

Proposed Mixed Use Development, Clarkson

Lot 2 (No. 68) Boranup Avenue, Clarkson

Planning Report

Project Ref: 1485



Prepared for
Berma (WA) Pty Ltd
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History and Status of this Document

Revision	Date issued	Prepared by	Reviewed by	Revision type
Rev 1	4/8/22	RC/IH	RC	DA

Document Printed

File Name 220801 1485 Mixed Use DA Report.doc
Author/s Reegan Cake and Isabelle How
Name of Document Planning Report
Document Version Rev 1

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1.0 Introduction

Dynamic Planning and Developments acts on behalf of Berma Pty Ltd, the registered proprietor of Lot 2 (No. 68) Boranup Avenue, Clarkson (herein referred to as the 'subject site').

This planning report has been prepared in support of an Application for Planning Approval for a proposed Mixed Use development at the subject site with includes a number of 'Grouped Dwellings' and two (2) 'Office' tenancies. This planning report contains the following pertinent details of the proposal relevant to the assessment of the proposed application:

- Details of the proposal;
- Detailed assessment of the proposal against the relevant planning provisions applicable under the City of Wanneroo District Planning Scheme No. 2 (DPS No. 2) and any relevant State and Local Planning Policies; and
- Detailed justification of any variations sought.

In addition to this planning report, the following documentation has been provided in order to assist the City of Wanneroo in making a recommendation on the proposed application:

- Certificate of Title pertaining to the subject site (**Appendix 1**);
- Relevant development plans (**Appendix 2**);
- A Traffic Impact Assessment (**Appendix 3**);

It will be demonstrated in subsequent sections of this submission that the proposed development is entirely appropriate for approval.



**Proposed Mixed Use Development, Clarkson
LOT 2 (No. 68) BORANUP AVENUE, CLARKSON**

2.0 Site Details

2.1 Legal Description

The subject site is legally described as:

Lot	Plan	Volume	Folio	Street Address
2	077196	2828	476	68 Boranup Avenue, Clarkson

The area of the subject site is 4,808m².

A copy of the Certificates of Title pertinent to the subject site is contained in **Appendix 1**.

2.2 Locational and Land Use Context

2.2.1 Regional and Local Context

The subject site is located within the City of Wanneroo municipal area, within the suburb of Clarkson. The site is in close proximity to a variety of commercial and retail outlets, with Ocean Keys Shopping Centre directly accessible via The Straits (400m) and bulk commercial stores on Neerabup Road to the south (250m), as well as established residential areas to the north of the subject site.

The subject site is bound by Lower Keys Drive and Boranup Avenue and is currently vacant. Immediately to the north of the site is existing residential development, with additional vacant lots to the east along Boranup Avenue. More broadly, the site is within a mixed use area and is located in close proximity to Neerabup Road and Ocean Keys Boulevard which provides connection back to Marmion Avenue with is a key arterial road within the Perth Metropolitan Area.

Figures 1 and 2 illustrate the regional and local context, respectively.

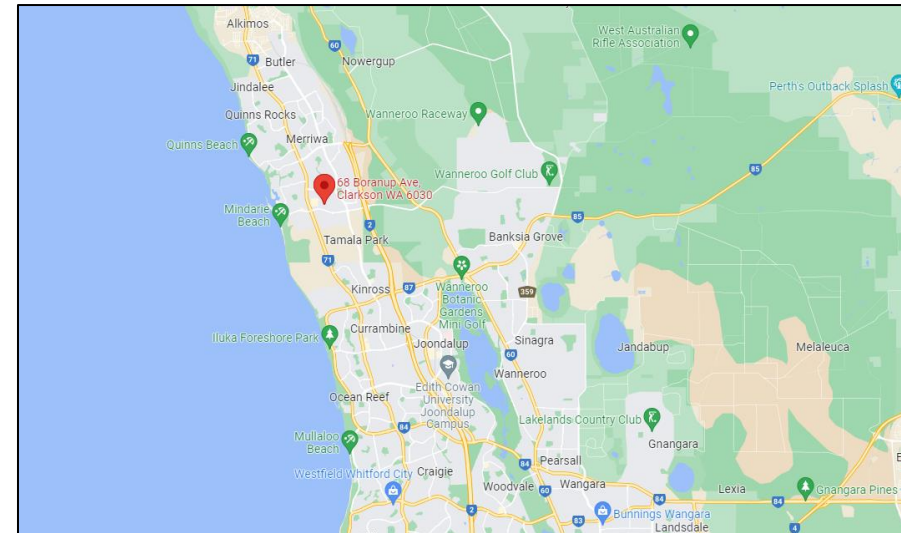


Figure 1 – Regional Context



Figure 2 – Local Context

3.0 Planning Framework

3.1 Metropolitan Region Scheme (MRS)

The subject site is zoned ‘Urban’ under the provisions of the Metropolitan Region Scheme (MRS).

For reasons outlined further in this report, the proposed development is considered to be consistent with the ‘Urban’ MRS zoning applicable to the subject site.

3.2 City of Wanneroo District Planning Scheme No. 2 (DPS No. 2)

The site is zoned ‘Mixed Use’ under the City of Wanneroo District Planning Scheme No. 2 (DPS 2). There is also an R60 density coding applicable to the site.

The objectives of the ‘Mixed Use’ zone are to:

- a) *To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- b) *To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*

In addition to the applicable zoning, DPS 2 also defines land uses capable of approval. The land uses relevant to this application and their associated definitions include:

- Office: *‘means any premises used for the administration of clerical, technical, professional or other like business activities but does not*

include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres.’

- Grouped Dwelling (as defined in State Planning Policy 7.3 – Residential Design Codes – Volume 1): *‘A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property’*

Land use permissibility has been addressed in detail in Section 5.1 below.

Figure 3 below illustrates the subject site in the context of the land use zoning applicable under the provisions of DPS No. 2.

