

ATTACHMENTS

Ordinary Council Meeting

27 August 2019

Part 1 of 3

Items 7.2.1 - 10.3.2

ATTACHMENTS TO AGENDA ITEMS

Items 7.2.1 - 10.3.2

Ordinary Council - 27 August 2019

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NOTES.

Council Agenda Briefing

Meeting Date and Time: 5.30pm, Tuesday 20 August 2019
Meeting Location: City of South Perth Council Chambers

1. DECLARATION OF OPENING

The Presiding Member opened the Briefing at 5.30pm and welcomed everyone in attendance.

2. ATTENDANCE

Presiding Member

Mayor Sue Doherty

Councillors

Como Ward
Manning Ward
Manning Ward
Moresby Ward
Moresby Ward
Mill Point Ward

Councillor Glenn Cridland (from 5.32pm)
Councillor Blake D'Souza
Councillor Colin Cala
Councillor Travis Burrows
Councillor Greg Milner
Councillor Ken Manolas

Officers

Chief Executive Officer
Director Corporate Services
Director Development and Community Services
Director Infrastructure Services
Manager Governance
Manager Development Services
Manager Strategic Planning
Governance Coordinator
Governance Officer

Mr Geoff Glass
Mr Colin Cameron
Ms Vicki Lummer
Mr Mark Taylor
Ms Bernadine Tucker
Ms Fiona Mullen
Ms Elyse Maketic
Ms Toni Fry
Ms Mieke Wevers

Gallery

There were approximately 11 members of the public present.

2.1 Apologies

Councillor Tracie McDougall

2.2 Approved Leave of Absence

Councillor Cheryle Irons (15 August 2019 to 27 August 2019 inclusive)

3. DECLARATIONS OF INTEREST

Nil.

4. PRESENTATIONS

4.1 Presentations

Nil.

4.2 Deputations

Councillor Glenn Cridland arrived at the meeting at 5.32pm during the hearing of Deputations.

- | | | |
|-----------|---|---------------|
| 1. | Mr John Cummings of Sorrento, who spoke AGAINST the Officer's Recommendation. | 10.2.1 |
| 2. | Mr Murray Archibald of West Perth, who spoke FOR the Officer's Recommendation. | 10.2.1 |
| 3. | Mr Michael De Marte of South Perth, who spoke FOR the Officer's Recommendation. | 10.3.1 |
| 4. | Mr Steven Markham of Cockburn, who spoke FOR the Officer's Recommendation. | 10.3.2 |
| 5. | Mr David Whitford of Como, who spoke FOR the Officer's Recommendation. | 10.3.2 |



5. DRAFT AUGUST 2019 REPORTS

The Chief Executive Officer, Mr Geoff Glass gave a brief summary of the August 2019 Agenda Items to be considered by Council:

10.1.1 2019 Community Sporting Recreation Facility Fund (CSRFF) Small Grants

Each year the state government via the Department of Local Government, Sport and Cultural Industries calls for funding applications through its Community Sport and Recreation Facility Fund (CSRFF), to invite eligible community groups and local governments to apply for funding to assist with sport and recreation infrastructure projects.

CSRFF applications must initially be presented to the relevant local government to request its in-principle support of the project, including the financial contribution requested by the applicant under the CSRFF program.

The City has received one internal CSRFF application for this funding round to assist in undertaking a master plan for the City's Challenger Reserve in Manning.

10.1.2 Tender 03/2019 Provision of Ticket Machines and Parking Sensors

This report considers tenders received from the advertising of Tender 03/2019 for the Provision of Ticket Machines & Parking Sensors.

This report will outline the assessment process used during evaluation of the tenders received and recommends approval of the tender that provides the best value for money and level of service to the City.

10.2.1 Disposition of property - 49-51 Angelo Street South Perth

This Item was the subject of two deputations.

This report provides an update on the progress regarding the disposal of 49-51 Angelo Street South Perth to Windsor Knight Pty Ltd.

10.3.1 Proposed retrospective posts to awning over footpath of existing cafe/restaurant alfresco dining area at Shop 1, No. 21 Mends Street

This Item was the subject of a deputation.

To consider an application for development approval for retrospective posts to awning over footpath of existing café/restaurant alfresco dining area at Shop 1, No. 21 Mends Street. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Use of Local Scheme Reserve	TPS6 clause 2.2



10.3.2 Proposed Eight Multiple Dwellings in a Four Storey Building with Basement Parking Plus Roof Deck at Lot 203, No.9 Cale Street, Como

This Item was the subject of two deputations.

To consider an application for development approval for proposed eight Multiple Dwellings in a four Storey Building with Basement Parking Plus Roof Deck on Lot 203, No. 9 Cale Street, Como. Council is being asked to exercise discretion in relation to the following:

Element on which discretion is sought	Source of discretionary power
Street Setbacks	CBACP Desirable Outcome 4 of Element 4 and Deemed Provisions cl. 43(1)
Side and Rear Setbacks	CBACP Desirable Outcome 5 of Element 5 and Deemed Provisions cl. 43(1)
Facades	CBACP Desirable Outcome 9 of Element 9 and Deemed Provisions cl. 43(1)
Open Space and Landscaping (Fencing)	CBACP Desirable Outcome 10 of Element 10 and Deemed Provisions cl. 43(1)
Maximum Ground and Floor Levels	Clause 6.10 (3) of TPS6

10.3.3 Amendments to Canning Bridge Activity Centre Plan

The Canning Bridge Activity Centre Plan (CBACP) provides guidance and development standards for development within the Canning Bridge Activity Centre area. The CBACP became operational in the City of South Perth February 2017. In August 2018 the Council resolved to undertake a review of the CBACP in response to a Council resolution in May 2015 to review the plan after 1 year of operation.

A consultant was subsequently engaged to lead this review and a comprehensive analysis of the operation of the plan has been undertaken which included;

- Background analysis and review of the strategic documents or case-studies that informed/shaped the original CBACP, and development applications received since gazettal of the plan; and,
- Preliminary stakeholder engagement to inform the review of the plan that included several engagement activities and tools.

The review culminated in the preparation of a 'Review Recommendations Report' included at **Attachment (b)** of this report. The report identifies a number of amendments that are recommended to be made to the CBACP. The amendments include:

- Introduction of provisions that provide assessment of solar access, building depth, tree retention and deep-soil areas, and visual privacy;
- Greater side and rear setbacks for taller buildings and greater setbacks for podium structures within parts of the M10 zone;
- Greater flexibility on building height in the H4 zone to provide design flexibility and to help achieve greater building separation, solar access, building depth, tree retention and deep-soil areas and visual privacy.
- Introduction of criteria relating to visitor parking ratios, waste collection, street interface along Canning Highway, dwelling mix and environmental sustainability.

It is recommended that Council consent to publically advertise the recommended amendments. Following the public consultation and review of submissions, a further report will be presented to Council identifying the outcomes of the public consultation and a recommendation as to how to proceed with the review process.



10.3.4 Revised Policy P303 - Design Review Panel

This report outlines the modifications that have been made to local planning Policy P303 – Design Review Panel and the Design Review Panel Terms of Reference. The modifications have been made in order to align the policy and Terms of Reference with the model process for design review and the model Terms of Reference contained in Design WA: Design Review Guide. This report recommends that Council publically advertise the modified policy and terms of reference.

10.3.5 Endorsement of the Waste and Resource Management Plan

This report seeks Council's final endorsement of the Waste and Resource Management Plan (WRMP) after receiving community feedback.

As a result of Community feedback of the Draft WRMP, two action points were changed/amended to the final document.

10.4.1 Listing of Payments - July 2019

This report presents to Council a list of accounts paid under delegated authority between 1 July 2019 and 31 July 2019 for information.

10.4.2 Monthly Financial Statements - July 2019

The monthly Financial Statements have been reformatted and incorporated in one package (Attachments (a)–(f)). High level analysis is contained in the comments of this report. The July reports are interim, in that all the 2018/19 year-end accounting transactions and reconciliation are being finalised. With the implementation of new accounting software (1System Project) on 1 July 2019, it is likely that the volume of transactions processed were less than usual and therefore the Financial Statements are likely to be understated for the month. This timing issue will be resolved through August and September. In addition the reports in the new system are still being developed.

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12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Notice of Motion – Councillor Ken Manolas – Access to Information

15. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Presiding Member closed the Briefing at 6.30pm.

15.1.1 Tree Species Selection for the Connect South Project

15.1.2 Suggested Names for the Mends Street Jetty Foreshore - Connect South

15.1.3 Contract Variations - Request for Approval

The Presiding Member reopened the Briefing at 6.56pm.

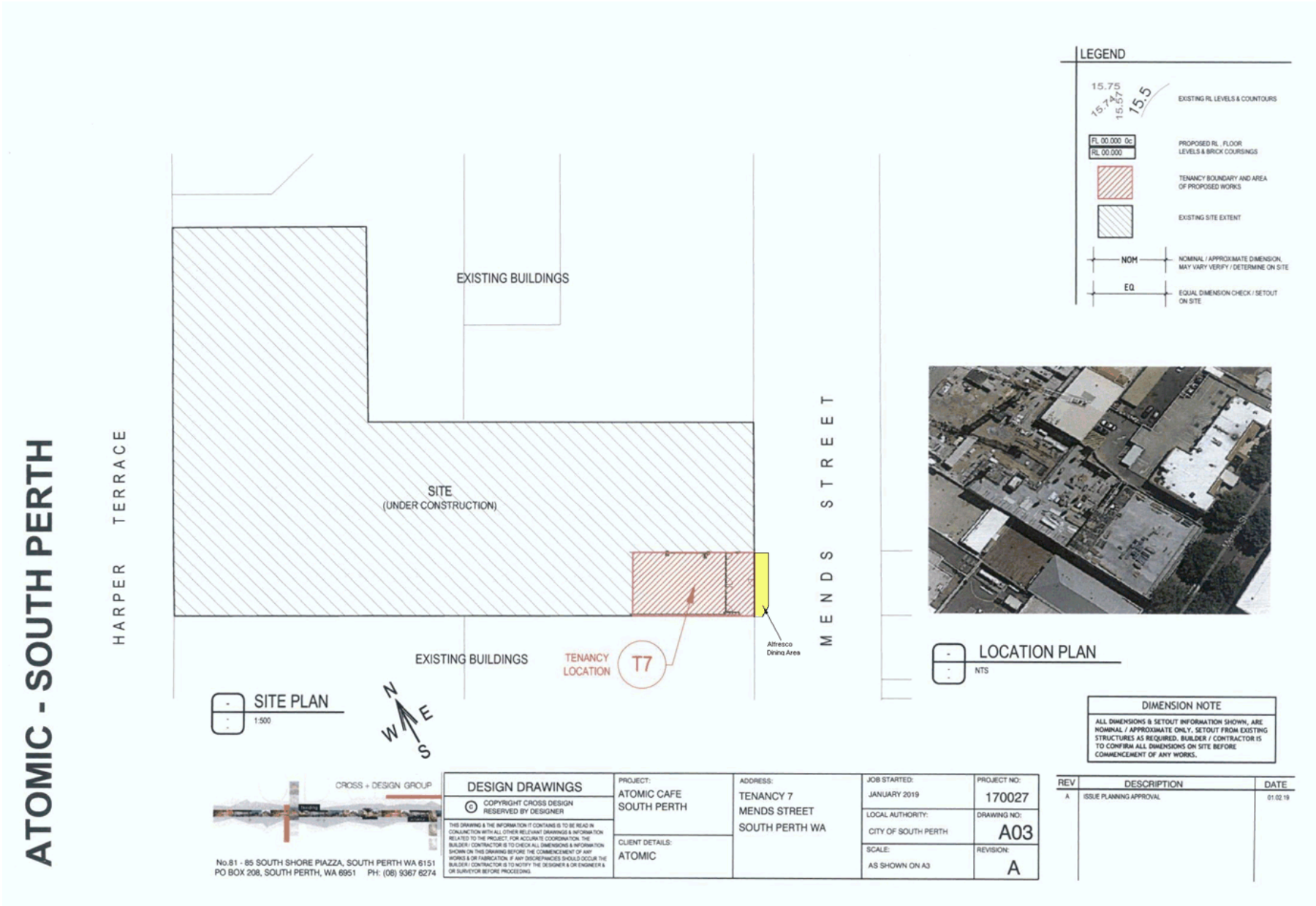
6. LEAVE OF ABSENCE APPLICATIONS

Leave of Absence applications for any planned leave need to be submitted prior to next week's Council meeting.

