

# TOWN OF COTTESLOE



## DEVELOPMENT SERVICES COMMITTEE MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
6.00 PM, MONDAY, 16 SEPTEMBER 2013

**CARL ASKEW**  
Chief Executive Officer

19 September 2013

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**DEVELOPMENT SERVICES COMMITTEE**

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member announced the meeting opened at 6:00pm.

**2 DISCLAIMER**

The Presiding Member drew attention to the Town's disclaimer.

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4.2 PUBLIC QUESTIONS****5 PUBLIC STATEMENT TIME****6 ATTENDANCE****Present**

Cr Jack Walsh	Presiding Member
Cr Greg Boland	
Cr Katrina Downes	
Cr Victor Strzina	
Cr Yvonne Hart	
Cr Peter Jeanes	

**Officers Present**

Mr Andrew Jackson	Manager Development Services
Mr Geoff Trigg	Manager Engineering Services
Mr Ed Drewett	Senior Planning Officer
Mr Ronald Boswell	Planning Officer
Mrs Liz Yates	Development Services Administration Officer

**6.1 APOLOGIES****Officer Apologies**

Mr Carl Askew	Chief Executive Officer
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**6.2 APPROVED LEAVE OF ABSENCE**

Nil.

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7 DECLARATION OF INTERESTS**

Nil.

**8 CONFIRMATION OF MINUTES**

**Moved Cr Strzina, seconded Cr Walsh**

[Minutes August 19 2013 Development Services Committee.docx](#)

**The Minutes of the Ordinary meeting of the Development Services Committee, held on 19 August 2013 be confirmed.**

**Carried 6/0**

**9 PRESENTATIONS**

**9.1 PETITIONS**

Nil.

**9.2 PRESENTATIONS**

Nil.

**9.3 DEPUTATIONS**

Nil.

**10 REPORTS****10.1 PLANNING****10.1.1 FORMER DEPOT SITE – PROPOSED DESIGN GUIDELINES POLICY –  
REPORT FOLLOWING ADVERTISING**

**File Ref:** SUB/962  
**Attachments:** [Aerial Former Depot Site](#)  
[Local Development Policy for Former Depot Site](#)  
[Former Depot Site Public Submissions](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Andrew Jackson  
Manager Development Services

**Proposed Meeting Date:** 16 September 2013

**Author Disclosure of Interest:** Nil

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**SUMMARY**

In July 2013 Council received a progress report on the former depot site disposal project and in relation to the subdivision proposal resolved to endorse draft design guidelines by way of a Local Development Plan (LDP) to be advertised as an intended town planning scheme policy.

Advertising has been undertaken and this report presents community comment and other information to Council towards finalisation of the scheme policy.

**BACKGROUND**

The subdivision application lodged is pending approval by the Western Australian Planning Commission (WAPC), which is imminent. The approval will have conditions in the normal manner and it is anticipated that the subdivision design will be acceptable to the WAPC.

The Town in devising the subdivision proposal with its planning consultants and surrounding residents decided that it would be beneficial to create design guidelines to address various details, in order to augment the basic subdivision layout plan. The design guidelines are another layer of control over key aspects of the residential land development.

The design guidelines take the form of an LDP and associated Public Realm Design Brief, to be ratified as a local planning policy under the town planning scheme. In this way the design guidelines will go hand-in-hand with the approved subdivision when selling the site to a preferred developer to carry out construction of the estate accordingly.

## CONSULTATION

The draft scheme policy LDP design guidelines were advertised for three weeks ending 23 August 2013, by way of 44 letters to surrounding owners/residents, the Post Newspaper and the Town's website.

Eleven submissions were received, as examined below, with copies attached.

## SUBMISSIONS

The submissions are summarised in the following table, grouped by surrounding streets. The key points raised are identified and commented upon further below.

