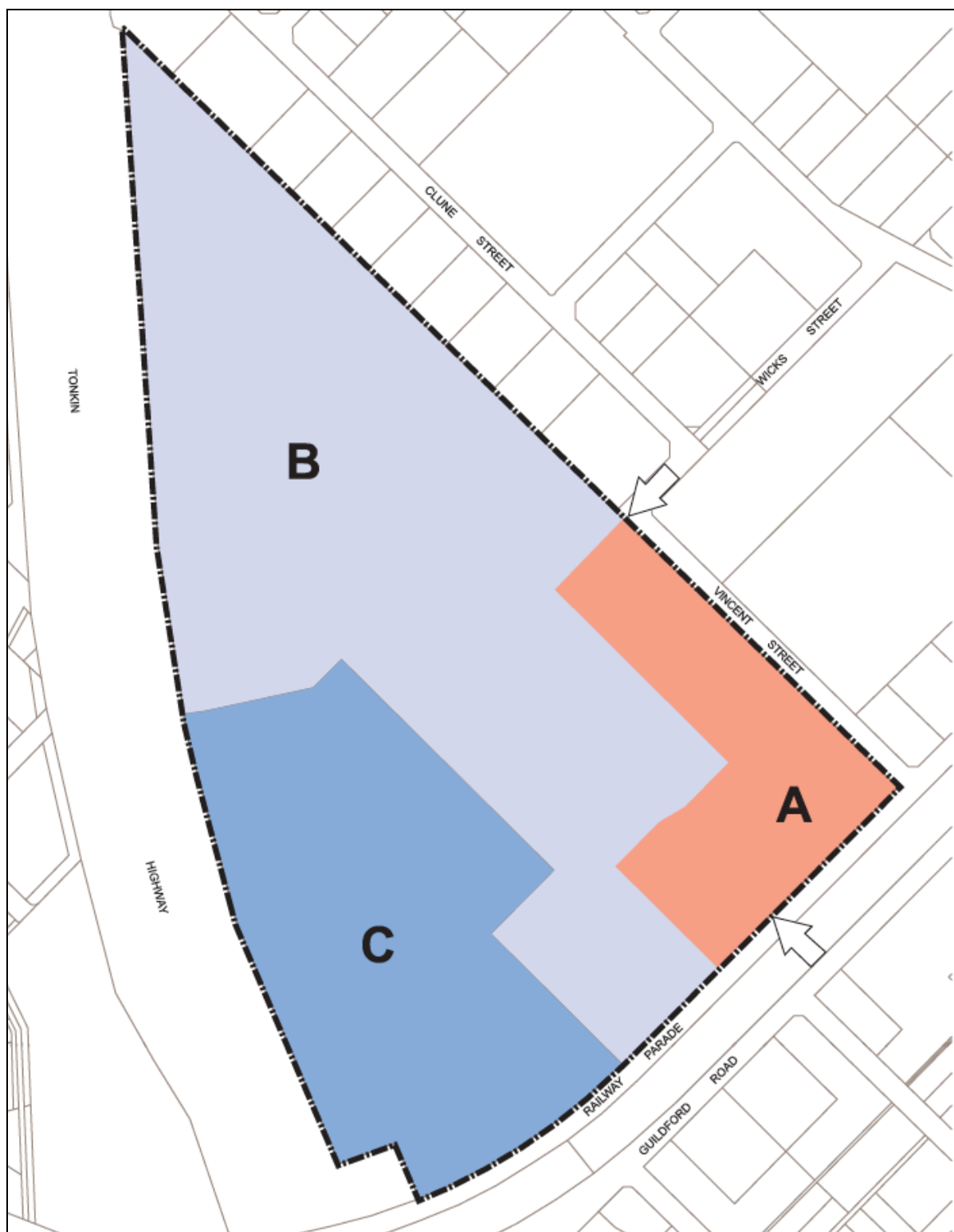
The site is divided into 3 precincts which are described as:

Precinct A - To comprise commercial land uses and selected compatible industrial uses that will not cause injury to or adversely affect the amenity of the commercial precinct.

Precinct B - To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions).

Precinct C – To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions), where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site.

Section 70A notifications will be placed on Titles of lots located within Precincts A, B and C to ensure landowners are aware of the environmental constraints of the site and the applicable design guidelines.

Development Precincts:

Land Uses:

Notwithstanding uses listed within Table No. 1 – Zoning Table of the Scheme, the following uses shall prevail within SCA No. 10:

| Permitted Uses: | |
|--|---|
| <ul style="list-style-type: none"> • Precinct A • Automotive Repairs • Automotive & Marine Sales & Repairs • Convenience Store • Consulting Rooms (Medical) • Car Park • Car Wash • Dry Cleaning/ Laundry Premises • Factory ***# • Factory Tenement Building ***# • Garden Centre • Kiosk • Lunch Bar • Health Studio • Light Industry # • Liquor Store - Large • Liquor Store - Small • Medical Centre • Office • Public Utility** • Restaurant • Service Industry • Trade Display • Transport Depot • Veterinary Consulting Rooms • Warehouse | <ul style="list-style-type: none"> • Precincts B and C • Automotive Repairs • Builders Yard • Car Park • Car Wash • Dry Cleaning/ Laundry Premises • Factory • Factory Tenement Building • Garden Centre • General Industry • Kiosk • Light Industry • Lunch Bar • Public Utility** • Service Industry • Trade Display • Transport Depot • Veterinary Consulting Rooms • Warehouse |

Discretionary Uses:

| | |
|--|--|
| <ul style="list-style-type: none"> • Precinct A • Amusement Parlour • Betting Agency • Cinema/Theatre • Civic Buildings • Club Premises • Corner Store • Educational Establishment • Fast Food Outlet • Funeral Parlour • General Industry ***# • Hire Service (Non-Industrial) # • Infant Health Clinic • Industry ***# • Occasional Uses • Open Air Display # • Public Amusement • Radio and Television Installations • Radio Equipment • Recreation Facility (Private & Public) • Shop* • Showroom • Showroom/Warehouse • Storage Yard # • Tavern • Veterinary Hospital | <ul style="list-style-type: none"> • Precincts B and C • Automotive & Marine Sales & Repairs • Fast Food Outlet • Funeral Parlour • Hire Service (Industrial) • Industry • Office • Open Air Display • Radio and Television Installations • Showroom • Showroom/Warehouse • Storage Yard |
|--|--|

* The Gross Leasable Area (GLA) floor space for a 'Shop' use shall be limited to 500m² per tenancy within Precinct A, and a cumulative floor space of no greater than 1500m² Net Lettable Area (NLA) for the whole of Precinct A.

** Land use includes compensating basins which are subject to Water Corporation's agreed specifications.

*** Uses shall be limited to those considered appropriate, by the City of Bayswater, for a transitional buffer between industrial and commercial precincts, however the following uses are not permitted:

- Abattoir;
- Concrete batching plant;
- Builders yard;
- Transport depot;
- Noxious;
- Extractive;
- Asphalt manufacturing;
- Chemical manufacturing;
- Compost manufacturing;
- Crushing of building material;
- Dog kennels;
- Wrecking yard;
- Dry-cleaners;

- Pesticides manufacturing;
- Incineration;
- Industrial gas production;
- Fuel loading;
- Fuel storage;
- Service stations;
- Poultry storage;
- Wreckers (automotive);
- Transport vehicles depot;
- Used tyre storage; and
- Waste disposal.

Within Precinct A a high degree of landscaping amenity is to be provided with appropriate screening of transition industrial uses from the street, to the satisfaction of the City of Bayswater.

| Uses Not Permitted: | Uses Not Permitted unless by giving Special Notice ('A' Use): |
|---|--|
| <u>Precincts A, B and C</u> Automotive Wrecking Extractive Industry Fuel Depot Noxious Industry Precinct A only Builders Yard | <u>Precincts A, B and C</u> Service Station |

If the use of the land for a particular purpose is not specifically mentioned in the above 'Permitted Uses', 'Discretionary Uses' and 'Uses Not Permitted' tables and cannot reasonably be determined as falling within the interpretation of one of the above mentioned use classes the Council may:

- Determine by Absolute Majority that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted; or
- Determine by Absolute Majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow procedures of clause 64 of the deemed provisions in considering an application for planning approval; or
- Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted.

Development Requirements:**Building Setbacks:**Precincts A, B and C

Primary Street: Buildings to be setback a minimum of 3.0m.

Secondary Street: Building mass to be set back a minimum of 3.0m.

A nil setback to side and rear boundaries shall be permitted, in accordance with the Building Code of Australia.

Building Height:Precinct A:

Height of a building shall not exceed five (5) storeys.

Precincts B and C:

Height of a building shall not exceed three (3) storeys.

For the purposes of calculating building height, a storey shall not include (a) a basement or a semi -basement that does not protrude any further than 1.5 metres above ground level, and (b) any roof plant structures.

Plot Ratio (Precincts A, B and C):

Plot ratio requirements of the Scheme are not applicable.

Site Coverage (Precincts A, B and C):

There are no site coverage limitations.

Landscaping:Precincts A,B and C

A minimum of 5% of the total lot area is to be allocated for landscaping purposes, which includes a minimum 2.0m wide landscaping strip provided along the street frontage.

One tree (minimum 50 litre pot size) shall be planted at an average of every 15m of lot frontage within the 2.0m wide landscape strip. The tree species shall be subject to the satisfaction of the City.

Precinct C only

Localised stormwater disposal via soakage shall not occur within this precinct. Lot connection pits will be provided to discharge all runoff to the road drainage network.

Soakwells are not permitted.

~~No planting other than non-irrigated trees shall occur. Areas not used for carparking are to be treated with gravel or an alternative impermeable hard or paved surface.~~

Groundwater extraction is prohibited.

Fencing (Precincts A, B and C):

All fencing proposed as part of the development shall be designed and constructed in accordance with the following:

Front Fencing (Primary and Secondary Streets):

Fencing located between the front lot boundary up to the building line is to be black powder coated Garrison or Palisade fencing to a maximum height of 1800mm.

Behind Building Setback Line:

Behind the setback line fencing is to have a minimum standard of 1800mm rail-less chain link or steel mesh incorporating black coloured PVC coating with black gates, posts and fittings. Security fencing is permitted behind the building line on side and rear boundaries to primary and secondary street frontages. Security fencing cannot protrude in front of any office component.

Barbed wire must not be installed forward of the building line.

Built Form:**Precincts A, B and C**

The buildings shall be designed to address the street, providing a well articulated administration/office area at the front of the main building which will contribute to the streetscape.

The main entrance is to be on the front elevation or close to the front of the building, being clearly visible from the street.

The primary street facade shall avoid large unbroken expanses of wall.

Ancillary structures or additions to the original development shall integrate similar design attributes originally utilised on the main structure including colour, form and materials.

Building frontages are to be designed to promote surveillance of the street and/or public open space.

Precinct A only

Feature elements are required, including variations to colours and building materials.

Buildings fronting onto two streets are to exhibit a consistent quality of treatment for each street façade. The inclusion of unique architectural features are encouraged.

Building form shall use architectural features to establish visually distinct pedestrian access points. This includes the provision of legible pedestrian access points from the rear car parking areas to the rear entrance points of the building and distinctive entry doors and canopies to the street elevations.

Building frontages are to be designed, including with the use of glass where practical, to promote surveillance of the street and/or public open space.

Large areas of prefabricated concrete panels for external wall systems, i.e. 'tilt-up' are to be detailed with expressed joints with a rendered and painted finish, or clad to the satisfaction of the City of Bayswater.

Access (Precincts A, B and C):

- Loading areas shall not interfere with on-site parking and manoeuvring.
- The site layout shall enable vehicles to exit the site in a forward motion.

Car Parking (Precincts A, B and C):

- The car park area is to consist of a sealed finish such as asphalt, paving material or concrete.
- Trees are to be planted within uncovered car parking areas at the rate of 1 per 6 car parking spaces. There are to be no more than 6 adjoining car bays without the area being punctuated by a tree.
- The minimum number of car parking bays provided on-site and the minimum lot area required are to be in accordance with the following table:

| Car Parking Requirements | |
|---|------------------------------|
| Land Use | Proposed SCA 10 Requirements |
| Office* | 1 bay per 30sqm GLA |
| Warehouse | 1 bay per 100sqm GLA |
| Workshop / Factory | 1 bay per 75sqm GLA |
| * Where a development includes office as an ancillary use, the car parking for that component is calculated at the Warehouse land use rate of 1 bay per 100sqm for the first 10% of GLA of the ancillary use. | |

| Car Parking Requirements | | Minimum Lot Area |
|--|------------------------------|------------------|
| Land Use | Proposed SCA 10 Requirements | |
| Factory | 1 bay per 75sqm GLA | 1,000sqm |
| Factory Units / Factory Tenement | 1 bay per 50sqm GLA | 2,000sqm |
| Office* | 1 bay per 30sqm GLA | None stipulated |
| Warehouse | 1 bay per 100sqm GLA | 1,000sqm |
| * Where a development includes office as an ancillary use, the car parking for that component is calculated at the Warehouse land use rate of 1 bay per 100sqm for the first 10% of GLA of the ancillary use. All other land uses not identified above are as per the requirements of Town Planning Scheme No. 24 | | |

- Tandem parking bays shall be accepted where the two bays are provided for the use of a single tenancy and are utilised by staff on-site.

Attachment 3 - Final Special Control Area 10 Provisions**SPECIAL CONTROL AREA (SCA) 10:**

Corner of Tonkin Highway and Railway Parade, Bayswater.

Site Particulars:

Lot 10, No 2 - 4 Railway Parade, Bayswater

Description:

SCA No. 10 is bound by Tonkin Highway to the west, Railway Parade to the south, Vincent Street and the rear boundaries of Lots 55, 59, 60, 61, 102, 103, 104, 301 and 302 Clune Street to the east.

Provisions**Purpose**

To facilitate the redevelopment of Lot 10 Railway Parade, Bayswater site into a quality industrial/commercial estate, guiding development form and land use in a manner which articulates a high level of amenity whilst achieving well designed, functional and efficient buildings.

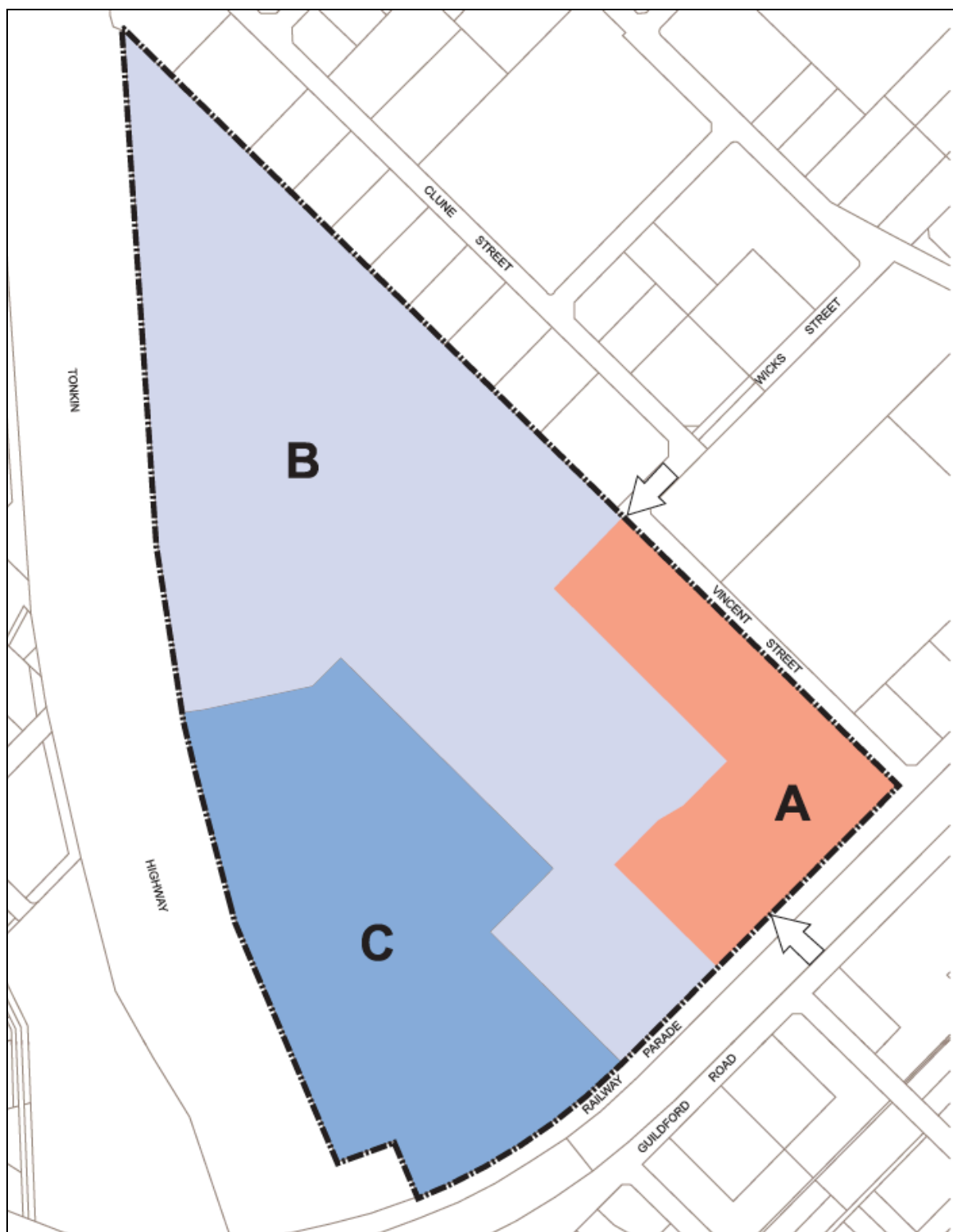
The site is divided into 3 precincts which are described as:

Precinct A - To comprise commercial land uses and selected compatible industrial uses that will not cause injury to or adversely affect the amenity of the commercial precinct.

Precinct B - To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions).

Precinct C – To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions), where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site.

Section 70A notifications will be placed on Titles of lots located within Precincts A, B and C to ensure landowners are aware of the environmental constraints of the site and the applicable design guidelines.

Development Precincts:

Land Uses:

Notwithstanding uses listed within Table No. 1 – Zoning Table of the Scheme, the following uses shall prevail within SCA No. 10:

Land Uses:

Notwithstanding uses listed within Table No. 1 – Zoning Table of the Scheme, the following uses shall prevail within SCA No. 10:

| Permitted Uses: | |
|---|--|
| <u>Precinct A</u> <ul style="list-style-type: none"> • Automotive Repairs • Automotive & Marine Sales & Repairs • Convenience Store • Consulting Rooms (Medical) • Car Park • Car Wash • Dry Cleaning/ Laundry Premises • Factory ***# • Factory Tenement Building ***# • Garden Centre • Kiosk • Lunch Bar • Health Studio • Light Industry # • Liquor Store - Large • Liquor Store - Small • Medical Centre • Office • Public Utility** • Restaurant • Service Industry • Trade Display • Transport Depot • Veterinary Consulting Rooms • Warehouse | <u>Precincts B and C</u> <ul style="list-style-type: none"> • Automotive Repairs • Builders Yard • Car Park • Car Wash • Dry Cleaning/ Laundry Premises • Factory • Factory Tenement Building • Garden Centre • General Industry • Kiosk • Light Industry • Lunch Bar • Public Utility** • Service Industry • Trade Display • Transport Depot • Veterinary Consulting Rooms • Warehouse |

| Discretionary Uses: | |
|---|---|
| <u>Precinct A</u> <ul style="list-style-type: none"> • Amusement Parlour • Betting Agency • Cinema/Theatre • Civic Buildings • Club Premises • Corner Store • Educational Establishment • Fast Food Outlet • Funeral Parlour • General Industry ***# • Hire Service (Non-Industrial) # • Infant Health Clinic • Industry ***# • Occasional Uses • Open Air Display # • Public Amusement • Radio and Television Installations • Radio Equipment • Recreation Facility (Private & Public) • Shop* • Showroom • Showroom/Warehouse • Storage Yard # • Tavern • Veterinary Hospital | <u>Precincts B and C</u> <ul style="list-style-type: none"> • Automotive & Marine Sales & Repairs • Fast Food Outlet • Funeral Parlour • Hire Service (Industrial) • Industry • Office • Open Air Display • Radio and Television Installations • Showroom • Showroom/Warehouse • Storage Yard |

* The Gross Leasable Area (GLA) floor space for a 'Shop' use shall be limited to 500m² per tenancy within Precinct A, and a cumulative floor space of no greater than 1500m² Net Lettable Area (NLA) for the whole of Precinct A.

** Land use includes compensating basins which are subject to Water Corporation's agreed specifications.

*** Uses shall be limited to those considered appropriate, by the City of Bayswater, for a transitional buffer between industrial and commercial precincts, however the following uses are not permitted:

- Abattoir;
- Concrete batching plant;
- Builders yard;
- Transport depot;
- Noxious;
- Extractive;
- Asphalt manufacturing;
- Chemical manufacturing;
- Compost manufacturing;
- Crushing of building material;
- Dog kennels;
- Wrecking yard;
- Dry-cleaners;

- Pesticides manufacturing;
- Incineration;
- Industrial gas production;
- Fuel loading;
- Fuel storage;
- Service stations;
- Poultry storage;
- Wreckers (automotive);
- Transport vehicles depot;
- Used tyre storage; and
- Waste disposal.

Within Precinct A a high degree of landscaping amenity is to be provided with appropriate screening of transition industrial uses from the street, to the satisfaction of the City of Bayswater.

| Uses Not Permitted: | Uses Not Permitted unless by giving Special Notice ('A' Use): |
|--|--|
| <u>Precincts A, B and C</u> | <u>Precincts A, B and C</u> |
| <ul style="list-style-type: none"> • Automotive Wrecking • Extractive Industry • Fuel Depot • Noxious Industry | <ul style="list-style-type: none"> • Service Station |
| <u>Precinct A only</u> | |
| <ul style="list-style-type: none"> • Builders Yard | |

If the use of the land for a particular purpose is not specifically mentioned in the above 'Permitted Uses', 'Discretionary Uses' and 'Uses Not Permitted' tables and cannot reasonably be determined as falling within the interpretation of one of the above mentioned use classes the Council may:

- Determine by Absolute Majority that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted; or
- Determine by Absolute Majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow procedures of clause 64 of the deemed provisions in considering an application for planning approval; or
- Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted.

| |
|--|
| Development Requirements: |
| Building Setbacks: |
| <u>Precincts A, B and C</u> <ul style="list-style-type: none"> • Primary Street: Buildings to be setback a minimum of 3.0m. • Secondary Street: Building mass to be set back a minimum of 3.0m. • A nil setback to side and rear boundaries shall be permitted, in accordance with the Building Code of Australia. |
| Building Height: <u>Precinct A:</u> <ul style="list-style-type: none"> • Height of a building shall not exceed five (5) storeys. <u>Precincts B and C:</u> <ul style="list-style-type: none"> • Height of a building shall not exceed three (3) storeys. • For the purposes of calculating building height, a storey shall not include (a) a basement or a semi -basement that does not protrude any further than 1.5 metres above ground level, and (b) any roof plant structures. |
| Plot Ratio (Precincts A, B and C): <ul style="list-style-type: none"> • Plot ratio requirements of the Scheme are not applicable. |
| Site Coverage (Precincts A, B and C): <ul style="list-style-type: none"> • There are no site coverage limitations. |

| |
|--|
| Landscaping: |
| <u>Precincts A,B and C</u> <ul style="list-style-type: none"> • A minimum of 5% of the total lot area is to be allocated for landscaping purposes, which includes a minimum 2.0m wide landscaping strip provided along the street frontage. • One tree (minimum 50 litre pot size) shall be planted at an average of every 15m of lot frontage within the 2.0m wide landscape strip. The tree species shall be subject to the satisfaction of the City. <u>Precinct C only</u> <ul style="list-style-type: none"> • Localised stormwater disposal via soakage shall not occur within this precinct. Lot connection pits will be provided to discharge all runoff to the road drainage network. • Soakwells are not permitted. • Groundwater extraction is prohibited. |

Fencing (Precincts A, B and C):

- All fencing proposed as part of the development shall be designed and constructed in accordance with the following:
- Front Fencing (Primary and Secondary Streets):
- Fencing located between the front lot boundary up to the building line is to be black powder coated Garrison or Palisade fencing to a maximum height of 1800mm.
- Behind Building Setback Line:

Behind the setback line fencing is to have a minimum standard of 1800mm rail-less chain link or steel mesh incorporating black coloured PVC coating with black gates, posts and fittings. Security fencing is permitted behind the building line on side and rear boundaries to primary and secondary street frontages. Security fencing cannot protrude in front of any office component.

Barbed wire must not be installed forward of the building line.

Built Form:Precincts A, B and C

- The buildings shall be designed to address the street, providing a well articulated administration/office area at the front of the main building which will contribute to the streetscape.
- The main entrance is to be on the front elevation or close to the front of the building, being clearly visible from the street.
- The primary street facade shall avoid large unbroken expanses of wall.
- Ancillary structures or additions to the original development shall integrate similar design attributes originally utilised on the main structure including colour, form and materials.
- Building frontages are to be designed to promote surveillance of the street and/or public open space.