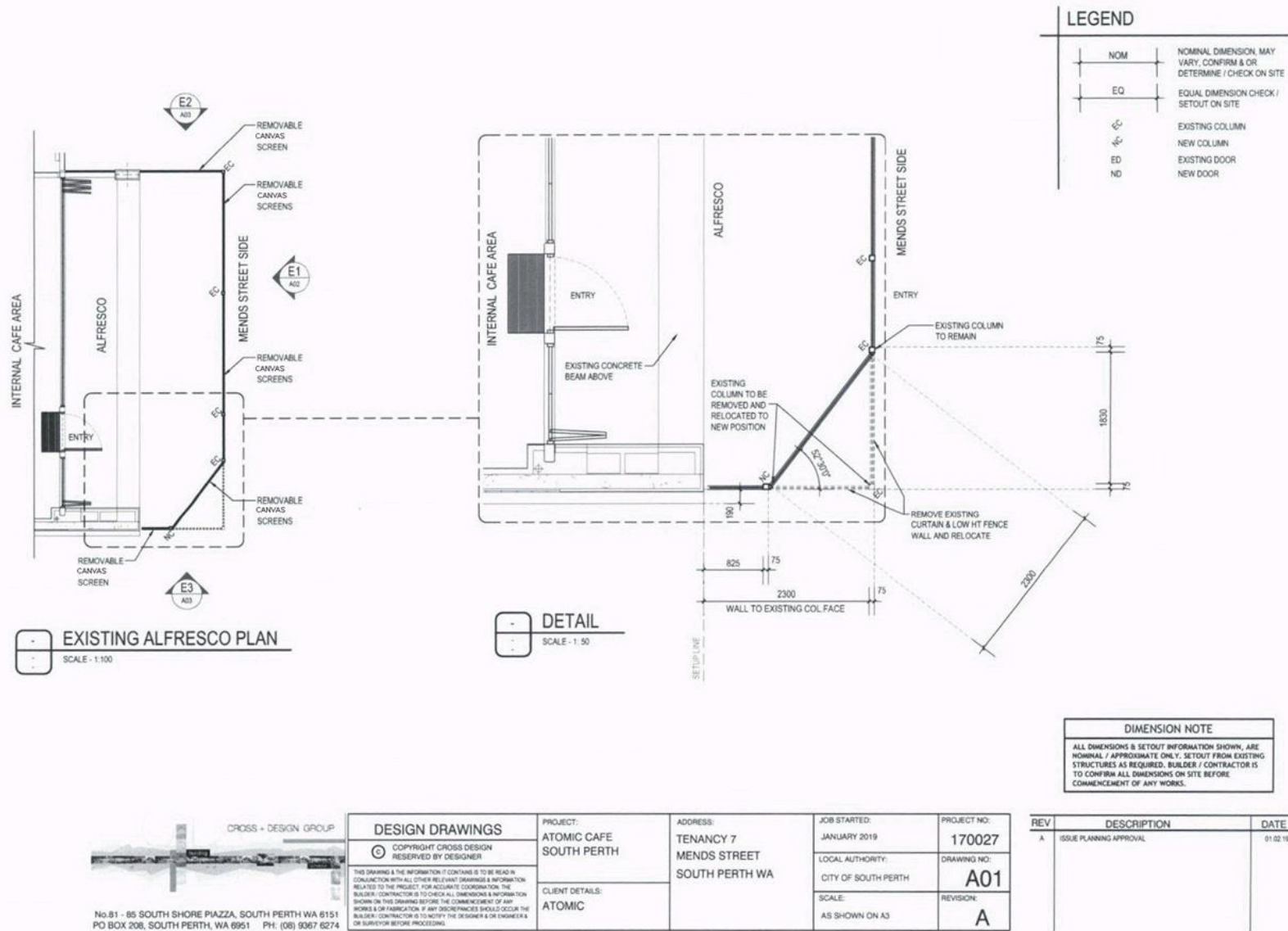
7. CLOSURE

At 6.57pm the Presiding Member closed the Council Agenda Briefing and thanked everyone for their attendance.

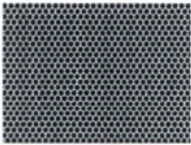
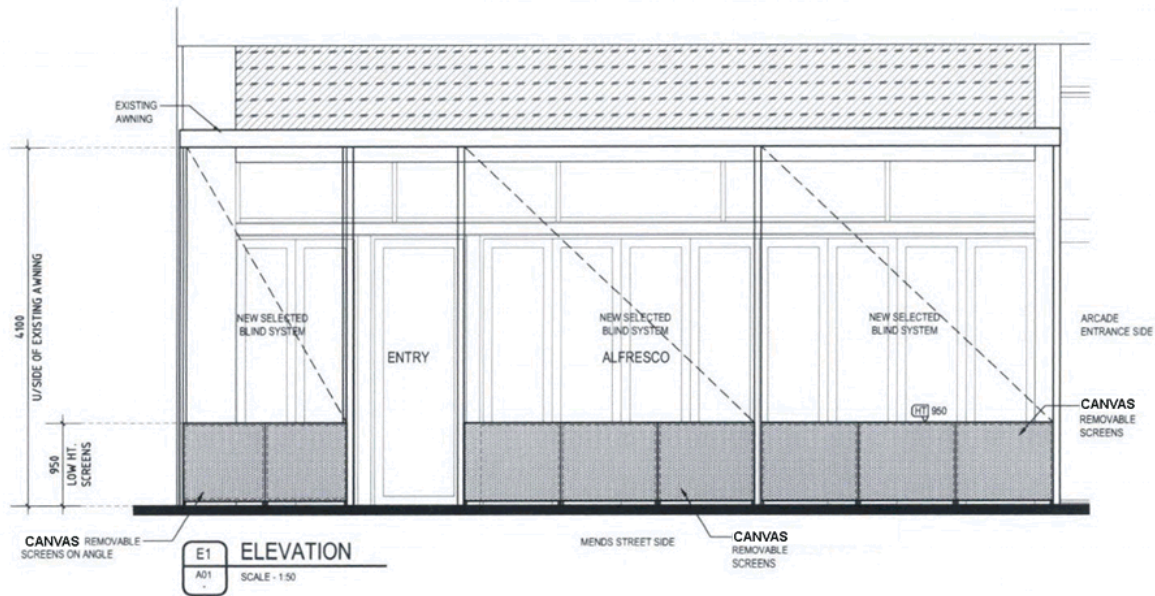




ATOMIC - SOUTH PERTH



ATOMIC - SOUTH PERTH



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EXAMPLE IMAGE

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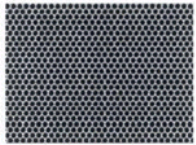
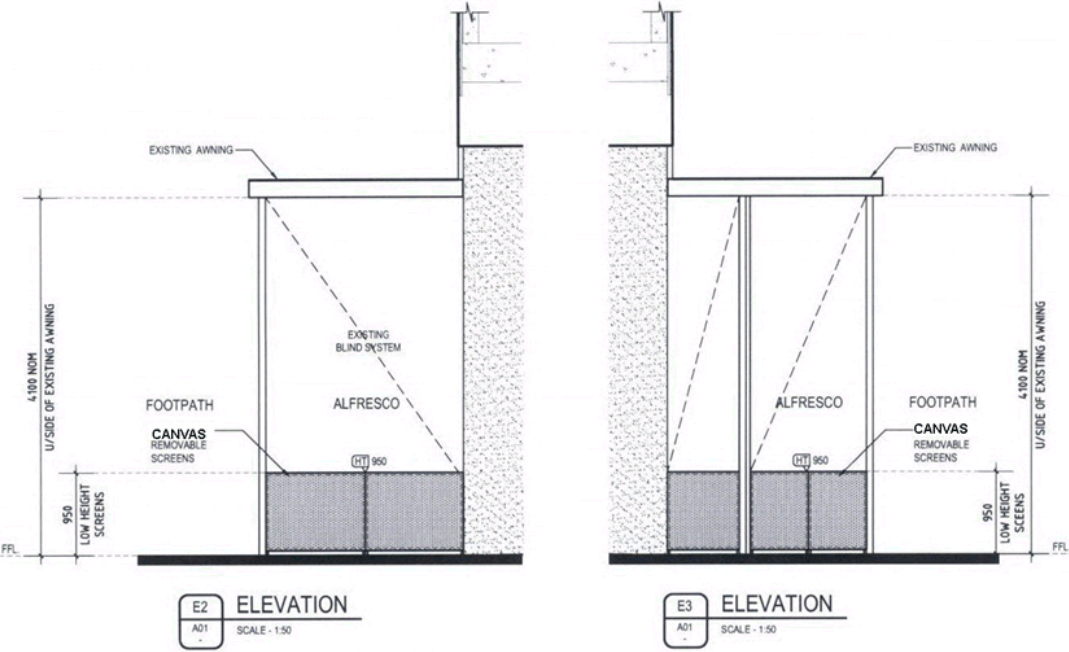
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A	ISSUE PLANNING APPROVAL	01.02.19

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Summary of Submission – No. 21 Mends Street