<b>Street address</b>	<b>Owner name</b>	<b>Key points made</b>
9 Clarendon St	Rosanne & Timothy Moore	Comments provided by Malcolm Mackay planning consultant. Questions feasibility of northern lane in terms of access, topography, construction (fill/retaining), garage setback and dwelling design. Retaining walls would shadow outdoor areas. Queries tenure of central open space for perpetuity. Queries why two garage locations are mandated while others are "preferred", whereby front garages may occur. Queries 5m height of garages and affect on views, so low-pitch or flat roofs should be mandated. Suggests drying court guidance should be improved. States 65% site coverage inconsistent with RDC and should be explained. Number of on-street parking bays is high. Queries absence of and encourages more detailed design guidelines for the lots. [note: misunderstood] Encourages water sensitive urban design, high-standard open space infrastructure, public art, ample footpaths and consistent crossovers. Lane lighting should avoid glare impact. Clarify use of lanes by rubbish trucks, service vehicles or visitor parking.
11 Clarendon St	Graham Dowland	Appreciates consultative process for project. Queries garage height limit of 5m as excessive re impact on views, so flat or low-pitched roofs should be mandated. Encourages more design guidelines for each lot. Concern re lanes traffic flow, access (especially northern lane) and for low-impact lighting.
253 Marmion St	Hayley Benbow	Has become aware of history of depot site and suggests alternative of a community park. Concern about traffic in lanes, including noise, inconvenience and impact



		<p>on Marmion St leg and eastern lane, which would be narrowed (ie from as currently built). Link between estate access road and eastern lane would increase risk of personal injury and property damage to 257 Marmion (especially their corner garage), which a suggested masonry fence would not prevent, also given the blind corner. Pedestrian safety/paths in the lanes should be considered, especially re school children. Supports design constraints to dwellings on new lots 7 &amp; 8, ie 6m setback of two-storey buildings. Concern small lot development and traffic will devalue locality. Suggests: single access road from Nailsworth St, with no eastern lane link; narrow lots 7 &amp; 8 for a wider eastern lane and to keep the trees; one-way lanes; pedestrian/cycle pathway; reduce lots 7 &amp; 8, with design controls for privacy (windows, setback, height); keep existing landscape in eastern lane.</p>
255 Marmion St	Jonathon Thwaites	<p>Concern that eastern lane is too narrow, whereby properties to Marmion St may be damaged by vehicles (especially No. 253), access for existing rear carports would be hazardous and blind corners to lanes would be dangerous for vehicles and pedestrians. Dwellings on new lots 7 &amp; 8 should not overlook properties opposite eastern lane. Suggests widening that lane by reducing lot 8 to address all this and for attractive, treed lane-scape (keeping existing trees) and to optimise lot sales.</p>
257A Marmion St	Vivienne Dench	<p>Satisfied with levels of proposed lots opposite. Acknowledges intended masonry wall for direct protection from traffic. Requests that any widening of eastern lane parallel to Marmion St be for the whole lane; but has separately expressed concern that wider lanes may encourage traffic/speeds, and that the narrow vehicle and pedestrian link at the eastern end of the subdivision should not be widened (so as to minimise/calm traffic).</p>
50 Napier St	Sue Moffat	<p>Plan looks promising overall. Suggests one-way flow for access road and all lanes with a pedestrian easement on one side of lanes, and that the road/lane link be pedestrian-only to manage traffic. Rear 6m of all lots should be single-storey for low impact and</p>