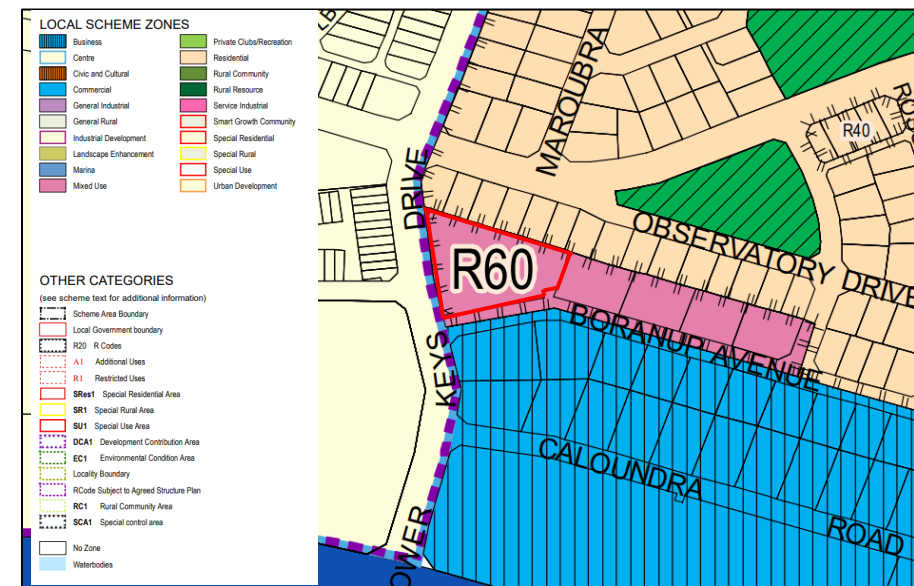


Figure 3 –DPS No. 2 Zoning

4.0 Proposal Details

The proposed development seeks approval for a mixed-use development at the subject site which includes fifteen (15) 'Grouped Dwellings' and two (2) separate 'Office' tenancies.

Being a large sloping site, the development has been designed to ensure both the residential dwellings and commercial tenancies appropriately address and provide engagement with the two adjoining streetscapes in Boranup Avenue and Lower Keys Drive. This has been achieved through direct pedestrian connections to the street and commercial development located on the corner with a nil setback to frame the corner.

Beyond the engagement with the street, the development has been designed around a central landscaped communal area that is intended to provide the future residents with a high degree of amenity. This is connected to all dwelling with designated pedestrian paths throughout the development which follow the communal street.

All access to the development will be provided from Boranup Avenue with a small portion of shared commercial parking adjacent to the crossover. The remaining resident and visitor parking as well as staff bays for the commercial development will be accessible through a sliding gate.

A brief summary of the development particulars has been provided below:

4.1 Development Details

- A total of 15 three-bedroom townhouses.
- Two 'Office' tenancies totally 435sqm of GFA area.
- A total of 396sqm of communal landscaping.
- A total of 24 resident parking bays, 4 visitor parking bays and 7 commercial parking bays.



5.0 Assessment

The statutory provisions applicable to the subject site require assessment of the proposal to be undertaken against the provisions of the following documents:

- City of Wanneroo District Planning Scheme No. 2 (DPS No. 2);
- State Planning Policy 7.0 – Design of the Built Environment;
- State Planning Policy 7.3 – Residential Design Codes (Volume 1); and
- Local Planning Policy 4.27 – Mixed Use Zones.

The below sections will address the relevant land use permissibility and development requirements outlined in the abovementioned statutory planning documents.

5.1 Land Use Permissibility

In accordance with DPS 2, the land use permissibility for the ‘Grouped Dwelling’ and ‘Office’ land uses are assessed in accordance with the ‘Mixed Use’ zone. In accordance with these provisions ‘Grouped Dwelling’ is a ‘Discretionary (D)’ land use and ‘Office’ is a ‘Permitted (P)’ land use meaning that approval is possible for the proposed development pending compliance with the applicable development requirements.

In exercising discretion, consideration of the ‘Mixed Use’ zone objectives are warranted, these objectives are:

- a) To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- b) To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*

The proposed development is considered to be consistent with the objectives of the ‘Mixed Use’ zone in DPS2 as the proposed development provides a level of activity and engagement with the streetscape and includes a combination of land uses that are compatible with the residential character and amenity of the area.

In light the above the proposed development warrants favourable consideration and subsequent approval.

5.2 Development Requirements

Development requirements applicable to the development are outlined in:

- State Planning Policy 7.0 – Design of the Built Environment.
- State Planning Policy 7.3 – Residential Design Codes (Volume 1).
- Local Planning Policy 4.27 – Mixed Use Zones.

An assessment of the proposed developments compliance with the abovementioned documents has been provided below in following sections.

5.2.1 State Planning Policy 7.0 – Design of the Built Environment

Prior to lodgement of the planning application, the proposal was considered by the City of Wanneroo Design Review Panel (DRP) which assessed a preliminary set of plans against the guiding principles of State Planning Policy 7.0 – Design of the Built Environment (SPP7.0). The response to the DRP commentary has been provided in Table 1 below:

DRP Comments	Design Response
Principle 1 – Context and Character	
<ul style="list-style-type: none"> The land rises gradually to the south-west along Lower Keys Drive. Reconsider the finished floor levels of the townhouses to better follow the topography, such as through stepping, and to minimise the retaining walls and number of steps to the townhouse/home office component. Boranup Avenue frontage includes commercial customer carparking that usually is not supported in the front setback. Consider including another residential unit to minimise the crossover gap in the streetscape that is fractured by carparking and utilities. Townhouse no.7 should be recognised as a ‘landmark’ dwelling in the north-western corner of the development. Reconsider the house design to address the prominent corner, and to better use the excessive open space on the lot, such as to facilitate the suggested new pedestrian access from Lower Keys Drive to the internal area (refer to Principle 7 – Legibility). Reconsider the FFL of townhouses along Lower Keys Drive to better respond to the topography and minimise retaining walls and steps. Reconsider the Boranup Avenue streetscape that is fractured by car parking and utilities. Redesign Unit 7 to better respond to the north-western corner of the development and reconsider the lot area to facilitate a new east west walkway from Lower Keys Drive that would also separate Unit 1 and the commercial unit. 	<ul style="list-style-type: none"> The FFL of the townhouses along Lower Keys Drive have been stepped down with the topography more to reduce retaining and steps. However, with the changes in levels it was too difficult to remove the steps and retaining completely as there would have been too many significant changes in the FFL for the dwellings. The Boranup Avenue streetscape has been modified considerably with one access point only and a reduction in car parking. There wasn’t any room for an additional residential unit unfortunately. Townhouse 7 has been modified in its design to be more grand and feature unit as part of the development. The walkway between Townhouse 1 and the commercial unit was not added as part of the development as this was considered to be a space that would promote antisocial behaviour and given the land use is only going to be an office, there isn’t considered to be the need to ameliorate the noise or amenity impacts of the commercial development.
Principle 2 – Landscape Quality	
<ul style="list-style-type: none"> The internal part of the development is the arrival experience by car for all the residents and front door entry for six units 8 to 13. Reconsider the internal landscape, laneway and driveway design (alignments and radii) to 	<ul style="list-style-type: none"> We have reduced the extent of parking considerably to create a significant landscaped communal open space area to enhance resident amenity and views. Different paving is proposed for pedestrian paths throughout the development.