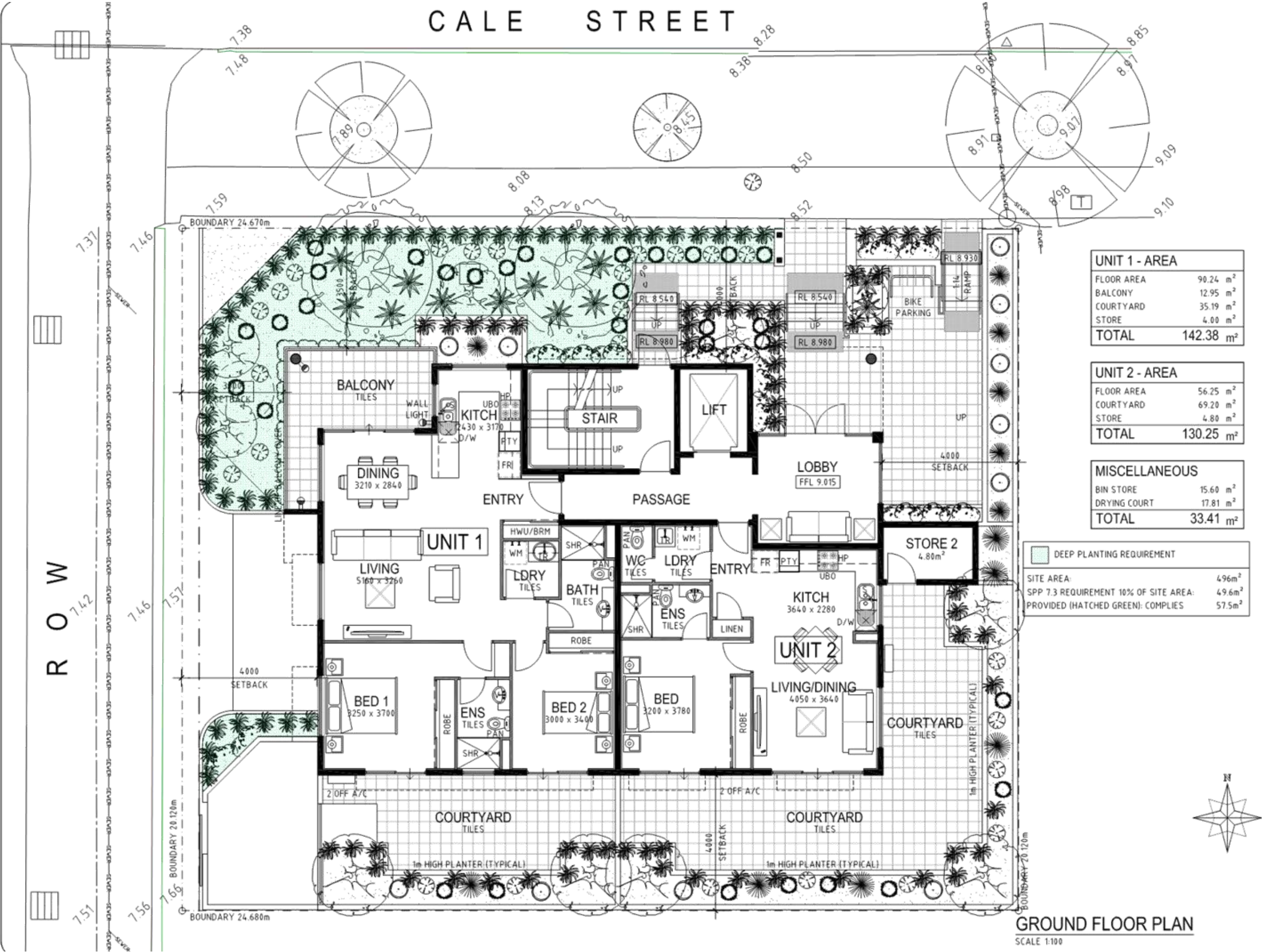
Theme	Comments	Applicant's Response
Pedestrian Safety	Barricades blocks and prevents a clear walk flow thru. They can also be confusing and dangerous particularly the elderly and sick babies or children who is attending the medical centre, pathology or the pharmacy. The situation is worse when it is wet.	<p>We do not believe our alfresco area blocks or prevents a clear walk flow through to the Chemist or poses any confusion or danger to pedestrians whatsoever. On the contrary, our area is very visible to pedestrians with smooth lines created by the fixed panels so there are no obstructions which could cause any danger or create confusion to pedestrians.</p> <p>We are confident the City would approve the existing alfresco area which is almost identical to the area initially approved from early 2006 to early 2017, so therefore the only change to pedestrians is walking past our alfresco structure compared to walking past potted planter boxes. The width of the pedestrian footpath is wider than the minimum required by the City and the Landlord has already offered at our original onsite meeting to repave the area around the large tree to create a safer more even paving level for pedestrians if required.</p> <p>We do not agree the situation is worse when it's wet as nothing changes with our alfresco area other than the use of the clear acrylic blinds which do not cause any obstruction physically or to sight lines.</p> <p>The completion of the proposed amendment to the existing structure as recommended by the City to truncate the corner closest to the Chemist will certainly reduce any potential congestion and also significantly increase the area pedestrians can use to access the Chemist whilst improving visibility of vehicles using the Chemists driveway.</p>
Traffic Safety	The alfresco structure is a risk as the view of drivers are compromised when exiting from the driveway. Delivery van and truck also find it challenging to enter and coming out of the driveway.	<p>We agree that currently the vehicle access is compromised when exiting the Chemists driveway, however this was also the case with our previous alfresco area and we never received any complaints from either the Chemist or anyone else.</p> <p>We believe this issue will be completely resolved with the proposed amendment to the existing structure as recommended by the City which will truncate the corner in order to provide significantly more room for both vehicles and pedestrians and also improve visibility.</p> <p>Please note that although not shown on our plans, the vehicle access into the neighbours' driveway has already increased as the structure has been built approximately 300mm inwards from the Landlords and neighbours property line compared to before where the return planter box was in line with the building/property line. Please see photo attached.</p> <p>Additionally if required, we could paint the lower halves of the new truncated posts in a brighter colour and or use a bright colour for the new angled canvas panel to assist both drivers and pedestrian visibility?</p>

Safety and Accessibility	<p>Restricts access for clients and pedestrians walking to and from the Pharmacy and the Medical Centre. This is particularly of concern for clients who may be using wheelchairs, mobility scooters and those with prams. It also affects the elderly and those who have difficulty with movement.</p> <p>Clients crossing the road (using the zebra crossing) have to navigate a narrow walkway, uneven paving, a large tree with extended roots as well as the driveway which the alfresco structure has impinged on.</p> <p>To compound the problem, the walkway is frequently obstructed by bicycles (leaned against the structure) despite numerous warnings, installation of 'no parking' signs and presence of bike racks.</p>	<p>For the reasons already mentioned above, we do not agree our alfresco area restricts access for pedestrians or people using wheelchairs or mobility scooters etc and to the contrary, believe the clearer delineation of our area improves safety as there is only one access point in and out.</p> <p>For pedestrians using the zebra crossing, the natural closest route to the Chemist is directly in front of our area, and with the proposed re levelling of the paving around the large tree will resolve the uneven paving mentioned.</p> <p>Again the proposed amendment to the existing structure will significantly improve both access issues and visibility issues as it reduces the length of the alfresco area for people to walk past and creates an opening to visibly notice the Chemist and potentially change their direction to walk towards their business.</p> <p>Since we received an abusive complaint from the owner of the Chemist regarding cyclists parking their bikes on the return panel opposite their business, we have resolved this issue by installing No Cycle Parking signs together with our staff managing this issue daily. Please see photo attached.</p> <p>Also we have since met Rodney Markotis from your office to request additional bike racks be installed directly in front of our business in the areas which already have a few but are not sufficient compared to the facility across the road in front of the Health Freak cafe. There is surplus space in these areas to easily accommodate a further 4 racks and thankfully we have received a positive response for our request from the City. Should the City not have the budget for these minor works, we would be prepared to pay for same in order to improve this facility which is greatly needed to accommodate our customers. Please see photo attached.</p> <p>I confirm we have already lost several groups of long-standing cyclists due to the above which has resulted in lost sales. It is important to note that most of these groups arrive and leave early between 6.30am and 7.30am so the disruption they can cause to any retail businesses and pedestrians at these times is absolutely minimal. The Chemist opens at 8.00am daily and at 9.00am on Sundays and Public Holidays with the latter two being our busiest cyclists days.</p>
Visibility/Business Exposure	<p>The alfresco area takes up a large area of the public/pedestrian footpath. This structure (including the posts and the balustrading) extending too far out onto the footpath, has isolated the pharmacy businesses from the rest of the street. It has severely affected the visibility of our buildings hence limiting our businesses' exposure to the public, the arcade and</p>	<p>We disagree that our alfresco structure has in any way isolated the Chemist by severely affecting the visibility of their business from the street. The photos attached of our previous alfresco area and the current area clearly show that in fact the opposite is the case and the visibility to the Chemist has been significantly improved. Due to the previous low level awning and fixed umbrella which at their highest point were only 2.8 metres high together with the arcade directory signage board of the original shopping arcade, the sight lines to our neighbours Chemist signage and premises in general were certainly compromised. These sight lines have now greatly</p>

