



## **PART B – CITY OF NEDLANDS**

**1. Declarations of Due Consideration**

**2. Disclosure of Interests**

**3. Form 1 DAP Applications**

- 3.1 Lot 115 (No.14) Tyrell Street, Nedlands - Proposed four grouped dwellings – DAP/25/02894

**4. Form 2 DAP Applications**

Nil.

**5. Section 31 SAT Reconsiderations**

Nil.

## Part B – Item 3.1 - Lot 115 (No. 14) TYRELL STREET, NEDLANDS – RESIDENTIAL FOUR GROUPED DWELLINGS

### Form 1 – Responsible Authority Report (Regulation 12)

<b>DAP Name:</b>	Metro Inner Development Assessment Panel	
<b>Local Government Area:</b>	City of Nedlands	
<b>Applicant:</b>	CF Town Planning & Development	
<b>Owner:</b>	J Woodford & C M Woodford	
<b>Value of Development:</b>	\$3,636,363 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
<b>Responsible Authority:</b>	City of Nedlands	
<b>Authorising Officer:</b>	Bruce Thompson	
<b>LG Reference:</b>	DA25-102435	
<b>DAP File No:</b>	DAP/25/02894	
<b>Application Received Date:</b>	15 April 2025	
<b>Report Due Date:</b>	3 September 2025	
<b>Application Statutory Process Timeframe:</b>	90 Days with an additional 51 days agreed	
<b>Attachment(s):</b>	1. Location Plan 2. Development Plans received 1 September 2025 3. Submissions 4. Design Review Panel Minutes 5. Applicant Planning Report (7 April 2025) 6. Applicant Response to Submissions (30 June 2025) 7. Landscaping Plan received 28 July 2025	
<b>Is the Responsible Authority Recommendation the same as the Officer Recommendation?</b>	<input checked="" type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

### Responsible Authority Recommendation

It is recommended that the Metro Inner Development Assessment Panel resolves to:

- Approve** DAP Application reference DAP/25/02894 and accompanying plans (attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, subject to the following conditions:

## Conditions

### General Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All works indicated on the approved plans shall be wholly located within the lot boundaries of the subject site.

### Engineering

3. Prior to a building permit being issued, stormwater disposal plans, details and calculations catering for the 1% AEP rainfall event fully onsite without any overflow into the road reserve or adjacent properties must be submitted for approval by the City of Nedlands and thereafter implemented, constructed and maintained to the satisfaction of the City of Nedlands
4. Prior to the commencement of works, a Dilapidation Report shall be submitted to the City of Nedlands and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and the existing boundary wall), including ancillary structures located upon these properties:
  - a. Lot 114 (No. 12) Tyrell Street, Nedlands
  - b. Lot 116 (No. 16) Tyrell Street Nedlands
  - c. Lot 124 (No. 31A) Archdeacon Street, Nedlands

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

5. Prior to the issue of a demolition permit, a Demolition Management Plan shall be submitted and approved to the satisfaction of the City. The approved Demolition Plan shall be observed at all times through the demolition process to the satisfaction of the City.
6. Prior to the issue of a Building Permit, a Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Construction Management Plan shall be observed at all times throughout the construction and demolition processes to the satisfaction of the City.
7. Prior to occupation, the redundant crossover on Tyrell Street shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Nedlands.

### Design

8. Prior to the issue of a building permit, the materials, finishes and colours (as shown and annotated on the approved plans) shall be shown on the building permit plans (unless otherwise approved by the City), enacted prior to practical completion of the development and thereafter remain in place for the life of the development to the satisfaction of the City.
9. Prior to the issue of a building permit, the development plans shall be amended to depict the windows from the Dining Rooms and Activity Rooms on Lots 3 and 4 to be free from visual obstruction or screening for the entirety of the windows' length.
10. Prior to occupation, all screening as shown on the approved plans shall be erected in accordance with the Residential Design Codes by either:
  - a. fixed and obscured glass to a height of 1.6 metres above finished floor level; or
  - b. fixed screening devices to a height of 1.6 meters above finished floor level that are at least 75% obscure and made of a durable material; or
  - c. a minimum sill height of 1.6 metres above the finished floor level; or
  - d. an alternative method of screening approved by the City of Nedlands.

The required screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

11. Clothes drying areas shall be located and/or screened to not be visible from the street or adjoining properties to the satisfaction of the City of Nedlands.
12. Infill panels of fences within the primary street setback area are to be visually permeable (as defined by the Residential Design Codes) above 1.2m in height to the satisfaction of the City of Nedlands.
13. External lighting shall comply with the requirements of Australian Standard 4282 – Control of Obtrusive Effects of Outdoor Lighting.

### Landscaping

14. Prior to the issue of a building permit, a revised landscaping plan shall be submitted to and approved by the City of Nedlands. The revised landscaping plan shall depict vegetation being no higher than 0.75m within 1.5m of the interface of the driveway and the street boundary. Prior to occupation, landscaping is to be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands.
15. The street trees within the verge in front of the lots are to be protected and maintained through the duration of the demolition and construction processes to the satisfaction of the City of Nedlands. Should the trees die or be damaged, they are to be replaced with a specified species at the owner's expense and to the satisfaction of the City of Nedlands.



### Sustainability

16. Prior to the issue of a building permit, an Environmentally Sustainable Design (ESD) report prepared by a suitably qualified person shall be submitted and approved to the City of Nedlands. Recommendations contained within the report are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.
17. Prior to the issue of a building permit, specifications to be provided demonstrating all water fittings such as taps, toilets and showers (excluding kitchen sinks and laundries) are within 1 star of the maximum Water Efficiency Labelling Standard (WELS) to the satisfaction of the City. The approved fittings are to be installed prior to occupation.
18. Prior to occupation, a minimum 3kw (per dwelling) photovoltaic solar panel system is to be installed to the satisfaction of the City.
19. Prior to occupation, the specified roof colour as shown on the approved plans or otherwise approved by the City is to be installed to the satisfaction of the City.

### **Advice Notes**

- i. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, any obligations under the Strata Titles Act, or the requirements of any other external agency.
- ii. A building permit is required for the works.
- iii. The Demolition and Construction Management Plan is to be prepared in the manner and form provided by the City of Nedlands.
- iv. It is recommended that dividing fencing does not exceed a height of 1.8m above finished floor level, subject to the agreement of the adjoining landowner and the provisions of the *Dividing Fences Act 1961*.
- v. Separate approval is required from the City of Nedlands for any works located within the verge, including landscaping and crossovers. A Vehicle Crossover Permit application is required to be submitted and approved by the City of Nedlands prior to verge works commencing.
- vi. The revised landscaping plan is to include but is not limited to the following:
  - a. species selection of each specific tree and plant;
  - b. groundcovers in planting mixes;
  - c. paving types to show delineation between pedestrian and vehicle access;
  - d. demonstrate water efficient design by a suitably accredited professional
  - e. treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass etc) and soil depth.

- vii. A list of preferred tree species suitable to the area can be found in the Sustainable Landscaping Information document here: <https://www.nedlands.wa.gov.au/documents/660/sustainable-landscaping-information>

#### Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	City of Nedlands Local Planning Scheme No. 3
Local Planning Scheme - Zone/Reserve	Residential R60
Structure Plan/Precinct Plan	N/A
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	'P' Permitted
Lot Size:	809m <sup>2</sup> (Parent Lot)  Lot 1: 171.3m <sup>2</sup> Lot 2: 171.3m <sup>2</sup> Lot 3: 159.2m <sup>2</sup> Lot 4: 159.2m <sup>2</sup>
Existing Land Use:	Residential - Single House
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

#### Proposal:

Approval is sought to develop four grouped dwellings at 14 Tyrell Street, Nedlands. The dwellings are two storeys with an undercroft. The front two dwellings comprise four bedrooms and three bathrooms with basement garage and storage. The two rear dwellings comprise three bedrooms and three bathrooms with basement garage and storage. All dwellings include lifts.

Proposed Land Use	Residential (Grouped Dwellings)
Proposed No. Storeys	Two and undercroft level
Proposed No. Dwellings	Four

Assessment of the proposal is based on:

- Amended Development Plans received 1 September 2025 (**Attachment 2**)
- Applicants Planning Justification received 7 April 2025 (**Attachment 5**)
- Landscaping Plan received 28 July 2025 (**Attachment 7**)

## **Background:**

### Site Context

The development is located at 14 Tyrell Street, Nedlands. The parent lot has a total lot area of 809.4m<sup>2</sup> and is located on the street block bound by Stirling Highway to the north, Tyrell Street to the west, Edward Street to the south and Archdeacon to the east (**Attachment 1**). The lot is rectangular in shape with a sole frontage to Tyrell Street 20.1m in width. The lot slopes down from front to rear by approximately 0.8m. The site currently features one 'regulated tree' as defined by the City's Local Planning Policy 3.4: Tree Retention R25-R80.

The site is zoned Residential with a density code of R60. The site currently accommodates a single storey, single house. The lot is located approximately 190m south of Stirling Highway.

### Streetscape Character

The existing streetscape of Tyrell Street is characterised predominantly by large single houses in a mix of architectural styles. The existing single houses along the street feature large front setbacks at an average of 10m from the primary street and range in height between one and two storeys.

The subject street block of Tyrell Street immediately south of Stirling Highway is experiencing a transition to a higher density and scale of development. Within the street block, there are several grouped dwelling and new single house developments that have been approved or are under construction. Five grouped dwellings have been approved at 16 Tyrell Street; four grouped dwellings have been approved at 18 Tyrell Street. Two sets of 'side-by-side' single houses have been approved at 6 and 10 Tyrell Street that exhibit characteristics of typical infill development, namely, usage of boundary walls, minimal side setbacks and street setbacks at an average of 4m.

In response to the emerging development context, the City has prepared Local Planning Policy 5.14: Precincts (LPP 5.14) to guide future development. The policy contains built form controls to ensure that new development contributes to the desired future character of the wider Stirling Highway activity corridor and transition zone as a medium rise area.

## **Legislation and Policy:**

### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations)
- *Planning and Development (Development Assessment Panels) Regulations 2011*
- *Metropolitan Region Scheme*
- City of Nedlands Local Planning Scheme No.3 (LPS 3)

### State Government Policies

- State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)

### Planning Codes

- Residential Design Codes Volume 1 (R-Codes Vol. 1).

### Local Policies

- Local Planning Policy 1.1 Residential Development (LPP 1.1)
- Local Planning Policy 1.3 Sustainable Design (LPP 1.3)
- Local Planning Policy 3.4 Tree Retention R25-R80
- Local Planning Policy 5.14 Precincts (LPP 5.14)
- Local Planning Policy 7.2 Design Review Panel (LPP 7.2)
- Local Planning Policy 7.3 Consultation of Planning Proposals (LPP 7.3)

### Strategies

- City of Nedlands Local Planning Strategy

### **Consultation:**

#### Public Consultation

In accordance with the City's Local Planning Policy 7.3 Consultation of Planning Proposals, the development was advertised for a period of 14 days, from 29 April 2025 to 14 May 2025 to 56 owners and occupiers.

After several iterations of the design, final amended plans were provided on 1 September 2025 which included the following changes:

- Increase street setback of boundary walls from 4m to 7m.
- Increased street setback of balconies from 2m to 2.3m.
- Increase in deep soil provision by 9m<sup>2</sup> in the front setback area.
- Removal of porch posts around the garage entries for the rear units.
- Increased the setback of the ground floor verandahs by 0.1m.
- Addition of skylights to ground and upper floor habitable rooms.
- Increased ceiling height in upper floor Activity rooms.
- Addition of a speed bump at the top of the driveway ramp.
- Alteration of the driveway gradient to include an additional 1m of level space at the top of the driveway.
- Increased sightline clearance area from 1.5m to 2m.

The amended plans were not re-advertised as external design elements either remained unchanged or were altered to more closely align with the deemed-to-comply standards.

At the close of the advertising period, the City received five submissions, all objecting to the development. The submissions can be found at **Attachment 3**. A summary of the submissions is provided in **Table 1** below.