<p>improve the form, quality and quantity of soft landscape for the residents' amenity, views and communal use.</p> <ul style="list-style-type: none"> • Use of different paving in the internal laneways is supported, however the pathway network, with three access points along Boranup Ave, is discontinuous and illegible, particularly in the central area. Reconsider the necessity of the easternmost path that is unattractive and potentially unsafe due to its location next to a bin store and transformer. • Additional soft landscape at the street corner opposite the commercial units would help to reduce the large amount of pavement area and create and improve the amenity in the public realm • Reconsider the internal landscaping, laneway and driveway design (alignments and radii) to improve the form, quality and quantity of soft landscape for the residents amenity, views and communal use. • As part of the landscape design, improve access points, legibility and safety of the pedestrian path network within the development. • Add additional soft landscape on the street corner to improve the amenity of the public realm. 	<ul style="list-style-type: none"> • Access points have been reduced to one along Boranup Drive which dramatically improves legibility to the development. • Whilst additional landscaping to the corner was considered, the space to allow safe access and egress to the commercial units as well as nil setback simply didn't allow meaningful landscaping in this portion of the site.
Principle 3 – Built Form and Scale	
<ul style="list-style-type: none"> • The two-storey built form for the development is supported. 	<p>Supported – nothing further required.</p>
Principle 4 – Functionality and Build Quality	
<ul style="list-style-type: none"> • Provide details on the waste management strategy, including convenient access to separate bin stores for the residential and commercial uses. • The number of visitor parking bays is excessive. Reconsider the provision, such as removing bays from the central open space, and location of bays that are inaccessible for visitors behind the security gate. • Provide a waste management plan for both the residential and commercial units. • Reconsider the parking numbers, layout and location for different uses. • Bin pads to be shown/provided. • Clear pedestrian connections between bin stores and bin pads. 	<ul style="list-style-type: none"> • A waste management plan isn't considered necessary for the development as all bins are managed by the individual landowner with no communal bin store used. • Parking numbers have been reduced across the development. Staff, resident and resident visitor parking is provided behind the sliding gate with commercial visitor parking provided adjacent to the crossover. • Bin pads are shown on the plans. • Pedestrian paths throughout the development have been added with different paving material to ensure they are legible. They provide the necessary connections to the bin pad locations.
Principle 5 – Sustainability	
<ul style="list-style-type: none"> • Provide a sustainability report that considers a broader range of measures for environmental performance. 	<ul style="list-style-type: none"> • There is no specific requirement to provide a sustainability report, instead measures that will be incorporated into the development include: <ul style="list-style-type: none"> ○ Natural ventilation throughout to minimise reliance on cooling.

	<ul style="list-style-type: none"> ○ The use of waterwise irrigation as part of the landscaping design. ○ Use of waterwise and efficient appliances and fixtures as part of the detailed design process.
<p>Principle 6 – Amenity</p>	
<p>The following are comments to improve the amenity of each of the townhouse types:</p> <ul style="list-style-type: none"> ● TH1 - Highlight window for the rear bedroom is not supported. ● TH2 - Include a canopy over the front door. ● TH2 - Consider the use of the garage roof as a balcony connected to Bed 3, with planters for greenery to visually improve the garage dominated laneway. ● TH3 – These two units include only south facing private open space and no home office (unlike TH type 1). At the rear, consider tandem car bays with a single garage door to allow space for a north facing habitable living room and open space to the north, and a home office to the front opposite the existing commercial on Boranup Avenue. ● Identify the screened locations of air conditioner condenser unit locations on the plan, and ensure no amenity impacts on residents or neighbours. ● Reconsider the ‘folded’ awning design for this small scale commercial unit, particularly as a simpler and lower height attachment would offer better climate protection to pedestrians. ● Generally, improve townhouses Types 1 and 2 for greater amenity and reconsider the planning of Type 3 for north facing living and private open space, and inclusion of a home office facing Boranup Avenue. 	<ul style="list-style-type: none"> ● The design of the Townhouse types have been modified accordingly to address the respective comments raised with the exception of the northern living areas and outdoor living area for TH3 as these dwellings need to be designed to address the street. Despite this, the design of TH3 has been modified to include an outdoor living area that wraps around the dwelling and gives access to northern sun. Further, Bed 2 also has a north facing balcony.
<p>Principle 7 – Legibility</p>	
<ul style="list-style-type: none"> ● Consider an additional pedestrian access between dwelling no.1 and the commercial unit, to improve pedestrian accessibility from Lower Keys Drive to the internal part of the development and to provide separation between different land uses. ● Consolidate and improve the southern pedestrian access points to the internal area, possibly via only one gate and through well designed landscaped areas. ● Add a new east-west walkway from Lower Keys Drive that also would separate unit 1 and the commercial unit. ● Consolidate the three southern pedestrian access points, and ensure quality soft landscape design as part of the pedestrian path network. 	<ul style="list-style-type: none"> ● Refer previous comments on the walkway between the commercial unit and Townhouse 1. ● The pedestrian access points to the south have been consolidated to one point to improve legibility.