		privacy to properties opposite. Park (POS) should be a child-friendly meeting place.
54 Napier St	Jane & Riaz Khan	Concern that height of buildings at rear of lots to lane could overlook properties opposite, so opposed to two-storey within 6m of lane. Concern about SE blind corner in lanes re pedestrian safety, so truncation should be increased. Concern that eastern lane is to be narrowed re pedestrian safety/convenience. Concerned about traffic flow in lanes, so encourages one-way. Suggests that the lane/ road link be pedestrian-only.
56A Napier St	Davina Whittall	Building height at rear of lots should be restricted to ensure privacy for properties on other side of lane. Encourages one-way traffic flow in lanes and truncations for visibility. Lanes should not be any narrower, given considerable pedestrian usage.
2A Nailsworth St	Fiona Callander	Appreciates consultation. Seeks assurance their front verge parking bay will remain. Concern about lanes and Nailsworth St being narrow re traffic in general and during construction in particular – seeks assurance of a management plan; especially re traffic and amenity impacts of major site-filling exercise. Urges dilapidation reports re fill/compaction and construction works. Encourages achieving amenity for new estate as well as surrounding properties.
3 Nailsworth St	Katrina Burton	Parking bays supported. Concern there could be front garages instead of mandated at rear. Garage roofs should be flat or low pitch – 5m proposed seems too high and could impact across lanes. Encourages design guidelines for quality, certainty and amenity.
4 Nailsworth St	Alec & Linda Pismiris	Concern access road from Nailsworth St would cause traffic impact. Suggest access via Marmion and Clarendon Sts instead. Rear garages would be impractical and retaining walls for northern ones would shadow backyards – opposed to that. Suggests clarify tenure of POS as such rather than road reserve. Queries mandated versus flexible garage locations, including changing to front of lots. Queries 5m height for garages and encourages flat or low pitch roofs to preserve views. Urges drying court control to be improved. Seeks rationale for

		65% site coverage control and for large number of access road parking bays. Urges detailed design guidelines for the lots (eg quality, character, roof pitches, mechanical equipment) for certainty and amenity. Queries amount of fill and finished site levels – would oppose increase of more than one metre. Suggests Public Realm Design Brief should include: water-sensitive measures with no sump; high quality, robust landscape structures/furniture; public art. Encourages: footpaths; crossovers being narrow and of consistent material. Also suggests: avoid glare from lane lighting; clarify use of lanes by refuse trucks/service vehicles; discourage visitor parking in lanes.
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### OFFICER COMMENTS

The submissions have been reviewed by the Manager Planning Services and Manager Engineering Services as well as the Town's planning consultants. The comments from owners/residents fall into the following categories for consideration. Overall, many of the points raised can be explained or responded to, including making some refinements to the LDP/design guidelines and possibly to the final subdivision plan. Some other aspects will be addressed during the land development phase.

#### Traffic matters:

##### Existing situation

The laneway network around the site has existed for many decades and been comparatively heavily used by depot and residential vehicles. The lanes are sealed to be trafficable, except for the un-built section of the northern lane at present. As Crown reserves for public roads they are available as thoroughfares to all.

The condition of abutting fencing and buildings on the surrounding residential properties is overall good, ranging from some high quality masonry fences and garages to a few older fibro or timber fences and shed-style garages. A number of small to medium sized trees and various creepers occur randomly within the lanes outside rear fences.

##### Subdivision proposal

The subdivision design preserves the lanes as convenient access to the rear of dwellings, both existing and proposed, as well as provides a central local access road. The development concept is to locate vehicular access to the rear of the new lots (with the exception of possible Lot 13) in the same manner as several of the surrounding properties. This estate layout is similar to that often used in today's urban development projects or infill housing areas, such as at East Perth and Subi Centro.

The advantage of this site is that the laneway network comprises four connections to three surrounding streets, as well as the access road, which affords a high degree of circulation for the subdivision, influencing dispersed rather than concentrated traffic patterns. The proposed narrow vehicular and pedestrian link between the access road and the eastern lane is a further benefit to circulation, including as an emergency access.

#### Traffic flow

In this regard maintaining two-way traffic flow, as has always applied, is considered to be the better approach to traffic management, for freedom of travel direction, greater traffic dispersal and due to difficulties in regulating one-way traffic. Five-metre wide lanes are common and sufficient to allow passing vehicles. The upgrading of the lanes, including sufficient lighting, will facilitate effective and safe vehicular movements. The fact of two-way flow tends to calm traffic, whereas one-way can encourage speeding; while it is very hard to enforce one-way flow behaviour. Furthermore, a proposed one-way system would require approval by Main Roads WA of the traffic management techniques.

