SPP7.3 R-CODES VOLUME 2 - APARTMENTS ASSESSMENT TEMPLATE

Assessment to accompany development application:

Mixed Use Development (Restaurant & Eight Multiple Dwellings)

122 Marine Parade, Cottesloe

for Peakform Investments Pty Ltd

Prepared by:

PLANNING SOLUTIONS

ABOUT THIS TEMPLATE

State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments (R-Codes Vol. 2) has brought about changes to the way that multiple dwellings will be designed, assessed, constructed and – ultimately – lived in.

This assessment template is based on work conducted by the Inner City Councils Planning Working Group[1], and adapted by the Department of Planning, Lands and Heritage for broader distribution.

Responsible Authorities are encouraged to adapt this template to best suit their needs. This template is designed to be used in conjunction with, not as a replacement for, the R Codes Vol. 2.

This template comprises of 2 parts:

PART 1 Recommended information to be submitted by applicant as part of a development application.

PART 2 Template for assessment under the R-Codes Vol. 2 (including any local planning framework that amends or replaces the R-Codes Vol. 2). It is recommended that this template is completed by:

(a) the applicant and submitted as part of the development application; and

(b) the Responsible Authority for the purposes of assessment.

R-Codes Vol. 2 is a performance-based policy. While addressing the Acceptable Outcomes is likely to achieve the relevant Element Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Element Objectives are achieved.

Assessing officers are encouraged to firstly consider the proposal under the Element Objectives, delve into details provided by the applicant (whether these be the Acceptable Outcome or alternate performance solution approach using the relevant Design Guidance) before returning to the principles outlined in the Element Objectives.

The onus is on the Applicant to demonstrate that the Element Objectives have been achieved. Responsible Authorities may consider refusal of an application on the basis that insufficient information/materials have been provided to satisfy an Element Objective to the satisfaction of the Responsible Authority. The burden of proof is not on the Responsible Authority but the applicant to demonstrate – by way of example – adequate solar access is achieved if the applicant has not provided the relevant diagrams and calculations to address this subject matter.

Please be advised that this assessment template is not intended to replace R-Codes Vol. 2 in terms of being a point of reference for both designers and assessors. Amongst other things, the source document contains Design Guidance, diagrams and example images that are not featured within this template.

[1]Inner City Councils Planning Working Group – Town of Victoria Park, City of Perth, City of South Perth, City of Subiaco, City of Vincent

PART 1 - INFORMATION FOR THE APPLICANT

It is recommended that the following information is provided by the applicant when lodging a development application.

A5 – Development application guidance (1/2)

This guidance assists proponents in formulating the appropriate materials when submitting a development application. Check with the relevant local authority if there are any additional materials required.

Documentation	Required Information	Provided?	
Development details	A summary document that provides the key details of the development proposal. It contains information such as the: — plot ratio of the development — number, mix, size and accessibility of apartments — number of car parking spaces for use (residential, retail, accessible, visitor etc.) — percentage of apartments meeting cross ventilation and daylight requirements.	Y	
Site analysis	[Prepared at earlier stage of design development in *A3 Site analysis and design response guidance*]	Y	
Design statements	An explanation of how the design relates to the Design Principles in State Planning Policy 7.0 Design of the Built Environment. An explanation of how the proposed development achieves the relevant objectives of this policy in *A6 Objectives summary.* For adaptive reuse projects which affect heritage places, provide a Heritage Impact Statement prepared in accordance with the State Heritage Office's *Heritage Impact Statement Guide* available at www.stateheritage.wa.gov.au (for state registered places) or the relevant local government guidelines (for other places).	Y	
Site plan	A scale drawing showing: — any proposed site amalgamation or subdivision — location of any proposed buildings or works in relation to setbacks, building envelope controls and building separation dimensions — proposed finished levels of land in relation to existing and proposed buildings and roads — pedestrian and vehicular site entries and access — interface of the ground floor plan with the public domain and open spaces within the site — areas of communal open space and private open space — indicative locations of planting and deep soil areas including retained or proposed significant trees. — overshadowing over neighbouring sites — location of adjacent solar collectors.	Y	
Landscape plan	A scale drawing showing: — the building footprint of the proposal including pedestrian, vehicle and service access — trees to be removed shown dotted — trees to remain with their tree protection areas (relative to the proposed development) — deep soil areas and associated tree planting — areas of planting on structure and soil depth — proposed planting including species and size — details of public space, communal open space and private open space — external ramps, stairs and retaining wall levels — security features and access points — built landscape elements (fences, pergolas, walls, planters and water features) — ground surface treatment with indicative materials and finishes — site lighting — stormwater management and irrigation concept design.	Y	
Other plans and reports	Acoustic Report (or equivalent) Waste Management Plan (or equivalent)	Y Y	

A5 – Development application guidance (2/2)

Documentation	Required information	Provided?	
Floor plans	A scale drawing showing: — all levels of the building including roof plan — layout of entries, circulation areas, lifts and stairs, communal spaces, and service rooms with key dimensions and Real Level (RL) heights shown — apartment plans with apartment numbers and areas, all fenestration, typical furniture layouts for each apartment type, room dimensions and intended use and private open space dimensions — accessibility clearance templates for accessible units and common spaces — visual privacy separation shown and dimensions where necessary — vehicle and service access, circulation and parking — storage areas.	Y	
Elevations	A scale drawing showing: — proposed building height and RL lines — building height control — setbacks or envelope outline — building length and articulation — the detail and features of the façade and roof design — any existing buildings on the site — building entries (pedestrian, vehicular and service) — profile of buildings on adjacent properties or for 50m in each direction, whichever is most appropriate. Samples or images of proposed external materials, finishes and colours of the proposal, keyed to elevations.	Y	
Sections	A scale drawing showing: — proposed building height and RL lines — building height control — setbacks or envelope outline — adjacent buildings — building circulation — the relationship of the proposal to the ground plane, the street and open spaces particularly at thresholds — the location and treatment of car parking — the location of deep soil and soil depth allowance for planting on structure (where applicable) — building separation within the development and between neighbouring buildings — ceiling heights throughout the development — detailed sections of the proposed façades.	Y	
Building performance diagrams	A solar diagram (where required) at the winter solstice (21 June) at a minimum of hourly intervals showing: — number of hours of solar access to the principal communal open space — number of hours of solar access to units within the proposal and tabulation of results — overshadowing of existing adjacent properties and overshadowing of future potential development where neighbouring sites are planned for higher density — elevation shadows if likely to fall on neighbouring windows, openings or solar panels. A ventilation diagram (where required) showing unobstructed path of air movements through dual aspect apartments and tabulation of results.	Y	
Illustrative views	Photomontages or similar rendering or perspective drawings illustrating the proposal in the context of surrounding development. Note: Illustrative views need to be prepared using a perspective that relates to the human eye. Where a photomontage is prepared, it should use a photo taken by a full frame camera with a 50mm lens and 46 degree angle of view.	Y	
Models	A three dimensional computer generated model showing views of the development from adjacent streets and buildings. A physical model for a large or contentious development (if required by the consent authority).	Y	