Principle 8 – Safety	
<ul style="list-style-type: none"> Consider visually permeable garage doors throughout to improve activation and passive surveillance opportunities at the ground plane of the rear elevations. Substitute visually permeable garage doors (instead of solid) to improve activation and passive surveillance opportunities in the lanes. 	<ul style="list-style-type: none"> The development introduces open carport areas to reduce the extent of double garages. T9-T13 do still have double garages but this won't be at the detriment to the amenity of residents and additional balconies have been added to improve the activation of these dwellings.
Principle 9 – Community	
<ul style="list-style-type: none"> The inclusion of the commercial unit is supported, however consider future proofing the design for different uses over time, such as a café use. The central communal space will provide a significant level of amenity and benefit for residents, however this area can be further developed. Future proof the commercial units for different uses. Further develop the central communal space by increasing its size, providing additional resident infrastructure such as additional bench seating and a table, considering the amount of cover / shade and increasing the amount of soft landscaping. 	<ul style="list-style-type: none"> The commercial units can accommodate a range of uses with minimal fit out works. The central communal area has been expanded significantly and will be landscaped to provide great amenity to residents.
Principle 10 – Aesthetics	
<ul style="list-style-type: none"> To improve the rear elevation of townhouses 1 to 7 that currently appear plain and lacking in material richness, consider using the same face brickwork as shown on the front elevations at ground floor level. Add face brick to the rear elevation of town house type 1 for visual richness 	<ul style="list-style-type: none"> The rear elevation of T1-7 has been modified to improve the material richness.

Table 1 – DRP Comments and Response

5.2.2 State Planning Policy 7.3 – Residential Design Codes (Volume 1)

An assessment of the proposed development against the provisions of State Planning Policy 7.3 – Residential Design Codes (Volume 1) has been provided in the below table. Where variations have been identified they have been noted in **red**, with justification provided through an assessment against the relevant design principles.

5.1 Context			
5.1.1 Site Area			
Deemed to Comply Provisions	Required	Proposed	Compliance
- Minimum Lot Area	120sqm	193sqm	Yes
- Average Lot Area	150sqm	>150sqm	
Adjustments		Applicable?	
- Corner Truncation		- N/A	
- Battle-axe Access Leg		- N/A	
- Right of Way, POS, PAW		- N/A	
Aged and Dependent Persons Dwelling or Single Bedroom Dwelling		N/A	
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.1.2 Street Setback			
Deemed to Comply Provisions	Required	Proposed	Compliance
Primary Street Setback	2m	2.8m minimum	Yes
Secondary Street Setback	1m	2.8m	Yes
Corner Truncation Setback	Not Applicable		
Projection into Setback	Not Applicable		
Design Principle Assessment – Yes/No?			
No			

Design Principles:

N/A

5.1.3 Lot Boundary Setback

Deemed to Comply Provisions	Required	Proposed	Compliance			
Lot boundary setback table						
Floor – Direction – Room	Length	Height	Major openings?	Required setback	Proposed setback	Complies?
Northern Boundary (Ground Floor)						
Townhouse 7 – Kitchen/Living	10.5	<3.5m	Yes	1.5m	3.7m	Yes
Townhouse 7 – Garage/Store	<9m	<3.5m	No	1m	1.8m	Yes
Townhouse 8-13 – Living	<9m	<3.5m	Yes	1.5m	3m	Yes
Northern Boundary (First Floor)						
Townhouse 7 – Balcony	11.8m	8m	No	1.7m	2.1m	Yes
Townhouse 8-13 – Bed 1	<9m	9m	No	1.4m	4.25m	Yes
Townhouse 8-13 – Bed 2	<9m	9m	Yes	4.3m	5.35m	Yes
Eastern Boundary (Ground Floor)						
Townhouse 13 – Garage to Living	16m	<3.5m	No	1.5m	1m	No
Eastern Boundary (First Floor)						
Townhouse 13 – Bed 2 to Bed 3	12m	9m	No	1.8m	1m	No

Boundary Walls

- Abutting simultaneously constructed wall;
- R30 and higher – no higher than 3.5m, an average of 3m and 2/3 length of the boundary; or
- Lots created from subdivision

- All boundary walls abut existing or simultaneously constructed boundary walls.

Design Principle Assessment – Yes/No?

Yes

Design Principles:

Reviewing the above lot boundary setback variations, it is evident that the proposed variations are quite minor in nature and are unlikely to negatively impact adjoining landowners as the variations only relate to Townhouse 13 which adjoins a vacant lot to the east. In assessing the appropriateness of these variations, consideration is given to the applicable design principles noted in 5.1.3, P3.1 which have been summarised below:

Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:

- *Reduce impacts of building bulk on adjoining properties;*
- *Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

It is considered that the proposal meets the relevant design principles relating to lot boundary setbacks for the following reasons:

1. The development reduces the impacts of building bulk by providing an articulated façade with the design including varied building materials and colours to break up the façade. In addition, the variations only relate to a small portion of the common boundary i.e. less than 50% of the boundary.
2. The resultant development is not inconsistent with the type of development expected in residential areas with a density of R60. In fact, the lot sizes are actually in excess of the allowed 150sqm average. In this regard the building bulk impacts of the proposed development are considered to be less than if the development yield was maximised in accordance with the R60 density coding.
3. As the adjoining site is vacant, the proposed lot boundary setback variations to the eastern boundary will not impact the adjoining properties access to direct sun and ventilation. This is further reinforced when considering the extent of the boundary that the variation relates to is less than 50%, as such, a design solution on the adjoining property can be realised to ensure access to direct sun and ventilation is achieved to any future development on the lot.
4. All dwellings have been designed to maximise the northern orientation with all outdoor living areas being orientated toward the north where possible whilst also ensuring that the relevant streets are appropriately addressed. This will ensure that each dwelling achieves the maximum level of access to direct sunlight.
5. There will be no overshadowing impacts on adjoining properties beyond what is acceptable in accordance with the deemed to comply requirements.
6. All dwellings are compliant with the deemed to comply provisions relating to visual privacy, in this regard the development has appropriately minimised overlooking and loss of privacy.

In light of the above compliance with the applicable design principles the relevant lot boundary setback variations are entirely appropriate for approval.