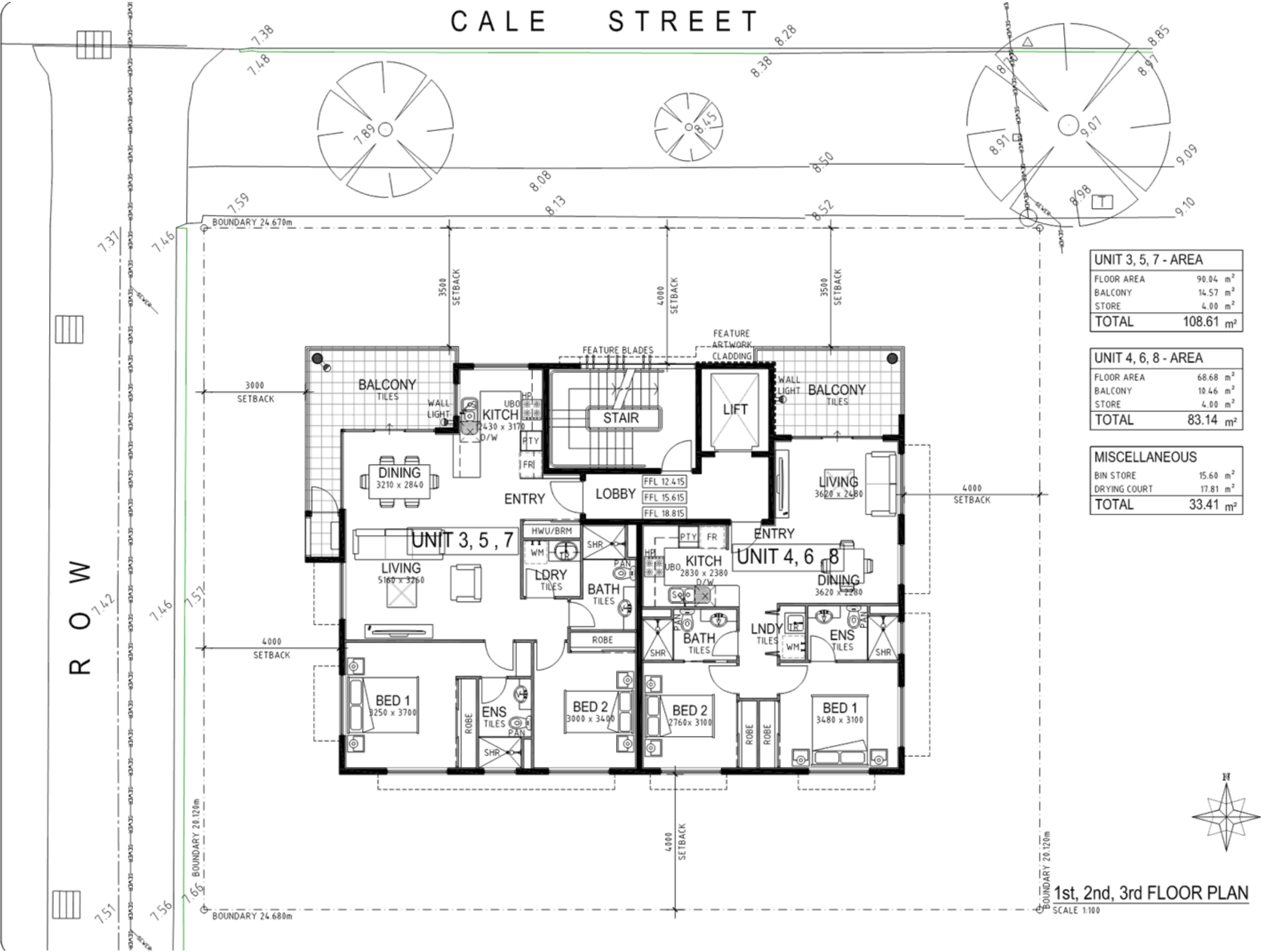
	<p>other shops on Mends Street. This in turn has impacted the flow of foot traffic to our business premises. We are therefore at a disadvantage and feel cut off from street.</p>	<p>improved as the lightweight structure has no horizontal beams or low level signage and at a height of 4.1 metres creates a very spacious and open environment with the Chemist signage now clearly visible.</p> <p>Due to the close proximity, we believe the more patrons that sit in our alfresco area the more exposure the Chemist actually receives which is the opposite of being isolated. It is clear that we have always been and currently are a draw card to Mends Street.</p> <p>I have attached a current photo of the Chemist which shows the numerous post signs and floor signage which in my opinion looks cheap and certainly creates potential tripping hazards. These types of signs have not been allowed in many other suburban councils.</p> <p>Like the rest of us, their sales are down on previous years which is due to a combination of the economic downturn, continued disruption to Mends Street for almost 3 years due to various building works and the loss of free long term parking from the Windsor Hotel. Also it is important to note that since the new Arcade opened last November, the inclusion of a large Priceline Pharmacy which is in direct competition with them would have also affected their sales.</p>
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<p>Visibility for Vehicles Leaving Carpark at No. 11-15 Mends Street</p>	<p>The wall boundary of the alfresco structure, (extending out almost 2.5m from the building boundary), also adversely impacts our driveway and visibility for drivers. It obstructs the driver's view when coming out of the parking lot. This increases the risk of an accident should children or pets, for example, cross the driveway. By the same token, trying to get into our own driveway is also a challenge, as the corner of the alfresco area sticks out too far limiting the space that is needed for cars to turn into the driveway.</p> <p>We are strongly appealing to the council not to approve the alfresco structure at all. It should also be noted that the building already had a 2m outdoor/alfresco area allocated, this has now been extended to 4.5m. This structure is a risk to public safety. It reduces our visibility and exposure and therefore foot traffic to our businesses.</p> <p>We are surprised that up until now no action has been taken on the matter. Should the application for the approval of the structure be approved, it would be viewed as discriminatory and negligent.</p>	<p>As already mentioned above, the impact the corner of the structure has regarding our neighbours concerns of accessibility and visibility issues will all be resolved once the proposed amendments are completed to the corner of the existing structure. For our neighbour to request the removal of the complete structure is in our opinion extremely unreasonable, disappointing and selfish as their concerns have been considered and will be potentially resolved once the proposed works are completed. As mentioned, we were under the impression that the alfresco structure was already approved by both the landlord and our builders building applications, otherwise we would never have proceeded as this has already been an expensive exercise and now requires substantial additional funds to complete the proposed amendments. We would ask you to please consider that unlike our neighbour who has not rebuilt their premises and has not chosen to upgrade their business to tackle competition, we have had no choice but to reinvest over \$800,000.00 in our new state of the art cafe to build one of the best facilities in the wider area for both our locals and to also hopefully attract more customers in the long term. Unfortunately I confirm since opening late last November, we are tracking to drop over \$500,000.00 less in sales for our first year compared to the year before we were forced to close due to the redevelopment.</p> <p>The usability of this alfresco area 12 months of the year, we believe is in keeping with the City's goal of activating Mends Street and attracting more visitors which will be reinforced with the completion of the Connect South Project.</p> <p>This alfresco area is also vital for the planned second stage of opening our cafe every evening by summer this year.</p>
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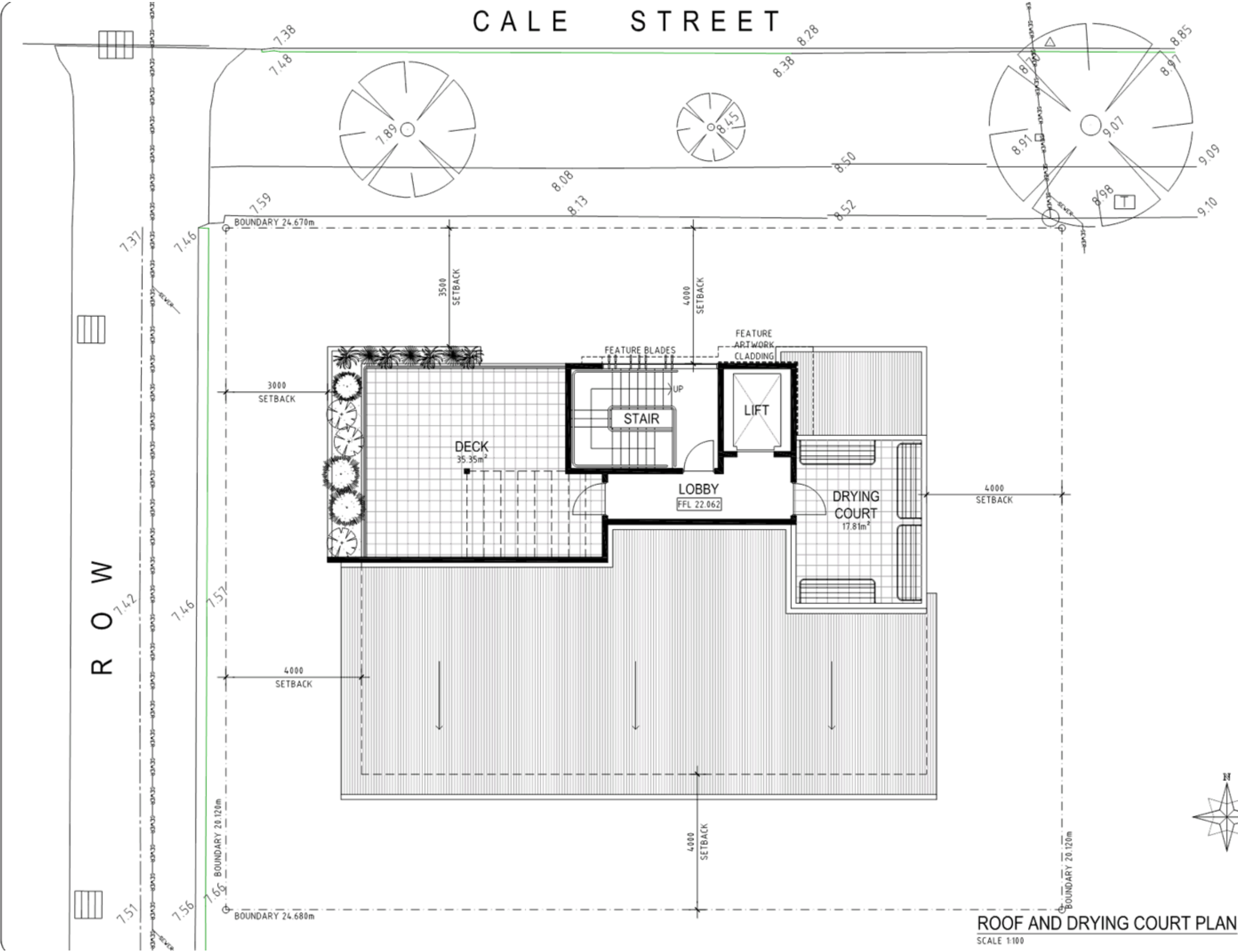




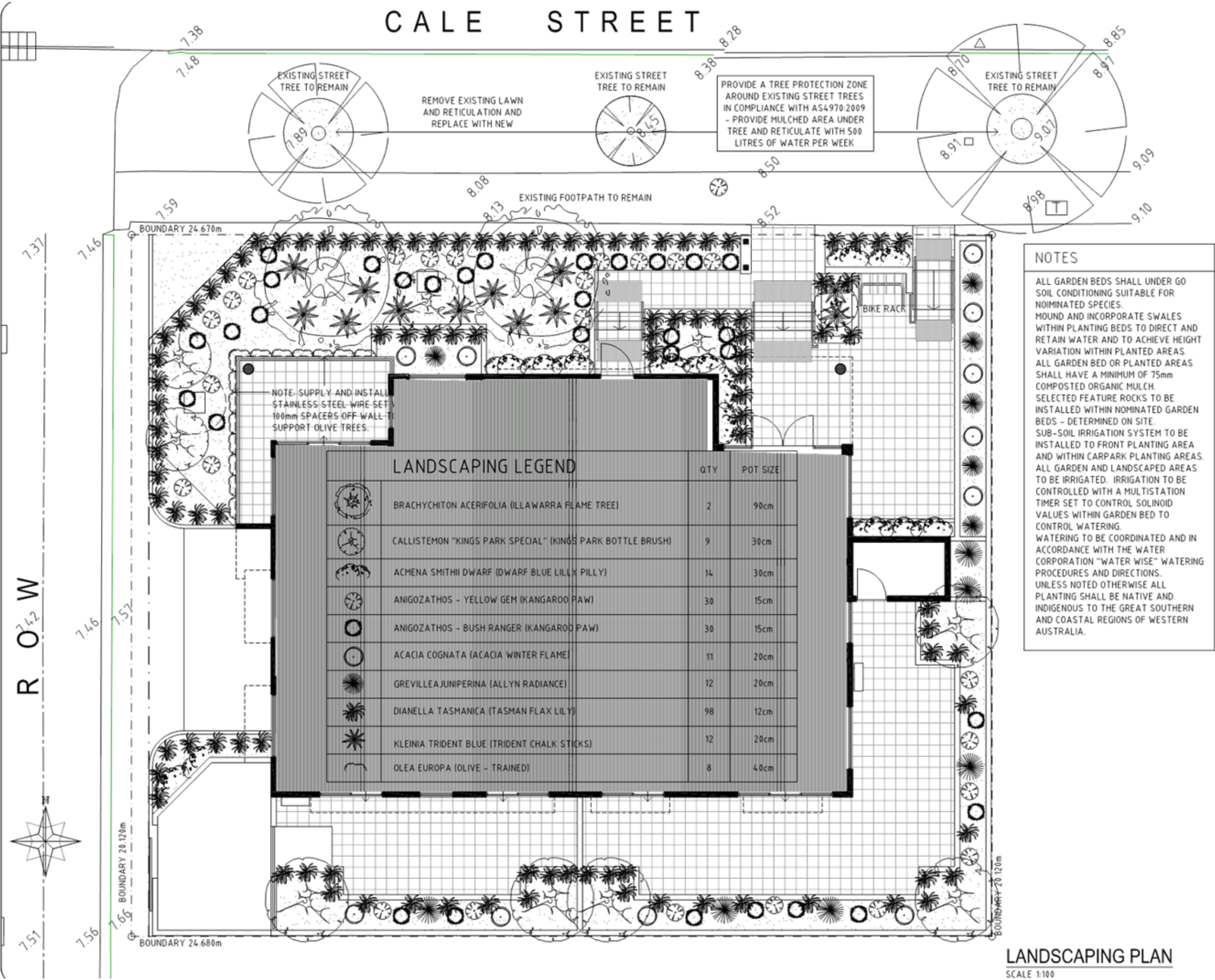
J	05.06.19	ISSUED FOR DEVELOPMENT APPROVAL	SCIBE DESIGN GROUP PTY LTD	PROJECT PROPOSED UNIT DEVELOPMENT LOT 203 CALE STREET COMO	DATE JUNE 2019	SCALE 1:100 AT A3	DRAWN LL	CHECKED SPH	PROJECT PROPOSED UNIT DEVELOPMENT LOT 203 CALE STREET COMO	ISSUE PLANNING APPLICATION DWG TITLE GROUND FLOOR PLAN PROJECT No 180110465 DRAWING No A02 REV J
	H	20.05.19								
	G	07.05.19								
	F	04.04.19								
E	17.01.19	ISSUED FOR DEVELOPMENT APPROVAL								