PART 2 - TEMPLATE FOR ASSESSMENT UNDER THE R-CODES VOL. 2

It is recommended that the template is used as follows -

Applicants

- This document is intended to provide a structure to organise and arrange the supporting material and documentation for preparing and submitting a Development Application, with the onus being on the applicant to demonstrate that an Element Objective has been achieved.
- Applicants are encouraged to complete the 'applicant sections' of this document, outlining how the Element Objectives are satisfied. In many (if not most) instances it is expected that written response will be supported by associated drawings or documentation provided by the applicant '*e.g. – refer to Overshadowing Diagrams page 25 of submission package'.*
- The template can then be included in the application to the Responsible Authority.

Responsible Authority

- This document is intended to provide a structure to systematically and holistically undertake a planning assessment against the performance-based approach of R-Codes Vol. 2.
- The Responsible Authority will review the applicant's comments provided in this template and undertake an assessment of the materials provided against the relevant Element Objectives.

Section 1.2 of R-Codes Vol. 2 provides that certain sections of the policy may be amended or replaced by local planning frameworks. Where such local planning frameworks may have effect, this template provides an additional section where the applicable requirements may be stated.

ELEMENT 2.2	BUILDING HEIGHT	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.2.1 – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	The subject site is situated within the Cottesloe Beach strategic centre and is zoned 'Foreshore Centre' under the Town of Cottesloe's Local Planning Scheme No. 3 (**LPS3**). There is no residential density coding applicable to the subject site. In the absence of an R-Code, the primary controls of Table 2.1 are not applicable, with height and setbacks provisions being provided by LPS3. Marine Parade comprises a variety of building forms and typologies, with no defined character or style. The existing built form context is described as a mixture of one to four storey buildings with varying setbacks and comprise mixed use, commercial, and residential land uses. All lots along this section of Marine Parade are capable of redevelopment, with the adjoining site having obtained development approval from the WAPC. The future character is informed by the sites built form standards prescribed by LPS3, which envisions a mid-rise urban centre up to five storeys. Additionally, the subject site is immediately bound by a property (120 Marine Parade) with approval for a seven storey mixed use development as previously noted. The development is proposed to have a maximum building height of 23.4m to the top of the seventh storey, which is a minor variation to the requirements of LPS3 which permit a maximum height of 21 metres (five storeys). This is consistent with the approved development at neighbouring 120 Marine Parade. Refer to **Section 6.1** of the DA report for an assessment against the LPS3 requirements, including justification for the proposed bulk and scale of the development.	
O2.2.2 – The height of buildings within a development responds to changes in topography.	The site is relatively flat, and topography has not been a major determinant in building height. Notwithstanding, the development recognises the topography of the surrounding locality and has been designed as to not impair view from the Cottesloe Civic Centre.	
O2.2.3 – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	The building contains an appropriately articulated roof design which incorporates solar panels, lift overruns, and a rooftop terrace for Dwelling No. 8. Notwithstanding, the upper floor is setback, reducing the perception of bulk when viewed from the street.	

	No communal open space is proposed given the small number or dwellings, large private balconies, and the subject site's excellent access to public space (refer to **Element 3.4** for further discussion).	
O2.2.4 – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.	Careful analysis has been undertaken on the shadow cast by the proposed development at different times of the day and different times of the year. The overshadowing analysis in **Appendix 4** confirms that the proposed development will not adversely impact solar access to any neighbouring property or public space in comparison to a LPS3 compliant development despite a greater height proposed. The subject site sits on the northern edge of the street block, with two street frontages. The neighbouring lot on the southern boundary comprises an approved seven storey mixed use development with a nil boundary setback. The development on the eastern boundary contains a two-storey boundary wall. As such, there are no impacts to solar access and daylight to these properties. As shown below, the shadow cast by the 'additional height' of the proposed development compared with that of a theoretical compliant development at 9am or 10am on 21 June (Winder Solstice) would not adversely affect the amenity of the beach.  These matters are discussed in further detail in **Section 6.1** of the DA report.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		

A2.2.1 – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument.

(Excerpt from table 2.1)

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4 of LPS3 modifies the building height of the subject site in accordance with the Building Design Control Diagrams contained in Schedule 15 of LPS3. Refer to **Section 6.2** and **Section 8.1** of the DA report.

ELEMENT 2.3 STREET SETBACKS

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.	Existing development along Marine Parade in the vicinity of the subject site, including the existing three storey building on the subject site comprise a nil or near nil street setback. The building control diagrams of LPS3 permit a nil setback for the first three storeys, and a 4 metre setback for storeys four and five. Rather than provide a 'flat' nil setback, stepping back to a four metre setback, the building comprises a curved form which is progressively setback to the top floor. The curved form results in portions of the building protruding into the four metre setback area. The proposed variation is considered acceptable for the following reasons: • The proposed curved / wavy building form reflects the prevailing coastal character by replicating dunes and waves. This creates visual interest to the development when viewed from the street.	