<b>Table 1: Public Consultation</b>	
<b>Issue Raised</b>	<b>Officer Comment</b>
<b>Incomplete Development Plans</b> The development materials do not include required information such as waste management, traffic impact statement etc.	The proposal relates to four grouped dwellings. As such, waste management will be via standard refuse verge collection. The proposal does not qualify for the level of development which triggers the provision of a Traffic Impact Statement, as per the Traffic Impact Assessment Guidelines Volume 4.
<b>Primary Street Setback</b> The primary street setback is not deemed-to-comply and does not accord with the established streetscape.	The proposal's ground floor street setback achieves the deemed-to-comply provisions as sufficient compensating open space is provided to offset the verandah encroachment. The upper floor balconies setback at 2.3m are considered to meet the design principles for street setback as they complement the emerging Tyrell Street streetscape. See 'Street Setback' below for further discussion.
<b>Visual Privacy</b> The balconies will result in visual privacy intrusions to adjoining lots.	The upper floor balconies achieve the deemed-to-comply provisions of the R-Codes Volume 1 regarding visual privacy as they maintain a 6m setback from any adjoining property behind the street setback line.
<b>Lot Boundary Setbacks</b> The lot boundary setbacks will have a negative impact on 12 and 16 Tyrell Street.	Lot boundary setbacks within the site are commensurate with the expected level of development in the R60 code and provide an expected separation distance between the development and adjoining lots. The boundary walls are setback at a deemed-to-comply distance from the street and are a maximum of one storey, as specified by the City's LPP 5.14. See 'Lot boundary setback' below for further discussion.
<b>Building Bulk</b> The scale of the development is excessive and will adversely impact the amenity and character of the area.	Two storey building height and open space achieve the deemed-to-comply provisions. Overall, the development is considered to respond appropriately to the site.
<b>Visitor Parking</b> No visitor parking has been provided. The cumulative effect of all development must be taken into account.	As per Clause 2.3 of the R-Codes Volume 1, there is no visitor car parking requirement for four grouped dwellings. Each dwelling is provided with two resident car bays, which exceeds the minimum deemed-to-comply criteria of one bay. While traffic along Tyrell Street may increase, the road network is not anticipated to fail.
<b>Open Space and Landscaping</b> Open space and landscaping across the site are inadequate.	Open space achieves the deemed-to-comply provisions. Landscaping is appropriate and approximately 10 new small trees are proposed on site. 18% of the parent lot area is provided as landscaping.

<b>Poor Design</b> The configuration of the development is inefficient and will impact internal amenity. Vehicle access may be unsafe or unworkable.	The development plans have undergone modifications to ensure that internal amenity is sufficient. The addition of skylights, voids and the removal of internal window screening (via condition) will ensure that internal spaces have adequate access to natural light. The driveway gradients have been assessed to be navigable by vehicles and the top of the ramp has been amended to include a speed bump and increase the length of flat space to ensure adequate forward sightlines.
---	---

All submissions on this proposal have been given due regard in this assessment in accordance with Clause 67(y) of the *Planning and Development (Local Planning Schemes Regulations) 2015*.

#### Referrals/consultation with Government/Service Agencies

The application did not require referral to any Government or service agencies.

#### Design Review Panel Advice

The development was reviewed by the City's Design Review Panel on two occasions, with a final review by the Chair of the DRP, based on 25 August 2025 plans. Full DRP Minutes are provided at **Attachment 4**. A summary of the Panel and Chair's evaluation of the proposal at each stage of the review process is provided in **Table 2** below.

<b>Table 2: DRP Design Quality Evaluation</b>			
	Supported		
	Further Information Required		
	Not supported		
SPP 7.0 Principles	5 May 2025	4 August 2025	Chair Review 27 August 2025
1. Context and Character			
2. Landscape Quality			
3. Built Form and Scale			
4. Functionality and Built Quality			
5. Sustainability			
6. Amenity			
7. Legibility			
8. Safety			
9. Community			
10. Aesthetics			

The DRP Chair provided the following comment on conclusion of the final review:

*Having analysed the new drawings I remain convinced that the design as now described remains **not supportable** under DRP terms of reference. The amendments proposed following the last DRP meeting improve the design marginally from DRP*

*point of view but are nowhere near sufficient, in my opinion, to achieve support. The marginal improvements include improved site lines for cars leaving the site, removal of posts to improve vehicle accessibility in houses 3 & 4 and better use of northern light in the rear two houses. Yet the substantive issues including for example, but not limited to, street setback, building bulk, quality of outdoor spaces, use of highlight windows, screening and obscure glass to provide privacy, safe pedestrian access, are not addressed in the new drawings.*

The City is required to have due regard to the findings of the DRP. The panel's objective is to provide independent and impartial recommendations to the City on the architectural and design aspects of the planning proposal. Whilst the City notes the DRP's findings, Planning Services' 'holistic' assessment of the proposal is favourable and contends that the design adequately satisfies the design principles set out in SPP 7.0. Each of the design principles that have not been supported by the DRP are addressed below:

### *Context and Character*

The proposal acknowledges and interprets the established residential character of Tyrell Street immediately south of Stirling Highway, which features a mix of traditional homes and more contemporary infill housing. The development respects the evolving built form of the R60 code and NSHAC precinct through its two-storey scale, consistent with medium-density expectations and recent development approvals in the area. For example, the use of pitched roof forms and fenestration, referencing older residential typologies in a modern architectural language; and building articulation and clear delineation between upper and lower floors, which reduces perceived bulk and mimics traditional detached house massing. The use of varied materials (light render, dark cladding, vertical battens, and feature stone) ensures a refined but diverse façade treatment that fits with the surrounding built form while offering a contemporary aesthetic.

### *Landscape Quality*

The landscaping proposed is a key element of the project's interface with the street and internal amenity. The site integrates deep soil zones in the front and the rear to accommodate multiple trees and low-level planting within the street setback area. A central landscaped arbour over the driveway contributes to the greenery and contributes to a visual break in the built form. Planter boxes on balconies and planting areas along the driveway soften the built form and make contributions to passive cooling and privacy. Landscape design is clearly integrated with site planning and an amended landscaping plan is recommended as a condition to update species selection and ensure that the planting within the vehicle sightlines area is of a low level in line with the DRP recommendation.

### *Built Form and Scale*

The design is appropriate in its scale as it presents to the street and adjoining lots as two storey development that does not exceed a maximum building height of 7.8m. The development's street setback is appropriate for the emerging context of the street. Open space across the lot achieves the deemed-to-comply provisions and suggests that the development is not an overdevelopment of the site. The overall massing is well-proportioned for the R60 code, and reads from the street as two large, detached houses. Street setback and lot boundary setback are discussed further below.

### *Amenity*

The development proposes an adequate level of amenity for occupants through design solutions that include:

- Access to daylight and ventilation via windows and skylights across the dwellings. The southern, rear dwelling features a notable void design on the upper floor to allow natural light to filter in through the deliberate placement of the skylight towards the eave of the roof. Due to the setback between the northern and southern houses and the height of the roof form, the skylight will have unobscured access to natural light even at midday on June 21.
- Private upper floor terraces and ground floor courtyards are included for outlook and sun exposure.
- Generous internal ceiling heights and upper-level retreat areas support flexible and spacious living.
- Should the development be approved, a condition of approval is recommended to ensure that, prior to issue of a building permit, the plans are amended to remove the screening on the windows of the ground floor dining rooms and upper floor Activity rooms on lots 3 and 4. The distance between these windows is 4.6m, which achieves the deemed-to-comply visual privacy distance. In practicality, occupants can achieve privacy through curtains or blinds while allowing opportunities for unobscured outlook through the windows.

### *Legibility*

The central driveway design results in a layout that is intuitive and easily navigable as there is no alternative for the logical access of the rear dwellings. Primary entries for the front units are clearly visible through the direct street access and are distinct from vehicle entries. The central landscaped harbour defines the accessway and suggests pedestrian friendly environment which is confirmed with the pedestrian path that is set out in alternate paving design/material for access to the rear dwellings. Front doors are denoted for the rear dwellings by an entry porch.

### *Safety*

The design provides passive surveillance of the street from habitable room windows and balconies that face the public realm. Design alterations have been undertaken throughout the assessment process which have amended the driveway gradient to ensure a flat portion at the top of the ramp, increased the sightlines area from 1.5m to 2m at interface of the driveway and the street, added a speed bump to the top of the access ramp to ensure that vehicles enter and exit the site at a safe speed that allows time to observe road or driveway condition. The posts around the rear dwelling porches have been removed to minimise the chance of vehicle conflict. While the driveway slope is not strictly compliant with AS 1428.1-2009 Design for Access and Mobility, the sections of driveway that have a 1:4 slope are, in practicality, traversable by an able-bodied person. It should also be noted the sloped pathway access for pedestrians only relates to the two rear dwellings. That is to say, overall, 'half' of the development (i.e. the two front dwellings) provide houses that are universally accessible.

### Other Advice

*City of Nedlands Technical Services*



The assessment process included referrals to a number of internal stakeholders such as Building, Environmental Health and Technical Services departments. The responses received from these departments were generally supportive of the development subject to the imposition of appropriate conditions with the exception of the City's Technical Services whose comments are summarised below.

1. The stormwater management is not sufficiently detailed.
2. The clearance of the pergola over the driveway should be 2.2m.
3. The driveway satisfies the requirements for a commercial car park as per AS2890.1, this standard is higher than a domestic driveway therefore there are no concerns. However, vehicle sightlines may be compromised due to the top of ramp gradient.

Point one above can be addressed by way of a condition to ensure sufficient stormwater design. The plans have specified that the pergola maintains a minimum clearance of 2.5m from the driveway. The vehicle access arrangements are discussed further in Planning Assessment below.

### **Planning Assessment:**

The proposal has been assessed against all relevant legislative requirements of LPS3, State and Local Planning Policies and Planning Codes as outlined above. The matters below have been identified as key considerations for the determination of this application.

### **Local Planning Policy 1.3 Sustainable Design – Residential**

Local Planning Policy 1.3 Sustainable Design – Residential applies additional sustainability requirements for new grouped dwellings to improve environmentally design. The Policy provides the following objectives relating to this proposal:

- Reduce the urban heat island effect by enforcing maximum solar absorptance ratings in relation to roof colourings.
- Each new dwelling to be provided with a minimum 3kw photovoltaic solar panel system.
- All water fittings to be within 1 star of the maximum Water Efficiency Labelling Standard (WELS)
- Landscaping plans to include irrigation efficiency as outlined in the Policy.
- An Environmentally Sustainable Design (ESD) Report is to be prepared demonstrating how the development achieves Design Principle 5: Sustainability from State Planning Policy 7.0.

The proposal includes a 3kw photovoltaic solar panel system for each house, the dwellings are to be constructed with double glazed windows and all applicable water fixtures are to be water efficient. To ensure that these and other reasonable measures are implemented, conditions of approval will be imposed that require the provision of material and fixtures schedules, solar panel systems, an updated landscaping plan and a sustainability statement that demonstrates the achievement of Design Principle 5: Sustainability from SPP 7.0.

### **Local Planning Policy 3.4 Tree Retention – R25 – R80**

Local Planning Policy 3.4 Tree Retention – R25 – R80 (LPP 3.4) applies to land zoned Residential with a density of code of R25 through to and inclusive of R80. The objective of the policy is, broadly, to promote the preservation of mature trees on private land.

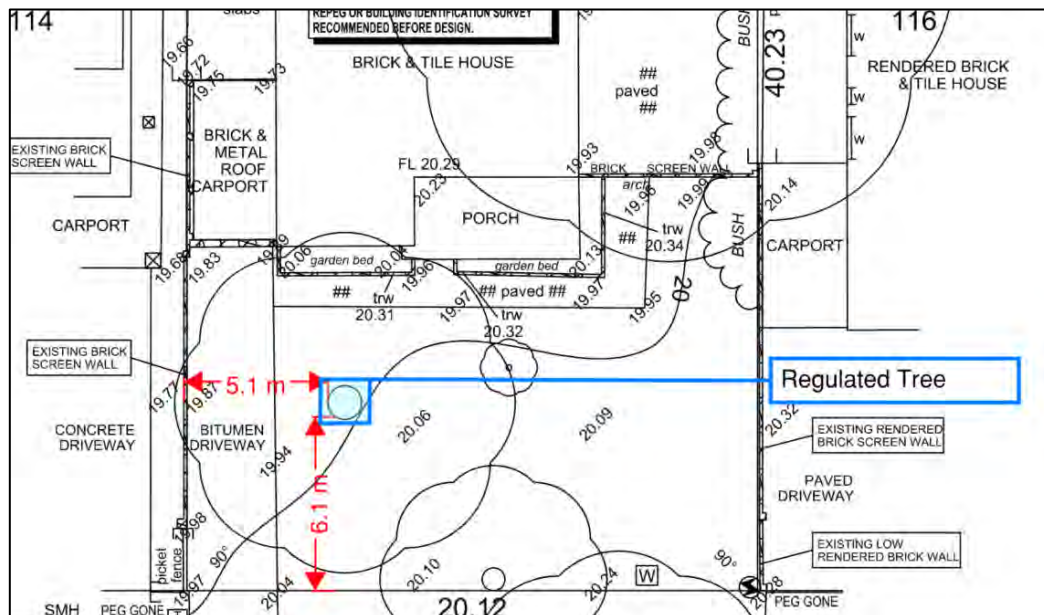
The site survey accompanying the development application depicts several large trees on site. At the time of writing, only one of these trees remains on site. The tree in question is located towards the front of the lot and appears to be a jacaranda mimosifolia with a height of approximately 6m and a canopy diameter of approximately 7m. The tree is defined as a 'regulated tree' as the canopy diameter is in excess of 6m.

In accordance with LPP 3.4, policy provision 7.2.3, tree damaging activity (removal) can be considered where it meets one of the following criteria:

- i. The regulated tree is unhealthy based on the recommendations of an Arborist Report;
- ii. The regulated tree causes safety risks to people, infrastructure or buildings based on recommendations in an Arborist Report and/or Structural Engineering Report; **or**
- iii. The redesign of the development to accommodate the regulated tree is unfeasible.