Planning experience is that upon completion of a development, residents and visitors soon adapt to and respect the design arrangement in relation to travel routes/modes and other element such as parking and open space.

#### Garage access

Garages are to be setback a minimum of 1m from the lanes to provide the standard 6m turning space. Cottesloe has a number of 5m wide lanes where vehicular movements and access to garages functions effectively, and rear garages are an established design principle.

#### Lane widths

Therefore, it is not intended to widen the legal width of the lanes for traffic purposes.

Nevertheless, narrowing lot 8 on its eastern side could be considered in order to widen the lane in the interest of amenity; by dedicating a strip of the depot site to that section of the lane. The objective would not be for a lane carriageway wider than 5m, but to align the pavement westward similar to as exists, away from the eastern properties and retaining or reinstating a landscape buffer on the eastern side (which, as it is in the lane, would be the Town's maintenance responsibility).

Excising a 3m wide strip from lot 8 would reduce it from 800sqm by approximately 110sqm to 690sqm. Note that widening the lane along lot 7, which is already smaller at 629sqm, is not recommended.

In this regard the Manager Engineering Services has advised that the existing trees, if kept, may require future removal if they become too large and affect the lane pavement or private fencing. Also, the materials and rubbish dumped there would have to be removed, and at some time the adjacent owners may wish to upgrade the fencing and garage in any case.

### Truncations

Corner truncations are included in the LDP and subdivision plan as standard practice to assist traffic movement/visibility. The corners of existing properties could be truncated with the cooperation of owners.

### Eastern link

The link between the access road and eastern lane resulted from consultation in the interest of vehicular and pedestrian connectivity. It is also appropriate for emergency vehicles and as an escape route. The link is designed as a narrow neck as one-way-at-a-time for vehicles (eg with a gentle plateau and signage) with side footpaths. In this way the access road affords pedestrians a choice of routes and terrain in multiple directions.

The Town has liaised with the owner of 257A Marmion Street, which is a rear strata dwelling directly opposite and close to this link that will be the most exposed to traffic movements using the link. Therefore, the Town has agreed in-principle that in relation to the subdivision works the existing rear fibro fence with gates to this property should be replaced with a masonry wall with gates, at the cost of the Town or developer as determined.

### Footpaths

Lanes by nature are a secondary road also available to pedestrians and cyclists but normally don't contain footpaths, even in commercial areas, due to less space, garages, services, etc. The central access road will, however, have 1.5m wide footpaths along both sides as a primary pedestrian route.

### Visitor parking

The provision of parking bays in the access road is important for visitor and service vehicles and considered ample at in excess of one bay per lot. The lanes will not have any visitor bays. The access road and lanes will be capable of carrying service vehicles – the lanes have carried depot trucks for many years.

### Existing verge bay

At 2A Nailsworth Street the parking bay in the verge is acknowledged and can remain as an existing situation. Any upgrading of the adjacent street/lane intersection would better define the edge to the bay. This arrangement may be shown on the engineering construction plans for development of the subdivision.

### Garage locations

The garage locations are all meant to be confined to the rear of the lots, except for possible lot 13 which would be at the front as its only access (that garage is at the end of a row of lots near the entry and can be designed as integral to the dwelling on a lot with a wide frontage and an adjacent dwelling on the west)

The notation of “preferred” location implies that the precise location can be decided by design, whilst the two “designated” locations are fixed in relation to lot characteristics; nonetheless, it is recommended that the Local Development Plan be clarified in this respect.

### **Built form matters:**

#### Fill and levels

Filling the site is necessary to create a desirable living environment and develop in relation to the lanes, without raising the entire site to the level of the lanes or above. In this way two-storey dwellings will generally sit lower in relation to surrounding properties than were the original topography replicated. The north-south profile of the estate will preserve views from higher properties on Nailsworth and Clarendon Streets. The east-west profile will match the eastern lane behind Marmion Street and gradually slope up to Nailsworth Street.