	• Notwithstanding, the development still provides a podium and tower form. This is achieved with a nil setback up to the third storey, and progressive setbacks to the upper storeys. • The seventh storey is setback further, reducing the visibility from certain vantage points. As such, the development has a perceived building height of six storeys. • The proposed setbacks are consistent with the approved setback of the approved development at neighbouring 120 Marine Parade. This ensures that the development provides a consistent rhythm and building form to the Marine Parade streetscape. • As noted within Element 2 above, the building has been demonstrated to not create any undue impact to the amenity of the surrounding area, including overshadowing of the adjacent public realm and Cottesloe Beach. Despite the variations, the reduced street setback is considered to have no undue impact on the streetscape, nor the views or amenity of adjoining properties.	
O2.3.2 – The street setback provides a clear transition between the public and private realm.	The ground floor comprises a commercial tenancy, with no dwellings proposed. It is therefore considered there is a clear transition between the public and private realm.	
O2.3.3 – The street setback assists in achieving visual privacy to apartments from the street.	No dwellings are proposed to be situated on the ground floor. Therefore, privacy is created through elevation above the public street. The composition of dwellings with the location of balconies and windows facilitates privacy from the street.	
O2.3.4 – The setback of the development enables passive surveillance and outlook to the street.	All dwellings have balconies that provide passive surveillance over Marine Parade, Napier Street, and the Cottesloe Beach public open space. Similarly, the ground floor café will comprise visually permeable glazing offering further opportunities for passive surveillance.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A3.2.1 – Development complies with the street setback set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the street setback set out in the applicable local planning instrument *(Excerpt from table 2.1)*		

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

(4) Minimum secondary street setback 1.5m

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4 of LPS3 modifies the street setbacks in accordance with the Building Design Control Diagrams contained in Schedule 15 of LPS3. Refer to **Section 6.2 and 8.1** of the DA report.

ELEMENT 2.4 SIDE AND REAR SETBACKS

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.4.1 – Building boundary setbacks provide for adequate separation between neighbouring properties.	Side and rear setbacks are to be in accordance with the building control diagrams of Schedule 15 of LPS3, which prescribe a: • Nil setback to the side (southern) boundary. • Nil setback to the third floor, and a four metre setback for floors four and five to the rear (eastern) boundary*. **The rear setback is to be measured from the lot boundary, or from a rear access easement if one is provided in accordance with Clause 6.4.3.5(c) of LPS3. The development does not propose a rear access easement and as such, the rear setbacks are measured from the boundary line.* The development proposes a nil setback to the side boundary, complaint with the provisions of LPS3. The development proposes a nil rear setback to the third storey and progressive setbacks to the upper storeys. No upper floor above the third storey has a setback of less than 3 metres. As such, a minor variation to the rear setback is proposed.	
O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character**.**		

	The proposed variation is considered acceptable as the property on this boundary comprises a development with a two storey boundary wall. As such, the proposed development will have no privacy or ventilation impacts. Additionally, as demonstrated in Section 6.1 in the Development Application Report, the proposed building provides sufficient space for light between the existing and proposed buildings. Notwithstanding, the eastern elevation comprises a curved building form, consistent with the Marine Parade / Napier Street elevations. This continuality ensures the development presents as an integrated development and creates visual interest. Similar to the street setbacks, the development still provides a clear podium and tower form, as sought by LPS3.	
O2.4.3 – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.	The subject site does not contain any existing trees or deep soil areas. As discussed in **Element 3.3** below, the local planning framework allows nil setbacks to the front, side, and rear boundaries. Combined with the small site area (549m²), there is limited opportunity for deep soil areas to be provided on the ground floor. Accordingly, the development proposes substantial on-structure landscaping.	
O2.4.4 –The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	The adjoining lot to the rear (east) of the subject site is zoned Residential. The development proposes a nil setback to the second floor and progressive setbacks to the upper floors. No upper floor above the third storey has a setback of less than 3 metres. The proposed setbacks provide sufficient space for light and ventilation between the existing and proposed buildings. Privacy is also maintained noting the adjacent property to the rear has a two storey boundary wall abutting the subject site. The lot to the south along Marine Parade is zoned Foreshore Centre and has a development approved with a nil setback. Boundary-to-boundary development is considered appropriate in this context and supported by the planning framework.	

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

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

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

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

(Excerpt from table 2.1)

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

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

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

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

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

A2.4.2 – Development is setback from the boundary in order to achieve the Objectives outlined in *2.7 Building separation*, *3.3 Tree canopy and deep soil areas*, *3.5 Visual privacy* and *4.1 Solar and daylight access*.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4 of LPS3 modifies the side and rear setbacks in accordance with the Building Design Control Diagrams contained in Schedule 15 of LPS3. Refer to **Section 6.2** and **Section 8.2** of the DA report.

ELEMENT 2.5 PLOT RATIO

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area.	Notwithstanding, no plot ratio requirements apply to the subject site under the R-Codes or the local planning framework. LPS3 controls building bulk and scale through the building envelope defined in Schedule 15. The proposed built form and scale is discussed in detail in **Section 6.1** of the DA report. Extensive design analysis and	

	assessment of sunlight, view and amenity impacts is also included in the Architectural Design Statement.	

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

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

(Excerpt from table 2.1)

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

(6) Refer to Definitions for calculation of plot ratio

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	LPS3 prescribes no plot ratio, but manages bulk and scale through detailed building envelope requirements.

ELEMENT 2.6 BUILDING DEPTH

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.6.1 – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation.	All dwellings are dual aspect with openings on opposite sides of the dwelling. This enables strong cross ventilation, as well as passive solar access. Five of the eight dwellings have direct access to northern light, providing greater solar access. Furthermore, all dwellings feature large, glazed doors and windows onto outdoor living areas that maximise solar access and natural ventilation, with smaller alcoves and recesses providing additional daylight to interior rooms.	
O2.6.2 – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.		
O2.6.3 – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.		

	All dwellings have high ceilings (3.2m) enabling a greater sense of space and better opportunities for sunlight being received within the dwelling.	

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

A2.6.1 – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to *4.1 Solar and daylight access* and *4.2 Natural ventilation*.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 2.7 BUILDING SEPARATION

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	ASSESSOR COMMENT
O2.7.1 – New development supports the desired future streetscape character with spaces between buildings.	**Within the development:** The development proposes a single building with no internal voids. **To adjoining properties:** As discussed in **Element 2.4** above, the development proposes a: • Nil setback to the side (southern) boundary. • Nil setback to the second floor and progressive setbacks to the upper floors to the rear (eastern) boundary. No upper floor has a setback to the building less than 3 metres. The proposed rear setbacks result in a variation to the maximum setbacks prescribed under LPS3. Refer **Element 2.4** above.	
O2.7.2 – Building separation is in proportion to building height.		
O2.7.3 – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.		
O2.7.4 – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings		

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

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

Table 2.7 Building separation

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4 of LPS3 modifies the side setbacks in accordance with the Building Design Control Diagrams contained in Schedule 15 of LPS3. Refer to **Section 6.2**, **8.1 and 8.2** of the DA report.