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H	05.06.19	ISSUED FOR DEVELOPMENT APPROVAL	JUNE 2019		PROPOSED UNIT DEVELOPMENT		PLANNING APPLICATION
G	20.05.19	ISSUED FOR CLIENT APPROVAL	SCALE 1:100 AT A3		LOT 203 CALE STREET		DWG TITLE 1st, 2nd, 3rd FLOOR PLAN
F	04.04.19	ISSUED FOR DEVELOPMENT APPROVAL	DRAWN LL		COMO		PROJECT No 180110465
E	17.01.19	ISSUED FOR DEVELOPMENT APPROVAL	CHECKED SFM				DRAWING No A03-A
D	04.12.18	REVISED PLAN AND ELEVATIONS					REV H



H	05.06.19	ISSUED FOR DEVELOPMENT APPROVAL	DATE	JUNE 2019	PROJECT	PROPOSED UNIT DEVELOPMENT LOT 203 CALE STREET COMO	ISSUE	PLANNING APPLICATION		
	G	29.05.19		SCALE				DWG TITLE		
	F	04.04.19		1:100 AT A3				ROOF DECK FLOOR PLAN		
	E	17.01.19		SCALE				PROJECT No		
D	04.12.18	REVISED PLAN AND ELEVATIONS	CHECKED	SPM	COMO	COMO	H	DRAWING No		
								180110465		
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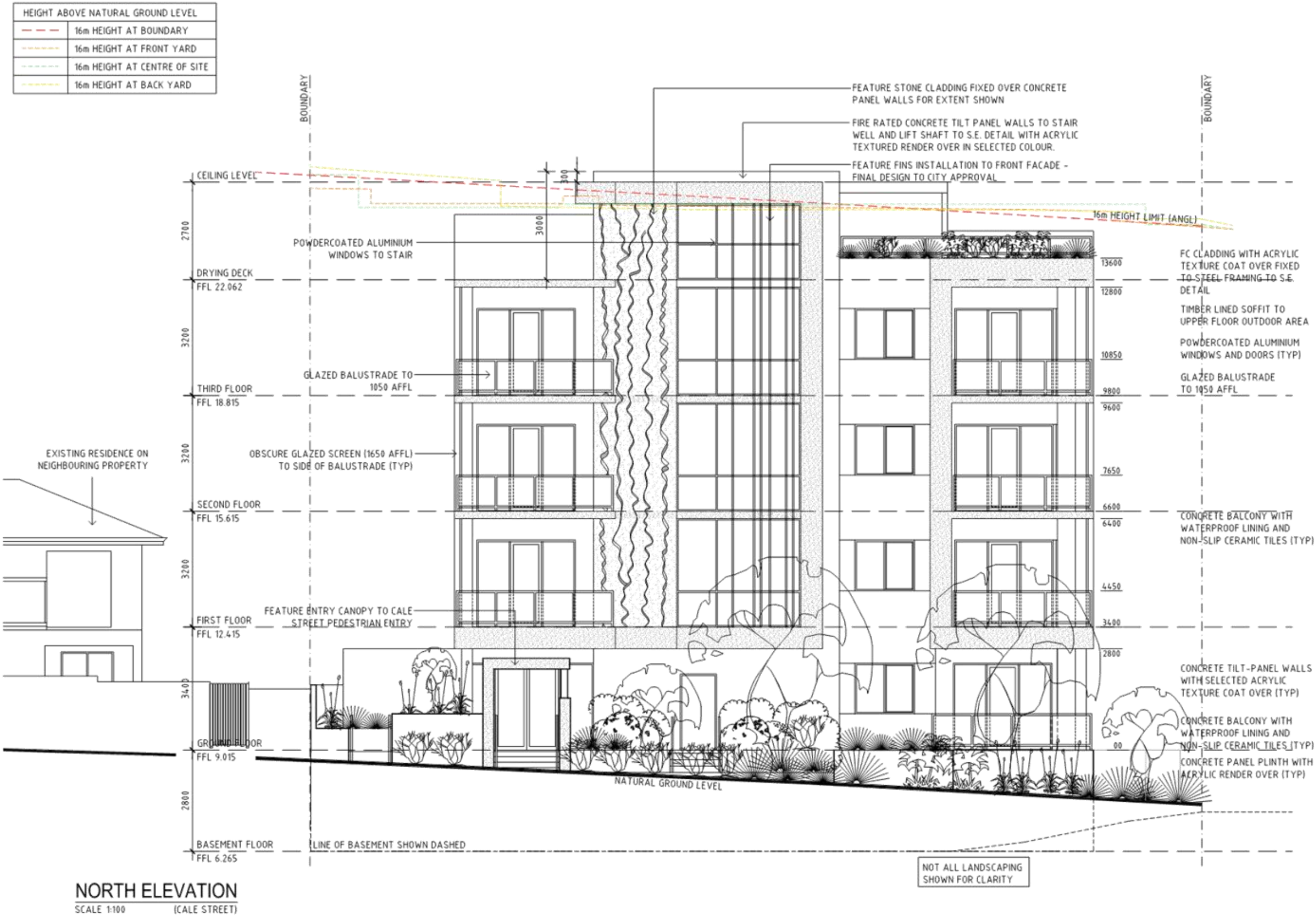


ISSUE	PLANNING APPLICATION	PROJECT	PROPOSED UNIT DEVELOPMENT	DATE	JUN 2019
DWG TITLE	LANDSCAPING PLAN	SCALE	1:100 AT A3	SCALE	1:100 AT A3
PROJECT No	180110465	DRAWN	LL	CHECKED	SPH
REV	A11	G			

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05.06.19	ISSUED FOR DEVELOPMENT APPROVAL
04.04.19	ISSUED FOR DEVELOPMENT APPROVAL
17.01.19	ISSUED FOR DEVELOPMENT APPROVAL
04.12.18	REVISED PLAN AND ELEVATIONS

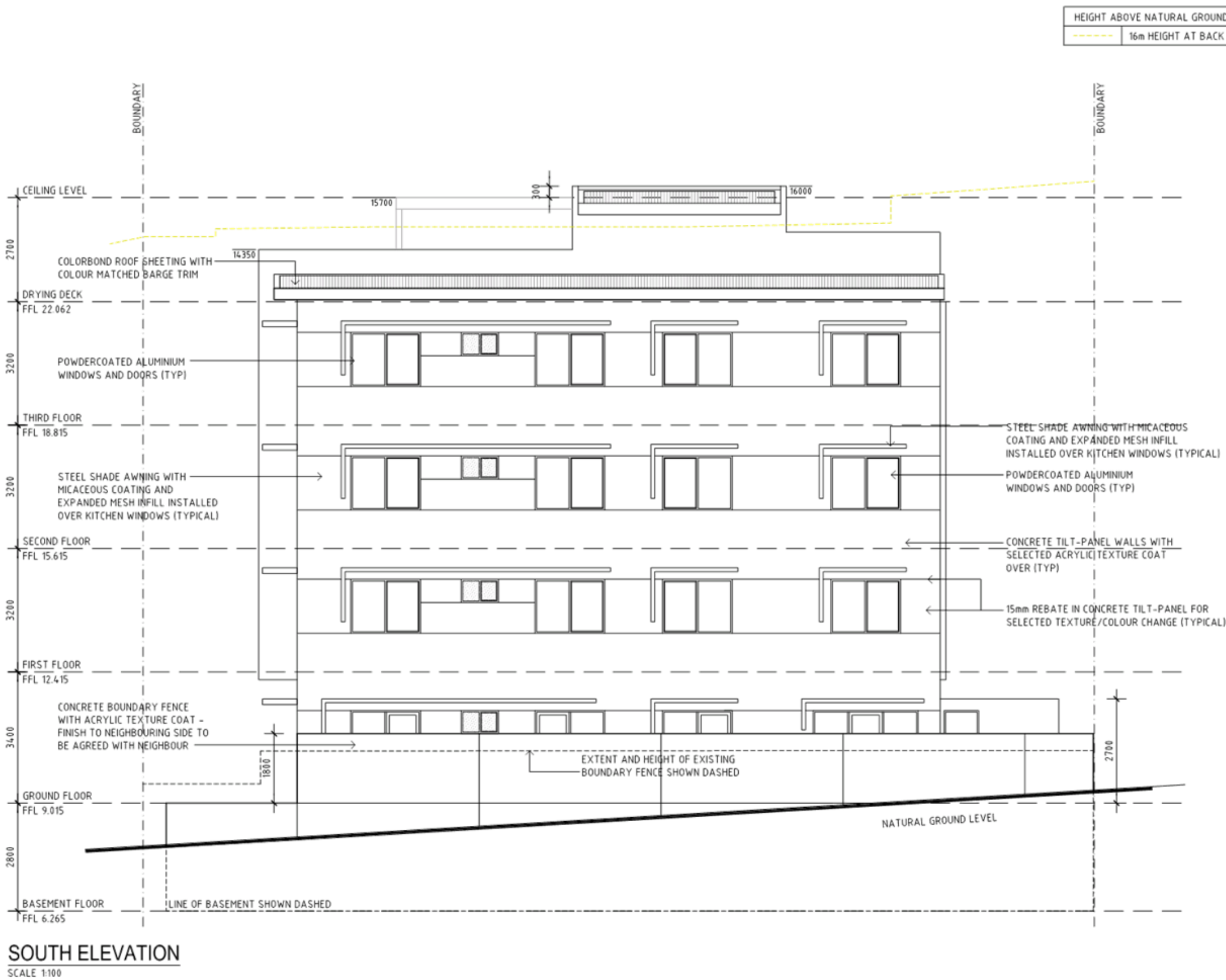




DATE	25.06.19	PROJECT	PROPOSED UNIT DEVELOPMENT	ISSUE	PLANNING APPLICATION
SCALE	1:100 AT A3	DATE	LOT 203 CALE STREET	DWG TITLE	NORTH ELEVATION
DRAWN	LL	CHECKED	COMO	PROJECT No	180110465
DATE	25.06.19	FINISHED FLOOR LEVELS INDICATED		DRAWING No	A05
DATE	05.06.19	ISSUED FOR DEVELOPMENT APPROVAL		REV	J
DATE	07.05.19	REVISED FOLLOWING DRP			
DATE	04.04.19	ISSUED FOR DEVELOPMENT APPROVAL			
DATE	17.01.19	ISSUED FOR DEVELOPMENT APPROVAL			