Precinct A only

- Feature elements are required, including variations to colours and building materials.
- Buildings fronting onto two streets are to exhibit a consistent quality of treatment for each street façade. The inclusion of unique architectural features are encouraged.
- Building form shall use architectural features to establish visually distinct pedestrian access points. This includes the provision of legible pedestrian access points from the rear car parking areas to the rear entrance points of the building and distinctive entry doors and canopies to the street elevations.
- Building frontages are to be designed, including with the use of glass where practical, to promote surveillance of the street and/or public open space.
- Large areas of prefabricated concrete panels for external wall systems, i.e. 'tilt-up' are to be detailed with expressed joints with a rendered and painted finish, or clad to the satisfaction of the City of Bayswater.

Access (Precincts A, B and C):

- Loading areas shall not interfere with on-site parking and manoeuvring.
- The site layout shall enable vehicles to exit the site in a forward motion.

Car Parking (Precincts A, B and C):

- The car park area is to consist of a sealed finish such as asphalt, paving material or concrete.
- Trees are to be planted within uncovered car parking areas at the rate of 1 per 6 car parking spaces. There are to be no more than 6 adjoining car bays without the area being punctuated by a tree.
- The minimum number of car parking bays provided on-site and the minimum lot area required are to be in accordance with the following table:

| Car Parking Requirements | | Minimum Lot Area |
|--|------------------------------|------------------|
| Land Use | Proposed SCA 10 Requirements | |
| Factory | 1 bay per 75sqm GLA | 1,000sqm |
| Factory Units / Factory Tenement | 1 bay per 50sqm GLA | 2,000sqm |
| Office* | 1 bay per 30sqm GLA | None stipulated |
| Warehouse | 1 bay per 100sqm GLA | 1,000sqm |
| * Where a development includes office as an ancillary use, the car parking for that component is calculated at the Warehouse land use rate of 1 bay per 100sqm for the first 10% of GLA of the ancillary use. All other land uses not identified above are as per the requirements of Town Planning Scheme No. 24 | | |

- Tandem parking bays shall be accepted where the two bays are provided for the use of a single tenancy and are utilised by staff on-site.

9.1.18 Draft Maylands Town Centre Car Parking Strategy

Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services
Refer: Item 10.7: OCM 31 May 2016

CR CATHERINE EHRHARDT DECLARED A PROXIMITY INTEREST

In accordance with section 5.60b of the Local Government Act 1995, Cr Catherine Ehrhardt declared a proximity interest in this item as she owns property in the Maylands Town Centre. At 7:55pm, Cr Ehrhardt withdrew from the meeting.

EXECUTIVE SUMMARY**Application:**

Council consent to advertise the Draft Maylands Town Centre Car Parking Strategy for public comment is sought.

Key Issues:

- A Draft Maylands Town Centre Car Parking Strategy has been prepared to address the management and supply of car parking within the town centre.
- Council's consent is required to advertise the Draft Car Parking Strategy for public comment.
- Following the advertising period, final modifications can be made to the Draft Strategy prior to its presentation to Council for adoption.

BACKGROUND

Council at its Ordinary Meeting of 28 April 2015 resolved to prepare a car parking strategy for the Maylands Town Centre. Council's resolution was as follows:

"That the City undertakes a car parking strategy for Maylands Town Centre in 2015/2016 to address the long term management and identify suitable areas for parking stations; and suitable funds for this strategy be allocated in the 2015/2016 budget."

Following allocation for this project in the 2015-2016 budget, Council resolved to broaden the scope of the strategy at its Ordinary Meeting of 17 November 2015, as follows:

"The Council amends the motion made at its Ordinary Meeting on 28 April 2015 in relation to Item 9.2 - Maylands Parking Strategy, such that the car parking strategy for the Maylands Town Centre does not solely identify areas for parking stations, but rather focuses on an integrated transport approach to managing parking in the town centre."

In order to better understand car parking issues within the Maylands Town Centre, the City then appointed transport consultants Donald Veal Consultants to undertake a parking inventory and occupancy survey. Following completion of the inventory and surveys, on 31 May 2016, Council resolved (in part) to proceed with the preparation of the car parking strategy and to use the report prepared by Donald Veal Consultants as an informing document in the development of the strategy.

The Draft Maylands Town Centre Car Parking Strategy has now been completed and Council's consent to advertise the draft strategy for public comment is sought.

CONSULTATION

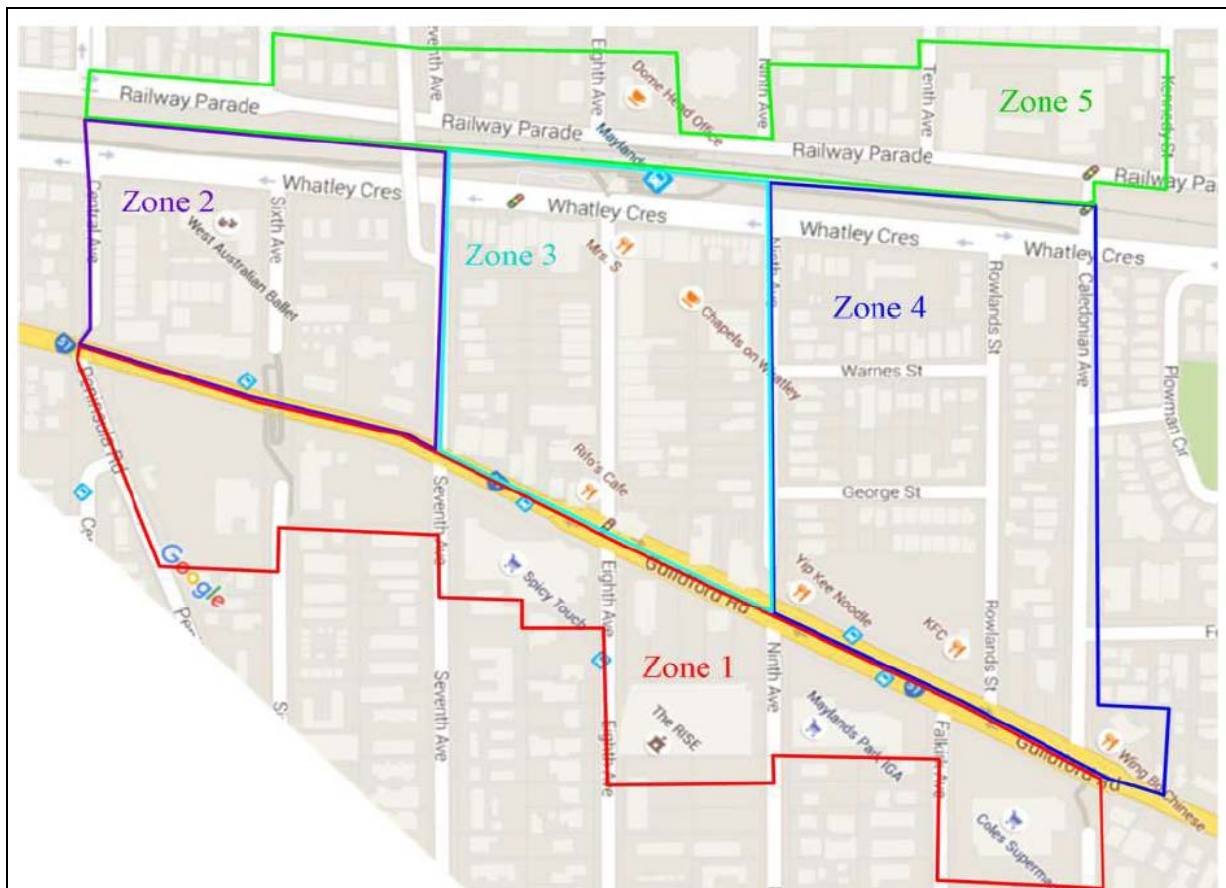
No consultation has yet occurred with the public or other agencies on this matter. It is recommended that the Draft Car Parking Strategy be advertised for public comment for 28 days.

ANALYSIS

The Maylands Town Centre Car Parking Strategy area is divided into five zones, as follows:

- Zone One: Guildford Road Area
- Zone Two: Central Avenue Area
- Zone Three: Eighth Avenue Area
- Zone Four: Rowlands Street Area
- Zone Five: Railway Parade Area

The five zones are shown below.



A number of findings and recommendations are relevant to the entire strategy area ('General Findings and Recommendations'), while more specific recommendations are made for each zone.

All Zones - General Findings and Recommendations

Approximately 1,836 car parking bays were identified within the Maylands Town Centre through the inventory and survey exercise. The peak parking period for the entire strategy area was identified during the 12.00pm Tuesday 'beat', where the occupancy rate was 43% of available parking.

The report found that parking demand for the town centre as a whole ranged from 30 to 43% indicating that parking was not particularly stressed. In on street car parking areas and off street car parks, the use of marked parking bays was significantly higher than for unmarked bays, highlighting a key area for improvement.

The following recommendations are general and apply to all five zones within the Strategy Area above.

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ALL ZONES | | |
|--|-----------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Take a consistent approach to time restrictions for on street parking. | Short term (Years 1 - 2) | <p>For on street parking bays, the following parking periods are recommended (shown in map below):</p> <ul style="list-style-type: none"> • Within approximately 150m of train station - two hours on streets and in City-owned car parks, with a number of 15 minute bays to allow for short term users; • Within approximately 250m of the train station - two hours on streets and in City-owned car parks; and • Within approximately 400m of the train station - four hours on streets and in City-owned car parks. <p>In specific 'hot spot' (potential problem) areas, this may be altered.</p> <p>Time restrictions are recommended to only apply between 8am and 5pm Monday to Friday.</p> |
| 2. Mark unmarked parking bays. | Short term (Years 1 - 2) | Unmarked parking bays need to be marked, initially in car parking 'hot spots' and then throughout the town centre, to highlight available parking which is currently unclear. |
| 3. Review the City's Town Planning Scheme No.24 and relevant policies to enable cash-in-lieu of parking funds to be collected more reasonably and utilised more broadly. | Short term (Years 1 - 2) | The City's Town Planning Scheme No.24 and the City's Cash in Lieu of Car Parking Policy require amending to provide concessions relating to support for sustainable modes of transportation and further clarification of use of these funds for these modes (i.e. walking, cycling and public transport use). |
| 4. Review the location and number of taxi bays, and reduce where feasible. | Short term (Years 1 - 2) | There are a number of taxi bays within the Maylands Town Centre. A review of their locations, necessity and use may enable some of these to be used for other functions including car parking, or for better taxi bay locations to be found. |
| 5. Remove unnecessary clearway areas and replace them with car parking bays. | Short term (Years 1 - 2) | <p>Some clearway areas are considered unnecessary and can be replaced with on street parking. Other clearway areas can be used for on street parking outside of peak times.</p> <p>Where former clearway areas are re-allocated to on street parking, this will have the effect of narrowing the road as one lane is dedicated to car parking, which will result in a reduction of vehicle speeds in popular pedestrian areas. In the case of Whatley Crescent, this will also encourage traffic to be redirected towards Guildford Road.</p> |

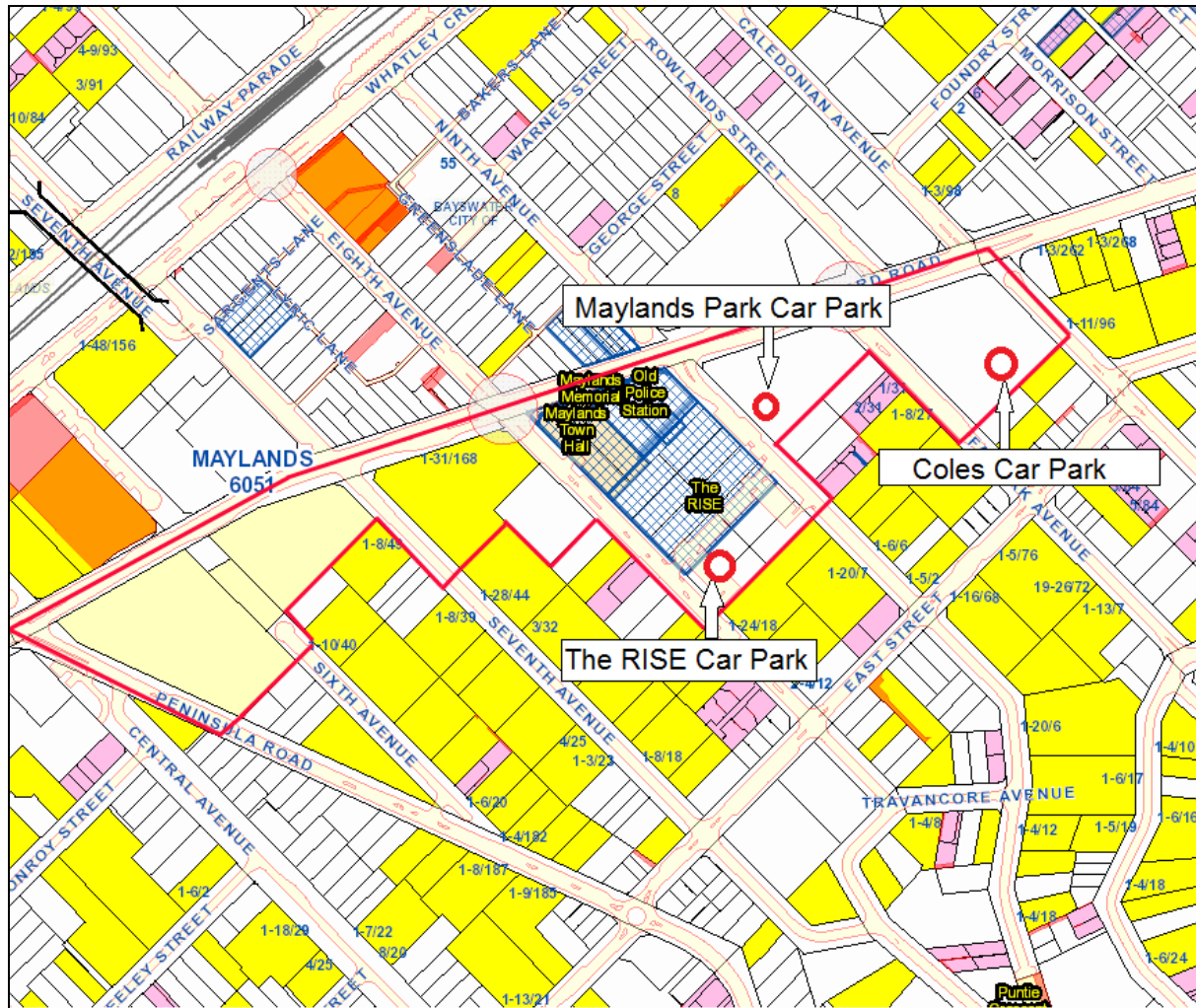
| | | |
|--|------------------------------|--|
| 6. Introduce wayfinding signage. | Medium term (Years 2 - 5) | Wayfinding signs and directories can efficiently guide people to car parking areas around the town centre. This needs to be predictable and consistent. (See 2.3). |
| 7. Encourage private car parking arrangements. | Medium term (Years 2 - 5) | The City can enter into car parking arrangements with owners of private car parking bays. This enables the City's Rangers to enforce parking restrictions within these areas, where otherwise parking restrictions cannot be effectively managed. (See 2.4). |
| 8. Develop standard signage in private car parks. | Medium term (Years 2 - 5) | Make the conditions for use of these bays easier to understand, so that there is better uptake of all available parking (public and private) within the town centre (See 2.4). |
| 9. Upgrade signage. | Ongoing | Current signage is dated, damaged and inconsistently spaced, resulting in car parking restrictions being unclear. |
| 10. Provide infrastructure to support greater use of sustainable modes of transport. | Ongoing | Upgrade pedestrian, cyclist and public transport networks and infrastructure to improve pedestrian, cyclist and public transport user safety and amenity (see 2.5). |

Proposed Timed Parking Restrictions



Zone One: Guildford Road Area

Zone One is the area south of Guildford Road between Peninsula Road and Caledonian Avenue, as shown below. The area includes Coles Maylands, the Maylands Park Shopping Centre, The RISE and the shopping precinct at 168 Guildford Road.



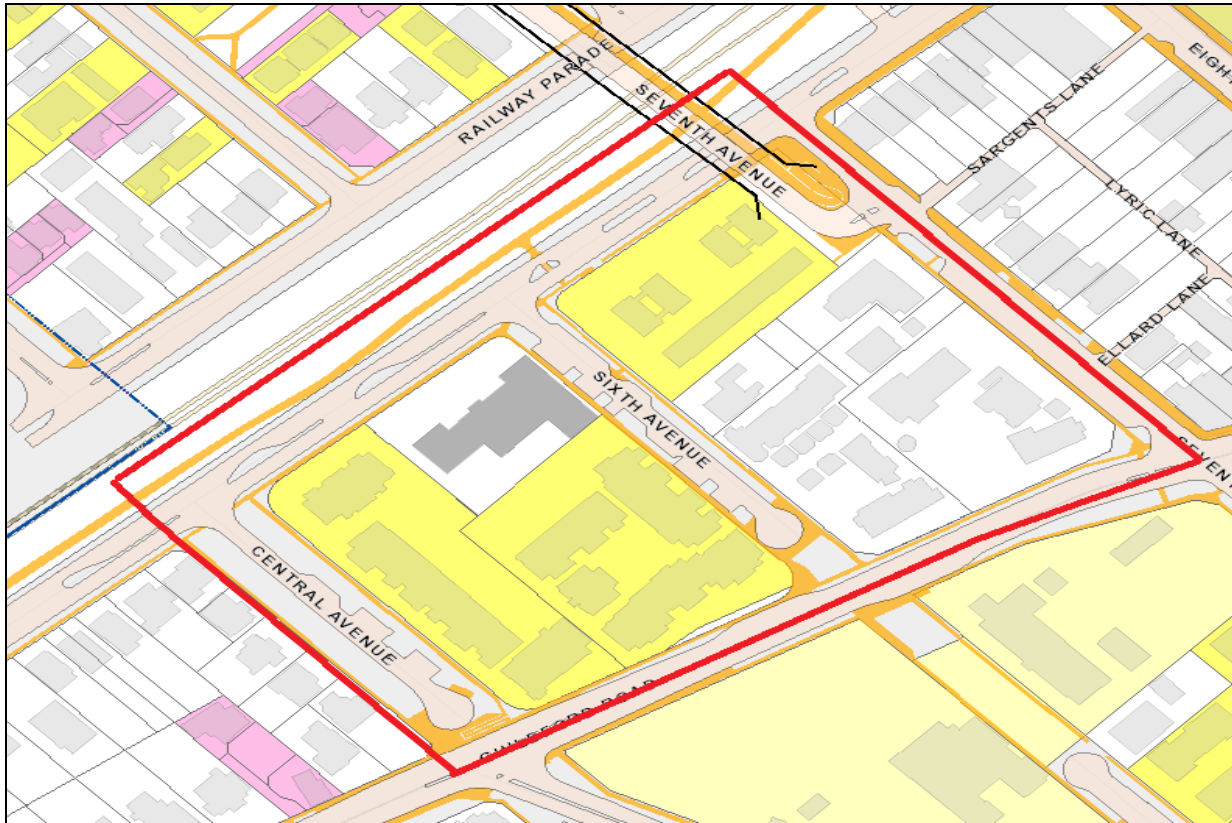
The following recommendations are made for Zone One:

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE ONE | | |
|--|-----------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Improve signage to existing off street public parking (Maylands Hall). | Short term (Years 1 - 2) | There are four bays which are underutilised as most visitors are unaware they are available. |
| 2. Implement an events parking permit for attendees of events over four hours. | Short term (Years 1 - 2) | The permit would enable attendees of events over four hours' duration to park at The RISE car park without risk of a fine. |
| 3. Upgrade signage along Ninth Avenue to indicate that on street parking is permitted. | Short term (Years 1 - 2) | Parking on Ninth Avenue is currently underutilised as there is no signage in this area indicating that on street parking is permitted. The signage would make this permission clear and encourage parking there. |

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE ONE | | |
|--|------------------------------|--|
| Recommendation | Timeframe | Comment |
| 4. Line mark bays along The RISE side of Ninth Avenue. | Medium term (Years 2 - 5) | Line mark the stretch of verge (approximately 30m) adjoining the existing car park at The RISE. Between four and eight bays may be introduced here (depending on whether the bays are parallel or angled). Upon their construction, it is recommended that these bays be time limited in accordance with other parking at The RISE. |
| 5. Introduce paid / ticketed parking for users of The RISE. | Medium term (Years 2 - 5) | Paid parking could be implemented where the first two hours are free. This would enable regular users to not pay but would require others using the area to pay. Similar to the time restriction option, it would require event permits as detailed below. |
| 6. Construct a decked parking structure over the existing parking at The RISE. | Long term (Years 5 - 10) | <p>Currently there are 78 car bays in the outer section of The RISE. By constructing a parking deck above the existing parking area it would increase the number of available bays by approximately 65 (subject to design). In 2017, the cost of decked parking is estimated at \$30,000 per bay. The estimated cost for an increase of 65 car bays is \$1.95m.</p> <p>Possible impacts on increased anti-social behaviour, reduction of light to the open space central to the car parking area, and minimisation of tree loss require consideration.</p> |

Zone Two: Central Avenue Area

Zone Two is the area surrounding Central Avenue and Sixth Avenue. The area includes the West Australian Ballet, the Kids Open Learning School, several churches, and significant residential apartment complexes. Zone Two is shown below.



Recommendations for Zone Two are as follows:

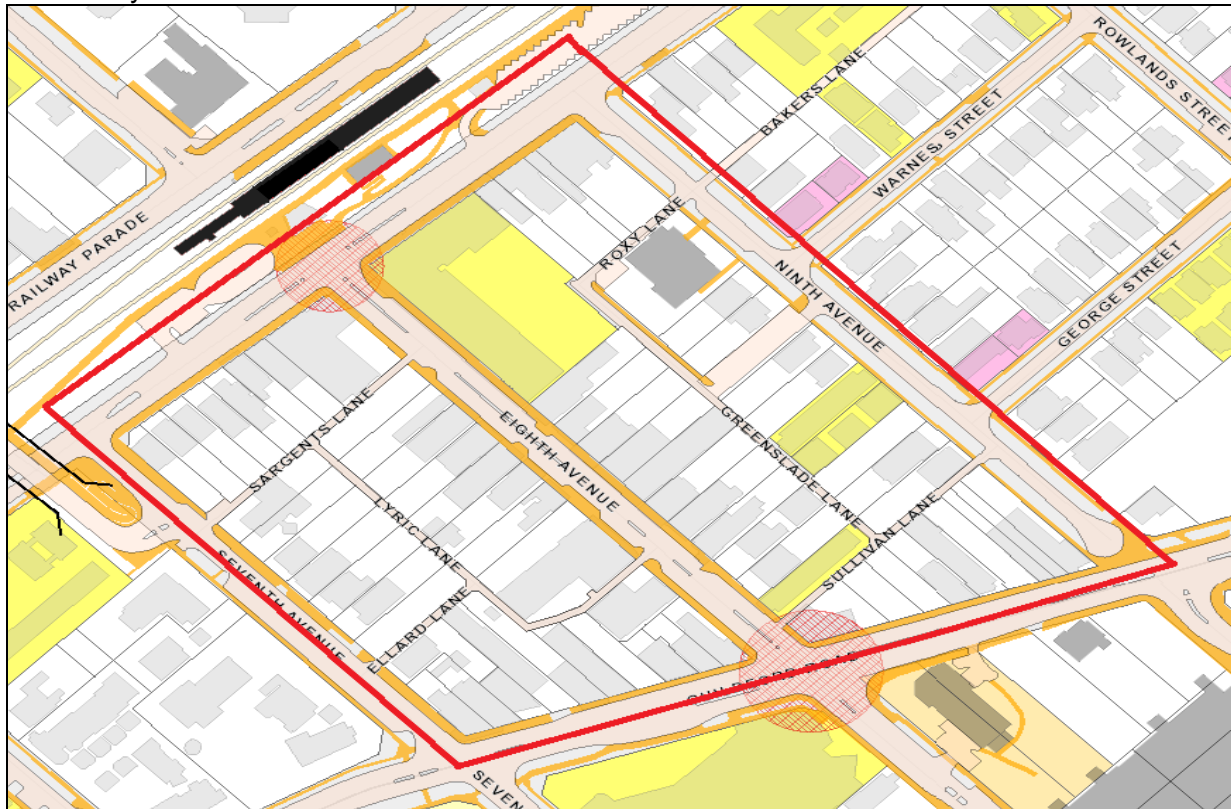
| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE TWO | | |
|---|-----------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Introduce time restricted car parking along Sixth Avenue | Short term (Years 1 - 2) | Limit parking to two hours along Sixth Avenue between 8am and 5pm. Discussion with the West Australian Ballet is required to ensure this best meets the needs of the Ballet building's various users. |
| 2. Introduce time restricted car parking along Central Avenue. | Short term (Years 1 - 2) | Limit parking to four hours along Central Avenue between 8am and 5pm. This is intended to reduce the use of parking on the street by long term commuters. |
| 3. Introduce time restricted car parking along Seventh Avenue. | Medium term (Years 2-5) | Limit parking to two hours along Seventh Avenue between 8am and 5pm. Discussion with nearby organisations such as churches and The Shopfront, which currently uses this street for staff parking, are required to identify the most suitable time limit. As more car parking controls are put in place along Eighth Avenue, visitors may look for parking in the surrounding area, and timed parking can help reduce the impact on the surrounding area. |
| 4. Modify 'No Parking on Road or Verge' signage to 'No Parking on Road or Verge (Residents excepted)' along Central Avenue. | Short term (Years 1 - 2) | Currently residents cannot park on the verge in front of their own properties. While the purpose of this is to prevent visitors to the multiple dwellings across the road from parking on the verge, it severely restricts the way residents can use the area. |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE TWO

| Recommendation | Timeframe | Comment |
|--|---------------------------|---|
| 5. Time restrict loading bays along Central Avenue and Sixth Avenue. | Medium term (Years 2 - 5) | It is not necessary to reserve loading bays for their intended use at all hours. Due to the potential noise impact of un/loading trucks, it is recommended that these bays be time restricted to 8am - 5pm for this use, and they can be used as additional on street parking for all users outside of these times. |
| 6. Introduce a 'drop off / pick up' zone outside the school on Seventh Avenue. | Medium term (Years 2 - 5) | Currently the area surrounding the school on Seventh Avenue becomes very congested during drop off / pick up times, and this is exacerbated by people parking in the area longer than necessary. A 'drop off / pick up' zone would help alleviate this situation. The zone is recommended to be between 7am-9am and 2pm-4pm Monday to Friday. |

Zone Three: Eighth Avenue Area

Zone Three is the area surrounding Eighth Avenue. It contains Maylands Train Station, the primary shopping and entertainment precinct within the Maylands Town Centre, and the portion of Whatley Crescent between Seventh Avenue and Ninth Avenue. Zone Three is shown below.