ELEMENT 3.2 ORIENTATION

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.2.1 – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.	The development has been designed to maximise its corner setting, with the building being primarily orientated so that the majority of dwellings face west and north (street frontages) and receive a view of the Marine Parade parkland and Cottesloe Beach. All dwellings have dual east-west frontages maximising solar access and cross ventilation. The ground floor addresses the public realm with the commercial tenancy comprising an active frontage to both elevations and a defined and legible pedestrian entrance. As demonstrated in **Element 2.2, 2.3,** and **2.4** above, the proposed development does not cause any overshadowing or privacy impacts to neighbouring properties or adjacent public space. It is noted that the built form is consistent with the approved development at 120 Marine Parade.	
O3.2.2 – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.		

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

A3.2.1 – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.

A3.2.2 – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.

A3.2.3 – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed:

- adjoining properties coded R25 and lower – 25% of the site area[1]
- adjoining properties coded R30 – R40 - 35% of the site area[1]
- adjoining properties coded R50 – R60 – 50% of the site area[1]
- adjoining properties coded R80 or higher – Nil requirements.

(1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)

A3.2.4– Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.3 TREE CANOPY AND DEEP SOIL AREAS

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.3.1 – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.	The subject site does not contain any existing trees or deep soil areas.	
O3.3.2 – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.	The local planning framework allows nil setbacks to the front, side, and rear boundaries. Combined with the small site area (549m²) and basement parking, there is limited opportunity for deep soil areas to be provided on the ground floor. Accordingly, the development proposes 124.6m² of on-structure planting areas. Endemic species which respond to the coastal climate have been selected to ensure healthy plant growth.	
O3.3.3 – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.		

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

A3.3.1 – Retention of existing trees on the site that meet the following criteria:

- healthy specimens with ongoing viability **AND**
- species is not included on a State or local area weed register **AND**
- height of at least 4m **AND/OR**
- trunk diameter of at least 160mm, measured 1m from the ground **AND/OR**

– average canopy diameter of at least 4m.

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

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

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

Table 3.3a Minimum deep soil area and tree provision requirements

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

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

Table 3.3b Tree sizes

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4 of LPS3 allows development to the maximum extent of the area defined by the Building Design Control Diagrams contained in Schedule 15. This precludes the provision of deep soil areas. Refer to **Section 6.1** of the report. Furthermore, LPS3 does not contain any landscaping development standards for the zone.

ELEMENT 3.4	COMMUNAL OPEN SPACE		
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*		**APPLICANT COMMENT**	**ASSESSOR COMMENT**
		Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.4.1 – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.		The development does not propose any communal open space. This is considered acceptable for the following reasons: • All dwellings have a private balcony ranging from 22m² to 114m² (with Dwelling No. 8 having an additional 106m² roof terrace), substantially exceeding the minimum balcony size of 12m² under the Acceptable Outcomes of the R-Codes. The size of these balconies allows opportunities for planter box landscaping as well as a large recreation/living space. • The subject site is located directly opposite the Cottesloe Beach foreshore, containing a wide range of active and passive recreation options. The beach itself also provides an active recreation opportunity and negates the need for communal swimming pools and the like within the development. • Furthermore, the Cottesloe foreshore masterplan, approved by Council in March 2021 envisages a new, upgraded play area in front of the site with additional amenities such as plazas, fitness areas and other community facilities. The existing and proposed open space areas and amenities are considered to fulfil the needs of residents. Communal open space is therefore not required on site. • In addition to the public open space itself, Marine Parade provides a number of restaurants, bars and cafés, offering an alternative form of amenity to communal space.	
O3.4.2 – Communal open space is safe, universally accessible and provides a high level of amenity for residents.			
O3.4.3 – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.			

The subject site is located opposite foreshore parkland.

ACCEPTABLE OUTCOMES

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

A3.4.1 – Developments include communal open space in accordance with Table 3.4

Table 3.4 Provision of communal open space

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

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

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

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

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.5	VISUAL PRIVACY	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.	The building is primarily orientated so that the majority of dwellings face west and north (street frontages). However, habitable room windows and balconies are proposed on the rear (east) elevation. There are also minor openings and balconies which have an outlook to the south. The impacts on side and rear adjoining properties are considered minimal for the following reasons: **Side boundary (south)** Whilst the development predominately proposes a nil setback, a small portion of the rear of the building is setback approximately 2.1m. Minor openings are situated within this setback. **Rear boundary (east)** The adjoining lot to the rear of the subject site is zoned R60. The existing development is two storeys and has a nil setback to the shared boundary. All habitable rooms comply with the Table 3.5 privacy setbacks with bedroom windows being setback greater than 3m. In any case, the adjoining property contains a two storey boundary wall facing the subject site and is not considered to be adversely impact in terms of privacy.	

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

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

Table 3.5 Required privacy setback to adjoining sites

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

A3.5.2 – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).	
A3.5.3 - Living rooms have an external outlook from at least one major opening that is not obscured by a screen.	
A3.5.4 – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.	
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.6	**PUBLIC DOMAIN INTERFACE**	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O3.6.1 – The transition between the private and public domain enhances the privacy and safety of residents.	The ground level comprises a 269m^2 commercial tenancy, a narrow vehicle crossover, a dedicated pedestrian entrance, and landscaping. The ground floor tenancy has been designed to address the street, and is deliberately situated on the corner of the lot to provide a welcoming outlook from the ground level. Additionally, the landscaping of the surrounding public realm is proposed to be enchased providing increased amenity within the public realm. The upper level balconies and windows overlook the street and public domain areas providing passive surveillance. Amenity is further enhanced by on-structure landscaping on balconies and above the street awning. Additionally, in relation to the Acceptable Outcomes: • No parking is visible from the street. • Several apartments have balconies which offer surveillance to the street. • Balustrading on balconies comprises a mix of permeable and solid elements to offer surveillance, whilst maintaining privacy. • The bin storage area is located internally within the building where it does not impinge on the amenity of the dwellings. • Services and utilities are provided in subtle locations, and are not visible from the public realm. Air conditioning units are screened and not visible from the street or public realm.	
O3.6.2 – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.		
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		

A3.6.1 – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard.
A3.6.2 – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).
A3.6.3 – Upper level balconies and/or windows overlook the street and public domain areas.
A3.6.4 – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.
A3.6.5 – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.
A3.6.6 – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.
A3.6.7 – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.
A3.6.8 – Bins are not located within the primary street setback or in locations visible from the primary street.
A3.6.9 – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage.[1] (1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4.3.5 (a) of LPS3 requires the ground floor of the development to be a commercial land use with a minimal depth of 9m. Refer **Section 6.2** and **Section 8.5** of the DA report.