The regulated tree can be supported for removal in accordance with LPP 3.4 section 7.2.3 (iii) for the following reasons:

It would be unfeasible to redesign this development to accommodate the retention of the tree due to its location. The tree is located a notable distance from the lot boundaries to the extent that this would require the development to provide unreasonable side and front setbacks to maintain the tree.



*Location of the Regulated Tree on site at 14 Tyrell Street*

As can be seen in the image above, the tree is located 6m from the street boundary and 5m from the side lot boundary. A typical ground floor side setback in the R60 code

would be 1m to 1.5m, with 3m or 4m being the typical dimension of a private garden/outdoor area. The deemed-to-comply street setback is 4m.

The preservation of the tree would require, at a minimum, a side lot boundary setback of approximately 7m and a front setback of approximately 8m to provide a clearance of at least 2m from the base of the tree trunk (the minimum distance required to ensure that the footings of the building and any soil compaction did not harm the tree). Expecting or imposing setbacks of this distance on a residential lot 171m<sup>2</sup> in size with a density code of R60 is considered unreasonable and a significant site constraint given the development potential and expectation of the density code. As such the re-design of the dwelling to preserve the tree is not considered feasible and the removal of the tree is acceptable.

### **Local Planning Policy 5.14 Precincts**

Local Planning Policy 5.14 Precincts (LPP 5.14) applies to land coded R60 within the Nedlands Stirling Highway Activity Corridor (NSHAC) Precinct. LPP 5.14 has been developed ensure new development enhances streetscapes, respectfully responds to the context and character of the area, promotes sustainable building design and effectively manages transition between high and medium densities.

LPP 5.14 replaces or augments several deemed-to-comply provisions of the R-Codes Vol. 1, and these are addressed below where applicable. The policy also includes the objective to 'define the desired future character of the Precincts in context of their zoning and density code' and provides a desired future character statement for the NSHAC precinct. The proposed development satisfies this desired future character statement in the following ways:

- The development contributes to the dwelling stock available in the locality via the addition of new four dwellings.
- The dwellings are effectively two storeys in height and achieve an appropriate transition from the higher density mixed use zone on Stirling Highway to the north, to the lower density residential areas south of Edward Street.
- The development maintains an appropriate setback from Tyrell Street that results in a built form outcome which balances the existing streetscape character with the emerging context as a medium density area. The street setbacks provide ample space for sufficient landscaping and trees. The setbacks and landscaping broadly contribute to the established leafy streetscapes typical of the area.
- Vehicle access is consolidated through one access point which services all four dwellings. The driveway is 3m wide which minimises the impact of hardscaping on the streetscape.
- The development features boundary walls setback 7m from the primary street boundary to maintain the appearance of the detached streetscape character of the area.
- The building façade materials and design are contemporary, high quality and contribute to a sense of place.

### **Residential Design Codes Volume 1 (R-Codes Volume 1)**

The R-Codes Volume 1 (Part C) are the development standards that apply to grouped dwellings in residential areas coded R30 and above in the form of deemed-to-comply development standards and design principles.

The following aspects of the proposed development do not meet the deemed-to-comply provisions of the R-Codes Volume 1 and therefore require consideration against the design principles of the R-Codes:

- Private Open Space
- Trees & Landscaping
- Parking (Vehicle Access)
- Street Setback
- Lot Boundary Setbacks

The development's satisfaction of the design principles for each identified element is discussed below:

### 1.1 Private Open Space

Lots 1 and 2 provide a primary garden area of 25m<sup>2</sup> within the street setback area. The R-Code deemed-to-comply provisions specify a primary garden area of 30m<sup>2</sup> be located behind the street setback area. The design principles consider the provision of outdoor areas that are of sufficient size to be functional, capable of use in conjunction with the primary living space, open to winter sun and optimise use of the northern aspect of the site.

- Lots 1 and 2 feature a primary private garden area within the street setback area supplemented by a smaller, 9.6m<sup>2</sup> courtyard area adjacent to Bedroom 2 on the ground floor. As a result, Lots 1 and 2 provide a total of 34m<sup>2</sup> of usable private garden areas, exceeding the 30m<sup>2</sup> deemed-to-comply minimum. Each garden area has a minimum dimension of 3m, ensuring the areas are functional and available for various outdoor pursuits.
- Lot 1's garden areas both have a northern orientation, allowing for exposure to winter sun. Lot 2's secondary courtyard faces south but its primary garden area has a northern aspect. The minimum depth of each space is 3m, providing sufficient circulation area for natural ventilation.
- The primary living space of the dwelling is adjacent to both private garden areas and features full height sliding doors to both areas.
- Each lot provides meaningful landscaping through an aggregate of 20m<sup>2</sup> of deep soil area and two small trees.
- In addition, both lots include a balcony 5m<sup>2</sup> in size on the upper floor adjacent bedrooms 3 and 4 which provides for further amenity and outdoor access for residents.

### 1.2 Trees and Landscaping

Lots 1 and 2 are comprised of 12.9% deep soil area as opposed to the deemed-to-comply 15%. Further, lots 1 and 2 provide a minimum of 4.4m<sup>2</sup> of deep soil area to support the growth of the secondary small trees in the courtyard areas. Design principles for landscaping consider whether landscaping enhances the streetscape, contributes to the amenity of the development and provides sufficient deep soil area to support tree growth.

- The landscaping provided by the development will contribute to the streetscape. The proposal features two small trees as well as low level planting within the front setback, visible from the street.

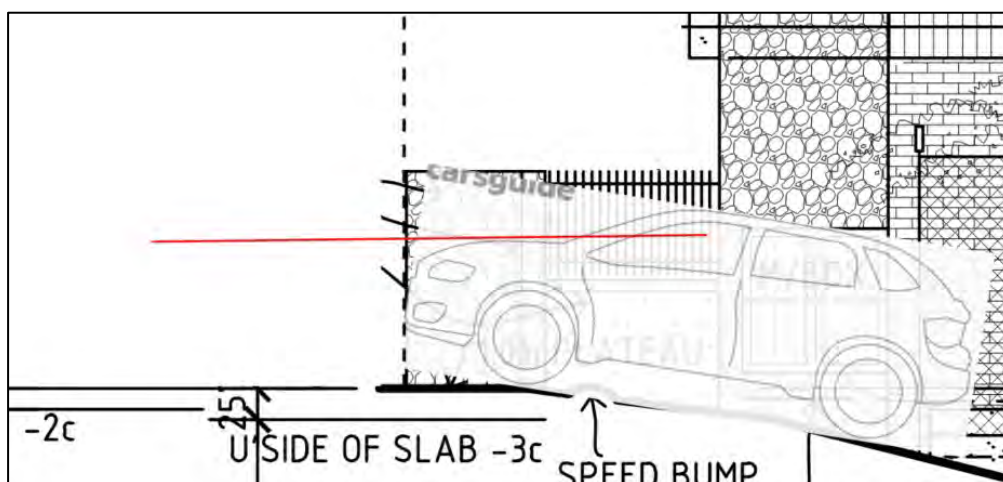
- The landscaping provided across the site enhances the amenity of the private open spaces of each dwelling. The ground floors feature planting areas adjacent to the front verandahs, within the small courtyard areas adjacent to bedroom 2, along the common access driveway and at the termination of the communal driveway at the top of the staircase. Lots 1 and 2 also feature on-structure planting within the balcony on the first storey to provide a varied, green outlook from the upper floor bedrooms.
- A minimum of 4.4m<sup>2</sup> deep soil area is provided on lots 1 and 2 to support the growth of the second small tree in the courtyard. A small tree is defined as a tree with a canopy diameter of 2m to 6m. Given that 9m<sup>2</sup> is the recommended deep soil area for a small tree, it is acknowledged that each tree may not reach its maximum potential in regard to height and canopy diameter, however, 4.4m<sup>2</sup> is still sufficient soil area to support a tree that achieves at least a 1.5m canopy diameter and 2.5m height.

### 2.3 Parking

The R-Codes deemed-to-comply provisions state that parking and manoeuvring areas should be in accordance with AS2890.1. AS2890.1 specifically states that domestic driveways should feature a maximum 1:20 gradient for the first 6m beyond the lot boundary. The development proposes a common driveway that does not meet these requirements and slopes considerably between the lot boundary and the rear lot garages. The access arrangements are safe and functional for the following reasons:

- The City's Planning and Technical Services officers have verified, using AutoCAD analysis, that the driveway gradients are navigable for virtually all vehicles in terms of vehicle scraping and 'bottoming out'. The maximum driveway gradient of 1:4 and the transitions provided are adequate to prevent any conflict.
- The top of the driveway initially posed a safety risk as the slope of 1:8 for the first two metres of the driveway meant that vehicles would be exiting the site without adequate forward sightline of the verge beyond the lot boundary. The sight line provided in a typical SUV would have been potentially obstructed by the bonnet of the car. Following the receipt of the most recent amended plans, the driveway gradient has been altered to include an additional metre of flat driveway at the top of the ramp. This provides sufficient space for a vehicle to

approach the lot boundary with adequate sight lines that are not obstructed by the car's bonnet.



*Depiction of the vehicle sight line provided with the proposed driveway gradient*

- The amended plans also included additional measures to increase safety. A speed bump at the top of the ramp was introduced to ensure that vehicles do not approach the lot boundary at speed and have adequate time to view the conditions beyond the lot boundary. The amended plans also increased the vehicle sightline truncation dimension from 1.5m to 2m, increasing the sightlines on either side of the driveway.

### 3.3 Street Setbacks (Augmented by LPP 5.14)

The dwellings on lots 1 and 2 are setback from Tyrell Street a minimum of 2.3m on the upper floor without sufficient compensating open space. The ground floor setback meets the deemed-to-comply. The design principles for street setback consider whether the development is consistent with the existing or future streetscape character, whether there is sufficient space for landscaping and if the development features appropriate building articulation.

The upper floor setback achieves the design principles for the following reasons:

- The development's setback from the street contributes to the emerging streetscape character on Tyrell Street. 14 Tyrell Street, coded R60, is located approximately 100m south of high density R160 coded land within the same street block. As such, the street setback will contribute to the transition of development within the street block that reduces in intensity from R-AC1 to R160 to R60. The street setback also accords with the emerging setbacks of infill development. Five grouped dwellings currently under construction on the lot immediately south at 16 Tyrell Street have a setback of 2m to the substantive dwelling wall. One lot further south, four grouped dwellings at 18 Tyrell Street have been approved with a 2.3m setback from the street. The next southern lot, at 20 Tyrell Street, features a newly constructed house with a 2m street setback. Further north, a single house at 10 Tyrell Street has been approved with a 2m setback to the street. The proposed 2.3m upper floor setback is an appropriate response to these emerging street setbacks as it complements the existing pattern of development that is typified by buildings set forward of the now 4m deemed-to-comply distance.

- The upper floor setback does not impact the provision of landscaping on the ground floor. The development provides 2 small trees and low level planting in the front setback area and 44% of the street setback area is soft landscaping. Further, the balcony features an on-structure planter for additional greenery.
- The upper floor street façade is well articulated. The balcony is broken up in two portions with each setback 2.3m and 2.6m from the street. The substantive dwelling wall beyond the balcony is also split into two portions that are setback 4m and 4.3m from the street. The varied setbacks help break up the massing of the façade.
- The consolidation of the vehicle access point on the ground floor ensures that blank facades and vehicle access points are minimised as viewed from the street. Large windows, minor projections and landscaping contribute to an engaging street presentation.
- The setback proposed allows for adequate vehicle and pedestrian sightlines as well as appropriately screened utilities and services.

### 3.4 Lot Boundary Setbacks

The design principles for lot boundary setbacks consider whether the side setbacks are consistent with the desired built form for the locality, provides adequate solar access and ventilation and protects visual privacy for adjoining properties.