The following recommendations are made for Zone Three:

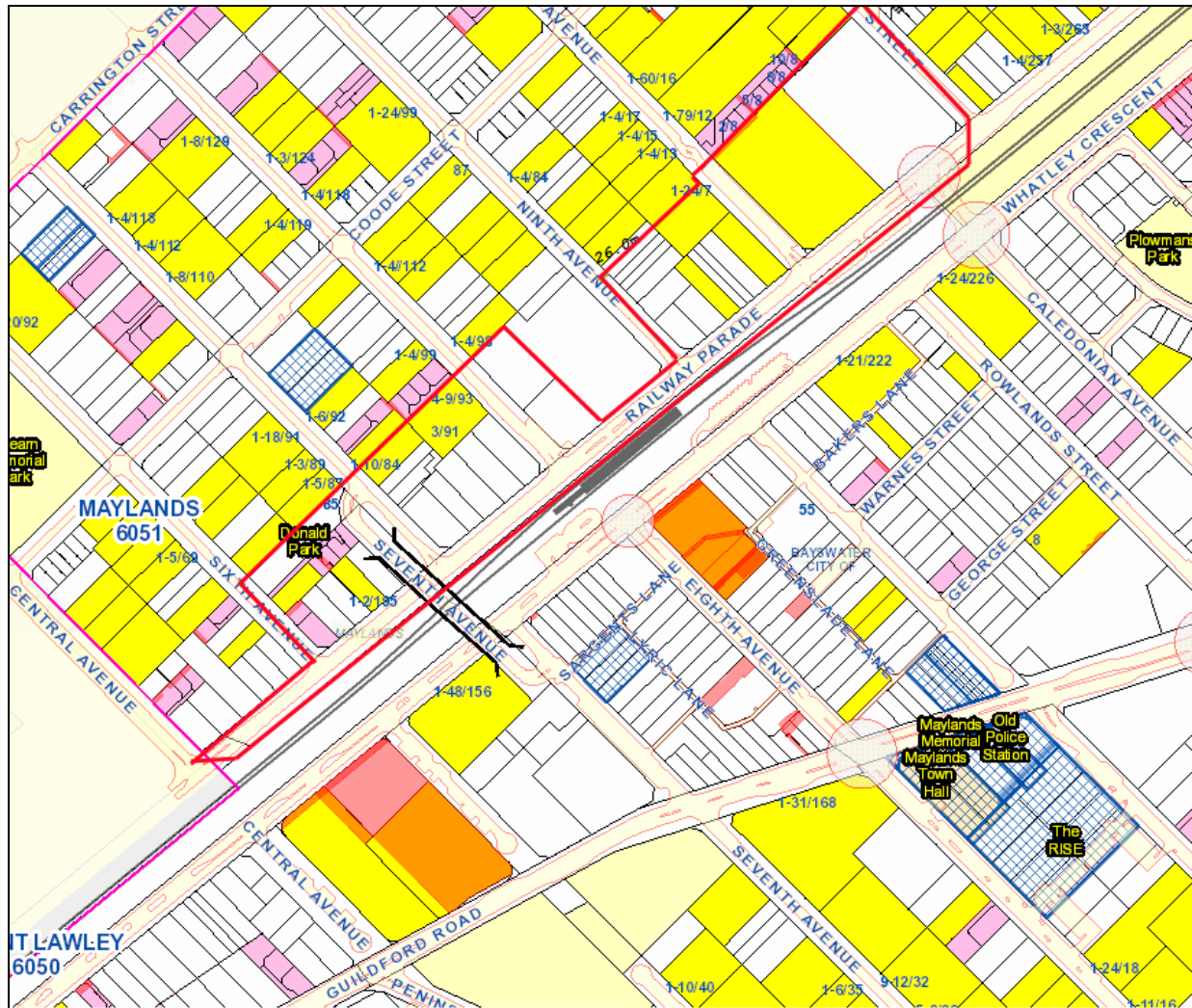
MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE THREE

| Recommendation | Timeframe | Comment |
|--|--------------------------|--|
| 1. Introduce on street parking in the clearway zone, and formalise existing parking on Whatley Crescent. | Short term (Years 1 - 2) | On street parking could be permitted outside of clearway zone times where clearways are found to be still necessary. This is currently permitted on the shopping side of Whatley Crescent. |

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE THREE | | |
|---|---------------------------|--|
| Recommendation | Timeframe | Comment |
| 2. Formalise parking on the verge on both sides of Ninth Avenue near Whatley Crescent (outside 206 and 212 Whatley Crescent). | Short term (Years 1 - 2) | Currently, the City managed verge along Ninth Avenue is used for visitor parking, but the area is in very poor condition, being sandy, without hardstand, and with a kerb above ground level. Appropriate signage will enable these newly constructed bays to be used optimally. |
| 3. Advocate for the Public Transport Authority to formalise parking near the rail line. | Short term (Years 1 - 2) | Currently the area is used for commuter parking. However, much is informal and not managed. The City should advocate for formalised parking near the Maylands Train Station to improve the condition of these areas. |
| 4. Investigate paid parking for on street parking facilities when capacity consistently reaches 85% at peak. | Medium term (Years 2 - 5) | Best practise indicates paid parking should be implemented when capacity consistently reaches 85% during peak periods. On street car parking is currently around 75% capacity. |
| 5. Reconfigure City managed car bays between Greenslade Lane and Ninth Avenue. | Medium term (Years 2 - 5) | These bays are currently at 90°. If the parking is modified to 60°, there is potential to increase the number of bays by five. |
| 6. Formalise car parking behind shops on Eighth Avenue. | Medium term (Years 2 - 5) | Currently this area is underutilised as it is not clearly designated as car parking. There is potential to work with owners to formalise the bays and enter a reciprocal agreement so the parking area can be used by visitors. |
| 7. Investigate with owner of 66A Seventh Avenue potential to use / purchase vacant land for parking. | Medium term (Years 2 - 5) | Currently this area is unused. The City's aerial photographs indicate the site has been vacant since the 1970s. |
| 8. Modify private parking signage to indicate who is a 'Customer' (i.e. Customers of X only) and hours of operation. | Medium term (Years 2 - 5) | This enables effective use of shared parking agreements. It clarifies who is permitted to park in specific bays during hours of operation, and who is permitted to use those bays at other times. |

Zone Four: Rowlands Street Area

Zone Four includes portions of Whatley Crescent, Ninth Avenue and Caledonian Avenue. The area includes a portion of the Whatley Crescent retail strip, several fast food and smaller restaurants along Guildford Road, and residential development surrounding the town centre. Zone Four is shown below.

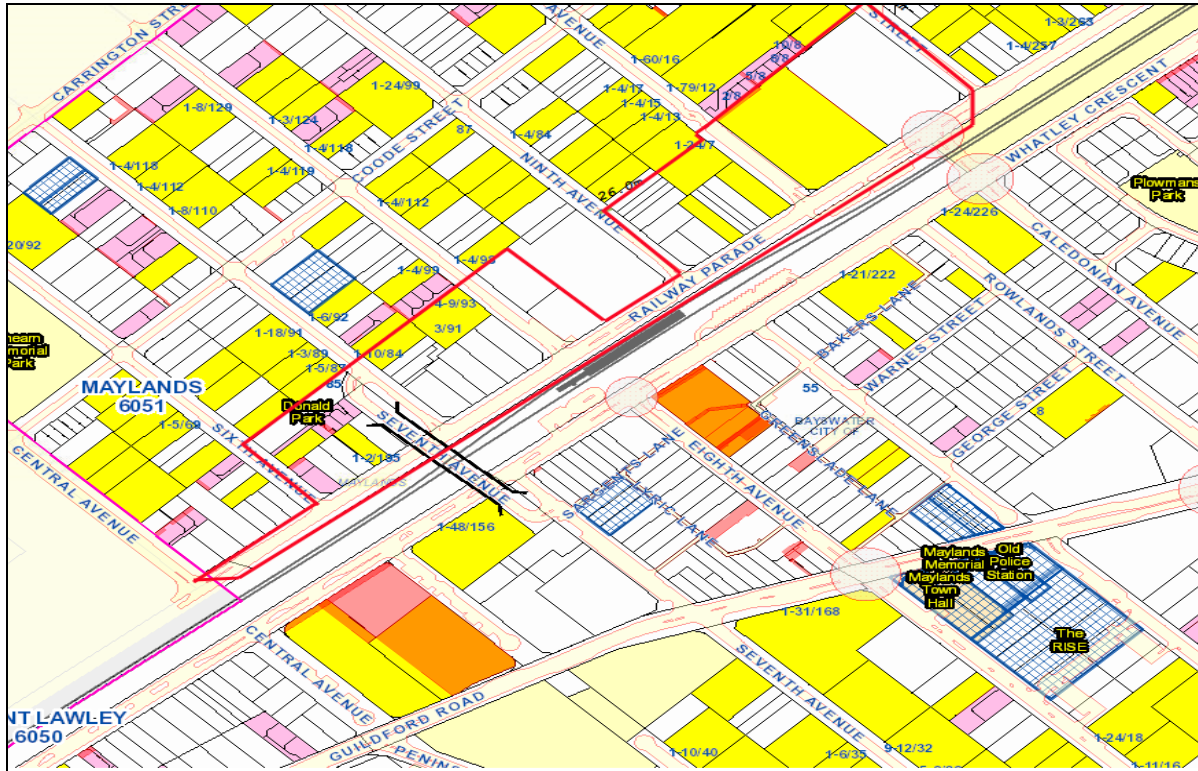


Zone Four recommendations are as follows:

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE FOUR | | |
|---|------------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Mark parking bays on Whatley Crescent where road width allows. | Short term (Years 1 - 2) | Currently, available parking areas are underutilised. Marking of bays will provide drivers with confidence to park. |
| 2. Formalise on street parking along Ninth Avenue. | Medium term (Years 2 - 5) | Currently cars use this area for informal parking. There is potential to line mark the area to ensure that the maximum number of cars is able to park there. |
| 3. Modify private parking signage to indicate who can authorise people to park in bays marked 'Authorised Parking'. | Medium term (Years 2 - 5) | Currently there is confusion at 266 Whatley Crescent regarding who can authorise parking on the verge. |
| 4. Investigate the use of 207 Guildford Road for temporary overflow parking during events. | Medium term (Years 2 - 5) | Currently the site is generally unused. |
| 5. Introduce time restrictions along George and Warnes Streets. | Medium term (Years 2 - 5) | These streets are identified as being used for long term parking. It is recommended that on street parking on these streets be time restricted to two hours between 8am and 5pm. |

Zone Five: Railway Parade Area

Zone Five comprises the area along Railway Parade between Central Avenue and Kennedy Street. The area includes the northern side of Maylands train station, a commercial strip including the Maylands Dome café, and the multiple dwellings between Tenth Avenue and Kennedy Street. Zone Five is shown below.



Recommendations for Zone Five are as follows:

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE FIVE | | |
|---|-----------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Mark on street parking on Railway Parade where road width allows. | Short term (Years 1 - 2) | The on street parking available beside the rail line along Railway Parade is currently unmarked, and this often leads to it being underutilised. Marking of bays may require a reduction of speed limits as speed limits influence lane width requirements, and the City is investigating a speed limit reduction with Main Roads. |
| 2. Update signage on Ninth Avenue. | Short term (Years 1 - 2) | Currently the 'No Stopping' signage does not comply with Australian Standards. |
| 3. Update signage on Tenth Avenue. | Short term (Years 1 - 2) | The existing signage does not indicate if parking is not permitted on the verge, road or both. |

OPTIONS

The following options are available to Council:

| OPTION | BENEFIT | RISK |
|--|---|---|
| 1. Council provides consent to advertise the Draft Maylands Town Centre Car Parking Strategy for public comment. Estimated Cost: <ul style="list-style-type: none"> • \$1,650 for letters to landowners within the Strategy Area. | <ul style="list-style-type: none"> • Advertising enables the City to gauge the opinions of community members regarding proposed improvements. Public comments will be considered in further amendments to the draft strategy prior to its presentation to Council for further consideration. | <ul style="list-style-type: none"> • Affected community members may have divergent views on recommendations within the strategy, making it difficult to further amend the strategy to meet everyone's requirements. |
| 2. Council provides consent to advertised a modified version of the Draft Strategy. Estimated Cost: <ul style="list-style-type: none"> • \$1,650 for letters to landowners within the Strategy Area. | <ul style="list-style-type: none"> • Modifications may improve the Draft Strategy. | <ul style="list-style-type: none"> • Modifications may not reflect the findings of the car parking surveys, which may make their rationale unclear. |
| 3. Council does not provide consent to advertise the Draft Maylands Town Centre Car Parking Strategy for public comment. Estimated Cost: <ul style="list-style-type: none"> • Nil. | <ul style="list-style-type: none"> • There is no risk of community members criticising recommendations made in the draft strategy. | <ul style="list-style-type: none"> • The strategy requires advertising for public comment and (if required) subsequent modifications prior to eventual Council adoption. Without adoption, implementation of car parking improvements within Maylands Town Centre is unlikely to progress. |

CONCLUSION

Option 1 to adopt the Draft Maylands Town Centre Car Parking Strategy for advertising is recommended as it facilitates the future adoption and implementation of the Maylands Car Parking Strategy. Adoption of the strategy will then enable better management of car parking in the area and a better town centre for its users.

FINANCIAL IMPLICATIONS

The City's Cash in Lieu of Car Parking Policy enables the City to collect monies in lieu of car parking bays within the Maylands Town Centre. These monies are then able to be used for car parking infrastructure.

In 2016/2017, \$10,000 per car bays shortfall was charged. As of February 2017, the City has \$132,000 held in trust to be used within the Maylands Town Centre.

Following advertising, the strategy will be revised where necessary, and costings will be included in the document. Those actions will then be considered as part of the review of the City's Long Term Financial Plan.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
Aspiration: A quality and connected built environment
Outcome B2: A connected community with sustainable and well maintained transport

Theme: Our Local Economy
Aspiration: A business and employment destination
Outcome E2: Active and engaging town and city centres

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Not applicable

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Draft Maylands Car Parking Strategy.

OFFICER'S RECOMMENDATION

That:

1. Council adopts the Draft Maylands Town Centre Car Parking Strategy for advertising.
2. Council authorises the public advertising of the Maylands Car Parking Strategy for 28 days by way of:
 - (a) Notification being placed in The Perth Voice and the Eastern Reporter Newspapers;
 - (b) Correspondence sent to all landowners in the Strategy Area;
 - (c) Information on the City's website and social media platforms; and
 - (d) Hard copies of the Draft Maylands Car Parking Strategy being made available at the City of Bayswater Civic Centre, Maylands Library, and the One Shop Shop at The RISE.
3. The Draft Maylands Town Centre Car Parking Strategy be referred to Council for further consideration following public advertising.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that given the usage of the WA Ballet Centre, 12 car parking bays on Sixth Avenue should be allocated to WA Ballet from 8:00am to 5:00pm, Monday to Friday.

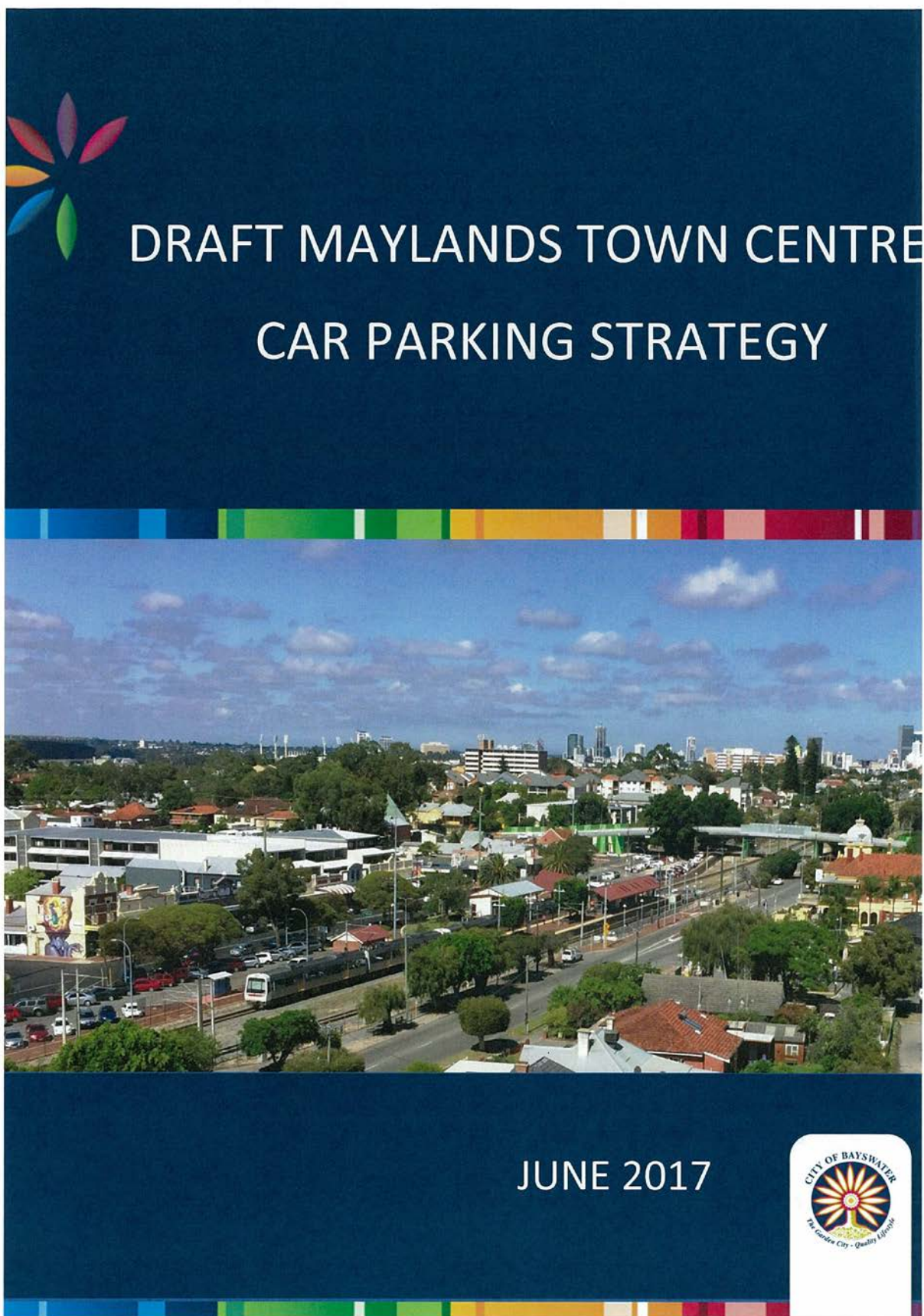
That:

- CR SALLY PALMER MOVED, CR MICHELLE SUTHERLAND SECONDED**

CARRIED: 5/2

At 8:06pm, Cr Ehrhardt returned to the meeting.

Attachment 1: Draft Maylands Town Centre Car Parking Strategy



MAYLANDS TOWN CENTRE CAR PARKING STRATEGY

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MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



1 Introduction

1.1 Background

Maylands Town Centre is located within the City of Bayswater and is approximately four kilometres from the Perth Central Business District. It comprises approximately 395,000m² of land surrounding the Maylands train station.

The town centre is identified as a District Centre in the Western Australian Planning Commission's *Directions 2031 and Beyond* and as an Activity Centre in its *Draft Perth and Peel @3.5million* documents. District Centres provide for the daily and weekly needs of residents, with a focus on the needs of the specific catchment area (including jobs, services, facilities etc.).

Maylands Town Centre is characterised by its heritage and cultural diversity. With its proximity to public transport, the river, pedestrian, bicycle and road networks, Maylands affords a convenient and well connected urban lifestyle. The centre is focused around a traditional main street shopping precinct along Eighth Avenue, as well as along Whatley Crescent and Guildford Road.

In light of the need for more detailed planning in the Maylands Town Centre, Council endorsed the Maylands Activity Centre Urban Design Framework in December 2009, following widespread community engagement. The Urban Design Framework provides the strategic direction for new development within the centre. To implement the strategic vision of the Maylands Urban Design Framework, the City introduced the 'Maylands Activity Centre Zone' (gazetted in December 2011) to increase densities and a diverse range of appropriate land uses within the area, and implemented design guidelines to retain the area's character.

Part 2.4.4 of the Urban Design Framework addresses car parking and recommends the preparation of a parking strategy that explores opportunities for improvements to kerbside ('on street') parking and 'park and ride' facilities. It also enables collection of 'cash in lieu of car parking' contributions to fund the development of better facilities for both car parking and for alternative modes of transportation within the centre. This strategy has been developed in response to this recommendation.

The City of Bayswater is committed to the reduction of car dependency and increased walking, cycling and public transportation use. Complementing this strategy, the City seeks to implement a range of initiatives to support these alternative modes of transport and reduce pressure on car parking.

1.2 Objectives

The objectives of the Maylands Town Centre Car Parking Strategy are as follows:

- To identify existing car parking conditions and users;
- To identify car parking areas under pressure from high demand ('hot spots');
- To establish a range of actions to manage existing and future car parking demands within the town centre; and
- To support an integrated approach to transport and parking management within the town centre which balances provision for cars with the requirements of other modes of transport.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



1.3 Strategy Area

The strategy area is shown in Figure 1 and has been divided into five zones as indicated. The five zones are as follows:

- Zone One: Guildford Road Area
- Zone Two: Central Avenue Area
- Zone Three: Eighth Avenue Area
- Zone Four: Rowlands Street Area
- Zone Five: Railway Parade Area



FIGURE 1 - STRATEGY AREA

As with most traditional main street shopping precincts, a range of car parking areas exist within Maylands Town Centre, comprising on street and off street car parking. Parking within the strategy area has a range of differing time restrictions (dependent on the location of car bays), as well as unrestricted parking and user specific parking (including ACROD parking).

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



2 General Findings and Recommendations

2.1 Existing Car Parking Conditions

In February 2016, the City commissioned Donald Veal Consultants (DVC) to conduct a parking inventory and occupancy survey of the Maylands Town Centre. The intent of the survey was to understand the existing car parking conditions within the town centre prior to planning for any improvements. The surveys were conducted over two days: Saturday 13 February 2016 and Tuesday 16 February 2016. These covered the area identified in Figure 1 (Strategy Area) above.

2.1.1 Car Parking Survey Results

The entire survey area has approximately 1,836 parking bays. These have been categorized into five types as shown in Table 1. This table also shows the number of vehicles parked within each of the five subcategories per 'beat' (survey period) for both survey days. 'Beat 2' on Tuesday 16 February 2016 had the most vehicles parked within the survey area, recording 793 vehicles or 43% occupancy rate.

Table 1: Car Parking Bay Inventory and Occupancy – All Zones

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | | Max Occupancy |
|----------------------|-------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|---------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | |
| Car parks - Marked | 927 | 301 | 393 | 346 | 296 | 358 | 440 | 448 | 42% |
| Car parks - Unmarked | 146 | 17 | 13 | 13 | 13 | 55 | 67 | 60 | 12% |
| On Street - Marked | 228 | 142 | 124 | 127 | 110 | 115 | 128 | 112 | 62% |
| On Street - Unmarked | 331 | 88 | 96 | 97 | 69 | 63 | 76 | 67 | 29% |
| Verge | 204 | 42 | 44 | 39 | 56 | 85 | 82 | 71 | 27% |
| Total | 1836 | 590 | 670 | 622 | 544 | 661 | 793 | 758 | 36% |
| % Occupied | | 32% | 36% | 34% | 30% | 36% | 43% | 41% | |
| Empty Bays | | 1246 | 1166 | 1214 | 1292 | 1175 | 1043 | 1078 | |

For the entire Strategy Area, parking demand ranges between 30% and 43% of available parking during what was anticipated to be peak demand times. This suggests that overall, parking in the area is not particularly stressed and drivers can find a parking bay without much difficulty. The survey clearly shows that marked bays are more likely to be used than unmarked bays, whether they are within an off street car park or located on the street. In car parks, approximately 42% of marked car bays were occupied at the peak demand times, compared with only 12% of unmarked bays. In the case of on street parking, approximately 62% of marked bays were occupied at the peak, compared with only 29% of unmarked bays.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



2.2 General Parking Recommendations - City Managed Car Parking Bays

The following recommendations apply to all five zones within the Strategy Area (Figure 1).