ELEMENT 3.7	PEDESTRIAN ACCESS AND ENTRIES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.7.1 – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	The building is provided with universally accessible entries and pathways that provide for legible and safe access to all levels of the development for residents, workers, and visitors. The development is proposed to have a dedicated residential pedestrian access point from Napier Street, as well as internally from the basement. The ground floor commercial tenancy is directly accessed from the street. Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site. Bins are located internally, and are not situated near any pedestrian entry.	
O3.7.2 – Entries to the development connect to and address the public domain with an attractive street presence.		

ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*	
A3.7.1 – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries.	
A3.7.2 – Pedestrian entries are protected from the weather.	
A3.7.3 – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site.	
A3.7.4 – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed.	
A3.7.5 – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.	
A3.7.6 – Bins are not located at the primary pedestrian entry.	
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 3.8	**VEHICLE ACCESS**	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O3.8.1 – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.	The development proposes a single 5.5 metre vehicle crossover from Napier Street, replacing the existing crossover. The crossover provides access to the basement ramp and basement parking levels. Separate pedestrian access is proposed. Vehicles egressing the site will have a clear line of sight with no fencing or structures above 0.75m in height within the 1.5m truncation adjoining the vehicle access point. All vehicles can exit and enter the site in forward gear. There are no ground floor dwellings on the subject site, or facing the subject site. As such, vehicle headlights will not shine into habitable rooms when existing and entering the property. The proposed access arrangements are detailed in the Transport Impact Statement and Access Strategy attached in **Appendix 9**.	
O3.8.2 – Vehicle access points are designed and located to reduce visual impact on the streetscape.	The subject site provides one single crossover to the secondary street, providing the minimum possible impact on the streetscape. The crossover will be adequately landscaped.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		

A3.8.1 – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.

A3.8.2 – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.

A3.8.3 – Vehicle entries have adequate separation from street intersections.

A3.8.4 – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.

A3.8.5 – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.

A3.8.6 – Driveways designed for two way access to allow for vehicles to enter the street in forward gear where:

- the driveway serves more than 10 dwellings
- the distance from an on-site car parking to the street is 15m or more **OR**
- the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road.

A3.8.7 – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).

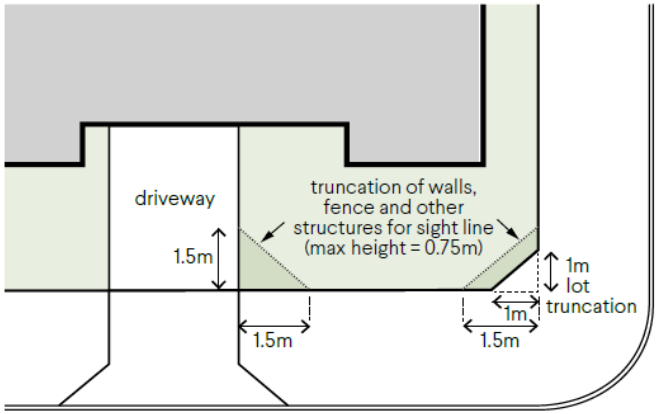

Figure 3.8a Truncation at street corner to provide sightlines (refer A3.8.7).

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Refer to Clause 6.4.3.5(c) of LPS3 and the responses in the DA report.

ELEMENT 3.9 CAR AND BICYCLE PARKING

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	

O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.	The proposed development comprises the following facilities that encourage alternate modes of transport: **Bicycle Parking** The development proposes 23 residential / commercial bicycle bays, contained within the basement levels. An End of Trip facility is provided within the basement for use by the commercial tenancy. **Motorcycle Parking** There are no dedicated motorcycle parking bays proposed. However, all but one dwelling has been provided with at least two bays and a large storage area, providing space for motorcycle parking, if required. **Other Transport Modes** The subject site is located in close proximity to bus stops along Marine Parade, providing direct access to Perth city centre and Cottesloe Train Station. Notwithstanding, Cottesloe Train Station is in walking distance to the subject site. The surrounding road network is considered acceptable for cycling. The residential lobby on the ground floor of the building also provides an area for residents and visitors to sit while waiting for on-demand transport. There is also on street and public parking available in the immediate area for use by visitors of the commercial tenancies and the residential dwellings.	
O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.	The development proposes a total of 19 bays over two basement levels. **Residential** The development proposes eight 3-bedroom dwellings. The subject site is located within Location B of Table 3.9 of the R-Codes resulting in a parking requirement of 1.25 bays per dwelling (10 bays). LPS3 modifies the parking requirements by excluding developments within the Foreshore Centre zone from requiring visitor parking. 17 car bays have been provided, resulting in a 7 bay surplus. **Commercial** Two bays have been provided for the commercial tenancy. Refer **Section 6.4.1** of the DA report for a detailed assessment of the parking requirements for the commercial tenancy.	
O3.9.3 – Car parking is designed to be safe and accessible.	Vehicle access will be provided via a single crossover from Napier Street. The vehicle entrance to the basement car park is via a dedicated	

	ramp into neighbouring 120 Marine Parade via way of Easement. The proposed basement levels will be shared with 120 Marine Parade, maximising manoeuvrability. Car parking and vehicle circulation areas are designed in accordance with AS2890.1. It should be noted that all on-site parking is for residents' or staff of the commercial tenancy. Visitor and customer parking is not provided on site, in accordance with the provisions of LPS3.	
O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.	Car parking has been specifically designed to minimise any adverse impacts on the amenity of the development and streetscape, with all parking provided in the basement. The car park is accessed via a single crossover from Napier Street, minimising any impact to surrounding streetscapes.	

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

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

Table 3.9 Parking ratio

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

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

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

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

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

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

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

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

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

A3.9.8 – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.

A3.9.9 – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.	
A3.9.10 – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.	
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4.3.1 of LPS3 removes visitor parking requirements for multiple dwellings. Refer to **Section 6.1** of the report.