#### Northern lane

Both the planning consultants and Manager Engineering Services have confirmed that construction of the northern lane can be completed and would operate successfully in relation to the subdivision lots and traffic circulation.

#### Height of garages

The proposed 5m maximum roof height for rear garages was based on typical single-storey wall heights of 3-3.5m plus a pitched roof. The LDP indicative cross-section does show flat roofed garages, although a degree of headroom would be required. Taking into account the sense of scale and preserving views, a 4m height would still allow clearance with low pitch or skillion roofs. It is concluded that this interface with the lanes and surrounding properties would be more appropriate, and recommended the LDP be amended accordingly.

#### Site coverage

Under the RDC the R20 site coverage standard (ie dwelling footprint proportion of lot area) is 50%, although it may be increased by satisfying design principles. Higher densities allow progressively greater site coverage.

Under the LDP a 65% maximum was conceived given the topographical constraints, controlled garage locations and setbacks, as well as the floor-space trend for dwellings, including the design technique of boundary walls as guided by the RDC. In addition, all of the lots exceed the R20 average size of 450sqm and four are over 600sqm.

In this context, a site coverage increase to 55% would be marginal, whereas to 60% would be a meaningful bonus, were 65% considered excessive. On balance, it is recommended that the maximum is 60%.

**Amenity matters:**Type of design guidelines

The LDP conveys key design guidelines for development of the estate and each lot, including levels, setbacks, heights, garage locations, site coverage and front fencing. The LDP is not intended to prescribe guidance for the individual lots or design of dwellings, which will be controlled by Scheme and RDC requirements via development applications in the normal manner.

It is clarified that the LDP *does* constitute design guidelines, comprising foundation (but not detailed) development parameters for the residential estate. These parameters serve as a template to achieve a degree of uniformity in the form and function of the land development for overall cohesion and quality.

Lots 7 and 8 treatments

In terms of the interface between lots 7 and 8 and properties across the eastern lane, it is considered that the 5m lane width and RDC setback requirements would provide acceptable separation and privacy. The suggested large setbacks from the lane for lots 7 and 8 would penalise dwelling design.

Under the RDC any wall to a dwelling on that boundary must be blank and any openings for the ground floor or second storey would require setbacks. As ground floor boundary walls are allowed as-of-right and are quite common on lanes, requiring a side setback at that level for these lots is not supported. However, requiring that second-storey walls, with or without openings, to the eastern side of lots 7 and 8 have suitable setbacks would ameliorate the effect of bulk and scale to the lane and adjacent properties. A minimum 1.5m setback is recommended as an additional measure.

Screened courts

The courtyard or drying court solid screen wall requirement is sensible for streetscape appearance, as the wall is to be behind the front setback *of the dwelling*, ie not behind the 3m minimum setback but forward of the dwelling. It is recommended that this be clarified in the LDP.

Fill and site works

The land development will undoubtedly involve substantial fill and the engineering works programme can be expected to entail appropriate procedures, including dilapidation reports, liaison with neighbours, traffic management, and noise and dust suppression measures. The works are likely to be staged and will need to be closely supervised by contractors as well as the Town.

Lane lighting

Lighting to the lanes will be appropriate for visibility and security and should be of relatively low intensity. Light poles or bollards would be situated on the depot site side of the lanes to avoid interfering with existing properties and can be incorporated

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by small excisions from the rear of the lots on the subdivision plan at final approval. It is recommended that the Public Realm Design Brief be amended to reflect this.

### **Public realm matters:**

#### Public open space

The central public open space (POS) is a desirable feature of the subdivision design. It will help to create a shared-space environment that will calm traffic. Pursuant to the subdivision approval the POS is to be designated and protected as such.

#### Urban design

The Public Realm Design Brief elaborates on the function and design standards of all the public realm elements, including the access road, lanes and POS, to ensure quality and consistency of infrastructure and urban landscape treatments. The theme of the brief is for durable and sustainable engineering, elements and materials.