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ALL ZONES | | |
|--|------------------------|---|
| Recommendation | Timeframe | Comment |
| 1. Take a consistent approach to time restrictions for on street parking. | Short term (Years 1-2) | <p>For on street parking bays, the following parking periods are recommended:</p> <ul style="list-style-type: none"> • Within approximately 150m of train station - two hours on streets and in City-managed car parks, with a number of 15 minute bays to allow for short term users; • Within approximately 250m of the train station - two hours on streets and in City-managed car parks; and • Within approximately 400m of the train station - four hours on streets and in City-managed car parks. <p>In specific 'hot spot' (potential problem) areas, this may be altered.</p> <p>Time restrictions are recommended to only apply between 8am and 5pm Monday to Friday.</p> |
| 2. Mark unmarked parking bays. | Short term (Years 1-2) | Unmarked parking bays need to be marked, initially in car parking 'hot spots' and then throughout the town centre, to highlight available parking which is currently unclear. |
| 3. Review the City's Town Planning Scheme No.24 and relevant policies to enable cash-in-lieu of parking funds to be collected more reasonably and utilised more broadly. | Short term (Years 1-2) | The City's Town Planning Scheme No.24 and the City's Cash in Lieu of Car Parking Policy require amending to provide concessions relating to support for sustainable modes of transportation and further clarification of use of these funds for these modes (i.e. walking, cycling and public transport use). |
| 4. Review the location and number of taxi bays, and reduce where feasible. | Short term (Years 1-2) | There are a number of taxi bays within the Maylands Town Centre. A review of their locations, necessity and use may enable some of these to be used for other functions including car parking, or for better taxi bay locations to be found. |
| 5. Remove unnecessary clearway areas and | Short term (Years 1-2) | Some clearway areas are considered unnecessary and can be replaced with on street parking. Other |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



| | | |
|--|---------------------------|---|
| replace them with car parking bays. | | clearway areas can be used for on street parking outside of peak times. Where former clearway areas are re-allocated to on street parking, this will have the effect of narrowing the road as one lane is dedicated to car parking, which will result in a reduction of vehicle speeds in popular pedestrian areas. In the case of Whatley Crescent, this will also encourage traffic to be redirected towards Guildford Road. |
| 6. Introduce wayfinding signage. | Medium term (Years 2 - 5) | Wayfinding signs and directories can efficiently guide people to car parking areas around the town centre. This needs to be predictable and consistent. (See 2.3). |
| 7. Encourage private car parking arrangements. | Medium term (Years 2 - 5) | The City can enter into car parking arrangements with owners of private car parking bays. This enables the City's Rangers to enforce parking restrictions within these areas, where otherwise parking restrictions cannot be effectively managed. (See 2.4). |
| 8. Develop standard signage in private car parks. | Medium term (Years 2 - 5) | Make the conditions for use of these bays easier to understand, so that there is better uptake of all available parking (public and private) within the town centre (See 2.4). |
| 9. Upgrade signage. | Ongoing | Current signage is dated, damaged and inconsistently spaced, resulting in car parking restrictions being unclear. |
| 10. Provide infrastructure to support greater use of sustainable modes of transport. | Ongoing | Upgrade pedestrian, cyclist and public transport networks and infrastructure to improve pedestrian, cyclist and public transport user safety and amenity (see 2.5). |

In addition to these general recommendations, specific recommendations are detailed for each zone in the relevant sections of this strategy.

2.3 Wayfinding Signage

Wayfinding is a system of signs and directories that can efficiently guide people to car parking areas around the town centre.

There is a significant lack of signage directing vehicles to parking facilities within the town centre. Existing signage does not indicate where off street parking is located, the number of bays available or the type of parking available (short or long term). The lack of wayfinding signage may result in congestion in certain areas while parking is available nearby.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



Maylands Town Centre needs a consistent approach to wayfinding signage to guide drivers to all car parks. A coherent wayfinding system is a cost-effective means of reducing searching time for bays and unnecessary circulation of cars. Predictable, consistent and authoritative public information builds confidence in the information provided.

2.4 Management of Private Car Parks

There are a number of privately owned car parks within the town centre which service specific businesses. As they are on private property, and where there is no parking agreement established between the land owner and the City of Bayswater, the City's Rangers have no power to enforce parking restrictions.

Private parking areas within the town centre can cause significant confusion where signage is poor. As patrons are frequently unsure whether they are permitted to use private parking areas, this can create a perception of a lack of parking and may result in an underutilisation of available car parking bays within the town centre. Visitors may also be using parking bays that businesses need for their own staff or customers.

There is potential for the City to enter into private car parking arrangements with owners of private car parking bays. This enables the City's Rangers to enforce parking restrictions within these areas. Additionally, there is potential for a more consistent approach to private car park signage so that it includes the business name, parking time limit and the hours during which this time limit applies (e.g. 8am-5pm), with the bays being available for public use outside of these times. Signage could be similar to that shown in Figure 2.



FIGURE 2 - EXAMPLE OF
PRIVATE PARKING AREA SIGN

2.5 Alternative Modes of Transport

Wherever possible, access and infrastructure for pedestrians, cyclists and public transport users should be prioritised within the Maylands Town Centre. As well as health and economic benefits related to these modes of transport, prioritising these will help reduce demand for car parking within the centre.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



Increased uptake of alternative modes of transport can be encouraged through upgrades to pedestrian, cyclist and public transport networks. Required upgrades involve:

- Reduced vehicle speeds along main thoroughfares within the town centre to improve pedestrian and cyclist safety;
- Pedestrian priority crossovers;
- Increased lighting for pedestrian, cyclist and public transport user safety;
- Increased shade through tree planting designed to provide a continuous canopy along pedestrian routes;
- Improved footpaths - well constructed, maintained and connected;
- Bicycle parking at convenient locations; and
- End of trip facilities in new developments.

A number of locations for bicycle parking have been identified for the core of the Maylands shopping precinct around Eighth Avenue, Whatley Crescent and Railway Parade, and bicycle rails will be installed in these locations in the short term. Over the longer term, more bicycle parking infrastructure will be required beyond this core area.

End of trip facilities are also required for cyclists accessing developments within the town centre, and a review of the City's Town Planning Scheme No. 24 and Cash in Lieu of Car Parking Policy can enable parking concessions to be provided for developments providing bicycle parking and end of trip facilities.

2.6 Cash In Lieu of Car Parking

Collection

The City of Bayswater currently collects cash in lieu of car parking for the Maylands Town Centre. Through the City's Cash in Lieu of Car Parking Policy, cash can be collected for non-residential developments which have a shortfall of required parking at the development approval stage.

Currently, requirements for cash in lieu of car parking are considered to be inconsistently applied and the amount of funding available is reasonably low. This is partially due to the practice of adjusting (primarily through discounting) the cash in lieu fee requirement for different projects without guidelines to govern such adjustments. It is recommended that cash in lieu requirements be consistently applied and that the fee be based on a formula which takes into account the land value for each commercial centre set by the City every two years and the cost of construction.

Additionally, it is acknowledged that the fee could be waived or discounted in certain situations to encourage favourable outcomes such as supporting sustainable modes of transportation, supporting small businesses, and the adaptive reuse of older buildings. It is recommended that these policy settings be reviewed and adjusted to support the objectives of the Maylands Activity Centre Urban Design Framework.

Expenditure

Cash in lieu of parking should be collected to fund the provision of both public parking bays and transport infrastructure more generally (including infrastructure for cyclists, pedestrians and public transport uses and users). It is recommended that the City amend part 8.4.6 of Town Planning

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



Scheme No. 24 and the associated Cash in Lieu of Car Parking Policy in order to provide further guidance on the use of this revenue. Public parking bays built with this revenue allow shared use between different sites with peak parking demands at different times of day, and subsequently fewer bays are needed to meet combined peak parking demands.

As such the following actions are recommended:

- The City should amend part 8.4.6 of Town Planning Scheme No. 24 in order to provide further guidance on the expenditure of cash in lieu funds and to allow the City to finance the construction of sustainable/active transport infrastructure for cyclists, pedestrians and public transport users;
- The City's Cash in Lieu of Car Parking Policy should be amended to reflect the changes to the Scheme;
- Given the general proliferation/availability of car parking in town centres and the continued existence of minimum requirements in the Scheme, the policy should prioritise the expenditure of cash in lieu funds on upgrades that are related to active/alternative transport modes; and
- A list of such upgrades (including streetscape upgrades) should be developed and incorporated into the policy to guide expenditure.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



3 Implementation of Parking Measures

3.1 Paid Parking

Paid parking is considered appropriate in areas which experience significant congestion during peak periods. Best practise is to implement paid parking when occupancy levels are continuously at 85% during peak periods. Currently, occupancy levels are not this high within the Maylands Town Centre.

Paid parking is intended to reduce the number of vehicles cruising for on street parking, increase turnover in the most convenient bays, encourage the use of less convenient parking bays for long term parking, and help reduce vehicle traffic. It can also contribute to a mode shift, with people more likely to walk, cycle or catch public transport to avoid paying for parking.

Paid parking is often perceived to have an impact on local businesses and the vitality of the area. Research suggests that visitors are willing to pay for parking where there are unique businesses and a high level of amenity. There is potential for the additional revenue generated through paid parking to be used within town centres to improve their amenity.

3.2 Shared Parking

Shared parking involves parking bays being shared by more than one user (e.g. by more than one business). Shared parking takes advantage of different land uses having different peak usage times. It enables existing parking bays to be used more efficiently and reduces the need to construct new bays.

One opportunity for shared parking in the Maylands Town Centre may be use of loading bays outside of loading times. Currently loading bays within the town centre are time limited, however it is not clear to patrons whether these bays can be used for parking outside of these times, resulting in an underutilised potential parking bays. There is an opportunity to clearly sign these bays so they can be used for parking outside of loading times.

Another opportunity may be the use of clearway zones along Whatley Crescent. Clearway zones are limited to peak hours (7:30am - 9:00am and 4:30pm - 6:00pm) in one direction. In front of the shops along Whatley Crescent, parking is permitted within the clearway zone outside of the peak period. There is potential for parking to be permitted on the rail station side of Whatley Crescent and along the portion of Whatley Crescent west of the Eighth Avenue traffic lights outside of peak times. The necessity for clearway zones at individual locations in the town centre also requires reviewing, and where clearway zones are not necessary, these can be removed for additional parking at all hours.

There is also potential for businesses and owners of residential buildings to enter into reciprocal parking arrangements, where employees are able to use residential parking during the day when residents are not at home, and residents can use business parking bays for visitors or extra vehicles outside of business hours.

3.3 Residential Parking Permits

Currently, there are no residential parking permits within the Maylands Town Centre. As parking demand grows, the City may need to introduce these. Generally, residential parking permits exempt vehicles from time restrictions within a nominated area and remove the need for residents to pay for parking within a nominated area.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



The City's Rangers would need to investigate the enforcement and administrative impact of issuing residential parking permits, as currently there is limited capacity.

3.4 Time Restricted Parking

A consistent approach to time restricted parking can ensure visitors understand how long they can park in an area.

It is recommended that where on street parking is permitted, it be time restricted as follows:

- Within approximately 150m of the train station - two hours on streets and in City-managed car parks, with a number of 15 minute bays to allow for short term users;
- Within approximately 250m of the centre of the train station - two hours on streets and in City-managed car parks; and
- Within approximately 400m of the centre of the train station – four hours on streets and in City-managed car parks.

In specific 'hot spot' (potential problem) areas, this may be altered.

It is expected that these time restrictions will increase turnover in the high demand areas and will reduce the volume and impact of commuter parking on surrounding residential streets. It is also considered that by extending some timed parking restrictions outside the Maylands Town Centre, it will reduce the impact of 'flow on' parking on to surrounding residential streets.

Figure 3 below identifies areas where the proposed time restrictions would apply.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



FIGURE 3 - PROPOSED TIME PARKING RESTRICTIONS

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



4 Zone One - Guildford Road Area

Zone One is the area south of Guildford Road between Peninsula Road and Caledonian Avenue, as shown in Figure 4 below. The area includes Coles Maylands, the Maylands Park Shopping Centre, The RISE and the shopping precinct at 168 Guildford Road. The area is primarily used by visitors to the shops and The RISE, as well as by some long term parking users and commuters.

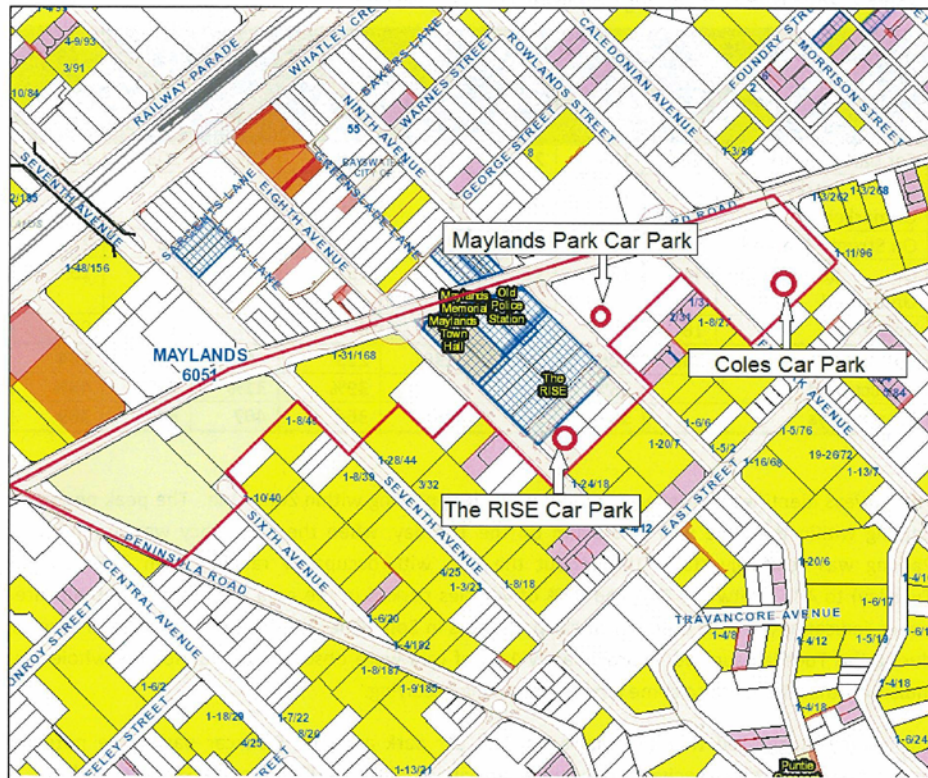


FIGURE 4 - ZONE ONE PRECINCT BOUNDARY

4.1 Existing Car Parking Conditions

Zone One contains approximately 593 parking bays, consisting of 472 marked off street bays, five unmarked off street bays, 54 marked on street bays, 44 unmarked on street bays and 18 verge bays. The survey for this zone included the Coles and Maylands Park car bays, even though they are private car parks, to get a better understanding of the issues in the area.

The 101 car bays at the Maylands Park Shopping Centre are subject to a parking agreement with the City of Bayswater. Under this agreement, the majority of the bays are time limited to one hour (with some 30 minute parking) and are for the exclusive use of Maylands Park patrons. There are no other time limitations within Zone One.

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The RISE is a significant attractor in this zone, as it can hold events for up to 400 people and for up to 1,000 people when there is more than one event on. Events held at The RISE can cause parking issues in the surrounding area.

The results of the town centre car parking surveys for Zone One are included in Table 2 below.

Table 2: Zone One - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|----------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Car parks - Marked | 472 | 163 | 233 | 192 | 178 | 154 | 203 | 245 |
| Car parks - Unmarked | 5 | 1 | 0 | 1 | 2 | 0 | 1 | 2 |
| On Street - Marked | 54 | 30 | 24 | 24 | 26 | 21 | 28 | 22 |
| On Street - Unmarked | 44 | 12 | 16 | 13 | 15 | 9 | 14 | 15 |
| Verge | 18 | 0 | 0 | 0 | 8 | 2 | 1 | 0 |
| Total | 593 | 206 | 273 | 230 | 223 | 186 | 247 | 284 |
| % Occupied | | 35% | 46% | 39% | 39% | 31% | 42% | 48% |
| Empty Bays | | 387 | 320 | 363 | 364 | 407 | 346 | 309 |

The surveys identified that overall, there is sufficient parking within Zone One. The peak period for parking within the zone was at 3:00pm on the Tuesday, when the occupancy was around 48%. Parking was relatively stable throughout the day, with occupancy ranging from 31% (9:00am Tuesday) to 48%. Between 77% and 87% of vehicles parked in the area stayed for less than three hours, indicating that the majority of car park users in Zone One are short term visitors. However, during the Tuesday surveys, approximately 14% of cars were observed to stay for the whole day, indicating that there is also some long term parking occurring.

The surveys suggested that the Maylands Park car park and The RISE car park were potential problem areas, as they reached a maximum capacity of 63% at 5:00pm on the Saturday and 77% at 9:00am on the Saturday respectively. The surveys were timed to cover a large event at The RISE, in order to understand the impact of events at the venue on the surrounding area.

The surveys reinforced the existing perception of The RISE as a parking 'hotspot'. Table 3 below outlines the survey results for The RISE car park only.

Table 3: Zone One The RISE - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|--------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Ground Level | 78 | 60 | 50 | 39 | 38 | 27 | 38 | 29 |
| Undercover | 52 | 14 | 22 | 21 | 21 | 20 | 27 | 21 |
| Total | 130 | 74 | 72 | 60 | 59 | 47 | 65 | 50 |
| Ground Level | 78 | 77% | 64% | 50% | 49% | 35% | 49% | 37% |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



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|------------|----|-----|-----|-----|-----|-----|-----|-----|
| Undercover | 52 | 27% | 42% | 40% | 40% | 38% | 52% | 40% |
| % Occupied | | 57% | 55% | 46% | 45% | 36% | 50% | 38% |
| Empty Bays | | 56 | 58 | 70 | 71 | 83 | 65 | 80 |

4.2 Key Findings / Issues

The following key issues were identified in Zone One:

- There are a number of unmarked on street bays, which are underutilised as visitors do not know they can park there.
- Commuters and long term parking users are parking at The RISE, reducing the amount of parking available for users of The RISE.
- Patrons of The RISE are parking at the Maylands Park shopping centre, reducing the amount of parking available for Maylands Park patrons.

4.3 Parking Recommendations

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE ONE | | |
|--|---------------------------|---|
| Recommendation | Timeframe | Comment |
| 1. Improve signage to existing off street public parking (Maylands Hall). | Short term (Years 1-2) | There are four bays which are underutilised as most visitors are unaware they are available. |
| 2. Implement an events parking permit for attendees of events over four hours. | Short term (Years 1-2) | The permit would enable attendees of events over four hours' duration to park at The RISE car park without risk of a fine. |
| 3. Upgrade signage along Ninth Avenue to indicate that on street parking is permitted. | Short term (Years 1-2) | Parking on Ninth Avenue is currently underutilised as there is no signage in this area indicating that on street parking is permitted. The signage would make this permission clear and encourage parking there. |
| 4. Line mark bays along The RISE side of Ninth Avenue. | Medium term (Years 2 - 5) | Line mark the stretch of verge (approximately 30m) adjoining the existing car park at The RISE. Between four and eight bays may be introduced here (depending on whether the bays are parallel or angled). Upon their construction, it is recommended that these bays be time limited in accordance with other parking at The RISE. |
| 5. Introduce paid / ticketed parking for users of The RISE. | Medium term (Years 2 - 5) | Paid parking could be implemented where the first two hours are free. This would enable regular users to not pay but would require others using the area to pay. Similar to the time restriction option, it would require event permits as detailed below. |

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| | | |
|--|---------------------------|--|
| 6. Construct a decked parking structure over the existing parking at The RISE. | Long term (Years 5-10) | <p>Currently there are 78 car bays in the outer section of The RISE. By constructing a parking deck above the existing parking area it would increase the number of available bays by approximately 65 (subject to design). In 2017, the cost of decked parking is estimated at \$30,000 per bay. The estimated cost for an increase of 65 car bays is \$1.95m.</p> <p>Possible impacts on increased anti-social behaviour, reduction of light to the open space central to the car parking area, and minimisation of tree loss require consideration.</p> |
|--|---------------------------|--|

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



5 Zone Two - Central Avenue Area

Zone Two is the area surrounding Central Avenue and Sixth Avenue. The area includes the West Australian Ballet and significant residential apartment complexes. The area is primarily used by residents, West Australian Ballet staff and visitors to that facility, some commuters, and parents and carers dropping off / picking up children off at the Kids Open Learning School on Seventh Avenue.

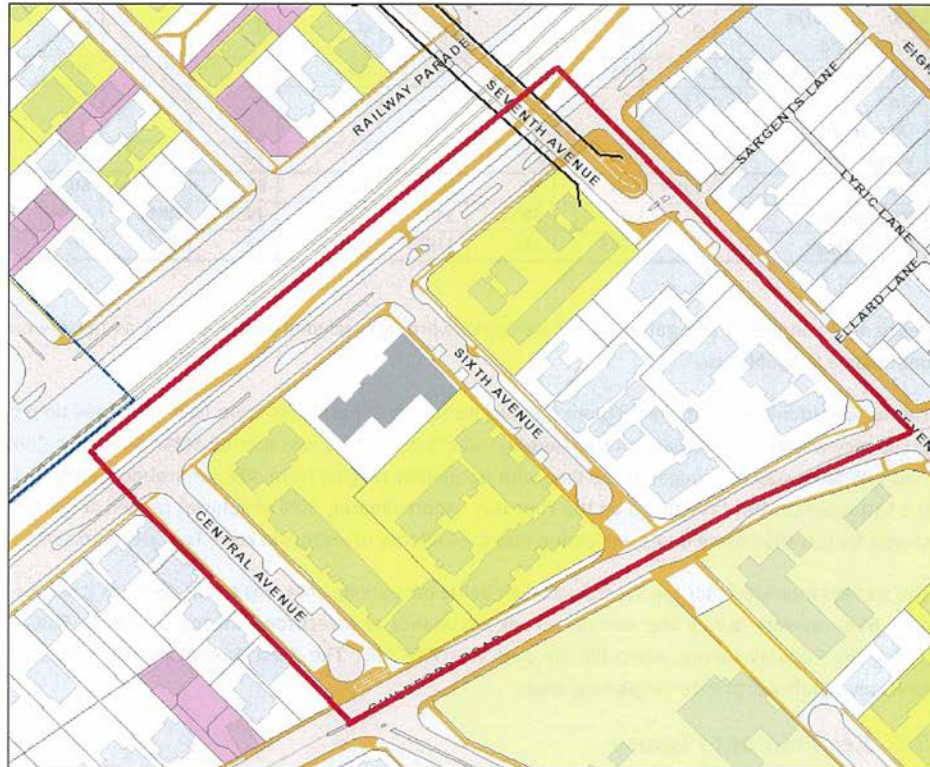


FIGURE 5 - ZONE TWO PRECINCT BOUNDARY

5.1 Existing Car Parking Conditions

The area contains a total of approximately 166 car parking bays. This consists of 46 off street bays, 65 marked on street bays, 23 unmarked on street bays, and 32 verge bays, as indicated in Table 4 below. Of the 166 car parking bays, only two are limited to one hour parking. On Central Avenue, parking is limited to the on street marked bays, with the rest of the street as a "no parking on the street or verge" zone.

The results of the town centre car parking surveys are included in Table 4.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



Table 4: Zone Two - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|----------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Car parks - Marked | 46 | 16 | 6 | 9 | 8 | 30 | 25 | 20 |
| Car parks - Unmarked | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| On Street - Marked | 65 | 36 | 32 | 34 | 40 | 35 | 39 | 40 |
| On Street - Unmarked | 23 | 7 | 6 | 5 | 5 | 4 | 3 | 3 |
| Verge | 32 | 4 | 6 | 8 | 9 | 13 | 13 | 17 |
| Total | 166 | 63 | 50 | 56 | 62 | 82 | 80 | 80 |
| % Occupied | | 38% | 30% | 34% | 37% | 49% | 48% | 48% |
| Empty Bays | | 103 | 116 | 110 | 104 | 84 | 86 | 86 |

Residential complexes and gated church car parks were not included in the surveys as these were unavailable for public use.

The surveys identified that overall there is sufficient supply of parking in Zone Two. The peak time of occupancy was around 9:00am on the Tuesday, where occupancy was around 50%. Parking in Zone Two was fairly stable throughout the day, with occupancy ranging from 30% (at around 12.00pm on the Saturday) to 49% (at 9:00am on the Tuesday). Approximately 50% of vehicles parked in the area stayed for less than three hours, indicating that the majority of visitors in Zone Two are short term.