5.1.4 Open Space			
Deemed to Comply Provisions	Required	Proposed	Compliance
Minimum Open Space - 20% deduction applicable?	40% 85sqm share of common property.	Townhouse 1-7: >40% Townhouse 8-13: >40% Townhouse 14-15: >40%	Yes
Design Principle Assessment – Yes/No? No Design Principles: N/A			
5.1.5 Communal Open Space			
Deemed to Comply Provisions	Required	Proposed	Compliance
Where open space is provided as common property, open space requirements may be reduced by 20% provided that: - Aggregate deducted area does not exceed the proposed communal open space - Outdoor living areas are not reduced in area		A large portion of the site is designated as communal open space/parking etc.	
Design Principle Assessment – Yes/No? No Design Principles: N/A			
5.1.6 Building Height – Replaced by LPP7.7.1			
Deemed to Comply Provisions	Required	Proposed	Compliance
Maximum building height	- Height of wall – 7m - Total building height (gable, skillion and concealed roof) – 8m - Total building height (hipped and pitched roof) – 10m	- Max 7m - Max 9.438m (gable roof)	No
Design Principle Assessment – Yes/No?			

Yes

Design Principles:

The proposed building height variations relate to the developments need to manage changes in ground level at the site effectively. In considering the slope applicable in the area of the site occupied by Townhouse 8-13, the minor building height variation is considered to be a desirable outcome that has appropriately balanced the impact on neighbours and the construction feasibility. In considering the building height variations, the applicable design principles noted in 5.1.6, P6 is warranted and summarised below:

P6 Building height that creates no adverse impact on the amenity of the adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- Adequate access to direct sun to buildings and appurtenant open spaces;
- Adequate daylight to major openings into habitable rooms; and
- Access to views of significance.

The proposal is considered to meet the abovementioned design principles as:

1. The building height variations have no impact on the streetscape due to the location of the Townhouses 8-13 on the site. Further, given the compliant setbacks to the northern boundary as well as being to the south of the adjoining properties, the building height impacts will also not have any impacts on the adjoining properties.
2. Townhouses 8-13 will have no impact on the adjoining properties access to direct sun to both the building and the open space due to the dwellings being located to the south of the adjoining properties with compliant lot boundary setbacks.
3. Again, being located to the south of the adjoining properties, there will be no overshadowing of major openings into habitable rooms.
4. There are no views of significance in the area that will be impacted by the building height variations.

5.2 Streetscape

5.2.1 Setback of Garages and Carports

Deemed to Comply Provisions	Required	Proposed	Compliance
Garage Setback – Primary Street	4.5m	N/A	Yes
Carport Setback – Primary Street	Replaced by LPP2.1 (see below)	N/A	Yes
Secondary Street Setback	1.5m	N/A	Yes

Garages/Carports – Private Street	Built up to boundary with communal street as long as 6m of vehicle manoeuvring space exists.	6m of vehicle manoeuvring space has been provided in all instances.	Yes
Carports within street setback	Replaced by LPP7.7.1 – see assessment below.		
LPP2.1 – Setback of Garages and Carport			
Deemed to Comply Provisions	Required	Proposed	Compliance
Carports within the primary street setback area providing that:		N/A	Yes
<ul style="list-style-type: none"> a) Its architectural form and materials are consistent with the main part of the dwelling. b) The street can be viewed from a window (or windows) to a habitable room with such window(s) comprising of a total minimum area of 1.5sqm, minimum dimensions of 0.9m each and a maximum sill height of 0.7m above finished floor level. c) The carport is setback a minimum of 3m from the front boundaries in areas coded R25 or less and no less than 2m in areas coded R30 or higher. 			
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.2.2 Garage Width			
Deemed to Comply Provisions	Required	Proposed	Compliance
A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50% of the frontage at the setback line as viewed from the street. This may be increased to 60% where an upper floor or balcony extends for more than half the width of the garage and its supporting structures (or a garage wall where a garage is aligned parallel to the street) and the entrance to the dwelling is clearly visible from the primary street.		N/A – no garage being accessed from the primary street.	
Design Principle Assessment – Yes/No?			
No			

Design Principles:			
N/A			
5.2.3 Street Surveillance – Augmented by LPP2.1			
Deemed to Comply Provisions	Required	Proposed	Compliance
Dwelling to address the street	Visible entry point	All building entries are visible from the street or communal accessway.	Yes
Major opening facing the street	1 opening from habitable room	Achieved	Yes
Battle-axe lots	Major opening facing the approach to the dwelling	N/A – no battle axe lots proposed.	
Where a dwelling(s) is to be developed behind a dwelling fronting the street, a window from a habitable room of the dwelling is to provide a clear view of the area immediately outside the front door of the dwelling.		N/A	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.2.4 Street Walls and Fences			
Deemed to Comply Provisions	Required	Proposed	Compliance
Front fences within the primary street setback area are visually permeable above 1.2m of natural ground level, measured from the primary street site.		Solid portion 1.2m	Yes
Solid pillars that form part of the front fences not more than 1.8m above natural ground level provided the horizontal dimension of the pillars is not greater than 400mm x 400mm and pillars are separated by visually permeable fencing.		No solid pillars higher than 2.5m	No
Design Principle Assessment – Yes/No?			
Yes			
Design Principles:			

The proposed fencing along Lower Keys Drive results in a variation to the abovementioned deemed to comply requirements which is primarily a result of the developments need to effectively manage the sloping nature of the site. Regardless of this variation, the solid portion is consistent with what is allowed in accordance with the deemed to comply provisions. In considering this variation, the design principle noted in Clause 5.2.4, P4 is warranted:

P4 Front fences are low or restricted in height to permit surveillance (as per Clause 5.2.3) and enhance streetscape (as per Clause 5.1.2), with appropriate consideration to the need:

- For attenuation of traffic impacts where the street is designated as a primary or district distributor or integratory arterial; and
- For necessary privacy or noise screening for outdoor living areas where the street is designated as primary or district distributor or integrator arterial.

The abovementioned design principle is considered to have been satisfied as the development complies with the deemed to comply requirements of Clause 5.3.2 and Clause 5.1.2. Further, the proposed fence facilities generous surveillance of Lower Keys Drive as the solid portion of the fence is entirely compliant with the applicable deemed to comply requirements.

5.2.5 Sight Lines

Deemed to Comply Provisions	Required	Proposed	Compliance
Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences and other structures adjoin: <ol style="list-style-type: none"> I. A driveway that intersects a street, right of way or communal street. II. A right of way or communal street that intersects a public street. III. Two streets that intersect. 		No fencing near vehicle entrances.	Yes

Design Principle Assessment – Yes/No?