ELEMENT 4.1	**SOLAR AND DAYLIGHT ACCESS**	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.1.1 – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.	The development is located in climate zone 5. In accordance with Figure 4.1b of the R-Codes Volume 2, all eight apartments have their outdoor living area within the part of the axis that allows the apartments to receive at least 2 hours direct sunlight between 9am and 3pm on 21 June.	
O4.1.2 – Windows are designed and positioned to optimise daylight access for habitable rooms.	Full height double glazing and openings are provided in all habitable rooms opening onto balconies. There are no habitable rooms within the development that rely on a 'lightwell' for ventilation.	
O4.1.3 – The development incorporates shading and glare control to minimise heat gain and glare: – from mid-spring to autumn in climate zones 4, 5 and 6 **AND** – year-round in climate zones 1 and 3.	The development proposes a range of measures to minimise heat gain and glare, including: • North facing awning extensions to the portion of the development on level one and two which do not have balconies. • Specified Low E double glazing with a thermally broken frame to maximise thermal comfort in the building and reduce glare. • Generous balcony sizes, including on structure vegetation.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.1.1 – In climate zones 4, 5 and 6 only: **a)** Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June **AND** **b)** A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.		
A4.1.2 – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.		
A4.1.3 – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.		
A4.1.4 – The building is oriented and incorporates external shading devices in order to:		

- minimise direct sunlight to habitable rooms:
  - between late September and early March in climate zones 4, 5 and 6 only **AND**
  - in all seasons in climate zones 1 and 3
- permit winter sun to habitable rooms in accordance with A 4.1.1 (a).

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.2 NATURAL VENTILATION

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.2.1 – Development maximises the number of apartments with natural ventilation.	All dwellings within the proposed development have been designed to maximise natural ventilation, with all eight apartments achieving cross-ventilation in accordance with the Acceptable Outcomes.	
O4.2.2 – Individual dwellings are designed to optimise natural ventilation of habitable rooms.		
O4.2.3 – Single aspect apartments are designed to maximise and benefit from natural ventilation.		

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

A4.2.1 – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.

A4.2.2 –

- **(a)** A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building
- **(b)** Single aspect apartments included within the 60 per cent minimum at (a) above must have:
  - ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction **AND**
  - room depth no greater than 3 × ceiling height
- **(c)** For dwellings located at the 10th storey or above, balconies incorporate high and low level ventilation openings.

A4.2.3 – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.

A4.2.4 – No habitable room relies on lightwells as the primary source of fresh-air.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.3	SIZE AND LAYOUT OF DWELLINGS	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.3.1 – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.	The apartment room layouts are functional, well-organised and provide a high standard of amenity and the size of all apartments exceed the minimum sizes as set out in the 'Acceptable Outcomes' for this element. The proposed development comprises eight, 3-bedroom dwellings. This offers a diversity of housing stock to meet the needs of the locality, with the larger dwelling size providing opportunities for families.	
O4.3.2 – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.	Generous floor to ceiling heights of 3.2m are achieved for all dwellings. All rooms are well-proportioned and benefit from cross ventilation and sunlight access as outlined above.	

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

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

Table 4.3a Minimum floor areas for dwelling types

Dwelling type	Minimum internal floor area
Studio	37m²
1 bed	47m²
2 bed × 1 bath[1]	67m²
3 bed × 1 bath[1]	90m²

[1]An additional 3m² shall be provided for designs that include a second or separate toilet, and 5m² for designs that include a second bathroom.

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

Table 4.3b Minimum floor areas and dimensions for habitable rooms

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

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

- Habitable rooms – 2.7m
- Non-habitable rooms – 2.4m
- All other ceilings meet or exceed the requirements of the NCC.

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4.3.1 of LPS3 specifies maximum floor areas of multiple dwellings. Refer **Section 6.1** of the report.

ELEMENT 4.4 PRIVATE OPEN SPACE AND BALCONIES

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.4.1 – Dwellings have good access to appropriately sized private open space that enhances residential amenity.	Each dwelling has private open space accessed directly from a habitable room, with the following areas: • Unit 1: 22m² • Unit 2: 39m² • Unit 3: 22m² • Unit 4: 33m² • Unit 5: 114m² • Unit 6: 46m² • Unit 7: 50m² • Unit 8: 90m² (and roof terrace).	

	All dwellings meet the minimum dimensions set out in the Acceptable Outcomes. All dwellings have immediate access to the Cottesloe foreshore and beach, providing additional forms of outdoor living experiences.	
O4.4.2 – Private open space is sited, oriented and designed to enhance liveability for residents.	Private open spaces are sited, orientated, and designed to enhance liveability, maximising exposure to Cottesloe Beach and the surrounding landscape. This is achieved by maximising solar access and prevailing winds, generous sizes, as well as on-structure planting. All balconies will enjoy views to the coast and surrounding locality.	
O4.4.3 – Private open space and balconies are integrated into the overall architectural form and detail of the building.	Balconies are integrated into the overall architectural form of the building. The materials and treatments of the balconies, including arched and curved elements are consistent with the entirety of the design. Balconies are designed to provide passive surveillance to all streets.	

ACCEPTABLE OUTCOMES

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

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

Table 4.4 Private open space requirements

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

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

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.5	CIRCULATION AND COMMON SPACES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.5.1 – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	The development proposes a single residential lobby on the ground floor accessed via Napier Street, as well as internally from the basement levels. The development comprises two lifts and a staircase, with no more than two dwellings per floor. Corridors are provided within the basement levels, as well as the ground floor (for the commercial tenancy), and floors one and two. Floors three through six have direct access from the lifts, and as such, have no corridor. All circulation corridors exceed the minimum width of 1.5 metres and are designed for universal access, consistent with the Acceptable Outcomes. No bedroom windows or major openings to living rooms open directly onto circulation or common spaces.	
O4.5.2 – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	A generous lobby space is provided at ground level, including a seating area which fosters opportunities for social interactions. Whilst communal space is not included in the proposal, the development is located within the Cottesloe foreshore centre, and adjacent to Cottesloe beach and public open space. These surrounding uses are considered to provide an additional high level of opportunity for social interaction between residents and the community.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.5.1 – Circulation corridors are a minimum 1.5m in width.		
A4.5.2 – Circulation and common spaces are designed for universal access.		
A4.5.3 – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.		
A4.5.4 – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.		
A4.5.5 – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		

ELEMENT 4.6	STORAGE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.6.1 – Well-designed, functional and conveniently located storage is provided for each dwelling.	Six dwellings have access to a private weatherproof, bulky goods storage space within the basement levels, adjacent to their respective dedicated parking space. Two dwellings (Residences 1 and 3) each have storage areas within the dwelling. Each storage area exceeds the 'Acceptable Outcomes' requirements of Table 4.6. These storage areas not visible from the public domain and located within an area accessible only to building occupants.	