The surveys indicated that the West Australian Ballet car parking area was a 'hot spot,' as it reached over 65% capacity during the surveys. Peak occupancy was recorded at approximately 9:00am during the Tuesday survey, when the car park was 77% full. The West Australian Ballet does not have any significant private car parking areas.

5.2 Key Findings / Issues

Existing car parking restrictions are inconsistent and hard to understand. Inconsistencies include:

- Some places refer to 'no parking on verge or road' while others refer to 'no parking on verge' or 'no parking on road'. This lack of consistency confuses drivers regarding where they are permitted to park.
- Two bays along Sixth Avenue are restricted to one hour parking, while there is no time limit on the remaining bays on the street.
- The loading bays are currently not time limited, so they can be used for loading 24 hours a day. This removes the possibility of these being used outside of peak periods by other users.

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5.3 Parking Recommendations

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE TWO | | |
|---|---------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Introduce time restricted car parking along Sixth Avenue. | Short term (Years 1-2) | Limit parking to two hours along Sixth Avenue between 8am and 5pm. Discussion with the West Australian Ballet is required to ensure this best meets the needs of the Ballet building's various users. |
| 2. Introduce time restricted car parking along Central Avenue. | Short term (Years 1-2) | Limit parking to four hours along Central Avenue between 8am and 5pm. This is intended to reduce the use of parking on the street by long term commuters. |
| 3. Introduce time restricted car parking along Seventh Avenue. | Medium term (Years 2 - 5) | Limit parking to two hours along Seventh Avenue between 8am and 5pm. Discussion with nearby organisations such as churches and The Shopfront, which currently uses this street for staff parking, are required to identify the most suitable time limit. As more car parking controls are put in place along Eighth Avenue, visitors may look for parking in the surrounding area, and timed parking can help reduce the impact on the surrounding area. |
| 4. Modify 'No Parking on Road or Verge' signage to 'No Parking on Road or Verge (Residents excepted)' along Central Avenue. | Short term (Years 1-2) | Currently residents cannot park on the verge in front of their own properties. While the purpose of this is to prevent visitors to the multiple dwellings across the road from parking on the verge, it severely restricts the way residents can use the area. |
| 5. Time restrict loading bays along Central Avenue and Sixth Avenue. | Medium term (Years 2 - 5) | It is not necessary to reserve loading bays for their intended use at all hours. Due to the potential noise impact of un/loading trucks, it is recommended that these bays be time restricted to 8am - 5pm for this use, and they can be used as additional on street parking for all users outside of these times. |
| 6. Introduce a 'drop off / pick up' zone outside the school on Seventh Avenue. | Medium term (Years 2 - 5) | Currently the area surrounding the school on Seventh Avenue becomes very congested during drop off / pick up times, and this is exacerbated by people parking in the area longer than necessary. A 'drop off / pick up' zone would help alleviate this situation. The zone is recommended to be between 7am-9am and 2pm-4pm Monday to Friday. |

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6 Zone Three - Eighth Avenue Area

Zone Three is the area surrounding Eighth Avenue. It contains Maylands Train Station, the primary shopping and entertainment precinct within the Maylands Town Centre, and the portion of Whatley Crescent between Seventh Avenue and Ninth Avenue. It includes shops, cafes, bars, restaurants, offices, services and residences. The area is primarily used by short and long term visitors and residents.

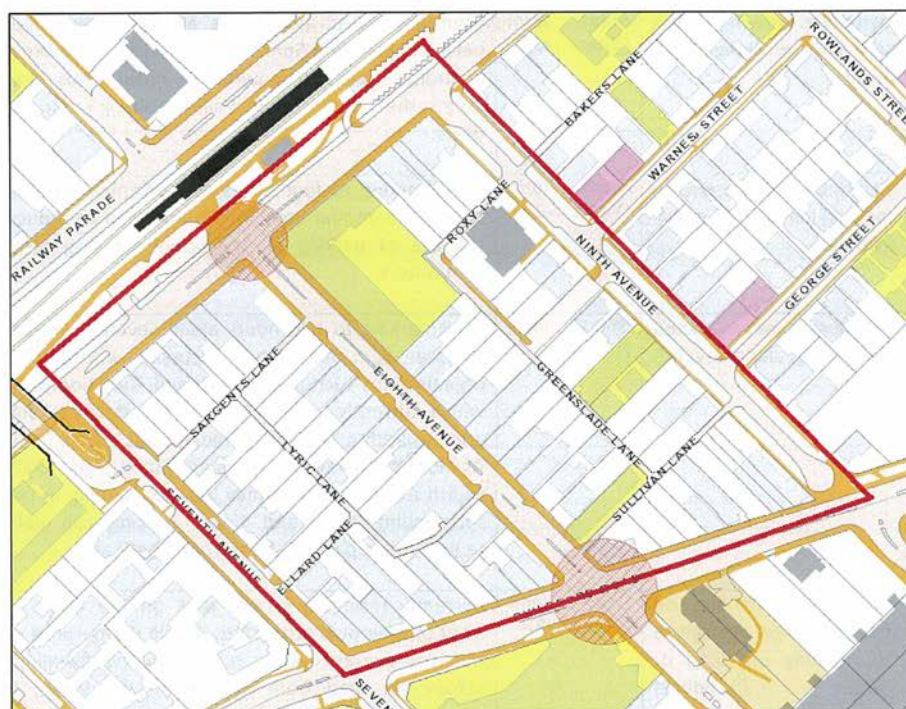


FIGURE 6 - ZONE THREE PRECINCT BOUNDARY

6.1 Existing Car Parking Conditions

The area contains approximately 360 car bays, which consists of 153 off street marked bays, 53 off street unmarked bays, 95 on street marked bays, 32 on street unmarked bays and 27 verge bays, as indicated in Table 5 below.

Table 5: Zone Three - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|--------------------|----------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Car parks - Marked | 153 | 63 | 65 | 74 | 48 | 60 | 84 | 72 |
| Car parks - | 53 | 14 | 11 | 10 | 7 | 10 | 16 | 11 |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



| | | | | | | | | |
|----------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Unmarked | | | | | | | | |
| On Street - Marked | 95 | 63 | 57 | 62 | 43 | 52 | 55 | 44 |
| On Street - Unmarked | 32 | 2 | 11 | 15 | 8 | 10 | 11 | 10 |
| Verge | 27 | 13 | 13 | 8 | 8 | 20 | 20 | 8 |
| Total | 360 | 155 | 157 | 169 | 114 | 152 | 186 | 145 |
| % Occupied | | 43% | 44% | 47% | 32% | 42% | 52% | 40% |
| Empty Bays | | 205 | 203 | 191 | 246 | 208 | 174 | 215 |

The Eighth Avenue/Whatley Crescent shopping precinct is the primary attractor within Zone Three. The majority of on street bays along Eighth Avenue are time limited to one hour, with two bays limited to five-minute parking. On street parking along Whatley Crescent is also limited to one hour outside of peak period clearway zone times.

The majority of off street parking on the western side of Eighth Avenue is limited to one hour parking. A number of the car parking areas on the western side of Eighth Avenue are marked as "for customers only". Off street parking in car parks on the eastern side of Eighth Avenue is generally time limited to three hours. There is also off street parking owned by the Public Transport Authority adjacent to the train station along Whatley Crescent.

The gated area located on the east side of Seventh Avenue, the gated area located on the north side of Guildford Road (between Seventh Avenue and Eighth Avenue), the gated car park marked as private located on the north side of Guildford Road (between Eighth Avenue and Ninth Avenue) and three car parks on Greenslade Lane marked as private were not included in the surveys. This was as they were unavailable for public use unlike some private car parks which are still available for customers.

The surveys identified that there is sufficient supply of parking in Zone Three. The peak time of occupancy was around 12:00pm on the Tuesday, when occupancy was around 52%. Occupancy levels ranged from 32% at approximately 15:00pm on the Saturday to 52% around midday Tuesday. Approximately 80% of visitors to the area stayed for less than three hours, indicating that the majority of people parking in the zone are short term visitors.

6.2 Key Findings / Issues

On street parking was identified as a problem area within Zone Three. Table 6 below outlines the survey results for on street parking within the zone.

Table 6: Zone Three – Eighth Avenue Area

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Eighth Avenue | 39 | 29 | 28 | 30 | 28 | 27 | 30 | 25 |
| Ninth Avenue | 43 | 12 | 19 | 20 | 13 | 23 | 23 | 14 |
| Whatley Crescent | 21 | 13 | 13 | 14 | 11 | 4 | 13 | 9 |
| Total | 103 | 54 | 60 | 64 | 52 | 54 | 66 | 48 |
| Eighth Avenue | 39 | 74% | 72% | 77% | 72% | 69% | 77% | 64% |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



| | | | | | | | | |
|-------------------|-----------|------------|------------|------------|------------|------------|------------|------------|
| Ninth Avenue | 43 | 28% | 44% | 47% | 30% | 53% | 53% | 33% |
| Whatley Crescent | 21 | 62% | 62% | 67% | 52% | 19% | 62% | 43% |
| % Occupied | | 52% | 58% | 62% | 50% | 52% | 64% | 47% |
| Empty Bays | 19 | 43 | 39 | 51 | 49 | 37 | 55 | |

The maximum occupancy of on street parking within Zone Three was approximately 62% at 3:00pm on Saturday. Eighth Avenue had a significantly higher occupancy than the the average of Zone Three, with the occupancy level ranging from 64% to 77%.

6.3 Parking Recommendations

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE THREE | | |
|---|-------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Introduce on street parking in the clearway zone, and formalise existing parking on Whatley Crescent. | Short term (Years 1-2) | On street parking could be permitted outside of clearway zone times where clearways are found to be still necessary. This is currently permitted on the shopping side of Whatley Crescent. |
| 2. Formalise parking on the verge on both sides of Ninth Avenue near Whatley Crescent (outside 206 and 212 Whatley Crescent). | Short term (Years 1-2) | Currently, the City-managed verge along Ninth Avenue is used for visitor parking, but the area is in very poor condition, being sandy, without hardstand, and with a kerb above ground level. Appropriate signage will enable these newly constructed bays to be used optimally. |
| 3. Advocate for the Public Transport Authority to formalise parking near the rail line. | Short term (Years 1-2) | Currently the area is used for commuter parking. However, much is informal and not managed. The City should advocate for formalised parking near the Maylands Train Station to improve the condition of these areas. |
| 4. Investigate paid parking for on street parking facilities when capacity consistently reaches 85% at peak. | Medium term (Years 2-5) | Best practise indicates paid parking should be implemented when capacity consistently reaches 85% during peak periods. On street car parking is currently around 75% capacity. |
| 5. Reconfigure City-managed car bays between Greenslade Lane and Ninth Avenue. | Medium term (Years 2-5) | Theses bays are currently at 90°. If the parking is modified to 60°, there is potential to increase the number of bays by five. |
| 6. Formalise car parking behind shops on Eighth Avenue. | Medium term (Years 2-5) | Currently this area is underutilised as it is not clearly designated as car parking. There is potential to work with owners to formalise the bays and enter a reciprocal agreement so the parking area can be used by visitors. |
| 7. Investigate with owner of 66A Seventh Avenue | Medium term | Currently this area is unused. The City's aerial photographs indicate the site has been vacant since |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



| | | |
|--|-----------------------------|---|
| potential to use / purchase vacant land for parking. | (Years 2- 5) | the 1970s. |
| 8. Modify private parking signage to indicate who is a 'Customer' (i.e. Customers of X only) and hours of operation. | Medium term (Years 2- 5) | This enables effective use of shared parking agreements. It clarifies who is permitted to park in specific bays during hours of operation, and who is permitted to use those bays at other times. |

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7 Zone Four - Rowlands Street Area

Zone Four includes portions of Whatley Crescent, Ninth Avenue and Caledonian Avenue. The area includes a portion of the Whatley Crescent retail strip, several fast food and smaller restaurants along Guildford Road, and residential development surrounding the town centre. The area is primarily used by commuters for long term parking and for residential parking.



FIGURE 7 - ZONE FOUR PRECINCT BOUNDARY

7.1 Existing Car Parking Conditions

Zone Four contains a total of approximately 513 car parking bays. These consists of 218 marked off street bays, 88 unmarked off street bays, 129 unmarked on street bays and 78 verge bays. The survey did not include the large vacant site located on the north side of Guildford Road between Ninth Avenue and Rowlands Street.

Of 513 car bays, approximately 11 unmarked on street bays are time limited to three hours (outside of clearway times). Additionally, there are two clearway zones along Whatley Crescent around the train station.

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



The results of the town centre car parking surveys for Zone Four are included in Table 7 below.

Table 7: Zone Four - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|----------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Car parks - Marked | 218 | 44 | 73 | 56 | 56 | 77 | 91 | 78 |
| Car parks - Unmarked | 88 | 2 | 2 | 2 | 4 | 45 | 50 | 47 |
| On Street - Marked | 129 | 58 | 50 | 58 | 40 | 35 | 39 | 30 |
| On Street - Unmarked | 78 | 12 | 19 | 21 | 24 | 42 | 38 | 39 |
| Verge | 78 | 12 | 19 | 21 | 24 | 42 | 38 | 39 |
| Total | 513 | 116 | 144 | 137 | 124 | 199 | 218 | 194 |
| % Occupied | | 23% | 28% | 27% | 24% | 39% | 42% | 38% |
| Empty Bays | | 397 | 369 | 376 | 389 | 314 | 295 | 319 |

The surveys identified that overall there is sufficient parking within Zone Four. The peak period for parking within Zone Four was at 12:00pm during the Tuesday surveys, when occupancy was approximately 42%. Parking in Zone Four ranged from 23% at approximately 9:00am on the Saturday to the Tuesday maximum of 42%. Significantly, 51% of parked cars in Zone Four identified during the Tuesday survey stayed for longer than six hours. This indicates that there is a significant number of commuters or long term parking patrons using Zone Four. During the Saturday survey, the majority of parked vehicles (76%) stayed for less than three hours.

The surveys indicated that the car park surrounding the Mr Hawker restaurant (previously Yip Kee Noodle Restaurant) on Guildford Road and the St Luke's Church car park are 'hot spots', with maximum occupancies of 73% (Saturday at approximately 12:00pm) and 100% (Saturday at 5:00pm) respectively.

The surveys also identified that the on street and verge parking along Ninth Avenue, Whatley Crescent, Rowlands Street and Caledonian Avenue was at times over 50% full. The table below indicates the occupancy levels of on street and verge parking along those streets.

Table 8: On Street and Verge Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|-------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Ninth Avenue | 25 | 15 | 17 | 16 | 15 | 10 | 11 | 7 |
| Whatley Crescent | 27 | 11 | 13 | 14 | 2 | 6 | 12 | 7 |
| Rowlands Street | 36 | 8 | 7 | 9 | 11 | 8 | 5 | 4 |
| Caledonian Avenue | 29 | 4 | 5 | 13 | 6 | 5 | 2 | 4 |
| Total | 117 | 38 | 42 | 52 | 34 | 29 | 30 | 22 |
| Ninth Avenue | 25 | 60% | 68% | 64% | 60% | 40% | 44% | 28% |
| Whatley Crescent | 27 | 41% | 48% | 52% | 7% | 22% | 44% | 26% |

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| | | | | | | | | |
|-------------------|----|-----|-----|-----|-----|-----|-----|-----|
| Rowlands Street | 36 | 22% | 19% | 25% | 31% | 22% | 14% | 11% |
| Caledonian Avenue | 29 | 14% | 17% | 45% | 21% | 17% | 7% | 14% |
| % Occupied | | 37% | 41% | 50% | 33% | 28% | 29% | 21% |
| Empty Bays | | 65 | 61 | 51 | 69 | 74 | 73 | 81 |

The surveys indicate that on street and verge parking average occupancy does not exceed 50%. However, Ninth Avenue has a higher occupancy rate than surrounding streets, having over 60% occupancy during the entire Saturday survey period.

7.2 Key Findings / Issues

The following key issues were identified for Zone Four:

1. On week days, commuters and long term parking patrons are largely using the area.
2. There is confusion regarding whether parking is permitted on the northern side of Whatley Crescent outside of clearway zone hours.
3. On street and verge parking is perceived as being full at certain times, due to bays not being marked in permitted parking areas.
4. Parking on the Public Transport Authority land near the train station is not sealed or marked.
5. There is confusion regarding "authorised parking" signage (i.e. Who has authorisation to permit parking in these bays).

7.3 Parking Recommendations

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE FOUR | | |
|---|---------------------------|--|
| Recommendation | Timeframe | Comment |
| 1. Mark parking bays on Whatley Crescent where road width allows. | Short term (Years 1-2) | Currently, available parking areas are underutilised. Marking of bays will provide drivers with confidence to park. |
| 2. Formalise on street parking along Ninth Avenue. | Medium term (Years 2 - 5) | Currently cars use this area for informal parking. There is potential to line mark the area to ensure that the maximum number of cars is able to park there. |
| 3. Modify private parking signage to indicate who can authorise people to park in bays marked 'Authorised Parking'. | Medium term (Years 2 - 5) | Currently there is confusion at 266 Whatley Crescent regarding who can authorise parking on the verge. |
| 4. Investigate the use of 207 Guildford Road for temporary overflow parking during events. | Medium term (Years 2 - 5) | Currently the site is generally unused. |
| 5. Introduce time restrictions along George and Warnes Streets. | Medium term (Years 2 - 5) | These streets are identified as being used for long term parking. It is recommended that on street parking on these streets be time restricted to two hours between 8am and 5pm. |

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8 Zone Five - Railway Parade Area

Zone Five comprises the area along Railway Parade between Central Avenue and Kennedy Street. The area includes the northern side of Maylands train station, a commercial strip including the Maylands Dome café, and the multiple dwellings between Tenth Avenue and Kennedy Street. The area is primarily used by residents and customers.



FIGURE 8- ZONE FIVE PRECINCT BOUNDARY

8.1 Existing Car Parking Conditions

Zone Five contains approximately 204 car parking bays. These consist of 38 marked off street bays, 14 marked on street bays, 103 unmarked on street bays and 49 verge bays. The survey did not include the residential car park located on the east side of Sixth Avenue as it is unavailable for public use, and the Peninsula Tavern car park as it is outside of the study area.

Time limited bays (for one to two hour parking) include unmarked on street bays along Railway Parade, the western side of Eighth Avenue, the western side of Tenth Avenue, and Ninth Avenue. Additionally, the car park on the eastern side of Eighth Avenue is for Dome café patrons only and is time limited to two hours. On street parking on the eastern side of Tenth Avenue is also subject to

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time restrictions. However, signage advising of time restrictions is not City of Bayswater signage and therefore restrictions are not enforceable by the City.

The results of the town centre car parking surveys for Zone Five are included in Table 9 below.

Table 9: Zone Five - Car Parking Inventory and Occupancy

| Type of Bay | No. Bays | Saturday 13 Feb. 2016 | | | | Tuesday 16 Feb. 2016 | | |
|----------------------|------------|-----------------------|-----------------|-----------------|-----------------|----------------------|-----------------|-----------------|
| | | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 | Beat 4 17:00 | Beat 1 09:00 | Beat 2 12:00 | Beat 3 15:00 |
| Car parks - Marked | 38 | 15 | 16 | 15 | 6 | 37 | 37 | 33 |
| Car parks - Unmarked | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| On Street - Marked | 14 | 13 | 11 | 7 | 1 | 7 | 6 | 6 |
| On Street - Unmarked | 103 | 9 | 13 | 6 | 1 | 5 | 9 | 9 |
| Verge | 49 | 13 | 6 | 2 | 7 | 8 | 10 | 7 |
| Total | 204 | 50 | 46 | 30 | 15 | 57 | 62 | 55 |
| % Occupied | | 25% | 23% | 15% | 7% | 28% | 30% | 27% |
| Empty Bays | | 154 | 158 | 174 | 189 | 147 | 142 | 149 |

The surveys identified that overall there is sufficient parking within Zone Five. The peak period for parking within Zone Five was at 12:00pm during the Tuesday surveys, when occupancy was approximately 30%.

8.2 Key Findings / Issues

The following key issues were identified in Zone Five:

1. Signage on Tenth Avenue is confusing and does not indicate whether parking is not permitted on the road, verge, or both.
2. On street parking on Railway Parade is not marked and this may lead to available parking spaces not being utilised.
3. Signage on Ninth Avenue is outdated as it does not comply with Australian Standards.

8.3 Parking Recommendations

| MAYLANDS TOWN CENTRE CAR PARKING STRATEGY RECOMMENDATIONS - ZONE FIVE | | |
|---|------------------------|---|
| Recommendation | Timeframe | Comment |
| 1. Mark on street parking on Railway Parade where road where road width allows. | Short term (Years 1-2) | The on street parking available beside the rail line along Railway Parade is currently unmarked, and this often leads to it being underutilised. Marking of bays may require a reduction of speed limits as speed limits influence lane width requirements, and the City is investigating a request for a speed limit |

MAYLANDS TOWN CENTRE CAR PARKING STRATEGY



| | | |
|------------------------------------|------------------------|--|
| | | reduction with Main Roads. |
| 2. Update signage on Ninth Avenue. | Short term (Years 1-2) | Currently the 'No Stopping' signage does not comply with Australian Standards. |
| 3. Update signage on Tenth Avenue. | Short term (Years 1-2) | The existing signage does not indicate if parking is not permitted on the verge, road or both. |

9.1.19 Draft Amended Development Control Policy 2.2 - Residential Subdivision

Reporting Branch: Statutory Planning Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

The Western Australian Planning Commission (WAPC) is currently advertising proposed amendments to WAPC's Development Control Policy 2.2 - Residential Subdivisions (DC 2.2) in relation to average lot size variations and other minor textual modifications. These amendments have been released for public consultation, with the closing date for submissions on Monday, 10 July 2017.

Key Issues:

- Proposed amendments to DC 2.2 which will affect assessment of residential subdivision with a code of R10 to R30.
- The amendments will permit consideration of variations to average lot size requirements in excess of the 5% currently permitted under the Residential Design Codes (R-Codes) and DC 2.2.

BACKGROUND

The amendments reflect the WAPC's Interim Practice 2015 which was adopted by the WAPC's Statutory Planning Committee (SPC) on 15 December 2015 and was preceded by an interim policy adopted by the SPC on 9 December 2014. The policy and practice were adopted to change internal delegation requirements associated with variations to Clause 3.2.3 of DC 2.2 relating to site area requirements, providing the Department of Planning with the delegation to support average lot size variations in excess of 5% under certain circumstances. The intention of these documents was to relieve waiting times for matters that were required to be considered by the SPC.

A recent determination by the State Administrative Tribunal (SAT) delivered on 10 March 2017 in the case between Gauci and WAPC [2017] WASAT 42 considered the weight to be given to WAPC's Interim Policy 2014 and Interim Practice 2015.

The SAT noted that the WAPC's Interim Policy 2014 and Interim Practice 2015 are not a local development plan or local planning policy that has been advertised. Rather, the instruments are at best 'other proposed planning instruments' which the local government did not adopt or approve, however were adopted by the SPC. The SAT afforded no weight to the Interim Policy 2014 and its successor the Interim Practice 2015 in making its decision.

The proposed amendments to DC 2.2 will formally introduce provisions of the WAPC's Interim Practice 2015 into the policy and provide legislative weight to the practice.

ANALYSIS

The proposed amendments to DC 2.2 relate primarily to clause 4.2.3 (clause 3.2.3 in the current DC 2.2), and introduce the following changes:

Current Text

"The variation reduces the average lot size of the overall subdivision by no more than 5% of the average lot size specified in Table 1 or elsewhere in the R-Codes; and,"

Proposed Amendment to Policy DC 2.2

"The variation reduces the average lot size of the subdivision by no more than five per cent of the average lot size specified in Table 1 or elsewhere in the R-Codes. Any average lot size variation greater than five per cent meets the following criteria:

- *a residential coding of R10 to R30 applies to the land*
- *the site is a corner lot with frontage to more than one road (excluding a regional road) or has dedicated road access or right-of-way access to both front and rear boundaries*
- *the proposed lots comply with the minimum frontage requirements and are regular in shape*
- *crossovers and driveways to the proposed lots are provided in accordance with Australian Standard (AS) 2890 and the R-Codes*
- *any corner truncation is excluded from the calculation of the average lot size."*

It is noted that the section of text cited above is preceded by the following requirement:

"All lots in the subdivision meet the minimum lot size specified in Table 1 or elsewhere in the R-Codes."

The implications of the proposed amendment would allow for consideration of average lot size variations greater than 5% where the above criteria and the minimum lot size requirements have been met.

The most common residential subdivision handled by the City relates to subdivision of land with a code of R25, which translates to an average and minimum lot size requirement of 350m² and 300m² respectively. Under the current requirements it is not uncommon for new lots to be created achieving only the minimum lot size, with the average lot size accommodated through provision of a common property access leg.

An example of the type of lot affected by the proposed amendments would include a subdivision based on a 600m² corner lot with a code of R25. If subdivided it would be possible to create two 300m² lots meeting the minimum lot size requirement, however could not be supported due to a 14% average lot size variation (300m² average lot size in lieu of 350m²). Under the same requirements, a subdivision based on a battle-axe arrangement proposed on a 700m² lot, which also results in two 300m² lots could be supported as the average could be achieved through a 100m² access leg.

Both examples are considered to provide the same outcome; two lots with an effective area of 300m², however currently only the battle-axe subdivision (typically less desirable) could be supported. The proposed amendments allow for consideration both circumstances and can accommodate a wider range of applications where it is demonstrated that the necessary amenities can still be achieved, which provides greater flexibility and is considered a positive outcome.