The following aspects of the proposal require consideration against the design principles:

#### *Upper Floor Walls*

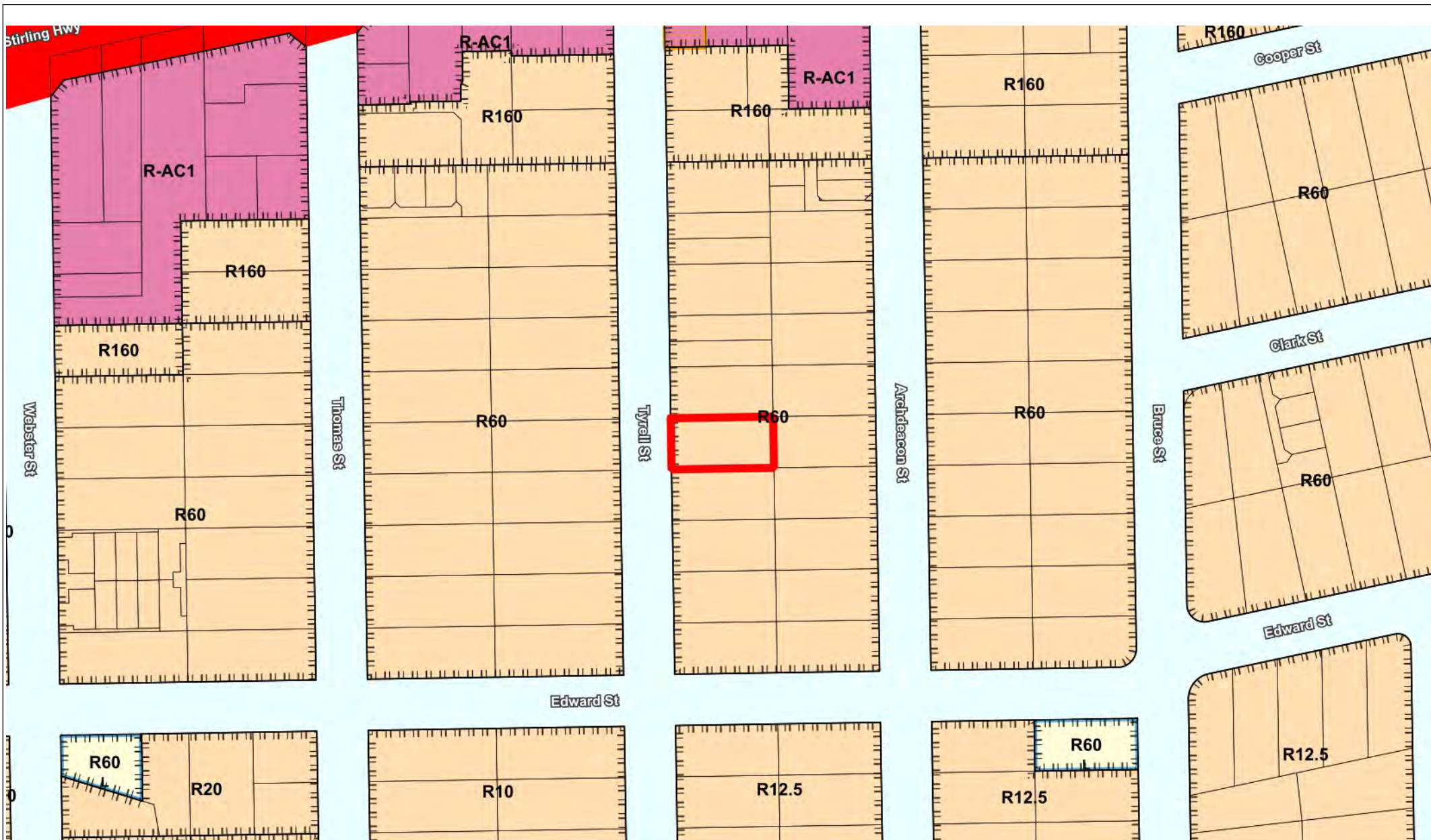
The upper floor walls across all dwellings are proposed to be set back a minimum of 1.2m from the side lot boundaries in lieu of the deemed-to-comply 1.5m.

- Due to the slope of the land down towards the rear of the lot, the walls' height varies from 5.2m to 6m. These wall heights are typical of upper storey walls observed in the Tyrell Street locality and could even be considered lower than the expected height of walls in the R60 code, where three storey development is contemplated. Many of the contemporary houses in the area feature articulation in upper storey walls. The development complements this design pattern by incorporating articulated upper floor walls to the lot boundaries. The walls feature three different setback distances which vary from a minimum of 1.5m to a maximum of 3.2m.
- The portions of the wall that are setback at 1.2m relate to small sections of the overall wall length. These protrusions from Bed 3, the Activity room and the Ensuite bathroom are 2.9m in length, meaning the aggregate length of wall setback 1.2m is 8.5m against the total wall length of 34m across the parent lot boundary.
- The walls adjacent to the northern boundary will not affect solar access to the adjoining northern lot. The walls to the south result in shadow cast over 40% of the adjoining southern lot. This percentage achieves the deemed-to-comply provision of 50%. Further to this, the southern lot features a 4m wide common driveway along the northern boundary, meaning overshadowing will predominantly affect the infrequently occupied, non-habitable driveway space.
- Visual privacy is protected for the adjacent dwellings as the upper floor walls feature screening and setbacks to windows which achieve the deemed-to-comply provisions of 3.10 Visual Privacy.

**Conclusion:**

The application for four grouped dwellings at 14 Tyrell Street, Nedlands has been assessed against the parts of the planning framework relevant to the site. In instances where the proposal does not satisfy a deemed-to-comply development standard, the development has been considered in the context of the relevant R-Codes Volume 1 design principles and policy objectives. The development satisfies all applicable design principles and policy objectives, including for the vehicle driveway arrangements. In light of the above, it is recommended that conditional approval be granted for the development application.





City of Nedlands

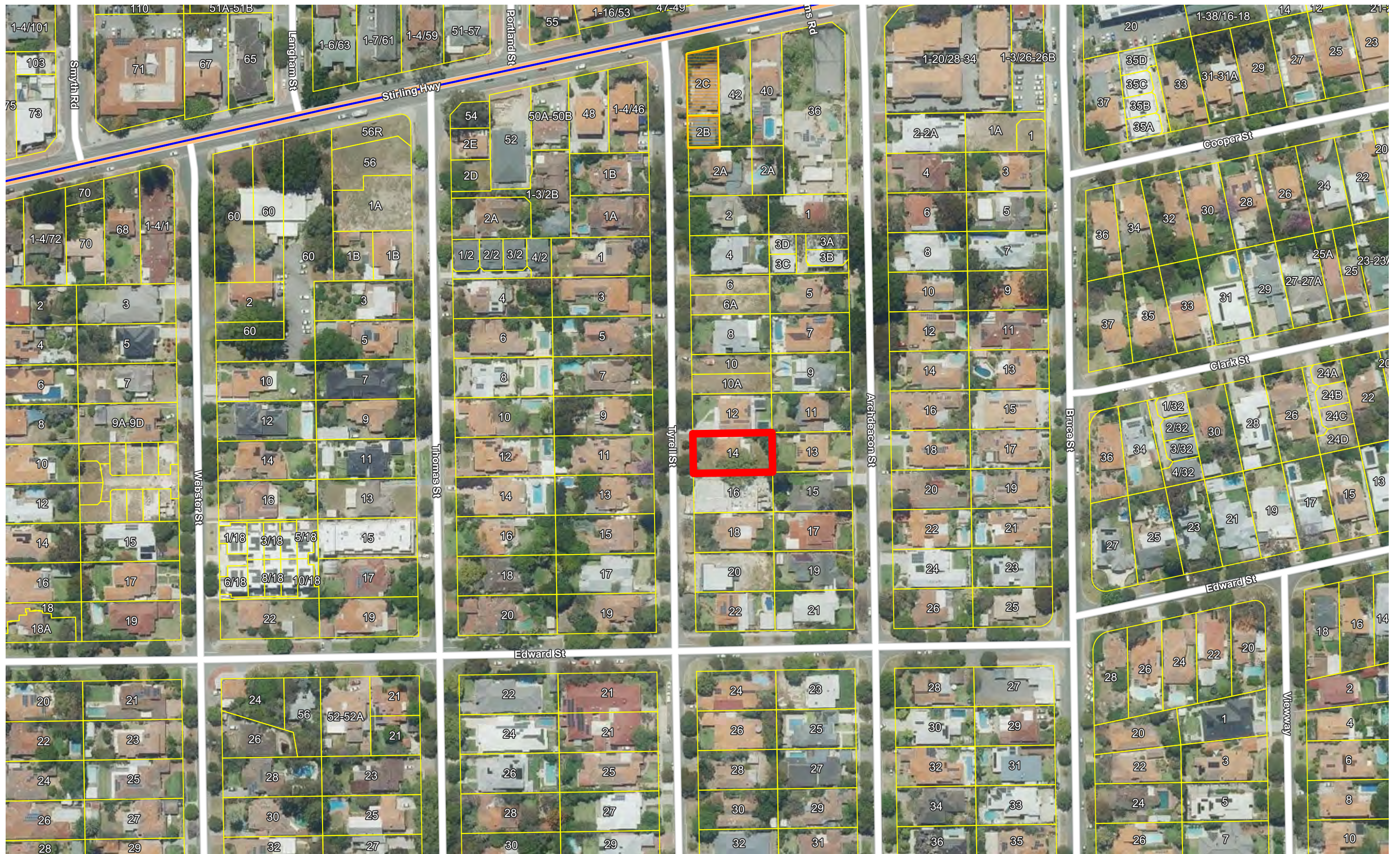
The City of Nedlands accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image

2/09/2025

1:2000









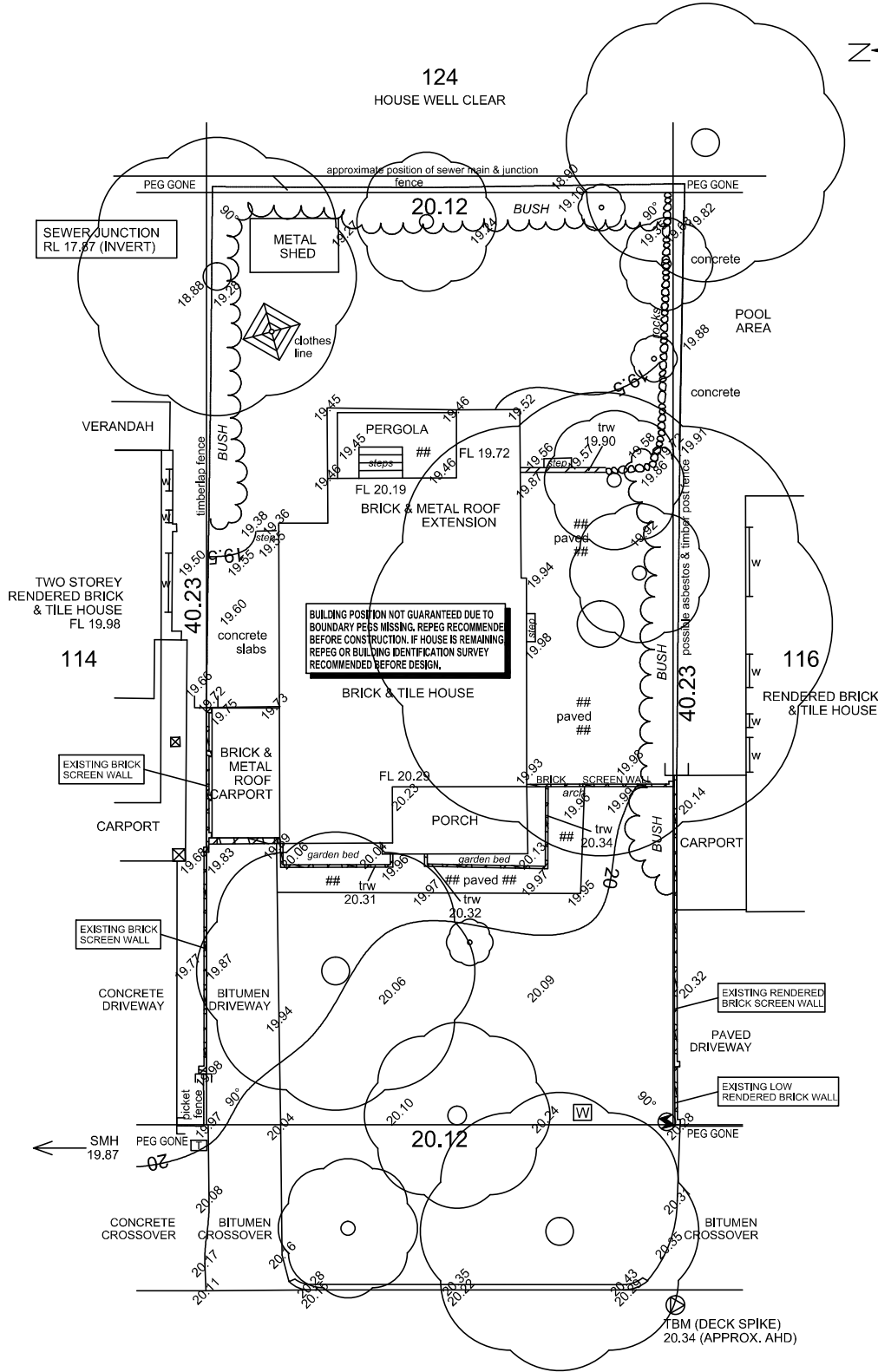
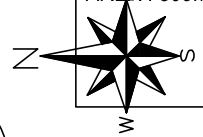


NOTE: IF HOUSE REMAINING, SURVEY OF BOUNDARIES  
FOR HOUSE POSITION REQUIRED.

City of Nedlands  
Amended Plans  
Received  
1 September  
2025

LOT No: 115

AREA : 809m<sup>2</sup> ☒



TYRELL STREET

1 of 10

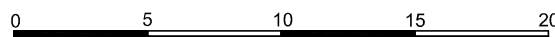
POSITION OF FENCES & WALLS IN RELATION  
TO BOUNDARIES NOT GUARANTEED UNLESS  
REPEG CARRIED OUT AT TIME OF SURVEY.

POSITION OF FEATURES IN RESPECT  
TO BOUNDARIES NOT GUARANTEED.  
PEGS MISSING AT TIME OF SURVEY.