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

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

Table 4.6 Storage requirements

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

[1] Dimensions exclusive of services and plant.

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.7	MANAGING THE IMPACT OF NOISE	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.7.1 – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.	An Environmental Noise Assessment (**ENA**) was prepared in accordance with the *Environmental Protection (Noise) Regulations 1997*. As detailed within the ENA, the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997* at all times. This includes the use / impact of service / delivery vehicles, residential dwelling noise attenuation measures, and the mixing of commercial and residential uses. Refer **Appendix 11** of the DA report for a copy of the ENA.	
O4.7.2 – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.	Suitable glazing treatments will be incorporated into the development to reduce sound transfer and transmission from external sources. The dwellings are also separated by dividing walls with limited opportunities for direct noise impacts between dwellings. The bin storage areas are located within the ground level of the proposed development and is therefore considered to have a negligible noise impact on the dwellings above. Air conditioning units and mechanical plants are screened and enclosed.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.7.1 – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent).		
A4.7.2 – Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.		
A4.7.3 – Major openings to habitable rooms are oriented away or shielded from external noise sources.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		

ELEMENT 4.8	DWELLING MIX	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O4.8.1 – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	The development proposes eight, 3-bedroom dwellings. This offering demonstrates product diversity, but with a focus on supplying apartment which suit the prevailing 'downsizer' demographic in the local area. LPS3 also provides requirements for smaller apartments, which are discussed in Section 6.3 of the DA report. The following information is provided to demonstrate the development accommodates different households: **Diversity on a broader scale** The suburb of Cottesloe has a number of one and two bedroom apartments; it also has a number of large single houses which comprise three or more bedrooms. The proposed development is offering new, beachfront three-bedroom apartments – a product which has been almost completely absent from the market in the past three decades. It is compensating for a lack of this product in the area, meaning it would improve diversity on a precinct scale. **Diversity through accessible housing** Diversity has been introduced through differing apartment sizes with consideration being given to the provision of accessible housing over and above the recommended standards in the R-Codes Volume 2. Specifically, all dwellings have been designed to meet the Platinum standards of the Liveable Housing Design codes. The development therefore provides diversity by opening opportunities for people with disabilities or aged persons. **Downsizers and aged persons' dwellings** Apartment sizes are considered appropriate as they are reflective of the demographics and the 'downsizer market' in this locality. Increased floor area is particularly valuable for downsizers and for the ageing population. Apartments catering for aged persons should contain wider hallways, doorways, bathrooms and living areas to aid in manoeuvrability and access. It is important to cater for the ageing population and maximise opportunities for people to downsize but remain in their existing suburb. 70m² - 90m² apartments do not achieve	

	this and to require at least half the development for these sized apartments is inconsistent with current planning objectives and market expectations.	

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

A4.8.1 –

a) Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument **OR**

b) Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers.

A4.8.2 – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Clause 6.4.3.1(d) of LPS3 modifies the apartment size requirements, requiring a minimum of: *i. 25% shall comprise a maximum plot ratio area of 70 square metres; and* *ii. 25% shall comprise a maximum plot ratio area of greater than 70 square metres but no greater than 90 square metres.*

ELEMENT 4.9 UNIVERSAL DESIGN

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.9.1 – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	The building is serviced by two lifts centrally located within the building to provide access to each dwelling. Both lifts provide universal access to each level. All apartment entries have the required latch-side clearances for universal access. All dwellings reach Platinum standards. This substantially exceeds the minimum 20% sliver level requirement under Acceptable Outcome A4.9.1.	

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

A4.9.1 –

a) 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) **OR**

b) 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.10	FAÇADE DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.10.1 – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.	The building texture and materiality reflects the Cottesloe Beach topography. The local sands, harsh limestone and sea shells all combine to influence the outer shell of the building. The form reflects movement in nature, creating random undulating form that reflects the local context, mirroring the movement of sand and water. The sculptural form is morphed with a dune coloured aggregate referencing the textures that make up the Cottesloe sand. This is then contrasted with the ocean blue glazing which provide expansive views to Rottnest Island and beyond. Local shells and limestone are scattered throughout the concrete as aggregate to engage in this important tactile experience. Finally, the inclusion of extensive planting is synonymous with the coastal dune landscape. Native coastal plants are scattered throughout the building, enhancing the authenticity of the coastal experience. Further information is provided in the Architectural Design Statement, attached as **Appendix 4**.	
O4.10.2 – Building façades express internal functions and provide visual interest when viewed from the public realm.		

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.11	ROOF DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O4.11.1 – Roof forms are well integrated into the building design and respond positively to the street.	The building contains an appropriately articulated roof design which incorporates solar panels, lift overruns, and a rooftop terrace for Dwelling No. 8.	
O4.11.2 – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.		
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.11.1 – The roof form or top of building complements the façade design and desired streetscape character.		
A4.11.2 – Building services located on the roof are not visually obtrusive when viewed from the street.		
A4.11.3 – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		

ELEMENT 4.12	LANDSCAPE DESIGN	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT** *Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.*	**ASSESSOR COMMENT**
O4.12.1 – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.	The proposed development provides landscaping throughout the subject site and adjacent public space, comprising on-structure planting, the provision of a public parklet, and redevelopment of the adjacent public micro-park. The proposed landscaping will enhance the overall presentation of the development, enhance the quality of the public realm, and improve the visual appearance of the development and streetscape. This includes the use of hanging vegetation on	
O4.12.2 – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.		

O4.12.3 – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	balconies and on the awning. The on-structure landscaping seeks to mimic the scatted landscaping on nearby dunes. As the development has a 100% site coverage, no ground floor deep soil zones are proposed. However, this is compensated by on-structure planting, as well as a significant investment in the adjacent public space. 468m^2 of landscaping (comprising 332.5m^2 deep soil outside the lot boundary, 124.65m^2 on structure planting, with an additional 10.9m^2 of shallow plantings). The improvements to the adjacent public realm comprise: • The redevelopment of the adjacent micropark. The space will centre around a sculptured feature instillation with floating timber and steal bench seating. Various garden beds using endemic coastal species surround the space. The choice of materiality reflects both the development and character of the area. • The removal of two on-street parking bays, to be converted to an alfresco dining area (known as a parklet). The above upgrades to the public realm will form part of a separate application with the Town, outside of the development application process, given it is on public land. The landscaping plan includes a species list that is appropriate to the site context and coastal conditions, providing a variety of textures and colours while being hardy enough to function within the coastal environment. Where possible, storm water will be stored and re-used on-site. Refer to **Appendix 5** of the DA report for further details, including a landscape palette.	
O4.12.4 – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.		
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.12.1 – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles.		
A4.12.2 – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas.		
A4.12.3 – Planting on building structures meets the requirements of Table 4.12.		