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STREETSCAPE - CALE STREET
SCALE 1:200

DATE		JUNE 2019		PROJECT		PROPOSED UNIT DEVELOPMENT		ISSUE		PLANNING APPLICATION	
SCALE		1:100 AT A3		DRAWN		LL		DWG TITLE		STREETSCAPE NORTH ELEVATION	
CHECKED		SPM		COMO		A10		PROJECT No		DRAWING No	
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G	05.06.19	ISSUED FOR DEVELOPMENT APPROVAL
F	04.04.19	ISSUED FOR DEVELOPMENT APPROVAL
E	17.01.19	ISSUED FOR DEVELOPMENT APPROVAL
D	04.12.18	REVISED PLAN AND ELEVATIONS

Site Photo's No. 9 Cale Street, Como



Site photo of existing Single Dwelling as viewed from Cale Street



Site photo of existing Single Dwelling as viewed from Cale Street



Site photo of Single Dwelling and right of way as viewed from Cale Street



Site photo of Single Dwelling and right of way as viewed from Cale Street

Date: 24th May 2019

Our Ref: 1801/0465 190524_CoSP_Cale Street Amended
Your Ref:

City of South Perth

Civic Centre
Cnr Snadgate Street & South Terrace
SOUTH PERTH WA 6151

ATT: Planning Department
Victoria Madigan
Statutory Planning Officer

RE: PROPOSED MULTI-DWELLING DEVELOPMENT (8 UNITS) LOT 203 (HN 9) CALE STREET, COMO

Dear Victoria,

Further to your email and letter dated 9th May 2019 whereby you outline a number of items (16 off) to be addressed by the development, please see as follows our acknowledgement and response to the items raised.

Our responses have been structured to address the items raised in your email and letter and references the relevant parts of the Canning Bridge Activity Centre Plan (CBACP), Australian Standard or City Planning Policy as indicated below.

Item 1 – Building Height





We note in our previous scheme the height of the lift shaft over-run and adjacent stair was documented as being 3.4m higher than the proposed roof deck finished floor level. CBACP Element 3 item 3.5 notes "For buildings in the H4 zone, notwithstanding the 4 storey height limit, no building shall exceed 16 meters above NGL."

The CBACP under section 8 "Interpretations" clarifies that building height excludes "any lift plant, water tower or similar utility or services, not exceeding 3.0 metres in height;" , we have reduced the height of these elements to 3.0m as permitted under the CBACP. Please refer to our amended drawings for details.

Item 2 – Street Setbacks

Element 4 of the CBACP addresses "Street Setbacks" whereby the "Desired Outcomes" are "To ensure that the setback to buildings contributes to a distinct street character and that the form of multi-level development is sensitive to pedestrian scale. Podiums will provide an opportunity for creating a diversity of scale and form at lower levels, whilst taller elements are encouraged with setbacks comprising rooftop terraces and gardens at varying levels throughout development. Alternative means to reduce bulk and scale such as green walls and façade articulation are also encouraged. New buildings that are setback from the street boundary should not adversely affect the vibrancy and activity required to support the expected outcomes of the CBACP by creating unnecessary breaks in active frontages as per Figure 7."

The proposed development utilises a range of mechanisms identified within the Desired Outcomes to contribute to the development of a distinct street character and reduce the bulk and scale of the building.

 SCRIBE GROUP  SCRIBE BUILDING COMPLIANCE <small>REGISTERED BUILDING SURVEYORS (COMBINATION 42)</small>  SCRIBE PLANNING  SCRIBE ENERGY ASSESSMENTS & INSPECTIONS		scribe DESIGN GROUP Perth Suite 3, 810 North Lake Road Cockburn Central WA 6164 PO Box 3503 Success WA 6964	Mid-West By Appointment Dongara WA 6525	Scribe Group p 08 9417 1388 e scribe@scribegroup.com.au w www.scribegroup.com.au
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These include:

- The incorporation of a podium at ground level – creating diversity of scale and form
- The provision of a rooftop terrace
- Garden/vegetation at various levels throughout the development
- Utilising “green walls” to minimise building bulk and minimise graffiti opportunities at street level
- Articulation of the façade – incorporation of balconies and shading devices

We strongly believe in articulation of the building façade whereby a primary mechanism we are wanting to utilise is the provision of usable balcony areas that provide direct access and interaction of residents with the streetscape and develop a vibrancy, activity and give ‘life’ to the street. The development faces north, being Cale Street, providing residents with an opportunity to capture the wonderful northern aspect and winter sun whilst also providing varying views to the City and river.

The main building bulk and form of the proposed development is setback the required 4m, as nominated under Element 4.5 being *“All development within H4 Zones in Q3, Q4 and QS shall have a minimum 4 metre and maximum 6 metre setback.”*

Having undertaken a character review of the surrounding area and noting the development occurring on Robert Street we note the overwhelming presence of grouped housing development and subdivision within the immediate area. The grouped houses are typically single storey face brick with newer infill development of larger 2 storey residences that exhibit a range of styles and character influences. There are a number of design mechanisms, such as entry porticos and covered entries to provide pedestrian scale where interaction with adjacent footpath or cycle networks are present. However due to the age and style of the majority of residences in the immediate area there is minimal variation in building materials and forms that result in uninspiring streetscapes and a tendency for the front of the property to be walled.

In undertaking the review of the surrounding area we note the tendency for balconies and direct interaction with the street and surrounding environment appear to be lacking and believe the visual and physical connection people experience with their community, as they go about their daily activities shouldn’t be limited to street level. The opportunity to engage with the wider community through enjoying active outdoor spaces whereby a casual wave, the opportunity to see the river or the city are welcomed and refreshing to the soul.

We are seeking approval for a ‘minor’ incursion into the street setback, by projecting the balconies serving each unit on each level half a metre into the street setback. The proposed balconies are open sided and the use of glazed balustrade elements will result in an articulated façade that provides additional access to winter sun, views of significance and variation in building aesthetic that enables the ‘negative’ balcony spaces to respond and provide a mechanism whereby the movement of the sun and the changing seasons will result in variation on light and shadow over the façade enhancing the character and depth of the development.

We acknowledge that under Element 5, there is allowance within the CBACP requirements for buildings within the M10 and M15 zone for “Open sided balconies and roof terraces which are not within the structure of the building facade and do not add to the overall bulk of the building are allowed to extend into the side setback of development”. This concession is given as buildings within the “M15 or M10 zones shall be setback a minimum of 8 meters from one another”. With the mandated 4m building setback in H4 zone this is also the case for building in the zone as they will be 8m apart – based on the block sizes and dimensions of adjoining properties, and will therefore be consistent with other developments within the CBACP zones.

We are concerned that without the provision of minor variation in setbacks for less critical elements of a development, like balconies facing primary streets or right-of-ways, that developments will be



constrained by the block shape and setbacks as specified within the CBACP resulting in developments that become box-like structures devoid of articulation or use of positive and negative spaces within the building form to maximise the habitable, usable area within a unit that results in developments relying on variation of material or colour to provide character or visual interest. We humbly request the City approve the minor variation to the street setback for the balconies based on the additional articulation, interaction with the street and vibrancy they offer, and the materials and general open nature of the balconies resulting in reduced building bulk through the formalisation of negative space.

The building line 'behind' the balconies is located at 5.9m (western units) and 6.0 m (eastern units) to enhance the articulation and be in compliance with the requirement of the building setback not exceed 6.0m from the boundary. We strongly believe that the requested reduction to the setback will enhance the streetscape and provide stronger connectivity and interaction through providing active outdoor spaces that facilitate activity and direct interaction with the community and the environment. We additionally acknowledge the presence of existing street trees and the opportunity for residents to be at a level that provides a direct interaction and sense of being embraced by nature whilst still being within a strong urban environment.

State Planning Policy 7.3 Residential Design Codes Volume 1 under Part 5.1.2 Street Setback nominates under the Deemed-to-Comply requirements Item C2.4 that "A porch, balcony, verandah, chimney or the equivalent may (subject to the Building Code of Australia) project not more than 1m into the street setback area." Although this relates to dwellings in areas coded R40 or less we acknowledge that SPP 7.3 Volume 2 is currently being worked on and Part 6.1.3 item C3.2 notes only that "Balconies located entirely within the property boundary", for multiple dwellings in areas coded R30 or greater. This suggests that the WAPC acknowledges under the old and new Design WA guidelines that minor incursions into street setbacks by balconies provides greater articulation and more active building dynamic and community interaction.

Item 3 – Side and Rear Setbacks

Element 5 of the CBACP addresses "Side and Rear Setbacks" whereby the "Desired Outcomes" are *"To provide a continuity of frontage at ground and podium levels to encourage activity whilst providing interest. To allow opportunities for tower elements to access sunlight, ventilation and view corridors throughout the area from and between multi-level developments. To ensure that development opportunities throughout the precinct are maximised. Developers should consider the amenity of the precinct by minimising overlooking and overshadowing of adjacent and adjoining properties through appropriate design response, supported by the setback provisions of this Element."*

Element 5.6 provides clarification on the requirement for setbacks whereby it nominates *"Side and rear setbacks for all development within the HS and H4 Zones shall be 3 metres for any lot which is less than or equal to 14 metres in width or shall be 3.5 metres for any lot which is greater than 14 metres in width but less than 16 metres in width or 4 metres for any lot which is equal to or greater than 16 metres in width. Setbacks do not apply to any eaves and sun shading devices."*

During our first meeting with the Design Review Panel, it was indicated that the development could benefit from having a reduced rear setback whereby it was suggested to "squeeze units 4, 6, 8 to get a more compliant street setback and shuffle units to south". Based on this comment we amended the rear setback to be 3m however, following advertising we understand that the proposed reduction of the rear setback would not be supported and we have amended the design to provide a 4m rear setback in compliance with the Desired Outcomes for this Element.