ONLY OBVIOUS VISIBLE SERVICES HAVE BEEN LOCATED.  
PRIOR TO ANY EXCAVATION, CONSTRUCTION OR DEMOLITION  
THE RELEVANT SERVICE AUTHORITIES MUST BE CONTACTED  
TO CONFIRM THE LOCATION OF ALL UNDERGROUND SERVICES.



AUSTRALIAN HEIGHT DATUM (AHD)  
DERIVED FROM SEWER MANHOLE  
3348 LID LEVEL.



SITE PLAN 1:200 at A3

REF NO: 72882 FILE NO: 6895 DATE: 16.02.24 DRAWN: AC

## SURVEYOR SITE INSPECTION REPORT

ELECTRICITY: UNDERGROUND	GAS: YES
PHONE: YES	WATER: YES
SEWERAGE: YES, ABOUT 1.4m DEEP (TO INVERT)	
ROAD: BITUMEN	
KERB: SEMI MOUNTABLE	
FOOTPATH: NIL	
VEGETATION: ESTABLISHED GARDENS & TREES	
SOIL: SAND	
VIEWS: NIL	
REPEG: REQUIRED	REPEG TYPE: OLD SURVEY AREA

**R. G. LESTER & ASSOCIATES**  
LICENSED LAND & ENGINEERING SURVEYORS  
FIRST FLOOR EAST 16 GIBBERD ROAD  
BALCATTA [WA] 6021  
PH: 9448 5009  
admin@lestersurveys.com.au

### NOTES

Block located more than  
1 kilometre from the ocean.

IMPORTANT NOTE: Location of boundary pegs & improvements NOT guaranteed unless boundaries are repegged at time of survey. Check title for easements, caveats & covenants. Plumbing contractors to confirm sewer depths before pipe laying. All sewer details plotted from information supplied by Water Corporation Spatial Information Management. Refer to the disclaimer note on Water Corp E-PLAN.

### LEGEND

NBN PIT	GAS	TREE
TELECOM PIT	HYDRANT	PALM TREE
COMMUNICATION PIT	FENCE END	TREE STUMP
POWER DOME	PILLAR	SIDE ENTRY PIT
POWER POLE	TOP OF RETAINING WALL	DRAINAGE MANHOLE
STREET LAMP	GRATED DRAIN	STOP VALVE
		PRE-LAID WATER PIPE
		WATER METER
		SEWERAGE MANHOLE
		SEWERAGE INSPECTION LID

BUILDER:

GLENWAY HOMES

CLIENT / S:

JOHN WOODFORD FAMILY TRUST

SITE ADDRESS:

LOT 115 (#14) TYRELL STREET,  
NEDLANDS

Local Authority:

CITY OF NEDLANDS

### TITLE DETAILS

LOT NOS: 115 C/T VOL: 1949

PLAN: 1747(2) FOL: 736

JOB No:

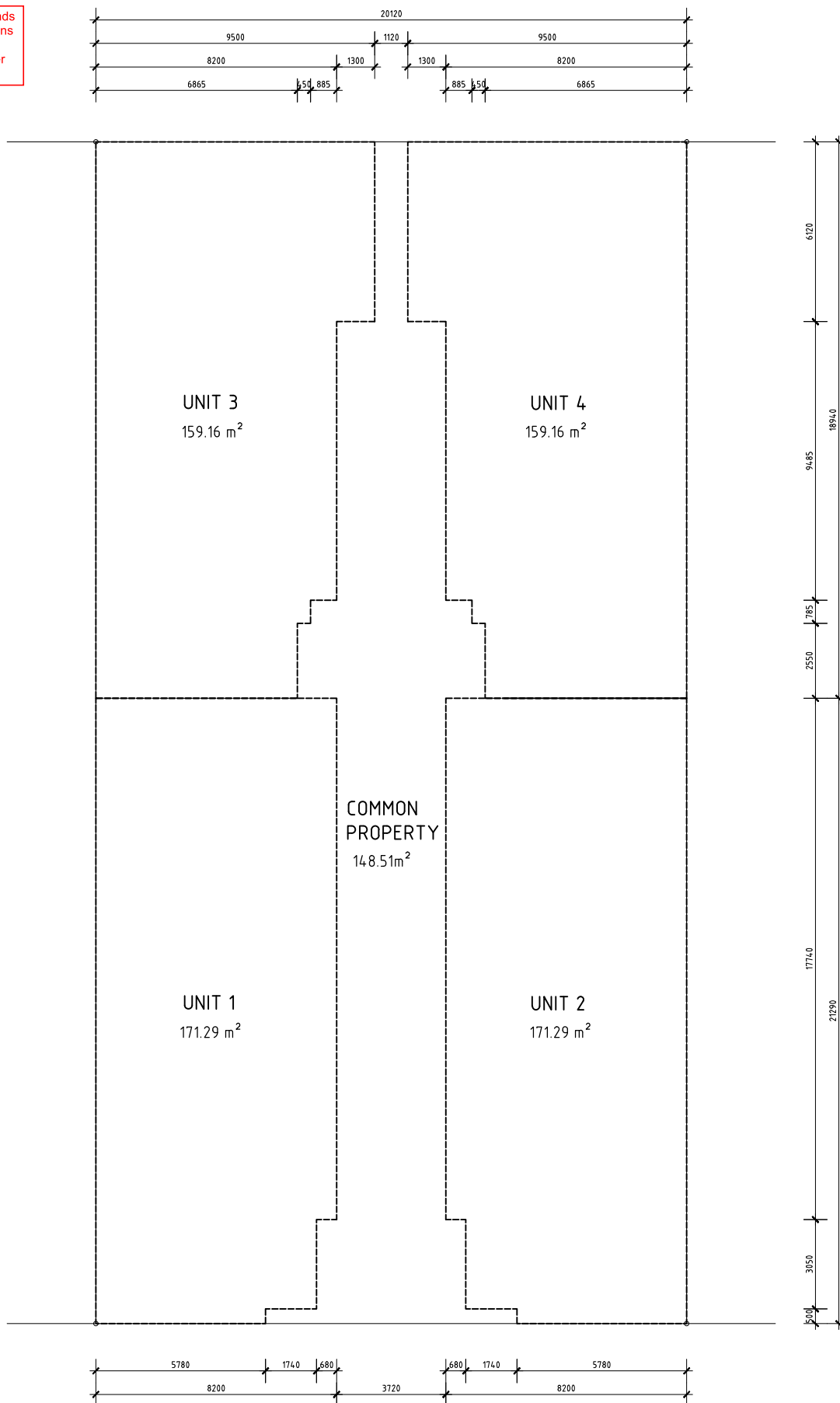
SURVEY  
JOB No: 72882

Y:72882TYRELL.SKf

**PROPOSED QUADRUPLEx FOR  
JOHN WOODFORD FAMILY TRUST  
14 TYRELL STREET,  
NEDLANDS**

**ROGER CUPERUS**  
BUILDING DESIGN  
87 DENIS STREET, SUBIACO, 6008  
PHONE: 6161 3424 - MOB. 0421 175 303  
jolirog@hotmail.com

APPROVED FOR CONSTRUCTION 22 8 16

[illegible]

FRONT UNITS 1 & 2

LOT SIZE	171.29m <sup>2</sup>
BASEMENT	93.17m <sup>2</sup>
GROUND FLOOR	114.20m <sup>2</sup>
FRONT VERANDAH	9.17m <sup>2</sup>
FRONT COURTYARD	25.21m <sup>2</sup>
CENTRAL COURTYARD	10.03m <sup>2</sup>
UPPER FLOOR	102.98m <sup>2</sup>
BALCONY	7.54m <sup>2</sup>

REAR UNITS 3 & 4

LOT SIZE	159.16m <sup>2</sup>
BASEMENT PORCH	102.45m <sup>2</sup> 1.58m <sup>2</sup>
GROUND FLOOR	114.81m <sup>2</sup>
REAR VERANDAH COURTYARD	10.06m <sup>2</sup> 25.75m <sup>2</sup>
UPPER FLOOR TERRACE	93.40m <sup>2</sup> 10.81m <sup>2</sup>

PRE-CALCULATION PLAN  
scale 1:100

scale 1:100

SITE AREA 809.42m<sup>2</sup>

SOFT LANDSCAPING REQUIRED - 20% - 161.88m<sup>2</sup>

SOFT LANDSCAPING PROVIDED - 19.96% - 161.56m<sup>2</sup>

PERMEABLE TIMBER DECK AND PAVING - 2.42% - 19.57m<sup>2</sup>

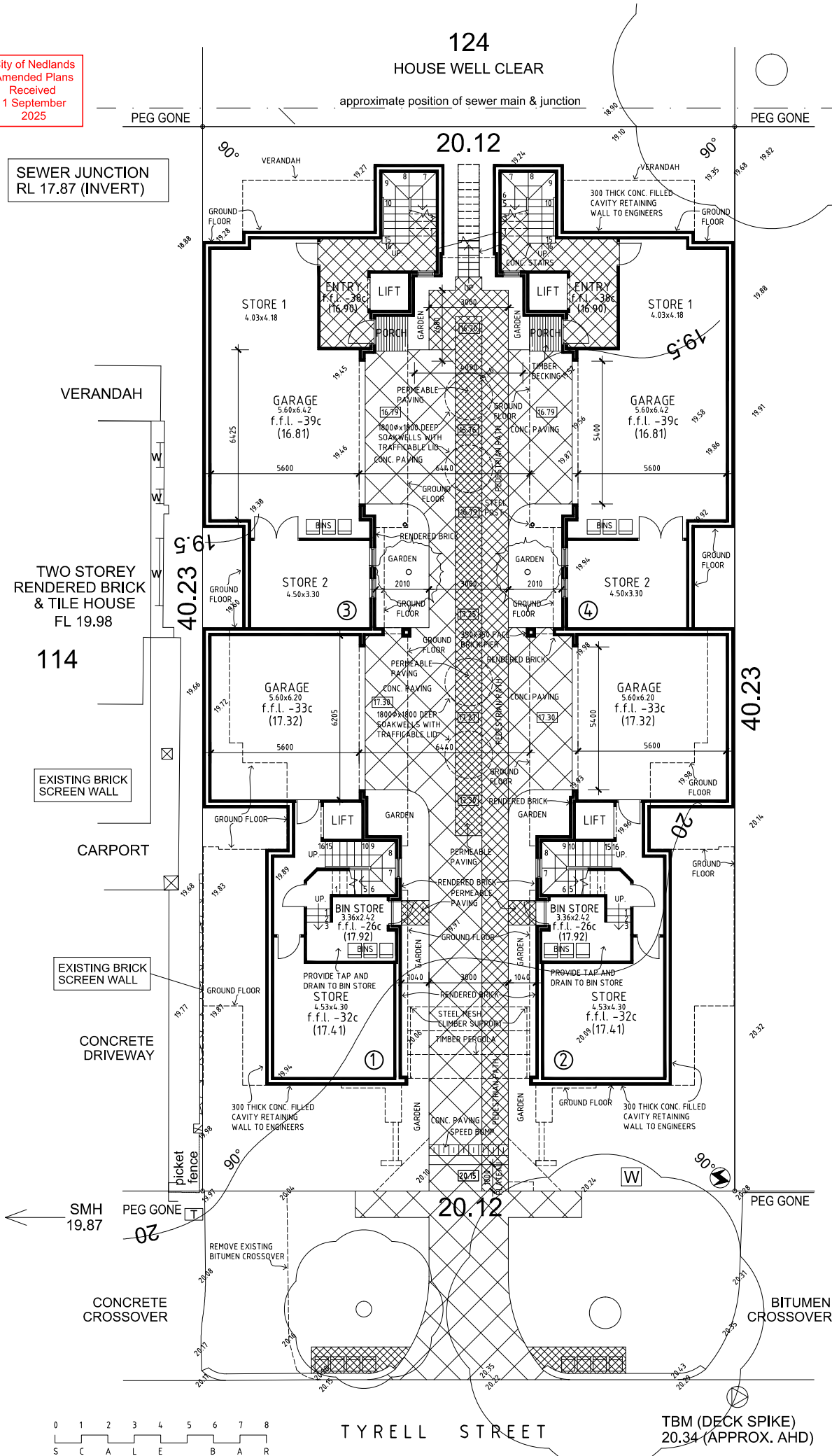
SOFT LANDSCAPING FRONT SETBACK (4m) REQUIRED - 30% - 24.14m<sup>2</sup>

SOFT LANDSCAPING FRONT SETBACK (4m) PROVIDED - 45.84% - 36.90m<sup>2</sup>

**PROPOSED QUADRUPLEx FOR  
JOHN WOODFORD FAMILY TRUST  
14 TYRELL STREET,  
NEDLANDS**

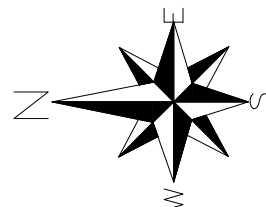
**ROGER CUPERUS**  
BUILDING DESIGN  
87 DENIS STREET, SUBIACO, 6008  
PHONE. 6161 3424 - MOB. 0421 175  
jollirog@hotmail.com