An amendment to the last criteria which states that the corner truncation (typically permitted to be included in site area calculations as per Clause 5.1.1 C1.3(i) of the R-Codes) may not be included in calculation of the average lot size is considered appropriate. Given the amendment removes any limitation on variations to average lot size, this requirement is considered redundant and should more appropriately relate to minimum lot size to ensure all lots are provided with sufficient effective area for development.

One of the minor textual amendments relating to Clause 4.6.12 (currently Clause 3.6.12) rewords the requirement for a 1.5m x 1.5m truncation to a 2.12m truncation. Whilst the intention of this requirement has not changed, the new wording is considered less stringent and open to alternative interpretations which can lead to unintended and undesirable outcomes.

It is recommended that the wording for a 1.5m x 1.5m truncation remain, and that the existing wording for the requirements of a 4.24m truncation (within the same clause) be amended to the same format to read as a 3.0m x 3.0m truncation.

In addition to the above proposed amendments, it is considered appropriate that provision be included in DC 2.2 to require retention of street trees where possible, and encourage retention of mature trees on site, potentially as a prerequisite for variations to other requirements such as site area. Accordingly this is recommended for inclusion in DC 2.2 to strengthen the City's and WAPC's ability to retain trees through the subdivision process.

OPTIONS

The following options are available to Council:

| OPTION | | BENEFIT | RISK |
|--------|---|--|---|
| 1. | Council supports the amendments as proposed. | <ul style="list-style-type: none"> Increased flexibility for subdivision of lots unable to meet average lot size requirements. | <ul style="list-style-type: none"> Increased flexibility could result in greater variations being pursued by developers. |
| 2. | Council supports the amendments subject to the officer recommended modifications. | <ul style="list-style-type: none"> Increased flexibility for subdivision of lots unable to meet average lot size requirements. Potential inclusion of provisions relating to tree retention within DC 2.2. | <ul style="list-style-type: none"> Increased flexibility could result in greater variations being pursued by developers. Requirements for tree retention may result in removal of trees prior to subdivision application. |
| 3. | Council objects to the amendments as proposed. | <ul style="list-style-type: none"> Potential discouragement for developers to pursue average lot size variations greater than 5%. | <ul style="list-style-type: none"> Reduced flexibility to support subdivision where reduced average lot size is considered appropriate. |

CONCLUSION

In light of the above assessment of the proposed amendments to Development Control Policy 2.2, the amendments are supported in principle subject to the officer recommended modifications (Option 2).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment
 Aspiration: A quality and connected built environment.
 Outcome B1: Appealing streetscapes.
 Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Development Control Policy 2.2 - Residential Subdivision (Draft May 2017)

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council supports in principle the draft amendments to the Western Australian Planning Commission's Development Control Policy 2.2 - Residential Subdivision, May 2017 subject to the following modifications:

1. Amendment to the heading in bold under clause 4.2.3 from 'Variations to average lot size' to 'Variations to average lot size only' to clearly identify the additional criteria cannot be applied if variations are also sought to minimum lot size.
2. Amendment to the fifth prerequisite for consideration of average lot size variations in excess of 5% to state:
 - a. any corner truncation is excluded from the calculation of the minimum lot size.
3. The truncations identified in clause 4.6.12 being amended from '4.24 metres' and '2.12 metres' to '3.0m x 3.0m' and '1.5m x 1.5m' respectively to ensure truncations are correctly implemented and align with the requirements of the Residential Design Codes and Liveable Neighbourhoods.
4. Provision for the enforcement of alternative lot configurations where practical to retain street trees (on advice from the local government) being incorporated into Development Control Policy 2.2.
5. Provision for the retention of suitable mature trees on site (on advice from the local government) as a prerequisite for variations to subdivision requirements being incorporated into Development Control Policy 2.2.

CR BRENT FLEETON MOVED, CR MICHELLE SUTHERLAND SECONDED

CARRIED: 5/3

FOR VOTE - *Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford, Cr Michelle Sutherland, Cr Brent Fleeton and Cr Catherine Ehrhardt.*
AGAINST VOTE - *Cr Chris Cornish, Cr Dan Bull and Cr Sally Palmer.*

Attachment 1



Department of
Planning



Western
Australian
Planning
Commission

May 2017

DC Policy 2.2

– Residential Subdivision

Development Control Policy 2.2 – Residential Subdivision

[click to follow](#)

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Background notes

1. *Development Control Policy 2.2 – Residential Subdivision* establishes the Western Australian Planning Commission (WAPC) position on residential subdivision. The policy considers *State Planning Policy 3.1 – Residential Design Codes (R-Codes)* and other relevant WAPC policies.

2. This policy complements the following and should be read in conjunction with these relevant policies and planning instruments.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

Development Control Policy 1.1 – Subdivision of Land - General Principles

Development Control Policy 1.3 – Strata Titles

Development Control Policy 2.3 – Public Open Space in Residential Areas

Development Control Policy 2.4 – School Sites

Development Control Policy 2.5 – Special Residential Zones

Development Control Policy 2.6 – Residential Road Planning

Liveable Neighbourhoods

Government Sewerage Policy – Perth Metropolitan Region

1. Citation

This is a Development Control policy prepared under Section 14(b)(ii) of the *Planning and Development Act 2005*.

This policy may be cited as *Development Control Policy 2.2 – Residential Subdivision (DC 2.2)*.

2. Introduction

This policy sets out the Western Australian Planning Commission's requirements for the subdivision of land into residential lots. It is related to the site area per dwelling standards contained in the R-Codes; and to other WAPC policies outlined in **Background notes**. It is intended that, when read together, these policies create a flexible framework for the use of statutory planning powers within which the creation of a wide range of lot and housing types is possible.

3. Policy objectives

- To establish a consistent and coordinated approach to the creation of residential lots throughout the Western Australia.
- To adopt criteria for residential lots that will ensure each lot has a suitable level of amenity, services and access.

- To facilitate the supply of residential lots in a range of shapes and sizes that reflect the statutory provisions of local planning schemes – including the R-Codes, the availability of reticulated sewerage, and the need for frontage to public roads.

4. Policy measures

4.1 General requirements

- 4.1.1 Applications for the subdivision of land into residential lots will be assessed against:

- the relevant criteria set out in clause 4.1.3
- the context of the general subdivision requirements of *Development Control Policy 1.1 – Subdivision of Land – General Principles*
- any relevant endorsed local structure plan
- other matters that may apply to the circumstances of the proposal.

Conditions of approval may also be imposed to ensure compliance with the criteria.

- 4.1.2 If the WAPC considers that a plan for subdivision may affect a local government, a public authority or utility service provider,

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it is required under the *Planning and Development Act 2005* (as amended) to consult with, and consider the advice of the local government and any relevant public bodies and government departments before making a decision on the application for subdivision.

4.1.3 All new residential lots will be:

- capable of development in accordance with the R-Code density assigned under the relevant local planning scheme, and any local variations that may apply
- located in an area with physical characteristics suitable for subdivision (such as topography, soils, drainage, vegetation and natural features); and in accordance with an approved structure plan (where applicable) or for infill sites, which reflects those characteristics
- located within a system of vehicle and pedestrian movement consistent with the principles of *Development Control Policy 2.6 – Residential Road Planning*, in terms of roads hierarchy, road safety, lot access and provision of cycleways and pedestrian walkways
- convenient to areas of passive and active open space in accordance with *Development Control Policy 2.3 – Public Open Space*, in terms of

appropriate location and configuration, and having regard for the existing and proposed distribution of open space in the immediate locality

- served by a suitable level of community services, schools, retail and other facilities and services as determined under other relevant WAPC policies
- screened or otherwise protected from the effects of adjacent land uses that may affect the amenity of the occupants of the lot.

4.2 Lot sizes

4.2.1 The minimum lot size and frontage requirements of the relevant R-Code form the basis for the subdivision of residential land. Lot sizes greater than the specified minimum will be considered, unless the WAPC, having regard for the reasons for the selection of the particular R-Code and any commitments made to service infrastructure, considers the uneconomic use of services would result.

4.2.2 In greenfield subdivisions, the WAPC may consider subdivision applications with lot sizes for single houses below the minimum for the relevant R-Code, provided the subdivision complies with the average for the relevant R-Code.

4.2.3 In existing residential areas, the WAPC will only consider subdivision or survey-strata applications proposing variations to lot sizes for single houses and grouped dwellings below the minimum site area requirements (meaning below the minimum and below the average lot sizes) specified in *Table 1* or elsewhere in the R-Codes, where it determines it will have a beneficial outcome for the community; and where the following criteria is met.

Variations to average lot size

- All lots in the subdivision meet the minimum lot size specified in *Table 1* or elsewhere in the R-Codes.
- The variation reduces the average lot size of the subdivision by no more than five per cent of the average lot size specified in *Table 1* or elsewhere in the R-Codes. Any average lot size variation greater than five per cent meets the following criteria:
 - a residential coding of R10 to R30 applies to the land
 - the site is a corner lot with frontage to more than one road (excluding a regional road) or has dedicated road access or right-of-way access to both front and rear boundaries
 - the proposed lots comply with the minimum frontage requirements

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specified in *Table 1* of the R-Codes and are regular in shape

- crossovers and driveways to the proposed lots are provided in accordance with Australian Standard (AS) 2890 and the R-Codes
- any corner truncation is excluded from the calculation of the average lot size.
- The applicant provides information that demonstrates the variation will have a beneficial outcome for the community.

Variations to minimum and average lot size

- The minimum lot size variation only applies to one lot in the subdivision.
- The variation reduces the area of that one lot by no more than five per cent of the minimum lot size specified in *Table 1* or elsewhere in the R-Codes.
- The variation in the area of that one lot reduces the average lot size of the overall subdivision by no more than five per cent of the average lot size specified in *Table 1* or elsewhere in the R-Codes.
- The applicant has provided information that demonstrates the variation will have a beneficial outcome for the

community, which could include one or more of the following:

- protection of an environmental or heritage feature
- retention of a significant element that contributes toward the amenity of an existing streetscape
- development of lots with separate and sufficient frontage to more than one public street (for example, corner lots or lots with two or more street frontages)
- overcoming a special or unusual limitation imposed on the development of the land by its size, shape or other feature (for example, past or proposed excision for an electrical sub-station or service easement, irregular boundary or change in existing ground levels)
- allowing land to be developed with housing of the same type and form as land in the vicinity, which would not otherwise be able to be developed
- achieving specific objectives of the local government's local planning framework.

- In considering variations, the WAPC will give regard to the recommendations of the local government.
- Where a local government objects to a variation, the objection should be supported by reasons, with reference to the criteria set out above.
- Where a local government objects to a variation and the WAPC is of the view the application should be supported, further consultation will be undertaken with the local government before the application is determined by the WAPC.

4.2.4 In the interests of variety and choice, there is merit in the provision of a range of lot sizes, where possible, in residential subdivisions. The provisions of the R-Codes provide some opportunity for diverse lot sizes and to a lesser extent, lot shapes – giving greater choice to the community.

4.2.5 For the purpose of calculating average lot size specified in *Table 1* or elsewhere in the R-Codes, the WAPC accepts that with many large-scale projects, subdivisions will proceed in stages, following an overall structure plan for the locality or district, and that component stages may not separately comply with the average lot size requirement. In such cases, the WAPC may choose to base the required calculation

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upon subdivision of the entire project area provided that where a particular stage does not comply, it can be assured that subsequent stages will restore compliance, and that those stages will be completed within a reasonable period of time.

4.3 Connection to sewerage

- 4.3.1 The WAPC will apply the *Government Sewerage Policy – Perth Metropolitan Region 1995* (as amended) in its consideration of applications for the creation of residential lots in unsewered areas of the metropolitan region. The basis of that policy is the provision of reticulated sewerage to all new residential subdivisions is mandatory, unless the exemptions as specified in that policy apply.
- 4.3.4 Similarly, outside the metropolitan region, the WAPC will give regard to the *Water Corporation of WA's Country Towns Sewerage – Subdivision Policy*, which specifies those towns or parts of towns where the provision of sewerage is mandatory for new subdivisions, together with exceptions.
- 4.3.5 Where the WAPC is prepared to approve new residential lots without sewerage, it will need to be satisfied that an on-site effluent disposal system is provided in accordance with current policy requirements and practice.

4.4 Single residential lots

- 4.4.1 Single residential lots should be rectangular in shape to accommodate project housing, with preferably a greater depth than width to maximise private space, privacy and amenity; and with an economy of street frontage. Frontage to depth ratios of between 1:1.5 and 1:2 have been common in practice and proved effective.
- 4.4.2 The shape of a lot becomes more critical for those with an area less than 260 square metres, since the proportion covered by a building tends to increase with reductions in area. Accordingly, the WAPC will pay closer attention to this aspect of subdivision proposals and, where irregularly shaped lots are proposed, may seek illustration of the manner in which such lots can be developed effectively in accordance with R-Code requirements before making a decision on an application.

4.5 Small residential lots

- 4.5.1 Proposals to subdivide land to create two or more lots of less than 260 square metres should be submitted with information regarding the arrangement of proposed buildings, fences, driveways and other development on the land to enable the relationship between the subdivision and the development to be assessed.

- 4.5.2 Where proposed lots of less than 260 square metres are narrow, irregularly shaped, present vehicular access difficulties or involve the development to proceed with boundary walls, the WAPC may require, having regard to the views of the local government, that deposited plans of survey or vacant/survey-strata plans not be endorsed until the buildings are constructed to plate height, unless there is a detailed area plan/local development plan adopted under an operative local planning scheme.

4.6 Battle-axe subdivision

- 4.6.1 For the purpose of this section, a battle-axe lot means a lot to which access is provided by a distinct access leg of sufficient width to accommodate a driveway and the necessary public utility services, which is attached to and forms part of the lot. Effective lot area means that part of the battle-axe lot that is capable of development, and excludes the access leg and associated truncations.
- 4.6.2 Extensive use of the battle-axe configuration in the subdivision of new greenfields areas is not favoured. Exceptions may be permitted where:
- battle-axe legs can be used to provide an alternative access for lots fronting major roads with access controls, or public open space

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- full advantage can be taken of the views out of the site or where vegetation can be protected through reduced road construction requirements.
- 4.6.3 In existing areas, the WAPC recognises battle-axe subdivisions can provide housing choice and make effective use of land where no other access is practicable. The WAPC, however, considers that where opportunities are provided by dedicating existing laneways and rights-of-way as public roads – both as a means of providing alternative access and a street aspect, this is a preferred outcome to the provision of battle-axe lots.
- 4.6.4 Where local governments consider that battle-axe subdivisions are likely to seriously threaten the character of an established residential area that ought to be protected (for example, heritage precincts or special design control areas) density controls and other provisions may be included in local planning schemes to limit or otherwise ensure that battle-axe subdivisions are in keeping with their surroundings. Provisions should take into account the character and built form outcome of the area.
- 4.6.5 In locations subject to the provisions of the R-Codes, the minimum lot area will be as set out in clause 5.1.1 and column 4 of *Table 1* of the R-Codes. The WAPC will not permit reductions in the minimum or average lot sizes set by the R-Codes for battle-axe subdivisions.
- 4.6.6 In locations not subject to the provisions of the R-Codes, the WAPC will normally require residential battle-axe lots to have an effective lot area of at least 850 square metres to overcome the sense of confinement from lack of street frontage. In areas characterised by small lots, the WAPC may, with the advice of the relevant local government, reduce that basic requirement when it is satisfied that the lot is capable of development without undue effect on adjacent properties. The WAPC may wish to view development plans before making its decision.
- 4.6.7 Access legs to battle-axe lots should be a minimum of 4 metres in width to allow for a constructed driveway and the necessary public utility services. Where the lot is to be created for grouped or multiple dwelling development, the WAPC may require the width of the leg to be increased. Driveways are required to be constructed and drained as a condition of subdivision approval in accordance with the specification of the local government.
- 4.6.8 In rural, rural-residential and low-density subdivisions requiring long battle-axe legs, and locations where there are particular physical or topographical constraints, the WAPC, on the advice of the local government, may require a battle-axe leg wider than 4 metres.
- 4.6.9 In cases where access legs to battle-axe lots are adjoining, the WAPC may accept a reduced width of 3 metres for each leg, subject to the subdivider entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe legs. The reciprocal rights should also extend into the effective lot areas to allow for a shared turning area.
- 4.6.10 Battle-axe arrangements involving more than two access legs will not normally be accepted unless there are exceptional circumstances to justify such an arrangement. Where more than two adjoining battle-axe legs are proposed, access should be provided by way of a constructed road.
- 4.6.11 The WAPC will not normally accept undersized battle-axe legs as a means of obtaining alternative road frontage and to avoid the costs of extending a water main or sewer in accordance with normal requirements.
- 4.6.12 A truncation of 4.24 metres may be required at the point where the access leg joins the effective area of the lot, to improve vehicular access into the lot. A further truncation, generally of 2.12 metres may be required at the point where the access leg

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meets the road reserve, to improve visibility for vehicles entering or leaving the lot. The WAPC will give particular regard to the advice of the local government on these requirements.

- 4.6.13 The WAPC will normally require proposals for the creation of battle-axe lots for residential purposes to comply with the design standards set out in this policy. The WAPC may permit variations to the policy upon the advice of the relevant local government, public bodies and government departments, and where it is satisfied that such variations would be consistent with orderly and proper planning.

4.7 Access to residential lots

- 4.7.1 The creation of lots having road access to both front and rear boundaries is not generally favoured, although exceptions may be made if the proposed lot is specifically designed for multiple or grouped dwellings and the proposal is consistent with the operational and safety requirements of the abutting streets and relevant R-Code provisions.
- 4.7.2 For lots without street frontage, vehicular access should be provided in accordance with the following:
- Battle-axe lots (including survey-stratas with no common property) to

be provided with an access leg of 4 metres in width, with a reduced width of 3 metres, for each access leg when they adjoin.

- The R-Code requirements for strata lots (including survey-stratas with access via common property) to be provided with driveways of 4 metres width, or 3 metres width where necessary to retain an existing dwelling. Driveways should be designed to allow vehicles to pass in opposite directions at one or more points where six or more dwellings are served by the driveway.
- Where it is proposed to retain an existing dwelling and access is not by common property, the WAPC, in considering any strata subdivision will generally require that:
 - there should be no eaves overhangs or other protrusions into the driveway space and no major opening in the wall adjacent to the driveway
 - there will be adequate space for the car parking required by the R-Codes, and sufficient space for safe vehicle manoeuvring.

4.8 Provision of screen fencing

- 4.8.1 Where lots are being created with rear or side boundaries that abut public reserves – particularly major roads to which the lots have no access – the amenity and safety of those reserves is often best protected by the provision of uniform fencing along the common boundary. Arrangements for such fencing should be made at the time of subdivision. Accordingly, a condition of subdivision may require the subdivider to reach agreement with the local government on fencing to include such matters as specification, complementary landscaping and the timing of its provision.
- 4.8.2 The suitability of fences for given locations will depend on function and setting, but the fences will be:
- substantially of solid construction and of sufficient height (normally between 1.8 metres and 2.4 metres) to provide privacy and screening
 - of materials or finished treatment to give a long-lasting, aesthetic appearance, preferably with a low maintenance factor and complemented with landscaping where appropriate
 - of uniform height, design and materials with adjacent lots and of compatible design and/or materials

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where changes in design or height are justified due to the requirements of topography or to relieve monotony

- of sufficient height and strength and of appropriate design where it is necessary to produce a barrier in the interests of safety.

4.8.3 Where residential subdivisions include or adjoin public uses such as schools and open spaces, it is preferable to separate the residential lots and public uses by the road system. Arranging parklands and schools to front streets contributes to the local streetscape, creates a safer and more secure environment and avoids the unattractive appearance of extensive back fences.

4.9 Underground power

4.9.1 The WAPC recognises that considerable advantages are gained in the provision of reticulated underground power in residential subdivision, including improved aesthetics, safer and more reliable power supply, greater flexibility in road design and lower maintenance costs. Therefore, as part of its consideration of applications for subdivision, the WAPC will normally require the provision of underground power to residential lots, with regard to the advice of the relevant licensed service provider.

9.1.20 Proposed Renaming of Portions of Collier Road and Spencer Street, Bayswater

Reporting Branch: Strategic Planning and Place Services
Responsible Directorate: Planning and Development Services

EXECUTIVE SUMMARY**Application:**

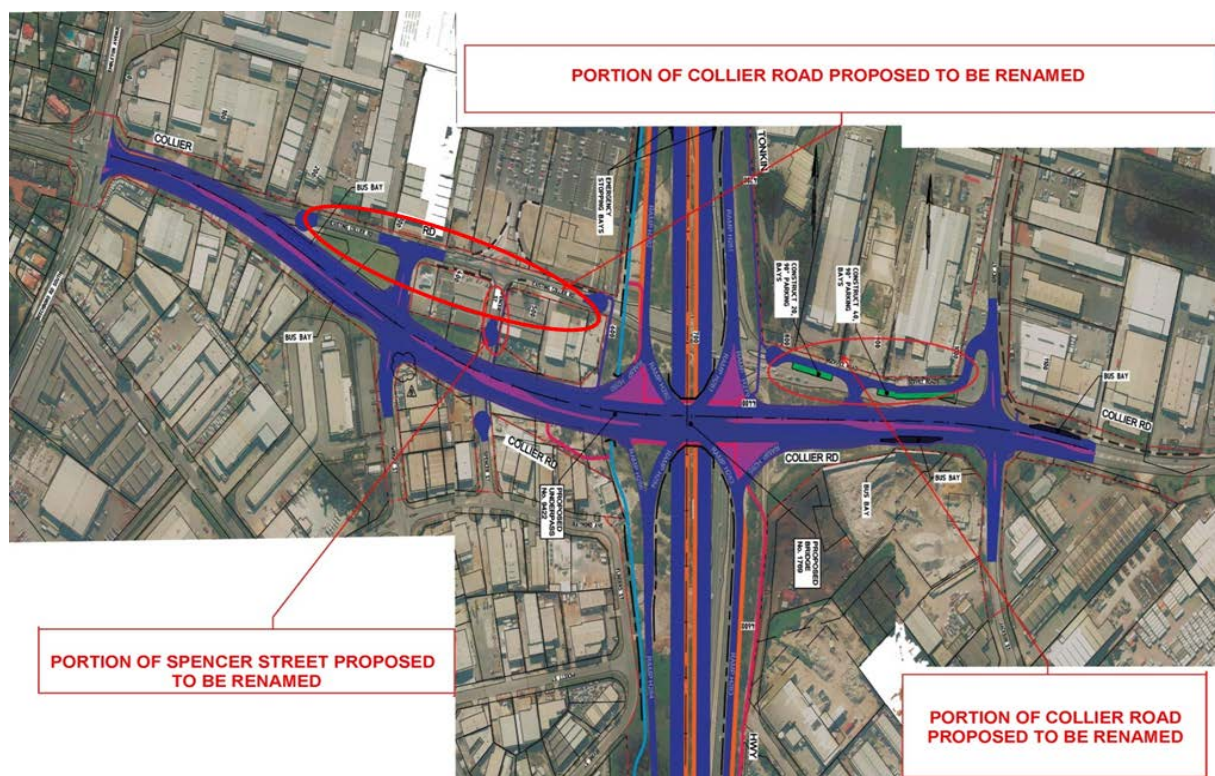
Council consideration is sought regarding the proposed renaming of portions of Collier Road and Spencer Street, Bayswater.

Key Issues:

- Three new roads will be created near the intersection of Collier Road and Tonkin Highway as a result of the road modifications associated with the NorthLink WA project.
- The City received a request from NorthLink WA to name the new roads.
- City officers propose new road names that are in accordance with Landgate's *Policies and Standards for Geographic Naming in Western Australia*.

BACKGROUND

The construction of the southern section of the NorthLink WA project includes the development of a new interchange in the vicinity of the intersection between Collier Road and Tonkin Highway. The project includes the realignment of Collier Road to the south and the construction of an elevated intersection across Tonkin Highway connected by freeway style entry/exit ramps. As a result of the interchange development the City has received a request from NorthLink WA to rename the remaining portions of 'old' Collier Road either side of Tonkin Highway. These roads will continue to provide access to adjoining developments and therefore require new names. The northern portion of Spencer Street will be severed by the project and also requires a new street name. The following plan shows the new road alignment and portions that require renaming.



CONSULTATION

City officers have consulted with the Bayswater Historical Society about the proposed renaming of the roads however they were unable to offer any suggestions. Should the proposed renaming be supported by Council the new road names will be advertised for a period of 30 days as follows:

- Notification being published in The Eastern Reporter newspaper;
- Information being placed on the City's website and social media; and
- Landowners abutting the created roads be notified in writing of the road renaming.

ANALYSIS

Road Naming Process

Landgate acts on the Minister for Land's behalf to undertake the administrative responsibilities required for the formal approval of road names. The Geographic Names Committee at Landgate is responsible for final approval of all road naming. All naming must be in accordance with the Geographic Names Committee's Policies and Standards.

Survey documents require approved road names before the survey can be approved. Accordingly, the developer or their agent (in this case NorthLink WA) must lodge a concept plan and a proposal for road names conforming to guidelines with the relevant local government. Local governments then propose the names to Landgate for approval. Following agreement between the Landgate and the local government, the names will be approved and all interested parties advised.