Side and Rear setbacks for the main development are now all compliant with the requirements listed under Element 5; being 4m from the boundary. We acknowledge that minor variation to the side setbacks are sought on the East and West as follows.

Eastern Boundary – We have proposed a Store room to the ground floor unit that is located 1.2m from the eastern boundary. The Store will be 2.4m high and have a width of 1.825m. The location of the



store within the setback will have no significant impact on the adjoining neighbour as it complies with the requirements nominated under the Residential Design Guidelines (R-Codes) for buildings within suburban context and additionally results in no overshadowing of the adjoining neighbour in Winter.

Western Boundary – A right of way runs for the entire length of the Western Boundary. As part of this proposal we are seeking the City's approval to reduce the setback to the western boundary to 3m in lieu of the nominated 4m. The primary request for the minor incursion into the setback is to facilitate additional sun protection to the western façade. Whilst designing the development it was noted that the western elevation provided opportunities for potential views to the river however if large portions of glazing were proposed the energy efficiency of the development and individual units would be compromised as the setting summer sun would blast the western façade with heat all afternoon. Looking at the effect of sun shading devices it was quickly realised that there would be benefits to the occupants and the aesthetics of the project if we incorporated the balcony into a sun shade that protected the living areas by providing articulation to the façade as well as reducing the heat load on the building mass.

We are seeking the City's discretion to approve the minor incursion of the balcony into the side setback, as there is a Right-of-way to the west and therefore extended distance between adjoining properties reducing privacy issues, the balcony provides additional shading to the western façade and finally there is no impact on overshadowing of any of the adjoining properties. As alluded to above, we additionally believe that the Design WA guidelines and CBACP support, and encourage, minor incursion of balconies into setbacks to facilitate better design outcomes for the community and occupants.

We note that Element 5 item 5.7 states "Provisions for privacy and solar access and overshadowing do not apply within the CBACP area", and Item 5.6 states "Setbacks do not apply to any eaves and sun shading device."

Item 4 – Linking Pathways

Element 6 of the CBACP addresses "Linking Pathways" whereby the "Desired Outcomes" are noted as *"Linking Pathways' are shown in Figure 1, being those parts of Hintail Road, Moreau Mews, Kishorn Road, Cassey Street, Robert Street and Davilak Street as defined on the plan, which are not Zoned for Residential purposes. These pathways are a very important part of the centre's public realm and will establish the living streets of the vibrant centre - connecting pedestrian routes and people across the centre regardless of origin Quarter."* The desired outcomes continue to state *"more engaging frontages are required on Linking Pathways than on other streets, more interaction between the street and the development is expected, and no blank facades will be supported. Small sections of foyer may be accepted depending on architectural quality and community benefit considerations. Awnings and colonnades should provide additional interest and diversity in building form and innovative awning styles are encouraged."*

Based on the above and with reference to Figure 1, the proposed development appears to be outside the scope of the requirement for a 3m awning as it is a residential development and occurs outside of the nominated streets identified as 'Linking Pathways'. The desired outcome seeks "more interaction between the street and the development", and continues by stating "sections of foyer may be accepted depending on architectural quality and community benefit." Due to the building setbacks for the zone being 4m, we are proposing a lobby that is directly accessed from an small entry portico, that provides definition to the pedestrian access point, as well as providing a level of cover and an opportunity for additional lighting and security to be provided at the interaction of the street and the property, thereby providing an "engaging frontage" that defines the development, and provides "additional interest and diversity". We believe that the inclusion of the entry portico provides context and reference to the existing character of the surrounding residences. The lobby is protected by the 2.5m overhang from the balcony over that provides weather protection and a form of 'awning' over the entry for the protection and comfort of guests and residents.



We understand that the requirement for an awning is to provide a means of cover for pedestrians walking between developments or business developed under the CBACP, and providing them with weather protection as well as a consistent mechanism to connect adjoining developments. The provision of a 3m awning we believe is out of character for the area and not in keeping with the intent of the CBACP for residential developments and request that the City use its discretion to approve the development with the proposed entry portico and covered lobby area.

If we have misunderstood this requirement we request that the City advise us at their earliest convenience so that we can amend the documentation.

Item 5 – Facades

Element 9 of the CBACP addresses Facades and states *“Development of the centre should respond sensitively to the site and support a sense of place. Development should be pleasing to the eye, be interactive, and provide definition between public and private spaces. Maintaining a strong urban edge with the built form and providing a variety of high quality architectural forms and features will attract people to the centre and establish a sense of place. Continuous frontages are required in all M15 and M10 Zones with large amounts of clear glazing that will promote visual interest. Shopfronts at ground floor level should provide for attractive window displays and restrained signage. Activities at ground level shall aim to provide interest for pedestrians. Such activities include retailing, cafes and restaurants that encourage and are associated with activity in non-business hours.”*

Item 9.5 draws specific attention to *“Developments shall be designed so as to discourage vandalism by use of materials such as sacrificial paint or architectural features to discourage inappropriate activity.”*

As touched on briefly under Item 2, a number of mechanism are being employed in the design to provide the City with a high quality development that addresses the CBACP requirements. There are three primary elements that we are employing in the design to minimise the chance of vandalism to the building. These are:

1. Landscaping between the footpath and building,
 2. Green Walls. The provision of a wired trellis (stainless steel) upon which olive trees will be trained as well as utilising hedging/topiary species to prevent direct access to walls at lower levels.
 3. Sacrificial paint. An anti graffiti paint will be applied to portions of walls deemed susceptible to vandalism.
- Additionally, the use of lighting in and around the development and an integrated security camera system will bolster the protective measures for the development.

Item 9.7 nominates *“The internal floor level of any development shall, where possible, have a finished floor level no greater than 500 mm below or above the adjoining footpath or verge level to ensure interaction between pedestrians and the adjoining buildings. Development which fronts a street with differing levels should consider innovative design to meet this requirement.”*

The proposed site has a distinctive fall from east to west over the site and therefore the decision was made very early in the design process to develop a design that provided interaction with the street as well as incorporate a number of previously outlined “Desired Outcomes” from the CBCAP. To achieve compliance with Item 9.7 the entry to the development has been located to the north-east of the site. It is at this point that Cale Street and the adjacent verge and footpath rise sharply toward Robert Street. By locating the entry on the North East corner, this provides a better alignment with where we believe the majority of pedestrians will be travelling, as there is a bus stop approximately 75m from the site and interconnected footpath network and Roberts Street, to the east, is identified as “Linking Pathway”.

By locating the entry to the development in the proposed location we achieve an internal floor level 495mm above the adjoining footpath/verge level in compliance with this requirement. We note that with



the natural fall to the site, this additionally facilitated the provision of a 'podium' to the development as identified as a key Desired Outcome within Element 4 of the CBACP.

Item 6 – Parking

Element 18 of the CBACP addresses Parking requirements for developments and states *"Parking is an important element to consider for development. And considerable analysis has been undertaken to respond to this need. Parking should be provided to ensure that the CBACP area can provide for its residents and guests. but should balance this need with a need to discourage private vehicle travel generally. Alternative transport is encouraged by way of providing for bicycle parking and storage, and motorcycle and scooter parking. Basement and multi storey car parks can present long blank walls to the street, or a gap with undesirable views into the basement car park, which should be avoided."*

Item 18.8 nominates *"Bicycle storage/parking shall be provided for all residential development at a ratio of one bay for every dwelling within a development site, and can be comprised within storage areas required as per Clause 19.5 or in shared parking areas or both."*

In compliance with Item 18.8 we are proposing parking for 4 bicycles parking area adjacent the front entry. In addition to the four provided parks it is intended that occupants will store their bikes within their stores that have all been designed to exceed the minimum requirement of 4m².

Item 7 – Servicing and Functionality

Element 19 of the CBACP notes *"Servicing of the CBACP area should occur outside of busy periods and as a preference should occur via underground or basement service areas. Individual residential developments should be provided with adequate storage facilities for the storage of bikes and other household items. Services design, such as power and gas, should consider precinct wide safety including appropriate physical separation, venting and ventilation requirements."*

As outlined in the request for additional information we can confirm that all store rooms have a ceiling height exceeding 2.1m. Additionally, we have indicated on the plans (refer A01) the car parking bays and store rooms allocated to each unit. Where possible store rooms have been indicated adjacent car parking bays to facilitate easy and direct access for occupants.

Item 8 – Safety

Element 20 of the CBACP references the principals of thoughtful design and outlines *"Crime Prevention Through Environmental Design or CPTED uses the built environment to reduce the opportunity for crime, increase the perception of safety perceived by authorised users of a space, while increasing the perception of risk by unauthorised users of a space. Development should promote the safety and security of the public environment. Buildings should overlook streets and other public spaces to promote natural supervision. Blank walls onto streets, or large distances between the footpath and openings are discouraged. In addition, access to daylight should be maximised and a high level of lighting should be provided in all public areas."*

Requirement 20.1 of the CBACP states *"Access to and through a development shall be safe and efficient. Entrances shall be positioned so that all pedestrian movement is adequately lit and directly visible from a public space. Access to and from car parking areas and building entrances shall be adequately sign-posted with provision of good lighting to enable safe out of hours use."*

The pedestrian entrance to the development has been located to provide clear vision of the entrance to the development and direct visibility from both the street and the building entry and balconies. The provision of the entry forecourt and lobby area provides additional separation and opportunity for additional lighting to be provided under the entry canopy to provide clear illumination of the entry for pedestrians either accessing or egressing the development. We have chosen to provide an entry portico at the primary entry to the development to assist pedestrians in identifying the entry as well as providing an opportunity for additional lighting and security for people as soon as they enter the site.



We are mindful that with development of new transport and ride-share arrangement a convenient place for occupants to wait could be beneficial in the near future.

Street lighting provides an additional level of general lighting and illumination of the street and verge at night with a street light being located on the eastern corner of the right-of-way.

Pedestrian movement to the basement parking area is directed through the lobby and stair or lift within the development as the width and existing arrangement of the right-of-way is not suitable or appropriate for pedestrian access.

Requirement 20.4 of the CBACP states "*Street furniture and lighting shall be made of durable materials to a vandal-resistant design. Graffiti resistant materials and surface finishes are appropriate at street level in all developments. Graffiti should be reduced by increased lighting and general design features which promote visibility and discourage crime.*"

In compliance with this requirement we acknowledge that the bike racks and external street furniture will be made from high grade stainless steel and will be vandal resistant.

As outlined previously we are proposing the use of 'green walls' and landscaping where possible to prevent/inhibit the possibility of graffiti and vandalism of walls at low level. The proposed fences to the bin enclosure will be painted concrete with an anti-vandal/graffiti coating.

It is proposed that a combination of sacrificial and invisible non-sacrificial coatings be utilised for the various applications and locations around the development to address higher risk areas and to ensure the aesthetic of the development is not impaired or adversely affected.