APPROVED FOR CONSTRUCTION 22 8 16

[illegible]

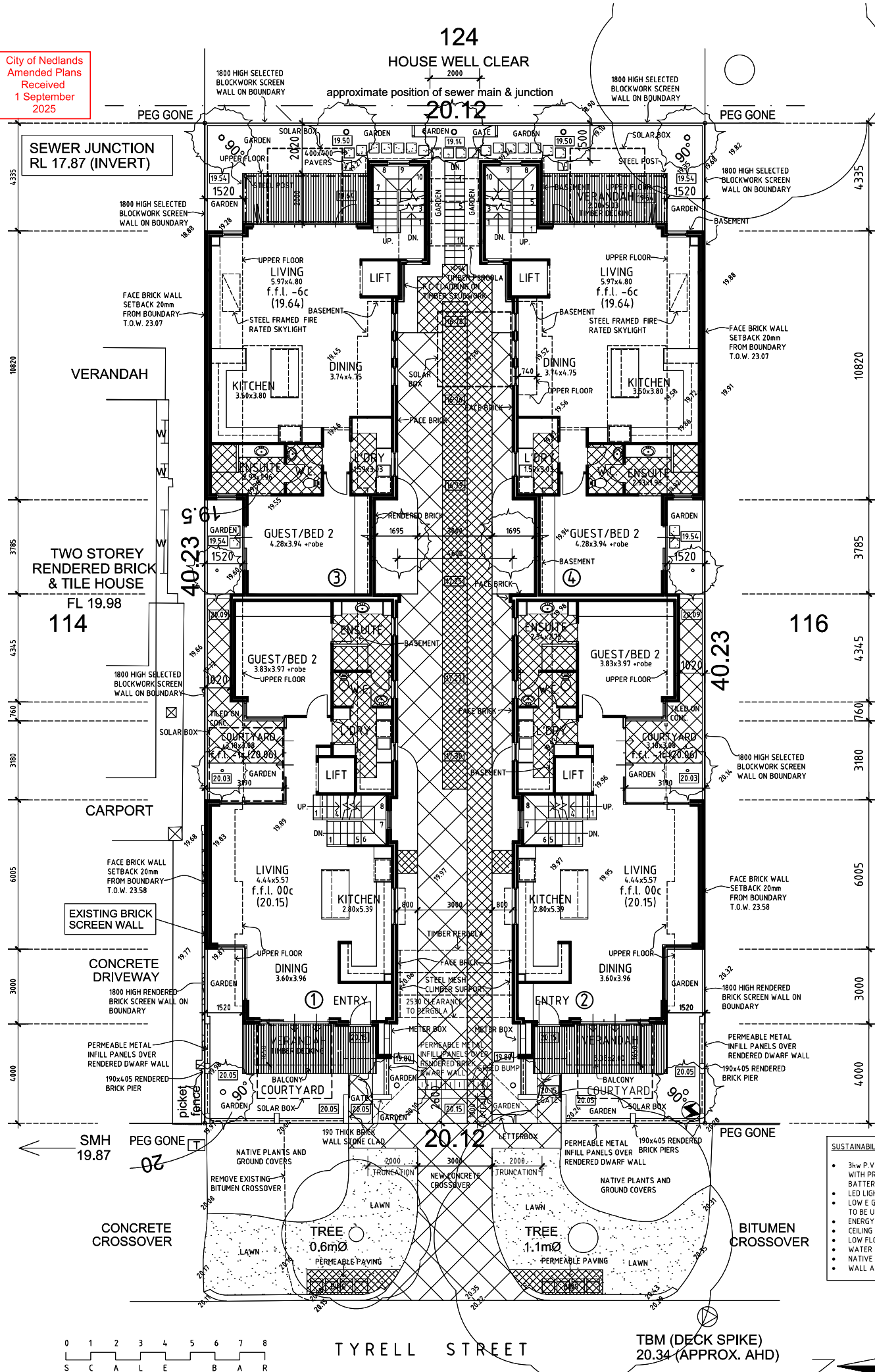
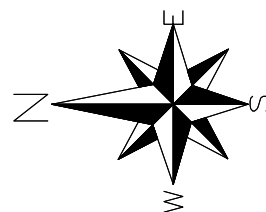
# B A S E M E N T P L A N

scale 1 : 100



## SUSTAINABILITY MEASURES

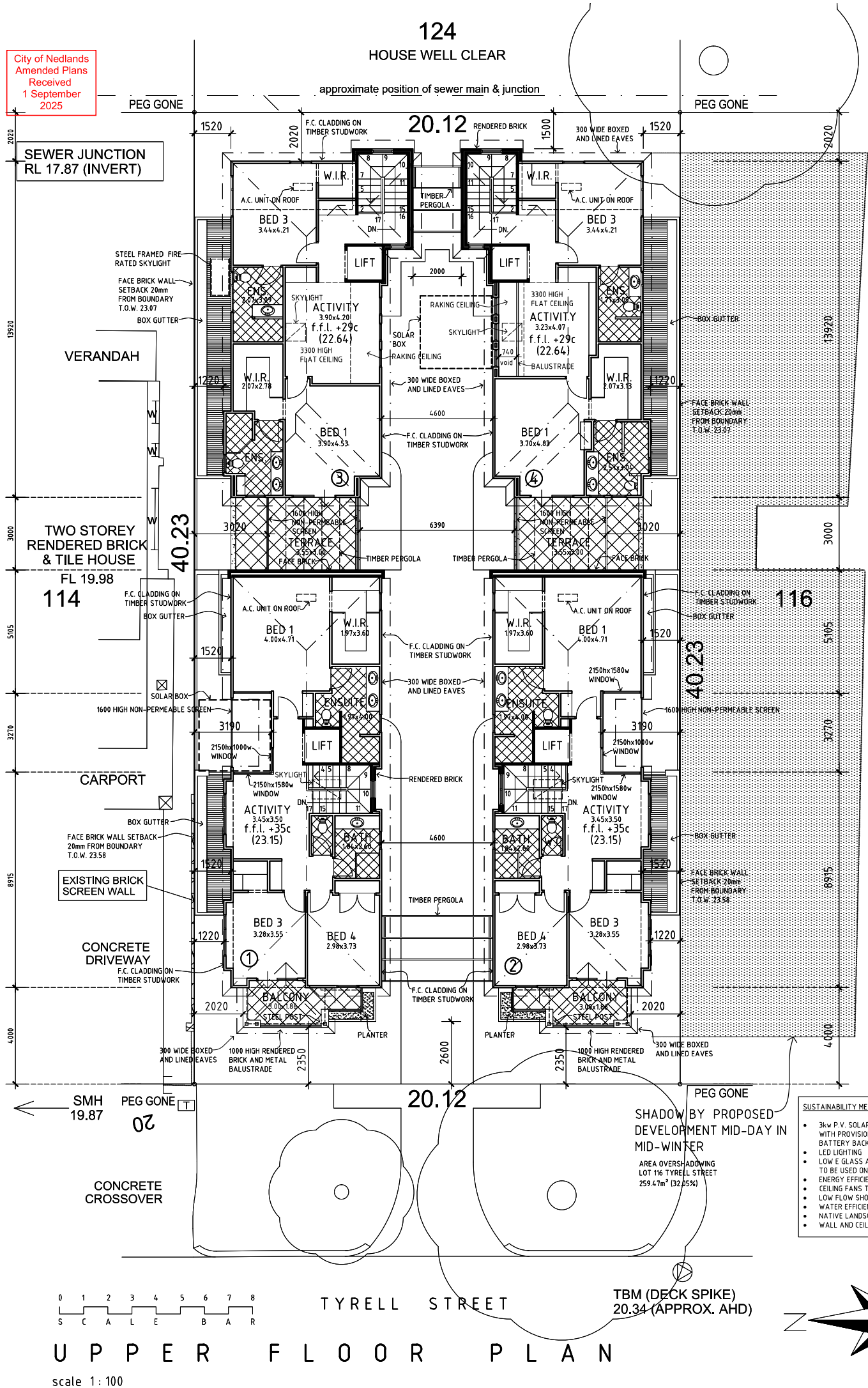
- 3kw P.V. SOLAR PANEL SYSTEM WITH PROVISION TO BE MADE FOR BATTERY BACK UP.
- LED LIGHTING
- LOW E GLASS AND DOUBLE GLAZING TO BE USED ON ALL WINDOWS
- ENERGY EFFICIENT APPLIANCES
- CEILING FANS TO CIRCULATE AIR
- LOW FLOW SHOWER HEADS
- WATER EFFICIENT FIXTURES
- NATIVE LANDSCAPING
- WALL AND CEILING INSULATION



G R O U N D      F L O O R      P L A N

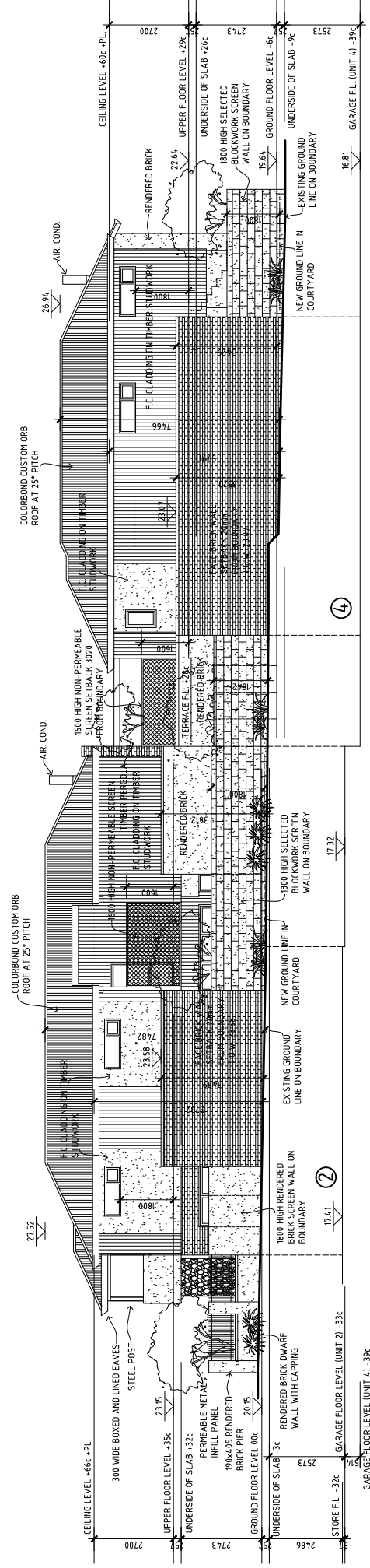
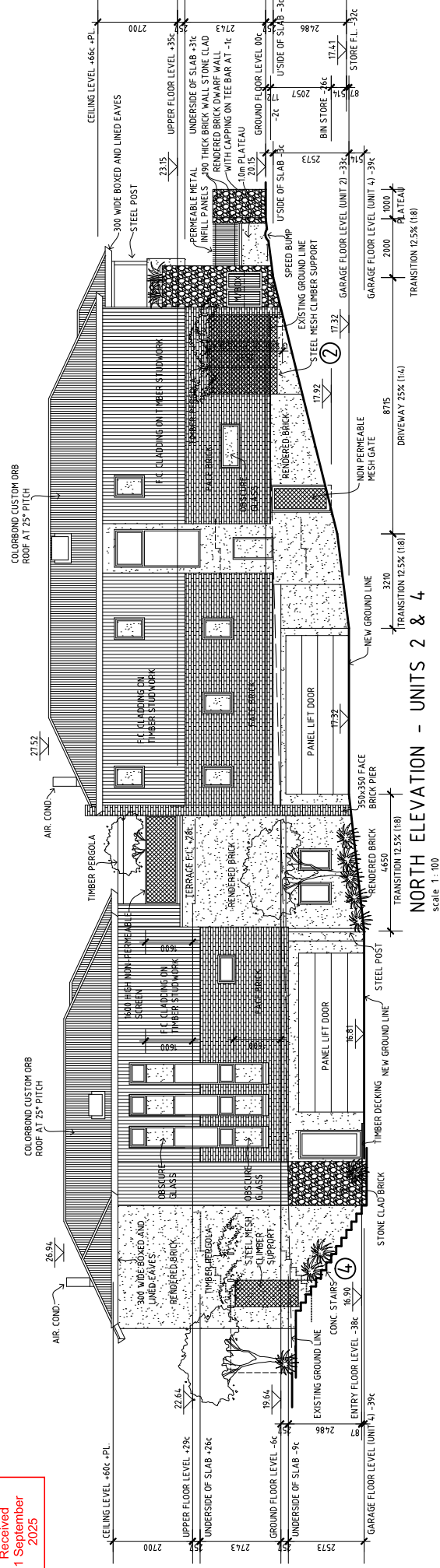
scale 1 : 100





## SUSTAINABILITY MEASURES

- 3kw P.V. SOLAR PANEL SYSTEM WITH PROVISION TO BE MADE FOR BATTERY BACK UP.
- LED LIGHTING
- LOW E GLASS AND DOUBLE GLAZING TO BE USED ON ALL WINDOWS
- ENERGY EFFICIENT APPLIANCES
- CEILING FANS TO CIRCULATE AIR
- LOW FLOW SHOWER HEADS
- WATER EFFICIENT FIXTURES
- NATIVE LANDSCAPING
- WALL AND CEILING INSULATION