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

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

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

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.13 ADAPTIVE REUSE – Element N/A to assessment

ELEMENT 4.14 MIXED USE

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.14.1 – Mixed use development enhances the streetscape and activates the street.	The development is mixed use and comprises a ground floor commercial tenancy and multiple dwellings on the upper floors.	
O4.14.2 – A safe and secure living environment for residents is maintained through the design and management of the impacts of non-residential uses such as noise, light, odour, traffic and waste.	The proposed ground floor commercial tenancy is adaptable, accessible from the street, and provides an active frontage along Marine Parade / Napier Street. It is intended the commercial tenancy will be occupied by a café, positively contributing to the public realm and the character of the Cottesloe Beach centre. The ground floor tenancy will also accommodate alfresco dining, helping to energise and activate the street, greater than the existing commercial tenancy.	

	The residential lobby is separated from the commercial tenancy, including the back of house /service areas. The proposed development has been designed such that the dwellings are directly above the commercial tenancy. The slabs separating the commercial and residential above will meet the relevant standards to mitigate noise and odour between the commercial tenancy and the dwellings above. The proposed development is supported by a Traffic Impact Statement, Waste Management Plan and acoustic report to understand and address these matters.	

ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*
A4.14.1 – Where development is located within a mixed use area designated within the local planning framework, ground floor units are designed for future adaption to non-residential uses.
A4.14.2 – Ground floor uses including non-commercial uses, such as communal open space, habitable rooms, verandas and courtyards associated with ground floor dwellings, address, enhance and activate the street.
A4.14.3 – Non-residential space in mixed use development is accessed via the street frontage and/or primary entry as applicable.
A4.14.4 – Non-residential floor areas provided in mixed use development has sufficient provision for parking, waste management, and amenities to accommodate a range of retail and commercial uses in accordance with the requirements
A4.14.5 – Mixed use development is designed to mitigate the impacts of non-residential uses on residential dwellings, and to maintain a secure environment for residents.

LOCAL PLANNING FRAMEWORK	**REQUIREMENT**
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.15	**ENERGY EFFICIENCY**	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.15.1 – Reduce energy consumption and greenhouse gas emissions from the development.	The proposed development has been designed to achieve an 8-star NATHERs rating, with no dwelling achieving less than 6.9-stars. This is achieved through building material and design, including 100% cross ventilation and solar access, extensive water-wise planting and water harvesting, efficient fittings and fixtures, and the provision of solar PV cells an EV charging stations.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		

A4.15.1 –

a) Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) **OR**

b) All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.[1]

Compliance with the NCC requires that development shall achieve an average star-rating across all dwellings that meets or exceeds a nominated benchmark, and that each unit meets or exceeds a slightly lower benchmark. Compliance with this Acceptable Outcome requires that each unit exceeds that lower benchmark by at least half a star.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.16 WATER MANAGEMENT AND CONSERVATION

ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	APPLICANT COMMENT	ASSESSOR COMMENT
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.16.1 – Minimise potable water consumption throughout the development.	Where possible, water consumption will be minimised through the use of efficient appliances and fittings. Waterwise landscaping and irrigation systems will further minimise consumption.	
O4.16.2 – Stormwater runoff from small rainfall events is managed on-site, wherever practical.	Stormwater runoff from small rainfall events is to be managed on site consistent with element objectives.	
O4.16.3 – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.	No hardstand is proposed. The building has sufficient drainage to cater for rainfall events, in accordance with relevant legislation.	

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

A4.16.1 – Dwellings are individually metered for water usage.

A4.16.2 – Stormwater runoff generated from small rainfall events is managed on-site.

A4.16.3 – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.17	WASTE MANAGEMENT	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.17.1 – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.	Separate commercial and residential bin stores are proposed on the ground floor, and are accessible from the residential lobby or via the rear commercial corridor.	
O4.17.2 – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.	The bin stores are wholly concealed and cannot be viewed from the street or from habitable rooms within the apartments. Sufficient area is provided to accommodate the necessary number of bins. A waste management plan is provided in **Appendix 10** of the report.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.17.1 – Waste storage facilities are provided in accordance with the Better Practice considerations of the *WALGA Multiple Dwelling Waste Management Plan Guidelines* (or local government requirements where applicable).		
A4.17.2 – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the *WALGA Multiple Dwelling Waste Management Plan Guidelines* - Appendix 4A (or equivalent local government requirements).		
A4.17.3 – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the *WALGA Multiple Dwelling Waste Management Plan Guidelines* - Level 1 Waste Management Plan (Design Phase) (or local government requirements where applicable).		
A4.17.4 – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		

ELEMENT 4.18	UTILITIES	
ELEMENT OBJECTIVES *Development is to achieve the following Element Objectives*	**APPLICANT COMMENT**	**ASSESSOR COMMENT**
	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O4.18.1 –The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for	The site is serviced with all necessary urban services, fit for purpose and capable of meeting the needs of residents.	

purpose and meet current performance and access requirements of service providers.		
O4.18.2 – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.	All utilities are located in accessible locations for maintenance, and do not restrict safe movement.	
O4.18.3 – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.	All such utilities are to be integrated into the building design and/or landscaping, and are not visually obtrusive.	
O4.18.4 – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.	Utilities within individual dwellings have been appropriately designed/sized and located to minimise noise and air quality impacts. Air conditioning units are provided in a screened enclosure on the rooftop so as not to impact on the amenity of the dwellings, or the surrounding properties.	
ACCEPTABLE OUTCOMES *Acceptable Outcome pathway may not be applicable where a performance solution is provided*		
A4.18.1 – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.		
A4.18.2 – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling.		
A4.18.3 – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.		
A4.18.4 – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.		
LOCAL PLANNING FRAMEWORK	**REQUIREMENT**	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		