We have found higher quality textured finishes to surfaces result in fewer issues and will be utilised on the main structure of the building. Through our work in the north west we have additionally found that specifying higher grade materials in public areas, using stainless steel or similar materials that don't require an applied finish, slightly thicker material (FC sheeting) or utilising automotive paints in public areas has also proven to reduce the likelihood and visual impact of vandalism or can be easily treated to remove the affected portion.

As touched on earlier, we are proposing the use of 'trained' or climbing vegetation, as well as hedged/topiary vegetation to provide a barrier between public areas and the developments walls at lower levels to prevent the opportunity for vandals to 'tag' walls. We additionally feel the removal of the fence at street level and landscaping of the street setback area will provide less opportunity for vandals to quickly access areas to vandalise and will make them more exposed to passive surveillance from neighbouring properties.

Requirement 20.5 of the CBACP states "*Lighting proposed for all development shall be designed so as to limit the possibility of dark shadows in adjacent private and public open spaces.*"

We understand the requirement for compliance with this element and are working with an electrical engineer (CCA Pty Ltd) to ensure this requirement is complied with. Lighting in and around the development will utilise a number of different lighting styles and types to provide an architecturally sensitive solution whilst ensuring adequate illuminance levels.

Lighting around the entry will including:

- LED downlights within the entry statement structure
- Low level walk way lighting
- Step/stair lighting to stairs and ramp
- Highlight lighting to vegetation

Lighting will be located to prevent nuisance to neighbours whilst still achieving necessary illumination levels for safety and to eliminate the possibility of dark shadows in adjacent private and public spaces.



A key component of this will be associated with the implementation of feature lighting within the landscaped areas around the building. The location and siting of the entry portico, the access stair and lobby will be the focus of the lighting design to provide a welcoming and stylish entry. Additional focus will be placed on the adjacent forecourt area where low level lighting will create a more intimate and private ambience.

We will be working with our electrical engineer during the building permit documentation stage to fine tune the lighting design and ensure necessary luminance levels are achieved within each area and security prioritise around the development. Where possible lighting will be wall mounted to provide easy maintenance and replacement.

Item 9 – Driveway Gradient

The basement car parking arrangement has been amended with the changes required to address the 4m setback to the southern boundary however, the carparking has been designed to be compliant with the requirements of AS/NZS 2890.1:2004.

As requested by the City we have provided additional drawings A20 and A21 that address the Car Park Set-out and Vehicle Movement respectively. Please refer to our drawing A20 and A21 for details and clarification of compliance with AS/NZS 2890.1:2004.

We note that the final levels for the design of the crossover will need to be confirmed and agreed with the City following the Civil design associated with the widening of the ROW. We acknowledge the requirement for an application and approval for the design and construction of the crossing which shall be in accordance with Management Practice note M353 'Crossing Construction'.

Item 10 – Sewerage and Drainage

We have reviewed the comments provided by the City's engineers in relation to the Drainage and Stormwater for the site and have liaised with a hydraulic engineer to indicate preliminary stormwater drainage for the site and confirm that all stormwater will be contained/retained on site. We acknowledge that full engineering will be undertaken prior to lodging for Building Permit and may result in minor amendments to the location and arrangement of stormwater retention and management on site and ask for the City's understanding in regards to the processes and acknowledgement that this will be addressed. We would be happy for the final stormwater design to be conditional on the approval to ensure the City are happy with the solution prior to issuing the Building Permit.

Item 11 – General Engineering Comments

The General Engineering Comments provided as Appendix 1, have been reviewed and responses to the points raised are addressed as follows:

- a) *General Comments:* Please refer to our drawing A20 and A21 for details and clarification of compliance with AS/NZS 2890.1:2004. The aforementioned drawings provide additional details and dimensions to clearly show the intention for the basement parking
- b) *Lot Comments:* We note the requirement for the widening of the ROW and have indicated on the abovementioned drawings, as well as our amended A01 "Basement Floor Plan" the 500mm widening and truncation at Cale Road. We understand that further liaison with the City's Engineering department will be required to final the design and requirements of the widening prior to applying for Building Permit.
- c) *Vehicle Movement:* as touched on in item a) above, we have provided additional drawings A20 "Carpark Setout Plan" and A21 "Vehicle Movement Plan", that show the requested dimensions, swept path analysis, and blind aisle extension (1300mm) as nominated.

Item 12 – Waste Management and Environmental Health Comments

Waste management: Please refer to our amended Waste Management Plan, attached as 'Appendix A' to this letter.



Item 13 – Streetscape and Landscape Architecture Comments

We have taken onboard the comments made by both the City's Landscape Officer and Design Review Panel and have amended our drawing and landscaping layout to address the points raised.

This has included providing 2 off 'significant' trees at the front of the development and modification of the nominated planting species to local varieties.

Please refer to our amended drawing A11 for details.

Item 14 – Verge and Private Trees

Street Trees: We have reviewed AS4970:2009 and acknowledge the importance of establishing a Tree Protection Zone for existing street trees. We have amended our Landscaping Plan to note that a Tree Protection Zone is to be established with Mulch and reticulation able to provide 500 litres a week to each street tree in the verge adjacent the development. We understand that the TPZ will be conditioned on the Development Approval and we look forward to liaising with the City to appropriately address this requirement

Please refer to our amended drawing A11 for details.

Item 15 – Design Review Panel Comments

We received the Design Review Panels' comments on the 13th May 2019. We have had an opportunity to review the items identified under "Weaknesses of the Proposal" and "Suggested improvements to the Proposal" which have informed our amendments and modification of the development. We believe that the proposal has addressed each of the points raised in an appropriate and rigorous way to provide the City with a development that achieves the Desired Outcomes for not only the CBACP zone but for development generally with the Como and South Perth area.

The points addressed are as follows:

- Nib in the Lobby Area extended to provide better definition to the lobby and privacy to the adjoining units entry.
- Glazing to Lobby Area retained to provide a more open feeling and capture natural light to the area
- We have amended the Landscaping plan to provide 2 larger scale trees, chosen from the City of South Perth's "Street Tree Management Plan" whereby the "Illawarra Flame Tree" was selected for its foliage, and size. We note the trees use on: Darley Street, Douglas Avenue, Kardan Circuit, and Murray Street and believe it will enhance the development and the surrounding location.
- We have revised the entry and the level of the Ground Floor to provide the preferred Ramp in lieu to the platform hoist previously proposed. The ramp length has been significantly reduced and provides a more usable public courtyard area adjacent the entry lobby.
- Window sizes to the bedrooms have been increased – we note that under Element 5 item 5.7 it states "Provisions for privacy and solar access and overshadowing do not apply within the CBACP area".
- A significant amount of time has been devoted to reviewing the Front elevation and the surrounding context and character of the adjoining developments and wider suburb. We have amended the front elevation to simplify the elements and provide a more coherent and considered aesthetic.
- The location and number of Air Conditioning units has been modified and the suggestion of providing louvred cupboards to conceal the units taken. We have additionally relocated the A/C units servicing Units 4, 6, & 8 to utilise the lift shaft for the running of the pipework.



Item 16 – Neighbour Comments

We have reviewed the comments provided by the City's in response to advertising the development to adjoining property owners and not the following in response to the points raised:

- *Vehicle Parking:* Element 18 of the CBACP outlines the requirement for parking on site as "Car parking for residential development in Q3, Q4 and Q5 shall be provided at a minimum ratio of 0.75 bays for each studio or single bedroom dwelling and a minimum ratio of 1.0 bay for each two or three bedroom dwelling and a minimum ratio of 1.25 bays for each dwelling with four bedrooms or greater." The development contains 7 off Two Bedroom units and 1 off One Bedroom Unit for a total of 7.75 bays. The development proposes 9 bays and is therefore compliant with the requirements of the CBACP.
- *Construction Management and Noise:* We acknowledge that as part of the Building Permit there will be requirements to adhere to a number of management plans and strategies to ensure noise or nuisance to residents is minimised and the builder of the development will need to appropriately address and adhere to working restrictions in terms of days permitted, hours in which work can occur, waste management plan, construction management plan, traffic management plans etc.
- *Noise due to additional Dwellings:* We acknowledge that plant and equipment must adhere to strict noise levels and we additionally acknowledge that the location and position of plant has been selected to minimise impact on neighbours. We note that due to the development being a Multiple Dwelling there are acoustic requirements for wall within the development under the NCC/BCA as well as thermal efficiency provisions that provide additional sound absorption properties.
- *Overlooking and Privacy:* We note that under the CBACP Element 5 item 5.7 it states "Provisions for privacy and solar access and overshadowing do not apply within the CBACP area". This is not to say that we have ignored or dismissed the neighbours concerns or potential impact of multiple dwelling development within the existing building context. We have revised the building design to provide the required setback to the southern boundary, reduced the ground floor level to reduce the variation in building levels and relocated Unit 2's storeroom to prevent overshadowing. We also acknowledge that the building height is up to 2.5m below the 16m height limit permitted within the zone with a skillion roof selected to the South to ensure the building overall is 1100mm lower than the permitted 16m where it faces the adjoining properties to the South.
- *Ground levels:* The ground levels proposed for the development have been selected to comply with the requirements of the CBACP. As part of the revisions to the design we have taken on board this concern and further reduced the ground floor level to the building to reduce the impact on neighbours.
- *Bicycle Bays:* Under the CBACP, Element 18 item 18.8 states "Bicycle storage/parking shall be provided for all residential development at a ratio of one bay for every dwelling within a development site, and can be comprised within storage areas required as per Clause 19.5 or in shared parking areas or both." As part of the design we had proposed that the bicycle parking for residents would be contained within "storage areas" as nominated under Item 18.8. Having had a bicycle stolen from a 'secure' U-Rail, we believe that the storage of bicycles in residents secure store rooms is preferable. To address requirements for visitor, whom may utilise electric bikes or share bikes in future, we have proposed a 4 bike, bike rack on the courtyard area adjacent the Lobby for visitors or residents to secure their bikes.
- *Building Bulk:* As outlined above, the variation to the setback proposed in our previous scheme has been amend to be complying with the CBACP stated requirement of 4m.
- *Building Exceeding Height:* The building height proposed is within the 16m permitted under the CBACP. In reviewing the design "Elements" within the CBACP, we had misinterpreted the requirements listed under Section 8 "Interpretations" that states under the subheading 'Height' that "(a) any lift plant, water tower or similar utility or services, not exceeding 3.0 metres in height". We had interpreted this as meaning 3.0m above the 16m height limit and not that "lift plant, water tower or similar", exceeding 3m in height would be deemed as a 'storey' and



therefore exceed the 4 storey limit. We have amended the height of the lift plant to comply with this requirement.

We trust the above addresses the concerns of the City in relation to the items references and we look forward to a favourable response to our submission, however if you require additional information or clarification on any of the points raised in the above letter, please don't hesitate to contact Steven Markham on 0410 565 916 or via email at smarkham@scribegroup.com.au

Yours sincerely

Steven Markham
Architect (WA Reg 1878)
Enc.

Attached: Appendix A – Waste Management Plan
 Appendix B – 9 Cale Street, Como – Context Study