No

Design Principles:

N/A

5.2.6 Appearance of Retained Dwelling

Deemed to Comply Provisions	Required	Proposed	Compliance
Retained dwelling to be upgraded	N/A – no retained dwellings		

Design Principle Assessment – Yes/No?

No

Design Principles:			
N/A			
5.3 Site Planning and Design			
5.3.1 Outdoor Living Areas			
Deemed to Comply Provisions	Required	Proposed	Compliance
Minimum Area	16sqm	Townhouse 1-7 – 27sqm Townhouse 8-13 – 35sqm Townhouse 14-15 - 59sqm	Yes
Location	Behind front setback and accessible from habitable room	Townhouse 1-7 – Yes Townhouse 8-13 – Yes Townhouse 14-15 – Yes (whilst a portion is located in the front setback a sufficient area is behind the 1m secondary street setback).	Yes
Minimum dimension	4m long and 4m wide	Townhouse 1-7 – Yes Townhouse 8-13 – Yes Townhouse 14-15 – Yes	Yes
Area of unroofed portion	Two thirds of outdoor living area	Townhouse 1-7 – Yes Townhouse 8-13 – Yes Townhouse 14-15 – Yes	Yes
Multiple Dwelling Balconies	N/A		
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			

5.3.2 Landscaping			
Deemed to Comply Provisions	Required	Proposed	Compliance
	Street setback area developed without car parking	No parking within the street setback.	Yes
	Pedestrian access providing wheelchair accessibility connecting entries to all ground floor buildings with the public footpath and car parking areas.	Wheel chair access is provided to all ground floor entries.	Yes
	One tree to provide shade for every four uncovered car spaces.	Ability exists to provide shade trees at a rate of 1 per 4 car bays.	Yes
	Lighting to pathways and communal open space and car parking areas	Can be a condition of approval	Yes
	Bin storage areas conveniently located and screened from view	Bins will be managed at each individual unit and stored within the garage.	Yes
	Trees which are greater than 3m in height shall be retained	No trees to be retained.	Yes
	Adequate sightlines for pedestrians and vehicles	Sufficient sightlines have been provided.	Yes
	Clear line of sight between areas designated as communal open space and at least two habitable room windows.	All communal open space areas have more than two habitable room windows overlooking them.	Yes
	Clothes drying areas which are secure and screened from view	Clothes drying to be provided in private court yards which are screened from view.	Yes
	Each dwelling shall provide 1 tree with a planting area of 2m x 2m	Sufficient space exists for this to occur within the designated courtyards.	Yes
	Landscaping of the street setback area shall not consist of more than 50% impervious surfaces	Courtyards to ensure 50% of the setback area is landscaping.	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			

N/A			
5.3.3 Parking			
Deemed to Comply Provisions	Required	Proposed	Compliance
Location A - 1 bedroom – 1 bay - 2 + bedroom – 1 bay - Aged Persons Dwelling – 1 bay	15 bays	24 bays	Yes
Visitor Parking	4 bays	4 bays (7 bays for the commercial development)	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.3.4 Design of Car Parking Spaces			
Deemed to Comply Provisions	Required	Proposed	Compliance
Design	In accordance with Australian Standards	Dimensioned appropriately.	Yes
Visitor Bays	- Clearly delineated - Visible from point of entry - Accessible path of travel for people with a disability.	Clearly noted on the plans.	Yes
Trees	1 tree per 6 open car bays	Can be achieved.	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.3.5 Vehicle Access			

Deemed to Comply Provisions	Required	Proposed	Compliance
Access to parking	<ul style="list-style-type: none"> - From a right of way - From a secondary street - From a primary street 	From a communal street.	Yes
Driveways	<ul style="list-style-type: none"> - Not narrower than 3m at the street boundary - Not wider than 6m or an aggregate of 9m. 	6m wide crossover	Yes
Driveway location	<ul style="list-style-type: none"> - Not closer than 0.5m from a side boundary - Not within 6m of a street corner - Aligned at right angles - Avoids street trees - Adequately paved and drained 	Achieved.	Yes
Two way access	Required where: <ul style="list-style-type: none"> - Serving more than 5 dwellings; - Distance from parking and the street is 15 or more metres - Street is a primary distributor or integrator arterial road 	Two way access provided.	Yes
Multiple or Grouped Dwelling Driveway	Where service 5 or more dwellings: <ul style="list-style-type: none"> - Minimum width of 4m - Designed to allow vehicles to pass 	6m wide driveway.	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.3.6 Pedestrian Access			
Deemed to Comply Provisions	Required	Proposed	Compliance

10 or more dwellings	Pedestrian path separate from vehicle access with a width of 1.2m	Separate pedestrian access provided throughout the development. Could be considered for T8-13	Yes														
Shared communal street	Clear sightlines, adequate lighting and paving	Achieved	Yes														
Pedestrian path	No closer than 2.5m to a major opening	Achieved	Yes														
Design Principle Assessment – Yes/No?																	
No																	
Design Principles:																	
N/A																	
5.3.7 Site Works																	
Deemed to Comply Provisions	Required	Proposed	Compliance														
Excavation or fill within 2m of the street	Not to exceed 0.5m	0.5m	Yes														
Beyond street setback	<table border="1"> <thead> <tr> <th>Height of site works and/or retaining walls</th> <th>Required minimum setback</th> </tr> </thead> <tbody> <tr> <td>0.5m or less</td> <td>0m</td> </tr> <tr> <td>1m</td> <td>1m</td> </tr> <tr> <td>1.5m</td> <td>1.5m</td> </tr> <tr> <td>2m</td> <td>2m</td> </tr> <tr> <td>2.5m</td> <td>2.5m</td> </tr> <tr> <td>3m</td> <td>3m</td> </tr> </tbody> </table>	Height of site works and/or retaining walls	Required minimum setback	0.5m or less	0m	1m	1m	1.5m	1.5m	2m	2m	2.5m	2.5m	3m	3m	Less than 0.5m	Yes
Height of site works and/or retaining walls	Required minimum setback																
0.5m or less	0m																
1m	1m																
1.5m	1.5m																
2m	2m																
2.5m	2.5m																
3m	3m																
Design Principle Assessment – Yes/No?																	
No																	
Design Principles:																	
N/A																	