SOUTH ELEVATION - UNITS 2 & 4  
scale 1:100

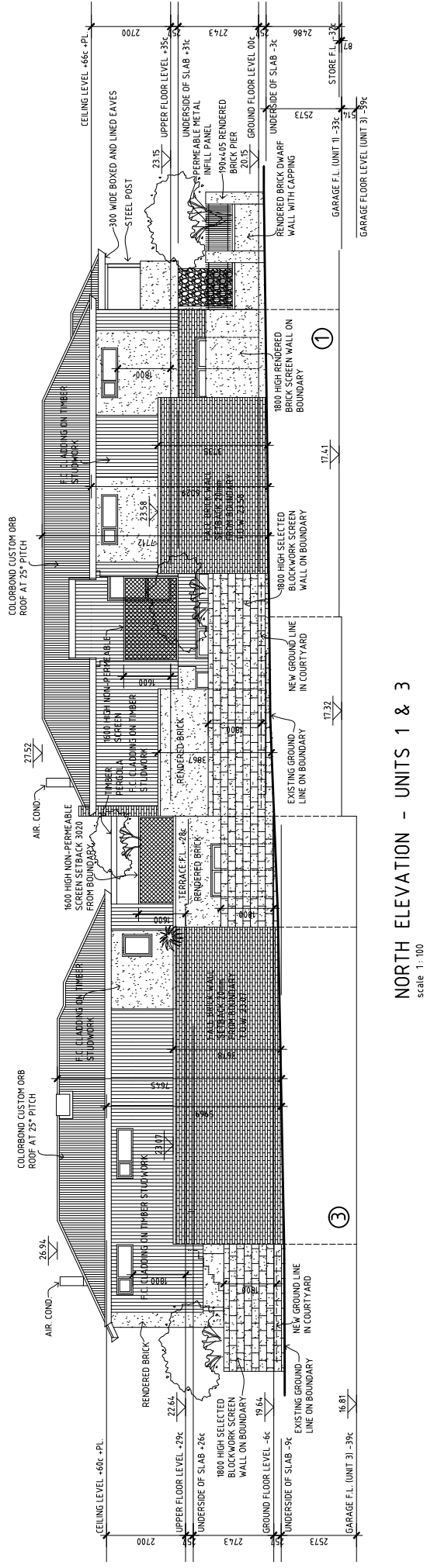
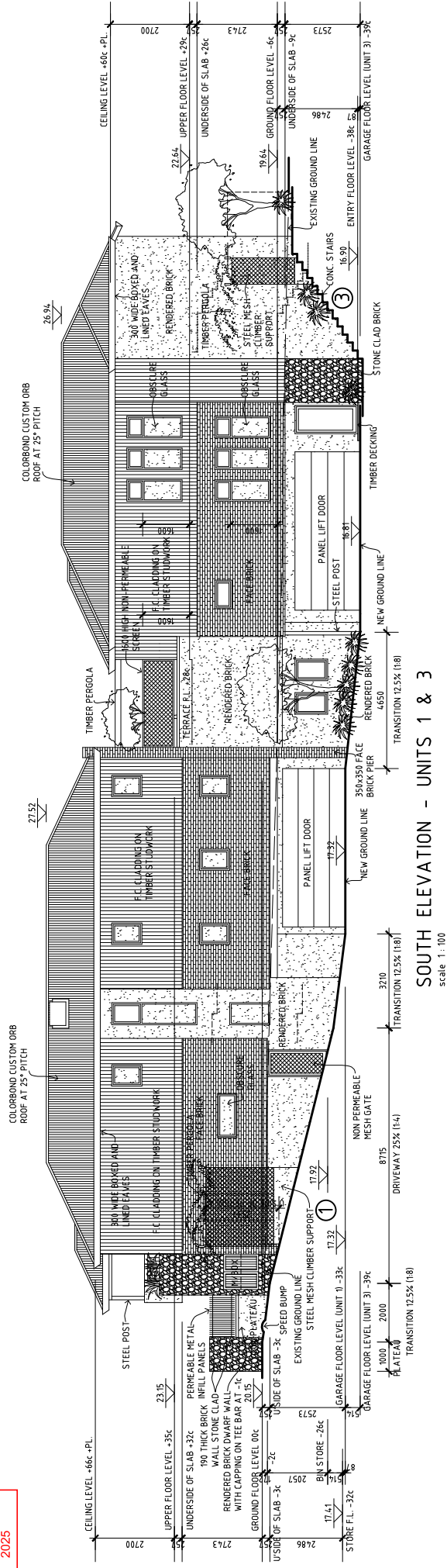
APPROVED FOR CONSTRUCTION 22 8 16

[illegible]

**ROGER CUPERUS**  
BUILDING DESIGN  
87 DENIS STREET, SUBIACO, 6008  
PHONE. 6161 3424 - MOB. 0421 175 303  
jolirog@hotmail.com

**PROPOSED QUADRUPLEX FOR  
JOHN WOODFORD FAMILY TRUST  
14 TYRELL STREET,  
NEDLANDS**





NORTH ELEVATION - UNITS 1 &amp; 3

scale 1 : 100

APPROVED FOR CONSTRUCTION 22 8 16

[illegible]

ROGER CUPERUS

BUILDING DESIGN

87 DENIS STREET, SUBIACO, 6008  
PHONE. 6161 3424 - MOB. 0421 175 303

**PROPOSED QUADRUPEX FOR  
JOHN WOODFORD FAMILY TRUST  
14 TYRELL STREET,  
NEDLANDS**

Date: 31 8 25

Scale: 1:100

Dwg No.  
**6 of 10**

Architectural drawing of the West Elevation of Tyrell Street, showing two houses. The drawing includes dimensions and material specifications.

**Dimensions:**

- Overall height: 1980
- Ground floor height: 1800
- Second floor height: 1800
- Ground floor level: 00c
- Ground floor level: 20.15
- Ground floor level: 21.95
- Ground floor level: 20.15
- Ground floor level: 00c

**Materials and Features:**

- EXISTING GROUND LINE ON BOUNDARY
- PERMEABLE METAL INFILL PANELS
- PERMEABLE METAL GATE
- LETTERBOX
- 190 THICK BRICK WALL STONE CLAD
- 190x405 RENDERED BRICK PIERS
- RENDERED BRICK DWARF WALL WITH CAPPING

**WEST ELEVATION - TYRELL STREET**

scale 1:100

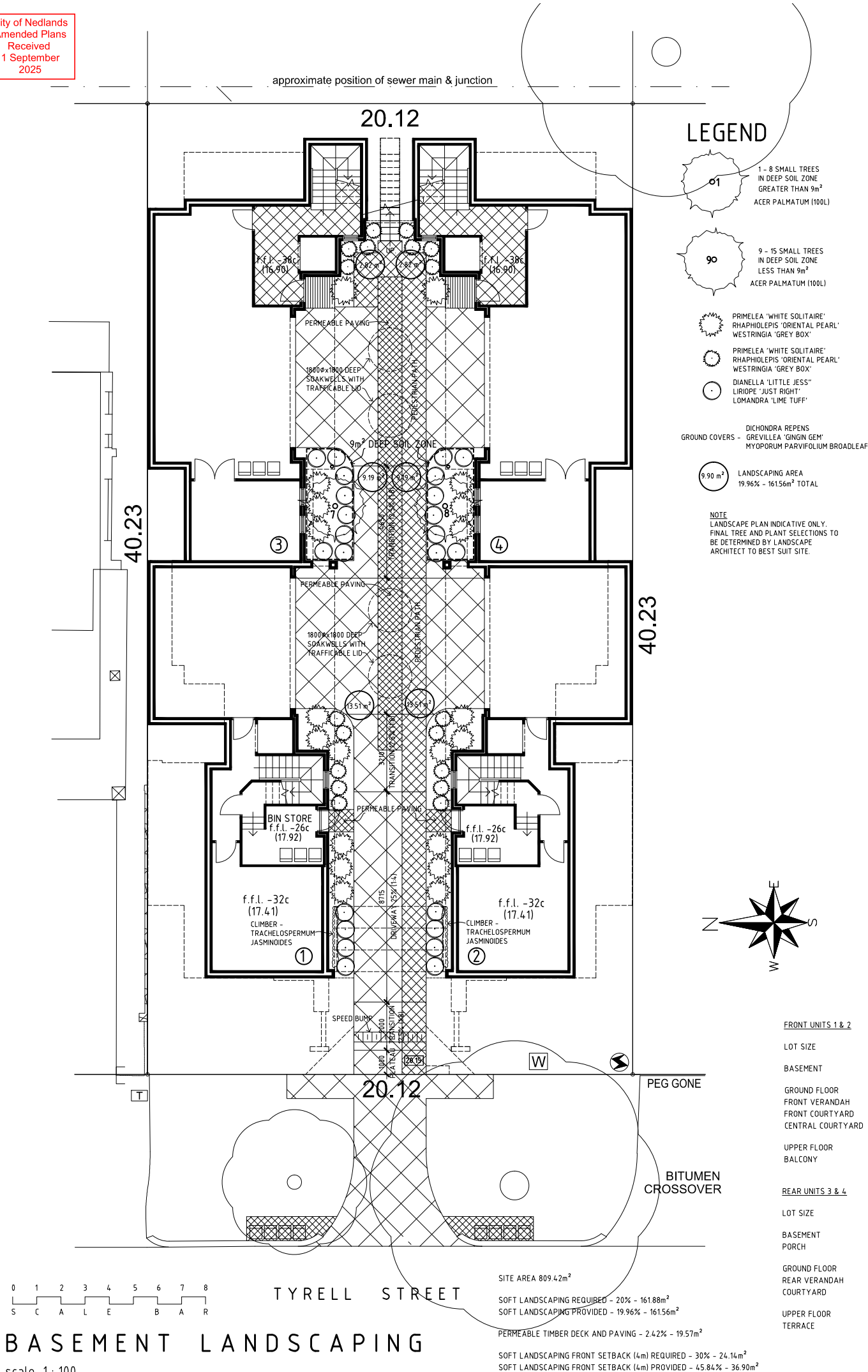
City of Nedlands  
Amended Plans  
Received  
1 September  
2025

WEST ELEVATION - UNITS 1 & 2

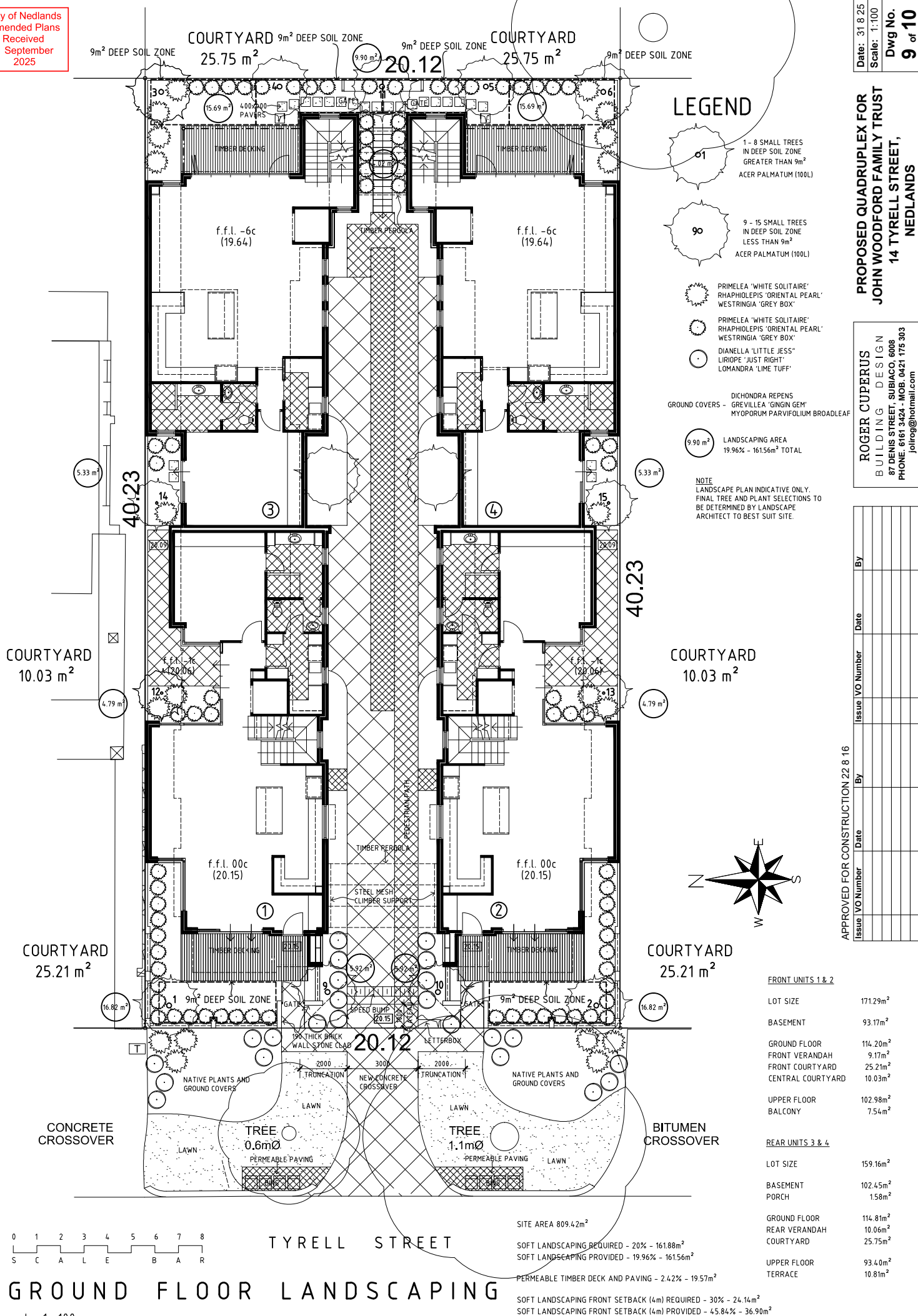
EAST ELEVATION - UNITS 3 & 4  
scale 1:100