The City's current *Naming of Parks, Reserves, Streets and Infrastructure Policy* outlines the City's requirements for the naming of parks, reserves, streets and infrastructure and assists in making recommendations to the Geographic Names Committee. Part 5 of the Policy states that, for the naming of a street to be considered it must be identified within one of the following categories:

- *'War veteran from within the City of Bayswater;*
- *Founding member of a Bayswater community organisation;*
- *Ex-councillor, Local Member of Parliament or Senior Council Officer;*
- *Contribution to the Bayswater community (contribution must be verifiable, i.e. long-term member of a community organisation); or*
- *A figure of local historical note.'*

It is noted that the above policy has recently been reviewed by City officers and is the subject of a separate agenda item.

Currently, the City does not have any names that Landgate will approve on the Road Name Register, therefore City officers have conducted extensive research on a number of individuals who have had a historic impact on Bayswater and fit into one or more of the above categories. Based on this research it is considered that the following people should be nominated to have the subject roads named after them:

| Existing Road Name | Proposed Road Name | Local Significance |
|---|-----------------------|--|
| Collier Road (West of Tonkin Highway) | Walkenden Road | Henry Walkenden ran a small brickworks on the land located between Slade Street and Tonkin Highway in the late 1880s, one of the first industries in Bayswater. It employed approximately 18 hands, who camped around the works, consisting of two kilns and an excavation which still exists as Lake Gobba. |

| Existing Road Name | Proposed Road Name | Local Significance |
|---|------------------------|---|
| Collier Road (East of Tonkin Highway) | Greenalsh Road | Kate Mary Greenalsh was a midwife in Bayswater in the early 1900s and a local identity by virtue due to her expertise and length of service operating alongside Nurse Sharp and Nurse Wylde. Originally from Ireland, Ms Greenalsh came to Bayswater via Queensland where she began operating from 1907 out of her house at 5 Burnside Street, Bayswater. Most women would come to her home which was used as a "lying-in place" for rest, though many births actually took place in the front rooms of the house. This continued until early 1926 when a maternity establishment was opened at Brenthill hospital under Matron Annie Meltham. Ms Greenalsh was also a very active member of the local Red Cross Society. |
| Spencer Street | Tuckwell Street | Richard Tuckwell was a prominent woodyard owner/operator in the City of Bayswater during the early 1900s. During the depression the Tuckwell family also established a dairy which produced a range of dairy products and provided a local source of employment. The City's Mertome Village was built on the former Tuckwell Dairy site situated in Winifred Street, Bayswater. |

It is considered that the above names comply with the relevant City and Landgate criteria. It is noted that the City received email correspondence dated 23 May 2017 from a business operator located on Collier Road who suggested that the road (East of Tonkin Highway) be renamed Little Collier. This proposal as it does not accord with Geographic Names Committee's Policies and Standards is not supported.

OPTIONS

The following options are available to Council:

| OPTION | | BENEFIT | RISK |
|--------|---|---|--|
| 1. | Approves the proposed road names proposed in the report. (to be advertised) Estimated Cost: • \$550 for public advertising. | • The proposed names comply with the relevant City and Landgate criteria. | • Adjoining landowners may wish to propose new names. |
| 2. | Council nominate other road names. Estimated Cost: • \$550 for public advertising. | • Dependent on the road names. | • Other suggestions may not comply with the relevant City and Landgate criteria. |

CONCLUSION

In light of the above it is recommended Council approves the new names as proposed in the report to be advertised (Option 1) in accordance with the consultation section of the report.

FINANCIAL IMPLICATIONS

As detailed in the Options table above.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment.
Aspiration: A quality and connected built environment.
Outcome B2: A connected community with sustainable and well maintained transport.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Naming of Parks, Reserves, Streets and Infrastructure Policy.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

Nil.

OFFICER'S RECOMMENDATION

That:

1. Council approves the proposed new road names of Walkenden Road (for portion of Collier Road west of Tonkin Highway), Greenalsh Road (for portion of Collier road east of Tonkin Highway) and Tuckwell Street (for portion of Spencer Street) to be advertised for public comment.
2. The City advertise the proposed new names for 30 days in the following ways:
 - (a) Notification being published in The Eastern Reporter newspaper;
 - (b) Information being placed on the City's website; and
 - (c) Landowners abutting the subject roads be notified in writing.
3. The matter be referred to Council for determination following the conclusion of public advertising.

MOTION

That this item be deferred to the Ordinary Council Meeting.

CR STEPHANIE COATES MOVED, CR MICHELLE SUTHERLAND SECONDED

LOST: 3/5

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Chris Cornish and Cr Michelle Sutherland.

AGAINST VOTE - Cr Sally Palmer, Cr Alan Radford, Cr Dan Bull, Cr Brent Fleeton and Cr Catherine Ehrhardt.

MOTION

That:

1. Council approves the proposed new road names of Walkenden Road (for portion of Collier Road west of Tonkin Highway), Greenalsh Road (for portion of Collier road east of Tonkin Highway) and Tuckwell Street (for portion of Spencer Street) to be advertised for public comment.
2. The City advertise the proposed new names for 30 days in the following ways:
 - (a) Notification being published in The Eastern Reporter newspaper;
 - (b) Information being placed on the City's website; and
 - (c) Landowners abutting the subject roads be notified in writing.
3. The matter be referred to Council for determination following the conclusion of public advertising.

NO MOVER, NO SECONDER

LAPSED

9.1.21 Disposal of Lot 50, 43 Morley Drive East, Morley

| | |
|---------------------------------|--|
| Location: | Lot 50, 43 Morley Drive East, Morley |
| Owner: | City of Bayswater |
| Reporting Branch: | Strategic Planning and Place Services |
| Responsible Directorate: | Planning and Development Services |
| Refer: | Item 9.1.13: PDSC 16.05.2017 |
| | Item 8.1.11: PDSC 21.02.2017 |
| | Item 20.1.1: OCM 15.11.2016 |
| | Item 15.1.4: OCM 26.03.2013 |

Confidential Attachment(s) - in accordance with Section 5.23(2)(b) of the Local Government Act 1995 - a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and information that has a commercial value to a person.

EXECUTIVE SUMMARY**Application:**

Council consideration is sought on the offer accepted at the Planning and Development Services Committee meeting held 16 May 2017 and the submission that has been received during the statutory 14-day public notice period.

Key Issues:

- Council accepted one of the offers for the sale of Lot 50, 43 Morley Drive East, Morley, subject to a 14-day public notice in a local newspaper.
- The City has received a submission on the disposal of the land during the public notice period which includes a revised offer for purchase.
- The prospective buyer, whose offer was accepted by Council, has withdrawn their offer.

BACKGROUND

Lot 50 (previously Lot 129), 43 Morley Drive East, Morley is currently vacant, has an area of 528m² and is owned by the City of Bayswater in freehold. The site is zoned 'Residential R20/25' under the City's Town Planning Scheme No.24 (TPS 24) with the potential for a single dwelling only.

At its Ordinary Meeting of 26 March 2013 Council discussed the updated vacant land asset inventory and resolved that the subject site was surplus to need and could be sold, with the timing of the disposal being considered as part of the Long Term Financial Plan.

At the Planning and Development Services Committee meeting held on 21 February 2017, it was resolved that Council continues of the process of disposition by sale of Lot 50, 43 Morley Drive East, Morley, by private treaty following marketing and the City reports all final offers received for the purchase of Lot 50, 43 Morley Drive East, Morley, for Council consideration.

In view of the above, all the received offers were reported to the Planning and Development Committee meeting held 16 May 2017, and it was resolved that:

- "1. Council accepts Offer 2 as outlined in Confidential Attachment 1 for the sale of Lot 50, 43 Morley Drive East, Morley for \$205,000 (including any GST payable).
2. The City gives public notice in a local newspaper of its intention to dispose of Lot 50, 43 Morley Drive East, Morley and invites comments for a 14-day period.

3. The City prepare a report to Council following the conclusion of the comment period to consider any submissions received on the disposal of Lot 50, 43 Morley Drive East, Morley.
4. Council considers placing the proceeds of the sale of Lot 50, 43 Morley Drive East, Morley, in the Strategic Land Acquisition Reserve as part of the City's 2017-18 budget process."

The City amended the contract for sale of land to add a special condition as follows:

"Sale is subject to the seller giving local public notice in accordance with section 3.58 of the Local Government Act, and a subsequent Council resolution authorising the sale."

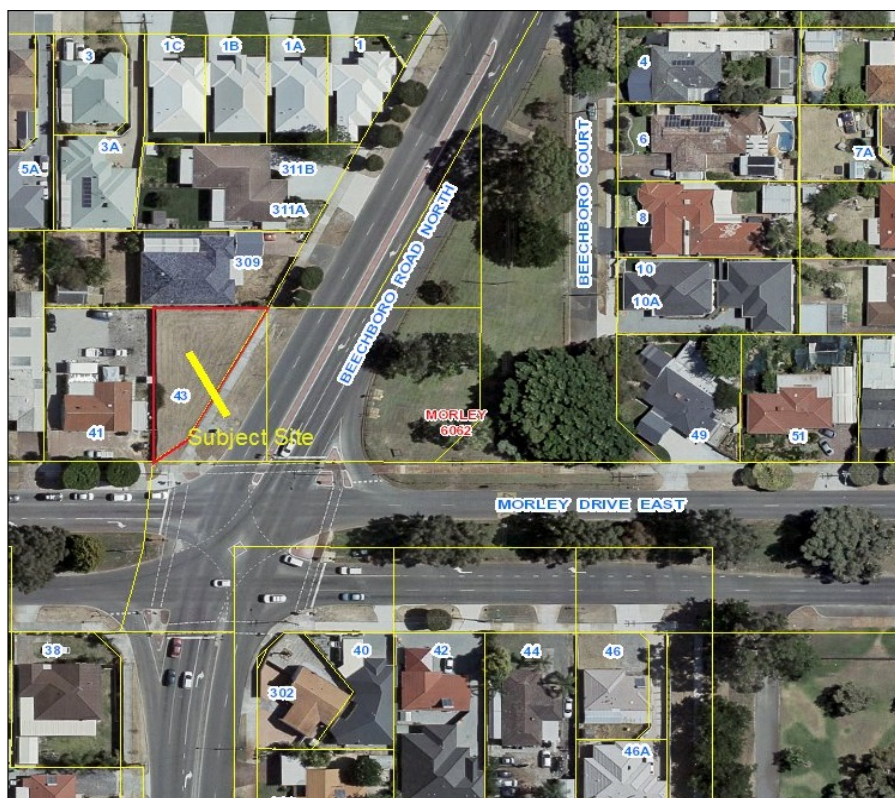
The contract document was subsequently signed by the City but has not been counter-signed by the respective buyer.

CONSULTATION

Following acceptance of Offer 2 by Council, the statutory public notice in relation to disposal of the land was published on The Eastern Reporter newspaper, inviting comment for a 14 day period.

During the consultation period, the City received a submission from the unsuccessful interested buyer in relation to the intended land disposal. The subject submission includes a revised offer from the subject interested buyer, which is higher than the amount of Offer 2 accepted by the Council in the Planning and Development Services meeting held 16 May 2017.

The City and the real estate agent contacted the prospective buyer that made the accepted offer. That prospective buyer has been told of the submission (but not the value) and given the opportunity to also make a submission. The subject prospective buyer subsequently decided to withdraw their offer on 6 June 2017.



ANALYSIS

The table below contains the details of the offers, including revised Offer 1 following the 14-day public notice period:

| OFFER | | PURCHASE OFFER VALUE | DEPOSIT |
|-------|----------|--------------------------------------|----------|
| 1 | Original | \$200,000 | \$10,000 |
| | Revised | \$230,000 | \$40,000 |
| 2 | Original | \$205,000 (withdrawn on 6 June 2017) | \$25,000 |

It is noted that the intention of choosing private treaty method for disposal of the subject land by Council, at the Planning and Development Services Committee meeting held 21 February 2017, was to enable the City to confirm that it is getting maximum value before giving public notice of its intention to sell to the preferred purchaser and considering submissions. It should have enabled the real estate agent to negotiate with interested parties to achieve the maximum value. However, in this instance, it would appear at least one of the parties did not submit their best offer during the negotiation. Instead, they have used the public notice period to submit a revised offer. This is within the scope of the notice period and Council can consider it.

Given that Offer 2 is now withdrawn, the revised Offer 1 made during the public notice period is the only remaining offer.

Solicitors/Next Steps

Should Council resolve to accept the revised Offer 1, conditional on a further statutory public notice, the below steps will be followed prior to the settlement:

- Public Notice: a minimum 14-day public notice will be published in local newspaper, in relation to the disposal of the land;
- Deposit: the deposit amount will be payable;
- Final Consideration by Council: following the public notice, the disposal will be referred back to Council, to be finalised and accepted unconditionally;
- Remainder of Purchase Value: this amount will be payable following the final unconditional offer acceptance by Council; and
- Settlement: the settlement will occur within 30 days of the final acceptance.

OPTIONS

The following options are available to Council in light of the withdrawal of Offer 2 and revised Offer 1 being the only current offer to purchase:

| OPTION | | BENEFIT | RISK |
|--------|---|--|--|
| 1. | <p>Note the withdrawn of the previously accepted offer and supports disposal of the property (Revised Offer 1).</p> <p>Estimated Cost:</p> <ul style="list-style-type: none"> • \$450 for a further disposal notice in the local newspaper. | <ul style="list-style-type: none"> • Disposal of the property is in line with the Council resolution which identified this lot as surplus to need. • Disposal will provide revenue in line with the City's Long Term Financial Plan. • The City will obtain the maximum highest possible return for the site. | <ul style="list-style-type: none"> • Party with the originally accepted offer, or another party, may make a submission with a higher value and during the further public notice period. |

| OPTION | | BENEFIT | RISK |
|--------|---|--|---|
| 2. | Cancel the sale by private treaty process and reject all offers. Estimated Cost <ul style="list-style-type: none"> Nil. | <ul style="list-style-type: none"> Nil. | <ul style="list-style-type: none"> No revenue will result from the subject land at this stage. |

CONCLUSION

It is recommended that Council notes the withdrawn of the previously accepted offer and supports disposal of Lot 50, 43 Morley Drive East, Morley, to the revised Offer 1 (Option 1).

FINANCIAL IMPLICATIONS

Disposal would provide income as outlined in the City's Long Term Financial Plan.

In the event that Council accepts the highest offer, final acceptance of the offer by Council and settlement of the sale would not occur until August-September 2017. The proceeds of the sale are to be placed in the City's Strategic Land Acquisition Reserve. As per the resolution of the Planning and Development Services Committee meeting held on 16 May 2017, this can be considered as part of the City's 2017-18 budget process.

It is noted that the offers received are inclusive of GST.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Leadership and Governance
Aspiration: Open, accountable and responsive service.
Outcome L1: Accountable and good governance.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Section 3.58 of the *Local Government Act 1995* applies to the disposal. The implications for this matter are outlined in the 'Analysis' section.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

- Purchase offers table (Confidential)

COMMITTEE RESOLUTION **(OFFICER'S RECOMMENDATION)**

That:

- Council notes the withdrawing of the offer accepted at the Planning and Development Services Committee meeting held on 16 May 2017 for the sale of Lot 50, 43 Morley Drive East, Morley.
- Council accepts the revised Offer 1 as outlined in Confidential Attachment 1 for the sale of Lot 50, 43 Morley Drive East, Morley, for \$230,000 (including GST).

3. The City gives public notice in a local newspaper of its intention to dispose of Lot 50, 43 Morley Drive East, Morley based on the revised Offer 1, and invites comments for a 14-day period.
4. The City prepare a report to Council following the conclusion of the public notice period to consider any submissions received on the disposal of Lot 50, 43 Morley Drive East, Morley.

CR CHRIS CORNISH MOVED, CR SALLY PALMER SECONDED

CARRIED: 7/1

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Chris Cornish, Cr Michelle Sutherland, Cr Sally Palmer,
Cr Brent Fleeton and Cr Catherine Ehrhardt.

AGAINST VOTE - Cr Dan Bull.

10. REPORTS BY OFFICERS (COUNCIL DECISION)**10.1 Proposed Trial of Nyoongar Outreach Services****Reporting Branch: Strategic Planning and Place Services****Responsible Directorate: Planning and Development Services****CR CATHERINE EHRHARDT DECLARED A PROXIMITY INTEREST**

In accordance with section 5.60b of the Local Government Act 1995, Cr Catherine Ehrhardt declared a proximity interest in this item as she owns property opposite the RISE. At 9:53pm, Cr Ehrhardt withdrew from the meeting and did not return.

EXECUTIVE SUMMARY**Application:**

Council consideration is sought in relation to a proposed one year trial of Nyoongar Outreach Services.

Key Issues:

- Antisocial behaviour is affecting the safety and comfort of residents, visitors, businesses and City staff in public spaces generally within the City.
- Antisocial behaviour in the Maylands Town Centre is affecting safety and use of The RISE and the town centre.
- Antisocial behaviour is caused by a diverse range of individuals and groups, but the circumstances relating to Aboriginal people require specialised services.
- Nyoongar Outreach Services is able to provide specialised services to resolve localised issues relating to antisocial behaviour by Aboriginal people.

BACKGROUND

In March 2017, a proposal from Nyoongar Outreach Services (NOS) was received at the City's request. The proposal was for outreach services to Aboriginal people in public spaces within the City of Bayswater. The proposal identifies NOS' vision as *"developing community safety and harmony in public spaces through positive interactions with Aboriginal people and the wider community"*.

The City's request for this proposal resulted from regular meetings of relevant staff regarding increased antisocial behaviour around The RISE and more broadly within the Maylands Town Centre and other parts of the City. This has been a cause of concern to staff at The RISE and to traders within the town centre in recent months. Despite the intermittent presence of a security guard at The RISE and increased patrols from the City Rangers and Security Services and Police, antisocial behaviour in the area remains an ongoing challenge.

CONSULTATION

Staff members at The RISE have provided evidence of many incidences of antisocial behaviour this year, both verbally and through written records. Simultaneously, local business owners have also provided a large amount of anecdotal evidence of antisocial behaviour within the Maylands Town Centre, particularly in the area between, and including, the Maylands train station and The RISE.

A City-wide survey was undertaken as part of the City's Community Safety and Crime Prevention Plan, which was adopted by Council at its Ordinary Meeting of 31 May 2016.

169 participants responded to the survey, and the plan reports that most identified increasing security patrols as the best way to prevent crime and increase safety, while others identified coordination with 'service organisations' providing support for vulnerable people as a key method of addressing this problem.

Business owners in the Morley City Centre have also expressed concern in relation to antisocial behaviour, including that resulting from Aboriginal people in the area. It is suggested that once the issues relating to the Maylands Town Centre have been better addressed, the service could be extended to the Morley City Centre in the future.

ANALYSIS

Proposal

NOS considers itself a community development rather than security service and its work in visiting 'hotspots' and working with people there has the direct effect of reducing antisocial behaviour. Often, the service involves connecting people with appropriate service organisations and transporting people back to accommodation where they are from regional areas.

NOS recommends commencing with one hotspot at a time, resolving issues there, and then moving to other hotspots as required. In this instance, due to the severity of issues in Maylands in recent times, it is proposed to first resolve issues in Maylands Town Centre before moving to other hotspots such as Morley City Centre. It is expected that a number of hotspots will be able to be covered in the 12 month trial period. On top of the focus on hotspot areas, NOS will also respond to needs in any area of the City where situations require immediate action. Regular communication between NOS, Rangers and Security Services and Police will enable NOS' activities to be most appropriately each week.

NOS' proposal for services to the City is included as **Attachment 1** and includes the following key points:

- Two senior Outreach officers will be allocated to agreed precincts for the equivalent of one day per week to engage with Aboriginal people and to co-ordinate and link clients with appropriate services and support;
- In addition, the City will have the flexibility to call NOS if the City require NOS to attend incidents in other locations/hotspots within the City of Bayswater;
- It is considered important that NOS focus on solving the current problems in identified areas. NOS will therefore concentrate its resources initially on The RISE and the surrounding precinct in order to resolve localised issues before moving on to others hotspots such as Morley City Centre;
- Outreach officers are equipped with a people mover van to provide transport to people who are at risk back to their homes or safer places (not simply to take people with shopping home). The people mover also provides a visible presence of the service and enables Outreach officers to be responsive to City needs at hotspots within a wider area than foot patrols would allow; and
- Close liaison with City staff and the community will be important to ensuring that services are targeted appropriately.

NOS management will:

- Coordinate outreach services to the City of Bayswater;
- Create a database to collate and analyse daily information collected in relation to the service (recorded on an Engagement Sheet as included in **Attachment 2**;
- Coordinate attendance and participation in community events and activities based upon available resources;

- Provide a written report to the City of Bayswater on activities in the area on a quarterly basis; and
- Provide recommendations to the City, based upon crime prevention through environmental design (CPTED) principles, in relation to identified hotspots.

The Annual Service cost of \$25,000 plus GST would cover the following:

- Two Outreach officers' salary for the equivalent of one day per week;
- Use of 'People mover' vehicle and communication equipment; and
- Management coordination and administration support.

Reconciliation Action Plan

A meeting with NOS highlighted the role that the service can play in providing advice on events such as NAIDOC week and on initiatives such as the development of a Reconciliation Action Plan. NOS has confirmed that the proposal includes these services under 'Coordinate attendance and participation in community events and activities based on available resources'.

In terms of development of a Reconciliation Action Plan, the support of NOS may be useful in relation to the resolution of the Community, Technical, Finance and Corporate Services Committee on 19 April 2017, which is as follows:

"That Council:

1. *Approves the draft terms of reference for the Aboriginal Advisory Committee.*
2. *Requests that Officers seek expressions of interest from community members to join the Aboriginal Advisory Committee from July 2017 to commence following Council elections on 2017.*
3. *Notes that Councillor nominations for Aboriginal Advisory Committee will be sought following Council elections in 2017.*
4. *Considers an allocation of \$50,000 on the 2017/18 budget for project costs to establish a Reconciliation Action Plan."*

References

A number of verbal references have been received relating to NOS. In chronological order, these are:

- St Patrick's Community Support Centre ('St Pat's') in relation to the Crossroads program. The Crossroads program addresses drug and alcohol related harm and antisocial behaviour, and involves working with a small number of clients within the Maylands Town Centre. St Pats has found NOS effective and their service of taking people home where necessary very helpful;
- Aboriginal health care provider Derbarl Yerrigan, which has advised that it is very useful to have the service as the first point of contact rather than the Police, and that based on their experience they are happy to work with them any time;
- Local Police, who has advised that Nyoogar Outreach Services, Police and Rangers work effectively together within the City of Perth; and
- City of Belmont, which employs NOS for very similar services to those proposed here. City of Belmont has contracted NOS for two afternoons a week since August 2016, and has described the services as extremely useful, flexible and accommodating. The number of instances of antisocial behaviour has also reduced, which is evidenced by statistics they have kept.

Coordinated Response

Following discussions with key service providers including 55 Central, Police, Rangers and Security Services and also with NOS, it is acknowledged that a coordinated response to antisocial behaviour in Maylands Town Centre is required. Antisocial behaviour is evident amongst many sectors of the community for various reasons and other sectors of the community also require better targeted services. Therefore, a forum of key service providers is also proposed to be held later this year to develop a suite of actions to reduce the incidences of antisocial behaviour, establish ongoing communication between service providers, and more effectively manage antisocial behaviour when it occurs.

OPTIONS

The following options are available to Council:

| OPTION | | BENEFIT | RISK |
|--------|---|---|---|
| 1. | Undertake 12 month trial of Nyoongar Outreach Services. Estimated Cost: <ul style="list-style-type: none">• \$25,000 plus GST. | <ul style="list-style-type: none">• To improve the safety and comfort of all within town centres (and other areas), and demonstrate that the City is proactive in relation to issues of security and the need for high quality public spaces. | <ul style="list-style-type: none">• There may be an expectation from community members that the trial continues after 12 months, which will have budget implications in the future. |
| 2. | Undertake a lesser period trial of Nyoongar Outreach Services. Estimated Cost: <ul style="list-style-type: none">• Estimated for a lesser period. | <ul style="list-style-type: none">• This option enables the service to be tried within the City's town centres at a more affordable cost. | <ul style="list-style-type: none">• The effectiveness of the service may be limited as resolving issues in each town centre may take more time than the contract period allows. |
| 3. | Do not undertake trial of Nyoongar Outreach Services. Estimated Cost: <ul style="list-style-type: none">• Nil. | <ul style="list-style-type: none">• Nil. | <ul style="list-style-type: none">• The City does not demonstrate responsiveness to ongoing issues relating to security in its public spaces. |

CONCLUSION

Option 1 is recommended as it enables to City to begin to effectively address ongoing antisocial behaviour in the Maylands Town Centre in the first instance, and subsequently to address this issue in other areas as required.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the Options table above.

This item is currently not listed in the draft 2017-2018 budget. Although this is not currently a service that the City provides and is discretionary, it is considered there is a strong need for antisocial behaviour to be effectively addressed within the City's town centres and other areas.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Community
Aspiration: An active and engaged community.
Outcome C1: A strong sense of community through the provision of quality services and facilities.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority Required.