5.3.9 Stormwater Management			
Deemed to Comply Provisions	Required	Proposed	Compliance
Stormwater to be retained on site		Will be retained on site.	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.4 Building Design			
5.4.1 Visual Privacy			
Deemed to Comply Provisions	Required	Proposed	Compliance
Setbacks for areas coded R50 and lower	<ul style="list-style-type: none"> - 4.5m to bedrooms and studies - 6m to other habitable rooms - 7.5m to outdoor living areas 		
Setbacks for areas coded higher than R50	<ul style="list-style-type: none"> - 3m to bedrooms and studies - 4.5m to other habitable rooms - 6m to outdoor living areas 	All compliant as illustrated on plans.	Yes
Screening Devices	<ul style="list-style-type: none"> - 1.6m in height - 75% obscure 	N/A	Yes
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.4.2 Solar Access for Adjoining Sites			
Deemed to Comply Provisions	Required	Proposed	Compliance
R25 and lower	Less than 25%	N/A – R80 coded lots	
R30 to R40	Less than 35% of the site	N/A – R80 coded lots	
R40 and higher	Less than 50% of the site	Less than 50%	Yes

Design Principle Assessment – Yes/No?

No

Design Principles:

N/A

5.4.3 Outbuildings

Deemed to Comply Provisions	Required	Proposed	Compliance
Outbuildings	<ul style="list-style-type: none"> - Not attached to a dwelling - Non-habitable; - Do not exceed 60sqm or 10% of the site area - Do not exceed a wall height of 2.4m - Do not exceed a ridge height of 4.2m - Not within setback area - Do not reduce open space requirements - Setback from boundaries 	N/A – no outbuildings proposed	

Design Principle Assessment – Yes/No?

No

Design Principles:

N/A

5.4.4 External Fixtures Utilities and Facilities

Deemed to Comply Provisions	Required	Proposed	Compliance
Solar collectors	Installed on the roof	None proposed.	Yes
Other external fixtures	External fixtures are permitted where they are:	None visible from the street.	Yes.

	<ul style="list-style-type: none"> - not visible from the street and surrounding properties; or - integrated with the design of the building 		
<p>If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows:</p> <ul style="list-style-type: none"> - continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or - a surface offering equal or more obstruction to view which does not compromise ventilation. 		No screening required, not visible from the street.	Yes
<p>For single houses and grouped dwellings, air conditioning fixtures are to be placed at the rear of the ground floor. The highest point of the air conditioning fixture is to be a maximum 1.8 metres above natural ground level or below the existing fence line.</p>		To be conditioned.	Yes
<p>Storage</p>	<ul style="list-style-type: none"> - 4sqm - Minimum dimension of 1.5m external to garage, 1m internal to the garage 	<p>Townhouse 1-7 – Yes Townhouse 8-13 – No Townhouse 14-15 – Yes</p>	No
<p>Waste collection on site</p>	<ul style="list-style-type: none"> - Conveniently located - Accessible to residents - Adequate in area - Screened from view 	Achieved. Collection from verge.	Yes
<p>Clothes drying</p>	Screen from view of primary and secondary street	Achieved in private courtyards	Yes
<p>Design Principle Assessment – Yes/No?</p> <p>Yes</p> <p>Design Principles:</p> <p>In assessing the variation proposed to the storerooms within Townhouses 8-13, the below mentioned design principle is of relevance.</p> <p><i>P4.2 External location of storeroom, rubbish collection/bin areas, and clothes drying areas where these are:</i></p> <ul style="list-style-type: none"> • Convenient to residents. 			

- Rubbish collection areas which can be accessed by service vehicles.
- Screened from view.
- Able to be secured and managed.

Whilst the proposed storerooms are slightly undersized, they be used in accordance with the adjacent garage which is a space large than what is necessary to accommodate the two parking bays. Further, the other external fixtures are all conveniently located to residents, screened from view and able to be secured. In addition, waste collection will occur from the street with individual bins managed internally. With this in mind, the abovementioned design principle is considered to have been satisfied.

5.5 Special Purpose Dwellings

5.5.1 Ancillary Dwellings

Deemed to Comply Provisions	Required	Proposed	Compliance
Associated with a single house	<ul style="list-style-type: none"> - Lot not less than 450sqm - Maximum plot ratio area of 70sqm - Sufficient parking provided - Complies with other R-Code requirements except 5.1.1, 5.2.3 and 5.3.1 	N/A – none proposed	

Design Principle Assessment – Yes/No?

No

Design Principles:

N/A

5.5.2 Aged or dependent persons dwelling

Deemed to Comply Provisions	Required	Proposed	Compliance
Dwelling design	<ul style="list-style-type: none"> - Maximum plot ratio area of 100sqm for single houses and grouped dwellings and 80sqm for multiple dwellings - Minimum of 5 dwellings within any single development - Visitor parking at a rate of 1 bay per four dwellings with min 1 space 	N/A – none proposed	

	<ul style="list-style-type: none"> - First visitor bay will be wheelchair accessible with a width of 3.8m - Outdoor living area reduced by 1/3 		
Ground floor units	<ul style="list-style-type: none"> - Accessible path of travel - Level entry points 		
All dwellings	<ul style="list-style-type: none"> - Doors to have 820mm clear opening - Corridors to be 1m wide and 1.2m wide in corridors with opening on side walls - Visitable toilet - Toilet shall have hand rails and nib wall 		
Occupant	At least one occupant is to be disabled or physically dependent person or aged person.		
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			
5.5.3 Single Bedrooms Dwellings			
Deemed to Comply Provisions	Required	Proposed	Compliance
Dwelling Design	<ul style="list-style-type: none"> - Maximum plot ratio of 70sqm - Open space and landscaping in accordance with 5.1.4 and 5.3.2 - Compliant parking provision - Outdoor living area reduced by 1/3 	N/A – none proposed.	
Design Principle Assessment – Yes/No?			
No			
Design Principles:			
N/A			

5.2.3 Local Planning Policy 4.27 – Mixed Use Zones

An assessment of the proposed development against the provisions of Local Planning Policy 4.27 – Mixed Use Zones has been provided in the below table. Where variations have been identified they have been noted in red, with justification provided through an assessment against the relevant design principles.