The access road and POS design, including parking bays, footpaths and verges, together with open-aspect front fences, will be an integrated whole for movement, social interaction and visual amenity, providing a practical and attractive setting for the residential development.

The existing laneway system will be upgraded for comprehensive circulation and to an enhanced standard, including drainage, paving, fencing and lighting; overcoming the existing flooding, dust, rubbish and overgrowth impacts. As a result of this physical improvement and activation the lanes will also offer better security.

#### Vegetation

Currently the lanes contain several medium sized trees, various shrubs and overgrowth. This vegetation contributes to existing greenery yet obstructs the official laneways and is remnant, ad hoc vegetation rather than formal street landscaping. As previously reported an arboricultural assessment found that tree preservation would be in most instances difficult, whereby replacement was the practical alternative.

The subdivision development and upgrading of the lanes will affect this vegetation, as well as some overhanging vegetation from surrounding properties. Hence there will be a loss of greenery initially, which will be compensated by creation of the landscaped POS and landscaping on the lots, augmented by any supplementary planting on surrounding properties.

As discussed above, there is some potential to widen part of the eastern lane to retain or replace existing trees, subject to detailed design and careful works.

### **CONCLUSION**

Advertising of the proposed Scheme Policy embodying the Local Development Plan and Public Realm Design Brief has attracted a fair degree of feedback from surrounding owners/residents. Following assessment of the submissions as



discussed in this report a number of refinements to the Plan and Brief documentation are recommended.

## **VOTING**

Simple majority.

## **COMMITTEE COMMENT**

Committee noted progress of the proposed Scheme Policy and discussed particular aspects of the intended residential estate as indicated by the Local Development Plan and Public Realm Design Brief, to which the Managers Planning Services and Engineering Services and the Planning Consultant (Mr Andrew Howe) responded.

Mr Howe explained the subdivision design in relation to the access road, fill and finished lot levels. Mr Jackson drew attention to the revised LDP reflecting the recommendation. He explained the garage location and height, site coverage provision and the interface between lots 7 and 8 with the eastern laneway. Mr Trigg confirmed that rubbish collection would use the local access road.

In conclusion, Committee supported finalisation of the Policy and its associated documents, including reflecting consideration of the comments in submissions, as recommended.

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Hart**

**THAT Council:**

- 1. Note the submissions received and the officer report on the proposed Local Development Plan Scheme Policy containing design guidelines for the subdivision of the former depot site.**
- 2. Agree that the Local Development Plan be revised as follows:**
  - a. The design control over the location of garages at the rear of the lots is clarified.**
  - b. The maximum roof height for all rear garages is reduced from 5m to 4m.**
  - c. The site coverage maximum is reduced from 65% to 60%.**
  - d. The setback for screen walls to courtyards or drying courts is clarified as behind the front setback of each dwelling.**
  - e. The Public Realm Design Brief elaborates upon laneway lighting location and minimisation of glare.**
  - f. For lots 7 and 8 abutting the eastern lane, second storey walls, with or without openings, are required to be setback a minimum of 1.5m from the eastern lot boundary.**

3. Agree that the Local Development Plan and final subdivision plan provide for widening of the eastern lane for the length of lot 8, to allow for a landscape strip on the east side of a 5m wide carriageway, as a buffer to the adjacent lots and to assist traffic movement.
4. Resolve to finally adopt *Town Planning Scheme No. 2 Policy No. 14: Local Development Plan for Former Depot Site* as duly modified accordingly.

Carried 6/0

**11 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**

**12.1 ELECTED MEMBERS**

**12.2 OFFICERS**

Nil.

**13 MEETING CLOSED TO PUBLIC**

**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC**

Nil.

**14 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 6:40pm.

CONFIRMED MINUTES OF 19 September 2013 PAGES 1 – 17 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

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DATE: ..... / ..... / .....