ATTACHMENTS

1. Nyoongar Outreach Services Proposal for Services to the City of Bayswater
2. Nyoongar Outreach Services City of Belmont Engagement Sheet

OFFICER'S RECOMMENDATION

That Council:

1. Supports in principle a 12 month trial of Nyoongar Outreach Services as detailed in Attachment 1.
2. Considers an allocation of \$25,000 for the Nyoongar Outreach Services 12 month trial in the 2017-2018 budget.

At 9:53pm, Cr Ehrhardt withdrew from the meeting.

POINT OF ORDER

Cr Radford raised a point of order that this item requires an absolute majority and this Committee doesn't have authority to resolve absolute majority items.

The Manager Governance advised that the purpose was to make a recommendation to Council.

The Chief Executive Officer advised that the recommendation needs to be reworded as the Council or Committee can't recommend to Council to include something in the budget it should be 'considers an allocation' until the budget is adopted.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it was of the opinion that if the City is going to consider allocate money to the service then point 1 should be amended to delete the words 'in principle'.

COMMITTEE RESOLUTION

That Council:

1. Supports a 12 month trial of Nyoongar Outreach Services as detailed in *Attachment 1*.
2. Considers an allocation of \$25,000 for the Nyoongar Outreach Services 12 month trial in the 2017-2018 budget.

CR CHRIS CORNISH MOVED, CR STEPHANIE COATES SECONDED

CARRIED: 5/2

FOR VOTE - Cr Stephanie Coates, Deputy Mayor, Cr Alan Radford,
Cr Chris Cornish, Cr Sally Palmer and Cr Dan Bull.

AGAINST VOTE - Cr Michelle Sutherland and Cr Brent Fleeton.

Attachment 1 - Nyoongar Outreach Services Proposal for Services to the City of Bayswater



NYOONGAR OUTREACH SERVICES

Proposal for Services to the City of Bayswater

Attention: Emma Snow, Place Manager.

Nyoongar Outreach is pleased to submit the following brief proposal to provide outreach services to Aboriginal people in public spaces within the Bayswater community. Our vision is developing community safety and harmony in public spaces through positive interactions with Aboriginal people and the wider community.

Nyoongar Outreach Service proposes the following:

Two senior Outreach Officers will be allocated to the precinct for the equivalent of one day per week to engage with Aboriginal people frequenting public spaces and to co-ordinate and link clients with appropriate services and supports.

Specifically, on Wednesdays and Thursdays the outreach officers will be street present and engage with clients in the Bayswater precinct between 12 noon and 4pm. In addition, the City will have the flexibility to call NOS if City Rangers require NOS to attend incidents in other locations/hot spots within the City.

However, because of the limited time available it is important that NOS focus on solving the current problems in identified areas. NOS will therefore concentrate its resources on the Rise and surrounding precinct on the two allocated days, in order to resolve localised issues.

Outreach Officers will be equipped with a people mover van to provide transport to people who are at risk back to their homes or safer places. **The service will not provide transport to people with shopping back to their homes.** The provision of a people mover will also allow the outreach officers to be responsive to City needs at hot spots within a wider area than would be possible with foot patrols and will improve the visible presence of the service. Close liaison with City staff and the community will be important to ensuring that services are targeted appropriately.

Outreach officers will coordinate and link clients with services and Outreach Officers will work closely with the relevant agencies to address its client's immediate needs. In addition, Nyoongar Outreach Youth Engagement Officers will engage with youth services in the area to complement the mobile outreach service and link with Aboriginal young people at risk. This is a service provided in kind, where resources are available.

Nyoongar Outreach Service Management will:

- Co-ordinate outreach services to the City of Bayswater.
- Create a data base to collate and analyse daily information collected in relation to the service.
- Co-ordinate attendance and participation in community events and activities based upon available resources.
- Provide a written report to City of Bayswater on activities in the area on a quarterly basis.
- Provide recommendations to the City of Bayswater, based upon crime prevention through environmental design (CPTED) principles, in relation to identified hot spots.

35 - 37 Gladstone St East Perth WA 6004
PO Box 8202 Stirling Street Perth WA 6849 ABN 53 281 140 922
Phone: (08) 9228 4211 Fax: (08) 9228 3743 Email: reception@nyoongaroutreach.com.au
www.nyoongaroutreach.com.au



Page | 2

Annual Service Cost:

2 Outreach Officers' salary for the equivalent of one day.

People Mover and communication equipment

Management coordination and administration support.

Total: \$25,000 plus GST \$2,500 = \$27,500.

Please contact me if you have any queries. I look forward to hearing from you in the near future.

Your sincerely



Maria McAtackney
Chief Executive Officer
March 14th 2017

Attachment 2 - Nyoongar Outreach Services City of Belmont Engagement Sheet

City of Belmont shift: Tuesday and Wednesdays 2.30pm to 6.30pm

FORM 24 - B

City of Belmont Engagement Sheet

Date: _____

Outreach Staff: _____

Contact COB Officers: Hamed Abo El Atta, Community Safety and Crime Prevention Officer on 08 9477 7416 / 0430 195 847

Or Graeme Todd, Coordinator Community Safety on 08 9477 7264 / 0430 574 678

City of Belmont staff member spoken to prior to shift commencing? _____

Hotspots identified? _____

Time on shift _____

*** Engagement entails foot patrols of all locations and getting out of vehicle to engage with clients, Note maximum of 4 hours duration each shift ***

Times on site: _____

| Belmont Locations/hotspot | Time at location | Time left location | Issues Identified and type of assistance offered, including transport, where transport was provided too, no of people (count once only). |
|---------------------------|------------------|--------------------|--|
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Time off site _____

Use other side of page if more space is required.

Locations visited can include but are not limited to: Council Offices, Faulkner Park (War Memorial/Gazebo), Ruth Faulkner Public Library, Belmont Forum Bus Stop Areas, Wicca Reserve, Kooyong Road Shops / IGA, Wilson Park and Robinson Netball Courts, Rivervale Community Centre, Epsom Ave Shops area / Jacaranda Community Centre, Belvidere Street Bus stop areas, Redcliffe Park, The Base @ Belmont.



City of Belmont shift: Tuesday and Wednesdays 2.30pm to 6.30pm

FORM 24 - B

Time on site: _____

| Belmont Locations/hotspot | Time at location | Time left location | Issues Identified and type of assistance offered, including transport, where transport was provided too, no of people (count once only). |
|---------------------------|------------------|--------------------|--|
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Time off site _____

Locations visited can include but are not limited to: Council Offices, Faulkner Park (War Memorial/Gazebo), Ruth Faulkner Public Library, Belmont Forum Bus Stop Areas, Wicca Reserve, Kooyong Road Shops / IGA, Wilson Park and Robinson Netball Courts, Rivervale Community Centre, Epsom Ave Shops area / Jacaranda Community Centre, Belvidere Street Bus stop areas, Redcliffe Park, The Base @ Belmont.

11. REPORTS FOR NOTING**11.1 Planning Determinations Under Delegated Authority - May 2017**

Reporting Branch:
Directorate:

Statutory Planning Services
Planning and Development Services

EXECUTIVE SUMMARY**APPLICATION**

To receive a summary of development applications determined for the period of 1 May 2017 to 31 May 2017.

BACKGROUND

Nil.

CONSULTATION

Nil.

ANALYSIS

The development applications contained in **Attachment 1** have been determined in accordance with the Residential Design Codes and the City's town planning schemes, policies and Delegated Authority Register.

OPTIONS

Nil.

CONCLUSION

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment.
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme Nos. 23 and 24;
- City of Bayswater local planning policies; and
- State Planning Policy 3.1 - Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Council Ratification of Planning Determinations Under Delegated Authority 1 May 2017 - 31 May 2017.

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council receives the planning determinations issued for the period 1 May 2017 to 31 May 2017 by the City's Director Planning and Development Services and Manager Planning Services in accordance with the City's Delegated Authority Register, Town Planning Scheme Nos. 23 and 24 and policies, and Residential Design Codes, as contained in Attachment 1.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1

| APPLICANT / PROPERTY | PROPOSAL | DATE / COMMENT |
|--|---|------------------------|
| Adam J McMaster Strata Lot 1, 47 Embleton Avenue EMBLETON WA 6062 | Carport to Single Store Grouped Dwelling | 01/05/2017 Approved |
| Melanie J Hamilton & Alan G Hamilton Lot 18, 4 Thirlmere Road MOUNT LAWLEY WA 6050 | Retaining Wall to Single Storey Single House | 01/05/2017 Approved |
| Lorraine Haughey & Charles P Haughey Strata Lot 2, 16A Belstead Avenue NORANDA WA 6062 | Single Storey House | 02/05/2017 Approved |
| Joanne Jemerson & Mark O Oksanen Strata Lot 2, 9 Cobden Street BAYSWATER WA 6053 | Patio to Grouped Dwelling | 03/05/2017 Approved |
| Samuel L Piantadosi & Colleen J Piantadosi Lot 89, 72 Emberson Road MORLEY WA 6062 | Single Storey Grouped Dwelling | 03/05/2017 Approved |
| Kim B T Le Lot 3, 9 Morley Drive East MORLEY WA 6062 | Single Storey Single House | 03/05/2017 Approved |
| Northline Agencies Pty Ltd Lot 119, 221 Walter Road West MORLEY WA 6062 | Six Multiple Dwellings - Amended Application (Extension of Time) | 03/05/2017 Approved |
| Moeen A Arshad Lot 103, 41 Wheeler Street MORLEY WA 6062 | Two Single Storey Grouped Dwellings | 03/05/2017 Approved |
| Peter R James Lot 39, 109 Leake Street BAYSWATER WA 6053 | Two Single Storey Grouped Dwellings | 03/05/2017 Approved |
| Leyna K Emery Strata Lot 6, 6/127 Crawford Road MAYLANDS WA 6051 | Patio to Grouped Dwelling | 04/05/2017 Approved |
| Yonit A Silman & Dov Silman Lot 54, 25 Smitherson Street NORANDA WA 6062 | Patio to Single House | 04/05/2017 Approved |
| Neil J Rozario & Lisette-Anne Rozario Lot 133, 11 Ash Way MORLEY WA 6062 | Two Single Storey Grouped Dwellings | 04/05/2017 Approved |
| Antonio Filardi Lot 15, 76 Grand Promenade BEDFORD WA 6052 | Carport to Grouped Dwelling | 04/05/2017 Approved |
| Erskine Landholdings Pty Ltd Lot 2, 8A Roberts Street BAYSWATER WA 6053 | Four Single Storey Grouped Dwellings - Amended Application (Alterations to Unit 2-4) | 04/05/2017 Approved |

| | | |
|---|---|------------------------|
| Victoreen W Sivarajah Strata Lot 1, 267 Beechboro Road North MORLEY WA 6062 | Alterations and Single Storey Additions to Single House | 05/05/2017 Approved |
| Pippa L Beetson & Michael A Rourke Lot 112, 34 Coode Street BAYSWATER WA 6053 | Alterations and Single Storey Additions to Single House | 05/05/2017 Approved |
| Philip R O Jones Lot 19, 48 Toowong Street BAYSWATER WA 6053 | Two Storey Single House | 05/05/2017 Approved |
| Mohamad A Choueib Lot 146, 58 Ramsden Way MORLEY WA 6062 | Single Storey Grouped Dwelling | 08/05/2017 Approved |
| Italiano Nominees Pty Ltd Lot 432, 207 Shaftesbury Avenue BEDFORD WA 6052 | Three Single Storey Grouped Dwellings | 09/05/2017 Approved |
| Jentel Investments Pty Ltd Lot 490, 7 Ware Street EMBLETON WA 6062 | Retaining Walls to Vacant Site | 09/05/2017 Approved |
| Carmelina Crea & Francesco Crea Strata Lot 2, 61 Rodda Street MORLEY WA 6062 | Carport and Patio to Single House | 09/05/2017 Approved |
| Ching Y Yim Lot 155, 42 Croesus Street MORLEY WA 6062 | Three Single Storey Grouped Dwellings | 10/05/2017 Approved |
| Simon P Thompson & Sharon V Thompson Lot 139, 136 Railway Parade BAYSWATER WA 6053 | Retaining Wall and Front Fence to Single House | 10/05/2017 Approved |
| Melodie R Clayton Lot 28, 3A Hayward Street BAYSWATER WA 6053 | Front Fence to Single House | 12/05/2017 Approved |
| Brian J Waugh Lot 77, 31 Guildford Road MOUNT LAWLEY WA 6050 | Carport to Single House | 12/05/2017 Approved |
| Mladen Luketin & Shelly M Luketin Strata Lot 1, 24 Sudlow Street EMBLETON WA 6062 | Deck to Grouped Dwelling | 12/05/2017 Approved |
| Rebecca E Yain & Kim J Yain Strata Lot 1, 163 Peninsula Road MAYLANDS WA 6051 | Patio to Single House | 12/05/2017 Approved |
| Michael J Buswell & Joanna B Buswell Lot 2, 77 River Road BAYSWATER WA 6053 | Patio to Single House | 12/05/2017 Approved |
| Ryan S Hampson & Lara M Gorey Lot 3, 1 Donald Way BAYSWATER WA 6053 | Two Storey Single House | 15/05/2017 Approved |
| Home Art Building Group Pty Ltd Lot 143, 17 Ferguson Street MAYLANDS WA 6051 | Eight Multiple Dwellings- Amended Application (Extension of Time) | 16/05/2017 Approved |

| | | |
|--|---|------------------------|
| Ryan S Hort & Kyla D Hort Strata Lot 1, 8 Constance Street BAYSWATER WA 6053 | Alterations and Single Storey Additions to Single House | 17/05/2017 Approved |
| Natalie L Sangalli & Peter A M Zappelli Strata Lot 1, 74 Drummond Street BEDFORD WA 6052 | Patio to Grouped Dwelling | 17/05/2017 Approved |
| Kim R Wellstead & Michelle T Dawson Lot 524, 83 Crowther Street BAYSWATER WA 6053 | Alterations and Single Storey Additions to Existing Two Storey Single House | 17/05/2017 Approved |
| Beverley A Hayne Strata Lot 1, 88 Drummond Street BEDFORD WA 6052 | Two Patios to Grouped Dwelling | 18/05/2017 Approved |
| Gregory J Mitchell Lot 151, 6 Sang Place BAYSWATER WA 6053 | Patio to Single House | 18/05/2017 Approved |
| Craig P Bendeich & Vanessa L Ford Strata Lot 1, 124 Grand Promenade BEDFORD WA 6052 | Two Patios to Grouped Dwelling | 18/05/2017 Approved |
| Maho Kakuda & Terry K K Ng Lot 243, 26 Hinkler Loop MAYLANDS WA 6051 | Patio to Single House | 19/05/2017 Approved |
| Boxin Gu Lot 20, 16 Copley Street BAYSWATER WA 6053 | Carport to Single House | 25/05/2017 Approved |
| Natalie S Burgess & Joel R Alexander Strata Lot 1, 132 York Street BEDFORD WA 6052 | Carport and Front Fence to Existing Single House. | 23/05/2017 Approved |
| Paul A Haslehurst & Paula I Haslehurst Lot 400, 7 Gordon Street BAYSWATER WA 6053 | Patio to Single House | 23/05/2017 Approved |
| Terrel R MacGregor Strata Lot 2, 18A Drake Street BAYSWATER WA 6053 | Patio to Grouped Dwelling | 23/05/2017 Approved |
| Janine A Harris Lot 291, 6 McPherson Avenue NORANDA WA 6062 | Carport to Single House | 24/05/2017 Approved |
| Sujit Mohanty & Pahnan Sungsinlert Strata Lot 2, 5 Hackbridge Way BAYSWATER WA 6053 | Single Storey Single House | 24/05/2017 Approved |
| Allan M Wilkerson Strata Lot 2, 36 Wolseley Road MORLEY WA 6062 | Two Patios to Single House | 24/05/2017 Approved |
| Bao-Long Dang Lot 99, 26 Lovegrove Way MORLEY WA 6062 | Three Single Storey Grouped Dwellings | 24/05/2017 Approved |
| Paul A Hamer & Natasha C Banning Lot 51, 22 Kitchener Avenue BAYSWATER WA 6053 | Single Store Addition to Single House | 25/05/2017 Approved |

| | | |
|---|---|------------------------|
| Renato Mollaj & Daniela Mollaj Lot 511, 32 Rokeford Way MORLEY WA 6062 | Alterations and Single- Storey Additions to Single House. | 29/05/2017 Approved |
| Brenton J Laslett Strata Lot 5, 5/23 Kennedy Street MAYLANDS WA 6051 | Patio to Grouped Dwelling | 29/05/2017 Approved |
| Giuseppe Radi & Flora E Radi Strata Lot 2, 113A Edward Street BEDFORD WA 6052 | Patio to Grouped Dwelling | 26/05/2017 Approved |
| Giuseppe Radi & Flora E Radi Strata Lot 2, 115A Edward Street BEDFORD WA 6052 | Patio to Grouped Dwelling | 26/05/2017 Approved |
| Giuseppe Radi & Flora E Radi Strata Lot 1, 113 Edward Street BEDFORD WA 6052 | Patio to Grouped Dwelling | 26/05/2017 Approved |
| Adam J Flynn & Adele J Flynn Strata Lot 1, 7 McKimmie Street EMBLETON WA 6062 | Two Storey Single House | 29/05/2017 Approved |
| Trevor M Hope & Francesca Hope Lot 109, 115 Seventh Avenue MAYLANDS WA 6051 | Alterations and Single Storey Additions to Single House | 29/05/2017 Approved |
| Terry Smith & Marie-Louise Smith Lot 12, 100 Crowther Street BAYSWATER WA 6053 | Two Storey Grouped Dwelling | 29/05/2017 Approved |
| Nicola C Lucano & Gordana Lucano Lot 613, 5 Ebony Court NORANDA WA 6062 | Patio and Outbuilding to Single House | 29/05/2017 Approved |
| Gregory J Richardson Lot 202, 5 Drake Way MORLEY WA 6062 | Two Storey Single House | 30/05/2017 Approved |
| Rupinder Singh & Gagan P Kaur Strata Lot 2, 14A Doherty Street EMBLETON WA 6062 | Single Storey Single House | 31/05/2017 Approved |
| Sarah C Heward Strata Lot 1, 33 Drummond Street BEDFORD WA 6052 | Alterations and Single Storey Additions to Grouped Dwelling | 31/05/2017 Approved |

11.2 Subdivisions and Amalgamations Under Delegated Authority - May 2017

Reporting Branch:
Directorate:

Statutory Planning Services
Planning and Development Services

EXECUTIVE SUMMARY

To receive a summary of subdivision and amalgamation applications assessed for the period 1 May to 31 May 2017.

BACKGROUND

Nil.

CONSULTATION

Nil.

ANALYSIS

The subdivision and amalgamation applications contained in **Attachment 1** have been assessed in accordance with the provisions of the City's town planning schemes and policies, and a recommendation returned to the Western Australian Planning Commission.

OPTIONS

Nil.

CONCLUSION

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment.
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- City of Bayswater Town Planning Scheme No. 23 and 24;
- City of Bayswater local planning policies; and
- State Planning Policy 3.1 - Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Delegated Authority Subdivisions - 1 May 2017 - 31 May 2017.

COMMITTEE RESOLUTION
(OFFICER'S RECOMMENDATION)

That Council receives the subdivision and amalgamation applications for which comment has been provided to the Western Australian Planning Commission for the period 1 May to 31 May 2017, as contained in Attachment 1.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1

| APPLICANT / PROPERTY | PROPOSAL | DATE / COMMENT |
|--|--|-----------------------------|
| Anita N Finkelstein Lot 255 , 3 Lindley Street EMBLETON WA 6062 | Two Lot Survey Strata Subdivision | 02/05/2017 Supported |
| Kirsty S Eaton Lot 398 , 19 Westlake Road MORLEY WA 6062 | Two Lot Survey-Strata Subdivision | 03/05/2017 Not Supported |
| Hamza Al-Birkawi & Sajedah Nora-E Lot 115 , 22 Rodda Street MORLEY WA 6062 | Three Lot Survey Strata Subdivision | 04/05/2017 Supported |
| Christopher S B Teh & Luisa B Teh Lot 557 , 6 Hovea Court MORLEY WA 6062 | Two Lot Survey Strata Subdivision | 04/05/2017 Supported |
| Giuseppe Cinquina Lot 314 , 164 Railway Parade BAYSWATER WA 6053 | Two Lot Survey Strata Subdivision | 10/05/2017 Supported |
| Hendrik J Zwaan & Alicia Zwaan Lot 42 , 14 Newton Street BAYSWATER WA 6053 | Three Lot Survey Strata Subdivision | 11/05/2017 Not Supported |
| Simonette Anagnostakis Lot 132 , 15 Logan Way NORANDA WA 6062 | Two Lot Survey Strata Subdivision | 12/05/2017 Supported |
| Harry G Mathewdakis Lot 317 , 211 Grand Promenade BEDFORD WA 6052 | Two Lot Survey Strata Subdivision | 12/05/2017 Supported |
| Harold K Marques & Janice L Marques Lot 32 , 69 Birkett Street BEDFORD WA 6052 | Three Lot Survey Strata Subdivision | 16/05/2017 Supported |
| Jayshree Naidu & Brice C Tatarczuk Lot 218 , 14 McGilvray Avenue MORLEY WA 6062 | Two Lot Survey Strata Subdivision | 19/05/2017 Supported |
| Stuart W Murphy & Voralak Murphy Lot 157 , 27 Anzac Street BAYSWATER WA 6053 | Two Lot Survey Strata Subdivision | 22/05/2017 Supported |
| Kwan H Lee Lot 150 , 446 Morley Drive MORLEY WA 6062 | Two Lot Survey Strata Subdivision | 23/05/2017 Supported |
| Bradley J C Davey & Jessica L Davey Lot 20 , 72 Railway Parade BAYSWATER WA 6053 | Two Lot Survey Strata Subdivision | 29/05/2017 Supported |
| Daniel V Falcone & Melissa M Mcdowell Lot 109 , 38 Cooper Road MORLEY WA 6062 | Two Lot Survey Strata Subdivision | 30/05/2017 Supported |

11.3 Building Permits Issued Under City's Policy for Single Residential Development - May 2017**Reporting Branch:**
Directorate:**Statutory Building Services**
Planning and Development Services**EXECUTIVE SUMMARY****Application:**

To receive a summary of building permits issued for single residential development involving a variation to setbacks and other policy requirements, for the period 1 May to 31 May 2017.

BACKGROUND

Nil.

CONSULTATION

Nil.

ANALYSIS

The building applications contained in **Attachment 1** for single residential development involving variations to setbacks and other policy requirements have been approved, in accordance with the City's Delegated Authority Register and policies, Residential Design Codes and Building Codes of Australia.

OPTIONS

Nil.

CONCLUSION

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC LINK

In accordance with the City of Bayswater Strategic Community Plan 2017-2027, the following applies:

Theme: Our Built Environment.
Aspiration: A quality and connected built environment.
Outcome B1: Appealing streetscapes.
Outcome B3: Quality built environment.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

- *Building Act 2011;*
- *Building Regulations 2012;*
- *Building Code of Australia;*
- City of Bayswater local planning policies, including TP-P2.7 - Retaining Wall Setbacks - R-Codes Performance Criteria; and
- State Planning Policy 3.1 Residential Design Codes.

VOTING REQUIREMENTS

Simple Majority required.

ATTACHMENTS

1. Building permits for single residential development involving a variation to setbacks and other policy requirements under delegated authority for 1 May to 31 May 2017.

COMMITTEE RESOLUTION**(OFFICER'S RECOMMENDATION)**

That Council receives the building permits issued for the period 1 May to 31 May 2017 by the City's Building Services Section for single residential development involving a variation to setbacks and other policy requirements, in accordance with the City's Delegated Authority Register and policies, Residential Design Codes, and Building Code of Australia, as contained in Attachment 1.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION

Attachment 1

| APPLICANT / PROPERTY | APPROVED PROPOSAL | DATE/COMMENT |
|--|--|------------------------|
| Simon P Thompson & Sharon V Thompson Lot 139, 136 Railway Parade BAYSWATER WA 6053 | Retaining Walls - On the Boundary No Comments Received | 12/05/2017 Approved |
| Janio A U Martinez Strata Lot 3 , 10C Tilford Place MORLEY WA 6062 | Patio - increased cover of outdoor living area No Comments Received | 22/05/2017 Approved |
| Craig P Bendeich & Vanessa L Ford Strata Lot 1 , 124 Grand Promenade BEDFORD WA 6052 | Patio - increased cover of outdoor living area No Comments Received | 25/05/2017 Approved |

12. LATE ITEMS

Nil.

COMMITTEE RESOLUTION - EN BLOC RESOLUTION

To en bloc the Committee/Officer's Recommendations to Ordinary Items: 9.1.1, 9.1.13, 9.1.14, 11.1, 11.2 and 11.3.

CR BRENT FLEETON MOVED, CR ALAN RADFORD SECONDED

CARRIED UNANIMOUSLY

13. CONFIDENTIAL ITEMS**13.1 Reports by Officers (Committee Delegation)**

Nil.

13.2 Reports by Officers (Council Decision)

Nil.

14. NEXT MEETING

The next meeting of the Planning and Development Services Committee will take place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on 18 July 2017 commencing at **6:30pm**.

15. CLOSURE

There being no further business to discuss, the Chairperson, Cr Dan Bull declared the meeting closed at **9:59pm**.