Development Requirements	Proposed	Compliance (Yes/No)
The non-residential use of land within the Mixed Use zone shall not cause undue conflict through the generation of traffic, demand for parking or the emission of noise, light, fumes, odours, dust, vibration, electrical interference, wastewater or any other form of pollution or activity which may be undesirable or incompatible with residential uses.	The commercial tenancies will not cause undue conflict with the residential uses through the generation of noise, light, fumes, odours, dust, vibration, electrical interference, wastewater or any other form of pollution or activity as they are simply an office land use.	Yes
Buildings shall be of a high standard of architectural design and include additional building detail, articulation, colours and textures to enhance architectural quality.	The proposed buildings incorporate awnings, high level glazing, building materials that create a high standard design that is cohesive while clearly delineating the residential areas from the commercial areas.	Yes
In the interests of contributing to a desirable amenity and street level activation, development in mixed use zones should be designed and laid out with non-residential uses at the ground floor where these are proposed.	The non-residential uses are situated on the ground floor and the residential development includes ground floor offices.	Yes
Non-residential uses abutting or in the same building as residential development shall be designed to minimise impact on residents and shall address, noise, light, fumes, odours, dust, vibration, electrical interference, wastewater, traffic, visual amenity, safety, visual privacy and any other matter that may detract from the amenity of residents and the area. Noting that the Mixed Use zone is expected to accommodate a wider range of activity that typical Residential zoned land.	The commercial tenancies being a simple office land use will not cause undue conflict with the residential uses through the generation of noise, light, fumes, odours, dust, vibration, electrical interference, wastewater, traffic, visual amenity, safety, visual privacy, and any other matter that may detract from the amenity of residents and the area.	Yes
Buildings shall address the street by way of major openings and entries to provide a level of passive surveillance from inside the building to adjacent streets and the public realm. For nonresidential uses, the use of blank walls shall be minimised and glazing to	Major openings from living areas on the ground floors and bedrooms on the upper floors in the residential buildings face the streetscape and allow for a level of passive surveillance from inside the dwellings. The non-residential uses have minimal blank walls, with entrances available from the corner of Lower Keys Drive and	Yes

<p>openings shall not be obscured with signage, translucent films, paint, fittings, or furniture.</p>	<p>Boranup Avenue. All major openings are not to be obscured with signage or other blockades.</p>	
<p>Where blank walls cannot be avoided they should be designed in such a way that they contribute to a safe and attractive street environment by:</p> <ul style="list-style-type: none"> • Minimising the length and height of blank walls; and • Articulating blank walls through the creative application of complementary materials, avoiding large continuous masses of the same finish and/or the provision of appropriately integrated structural features, lighting, street furniture, artworks and/or landscaping. 	<p>All walls are proposed to be highly articulated using different materials and the integration of setbacks and awnings into the building façade design.</p>	<p>Yes</p>
<p>Non-residential uses must achieve a nil setback to the primary street except at areas along the building frontage providing access and where variations improve the building articulation as determined by the City.</p>	<p>The non-residential buildings have a nil setback to the primary street.</p>	<p>Yes</p>
<p>Buildings to be used for residential purposes only may have a nil setback from the primary street and an average setback not exceeding 3.0 metres.</p>	<p>The average setback for the residential buildings from the primary street is less than 3m.</p>	<p>Yes</p>
<p>Mixed use development should be designed with a degree of adaptability to allow for change of use and dwelling size over time to respond to changing needs.</p>	<p>The proposed development is designed with a degree of adaptability to allow for changes of use. This is evident in the incorporation of the ground floor offices.</p>	<p>Yes</p>
<p>All buildings, which are in the first instance not proposed to be used for any non-residential purposes must have a designated room, to be provided at the front of the building abutting the primary street on the ground floor. This room shall include:</p> <ul style="list-style-type: none"> ○ Direct access to the primary street and separate pedestrian access from the primary street to the balance of the building; ○ A minimum gross floor area of 12m²; ○ An elevation facing the primary street, glazed to a minimum of 60% or 8m² (whichever is the lesser) with a visually permeable material; and ○ A minimum ceiling height of 3.2 metres. 	<p>The residential dwellings include an office that has direct access to the street and connection to the rest of the dwelling.</p> <p>The floor area is less than 12sqm, the extent of glazing is less than 8sqm or 60% of the elevation and the ceiling to floor to ceiling height is not 3.2m. This is considered justified as:</p> <ul style="list-style-type: none"> ○ The proposed offices remain usable as part of a residential dwelling. ○ The context of the surrounding development is primarily residential suggesting a low desirability for commercial uses. ○ The streetscape elevations are still considered to be a desirable design outcome. 	<p>Yes</p> <p>No</p>

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<p>An awning is to be provided along portions of the building with a nil setback to the street boundary, with a:</p> <ul style="list-style-type: none"> ○ Minimum height of 3.0 metres above the footpath; and ○ Minimum depth of 2.5 metres or to the outer edge of a footpath, whichever is the lesser, as measured from the lot boundary. 	<p>An awning is provided along the portions of the building with a nil setback, with a:</p> <ul style="list-style-type: none"> - Minimum height of 3.86m above the footpath; and - Depth to the outer edge of the footpath. 	<p>Yes</p>
<p>The maximum area of Shops, Offices, Pharmacies, Restaurants, Showrooms and Take-Away Food Outlets shall not exceed a net lettable area of 300m² for each tenancy.</p>	<p>The net lettable area for each commercial tenancy does not exceed 226sqm.</p>	<p>Yes</p>
<p>To prevent land in Mixed Use zones from being subdivided into small lots to be used for Single House development only, which may preclude other uses in the future, the City requires a minimum lot size of 300m².</p>	<p>The area of the lot is 4,808m², this will remain as the parent lot with a strata subdivision to occur to allow the sale of the relevant residential dwellings.</p>	<p>Yes</p>

6.0 Conclusion

Based on the contents of this planning report, it is clear that the project proposal is appropriate for approval as it delivers a development opportunity for the City of Wanneroo, its residents, working population and the associated government authorities that will improve the local population's access to much needed residential development.

As considered in detail within the contents of the planning report, the proposal will deliver a built form outcome that respects the amenity of adjoining residential properties, ensures safe access and egress as well as enabling a use that activate the adjoining streetscapes.

As detailed in the assessment, the proposal has demonstrated that it is generally compliant with the relevant development requirements with any variations appropriately justified. On this basis, the support of the City of Wanneroo is warranted.