SECTION - UNITS 3 & 4  
scale 1:100

FRONT UNITS 1 & 2		REAR UNITS 3 & 4	
LOT SIZE	171.29m <sup>2</sup>	LOT SIZE	59.16m <sup>2</sup>
BASEMENT	93.17m <sup>2</sup>	BASEMENT PORCH	102.45m <sup>2</sup> 1.58m <sup>2</sup>
GROUND FLOOR	114.20m <sup>2</sup>	GROUND FLOOR	114.81m <sup>2</sup>
FRONT VERANDA	9.17m <sup>2</sup>	REAR VERANDA	10.06m <sup>2</sup>
FRONT COURTYARD	25.21m <sup>2</sup>	COURTYARD	25.75m <sup>2</sup>
CENTRAL COURTYARD	10.03m <sup>2</sup>		
UPPER FLOOR	102.98m <sup>2</sup>	UPPER FLOOR	93.40m <sup>2</sup>
BALCONY	7.54m <sup>2</sup>	TERRACE	10.81m <sup>2</sup>
SITE AREA 809.42m <sup>2</sup>			
SOFT LANDSCAPING REQUIRED - 20% - 161.88m <sup>2</sup>			
SOFT LANDSCAPING PROVIDED - 19.96% - 161.56m <sup>2</sup>			
PERMEABLE TIMBER DECK AND PAVING - 2.42% - 19.57m <sup>2</sup>			
SOFT LANDSCAPING FRONT SETBACK (4m) REQUIRED - 30% - 24.14m <sup>2</sup>			
SOFT LANDSCAPING FRONT SETBACK (4m) PROVIDED - 45.84% - 36.90m <sup>2</sup>			

[illegible]

<u>FRONT UNITS 1 &amp; 2</u>	
LOT SIZE	171.29m <sup>2</sup>
BASEMENT	93.17m <sup>2</sup>
GROUND FLOOR	114.20m <sup>2</sup>
FRONT VERANDAH	9.17m <sup>2</sup>
FRONT COURTYARD	25.21m <sup>2</sup>
CENTRAL COURTYARD	10.03m <sup>2</sup>
UPPER FLOOR	102.98m <sup>2</sup>
BALCONY	7.54m <sup>2</sup>
 <u>REAR UNITS 3 &amp; 4</u>	
LOT SIZE	159.16m <sup>2</sup>
BASEMENT	102.45m <sup>2</sup>
PORCH	1.58m <sup>2</sup>
GROUND FLOOR	114.81m <sup>2</sup>
REAR VERANDAH	10.06m <sup>2</sup>
COURTYARD	25.75m <sup>2</sup>
UPPER FLOOR	93.40m <sup>2</sup>
TERRACE	10.81m <sup>2</sup>





**Schedule of Submissions**  
**14 Tyrell Street, Nedlands**



City of Nedlands  
**nedlands.wa.gov.au**

No.	Submission
1, 2, 3, 4	<p><b>I OBJECT TO THE PROPOSED DEVELOPMENT FOR THE FOLLOWING REASONS:</b></p> <p><b>1. The drawings/information available for Tyrell St residents to review are non-compliant</b> or incomplete as per C of N Development Application (DA) Form 1.</p> <p>It is noted Part 2 Required Information is missing. This includes 2.5 Waste Management, 2.6 Traffic Statement taking into account Tressillian Centre and current street parking problems.</p> <p>IT IS UNFAIR FOR RESIDENTS TO HAVE TO VIEW NON COMPLIANT DOCUMENTATION.</p> <p><b>2. PRIMARY STREET SETBACK.</b></p> <p>The deemed to comply setback is 4m, however the proposed development has a front <b>Tyrell Street setback for unit 1 and unit 2 of only 2.68m ground floor and 2.0m first floor WITH A BALCONY.</b></p> <p>It is noted that most existing dwellings in Tyrell St are setback 10-12m from the front boundary.</p> <p>Hence this setback does not fit in with the existing STREETScape AND CHARACTER OF TYRELL STREET.</p> <p>THIS NON COMPLIANT SETBACK INDICATE AN OVERDEVELOPMENT FOR THE 809M2 SITE.</p> <p><b>3. OVERLOOKING AND VISUAL PRIVACY.</b></p> <p>Refer point 2 above.</p>

**Schedule of Submissions**  
**14 Tyrell Street, Nedlands**



City of Nedlands  
**nedlands.wa.gov.au**

The amount of front glazing and balcony to unit 1 and 2 will result in overlooking and impact negatively on visual privacy and amenity to existing residents.

This will affect especially residents immediately opposite namely 11, 13, 15, 17 Tyrell Street where overlooking from the first floor balcony will be possible into the front yards and front porches and front rooms of these houses.

IT IS RECOMMENDED THAT 50% OF THE FRONT BALCONY TO UNIT 1 AND 2 BE SCREENED WITH VERTICAL SCREENING.

**4. NORTH AND SOUTH LOT BOUNDARY SETBACKS AND BOUNDARY WALL LENGTHS.**

These setbacks and wall lengths and heights are non compliant and will negatively impact on the amenity and natural light to 12 and 16 Tyrell Street.

THIS NON COMPLIANT SETBACK INDICATE AN OVERDEVELOPMENT FOR THE 809M2 SITE.

**5. BUILDING SCALE AND BULK AND IMPACT ON TYRELL STREETScape.**

The scale and bulk of 4 units is excessive on an 809m2 lot.

This is a large monolithic structure.

It will impact on the urban amenity and character of the Tyrell streetscape which consists of predominately single storey character homes.

It is noted again most other existing dwellings in Tyrell St are setback 10m -12m from the front boundary.

**6. NO VISITOR PARKING.**



There is NO visitor carbays to service 4 units which is inadequate.

It does not take into account restrictions on street parking and the fact that a Nedlands demographic does not frequently use public transport that is 200m away.

A garage space cannot be relied upon for visitor parking.

It does not take into account the other developments in Tyrell Street which also do not have visitor parking.

There are now 4 units either proposed or under construction at 14, 16 ,18 Tyrell Street ie 12 units and 24 cars to replace 3 houses with 6 cars. Refer point 1 above.

THE PLANNING STAFF MUST TAKE INTO ACCOUNT THE ACCUMULATIVE EFFECT OF THESE DEVELOPMENTS ON TRAFFIC AND VISITOR PARKING.

**7. LACK OF OPEN SPACE AND DEEP SOIL PLANTING.**

Due to the proposed design with a central driveway and 3 level buildings each side of this driveway there is insufficient open space and area for deep soil planting.

THIS NON COMPLIANT OPEN SPACE REQUIREMENT INDICATES AN OVERDEVELOPMENT FOR THE 809M2 SITE.

**8. POOR DESIGN.**

The proposed design has a central driveway to a basement level and 3 level buildings each side of this driveway.



	<p>This will result in very little natural light getting to the basement level driveway or garages for most part of the day.</p> <p>The slope of the driveway seems excessive and the car turning circles impractical.</p> <p><b>9. CONCLUSION.</b></p> <p>THIS IS AN OVERDEVELOPMENT FOR THE SITE.</p> <p>ONLY 3 X 2 STOREY QUALITY TOWNHOUSES WITH NO CONCESSIONS IS APPROPRIATE.</p>
5	<p>This proposal affects streetscape, community amenity and traffic as an individual and cumulative overdevelopment on the site adjacent to other developments that are also an overdevelopment.</p> <p>We were advised given we received mail weeks after it was sent, that we could put in a comment on this proposed development by today.</p> <p>Two boundary walls are to the fence line with height over 3.5m. There is not enough deep soil to compensate for the lack of open space. There is inadequate replacement of tree canopy and street trees. There will be direct impact on neighbours from overshadowing, loss of trees, streetscape, access, parking and traffic flow. There will be cumulative effect with similar nearby developments that also sought overdevelopment based on inappropriate use of "design principles" rather than following the building code that is required to be met.</p> <p>The community do not believe that ANY of these developments meet design principles and directly impact on neighbours and community amenity.</p>



**Schedule of Submissions**  
**14 Tyrell Street, Nedlands**



City of Nedlands  
**nedlands.wa.gov.au**

Tyrell St is already full from a parking point of view, and difficult to negotiate from a traffic point of view. This development further adds to these problems.

This is another development that represents over development of the site.

I would also like to reiterate that it is Council staff's remit to serve the community and not the developers. As residents, we should not have to do the work of council staff to identify problems with proposed developments based on our lack of training in this area. Council staff should be ensuring these developments meet the code and serve the best interests of the community.

Architectural Design Review Assessment City of Nedlands Design Review Panel		
Design quality evaluation		Date: 5 May 2025
Application: 14 Tyrell Street, Nedlands		
Review No.: 1		Time: 2:10pm
<b>Panel:</b> <ul style="list-style-type: none"> <li>• Simon Anderson</li> <li>• Simon Venturi</li> <li>• Tony Blackwell</li> <li>• Dominic Snellgrove</li> </ul> <b>City of Nedlands Representatives:</b> <ul style="list-style-type: none"> <li>• Chantel Weerasekera – A/Coordinator Planning Approvals</li> <li>• Dillon Reid – Senior Urban Planner</li> </ul>		
Apply the applicable rating to each Design Principle		<i>Supported</i>
		<i>Further information required</i>
		<i>Not supported</i>
		<i>Yet to be addressed</i>
<b>Summary</b>	<u>Site Context</u> The subject site is zoned 'Urban' by the Metropolitan Region Scheme and 'Residential' by the City of Nedlands Local Planning Scheme No.3 and has a density coding of R60. The site is 809m <sup>2</sup> in area and has a sole frontage to Tyrell Street. The site features an existing, single storey, single house.  <u>Application History</u> The application proposes a residential development comprising 4 grouped dwellings and a central common property driveway. The application has been lodged as a DAP. This is the first time this proposal has been presented to the DRP	
<b>Strengths of the proposal</b>	<ul style="list-style-type: none"> <li>• All garage access from common property is supported.</li> <li>• Garages are sleeved from view of the street.</li> <li>• A single crossover for vehicle access to the site is supported.</li> <li>• Front facing dwellings have direct entrance doors and living spaces that address the street and engage well with the public realm.</li> <li>• Overall design of front dwellings present well to the primary street.</li> <li>• The balconies of the front dwellings face the street and improve streetscape appeal and passive surveillance.</li> <li>• The provision of lifts supports ageing in place.</li> <li>• The inclusion of the upper floor courtyards provide good amenity for the rear dwellings.</li> <li>• Front fence design is well presented with a mixture of solid and permeable elements that achieves a good balance between privacy and passive surveillance.</li> </ul>	
<b>Principle 1 - Context and character</b>		<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
		<u>1a. Comments</u> <ul style="list-style-type: none"> <li>• No demonstration of response to or exploration of local context.</li> </ul>

		<ul style="list-style-type: none"> <li>Street setback does not accord with the existing character of the area and may be one indicator that there is an overdevelopment of the site.</li> </ul> <p><u>1b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Provide surrounding contextual information. Include surrounding properties on floor plans, elevations and renders.</li> <li>Consider an increased street setback to more appropriately respond to the existing and desired future streetscape character.</li> </ul>
Principle 2 - <b>Landscape quality</b>		<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p> <p><u>2a. Comments</u></p> <ul style="list-style-type: none"> <li>No Landscape Professional appointed.</li> <li>No retention/incorporation of existing mature trees on site.</li> <li>Tree species choice requires review for suitability regarding Perth climatic and soil conditions in combination with the impacts of global warming.</li> <li>Increasing front setback of dwellings will provide opportunity for more generous and meaningful landscaping in the front setback area.</li> <li>Consider steep slope to driveway and resultant contained hollow at the eastern end together with implications on stormwater flow, erosion and potential flooding to adjacent garages.</li> <li>Private garden areas do not appear to be compliant with the R-Codes.</li> </ul> <p><u>2b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Appoint Landscape Professional to improve and elaborate on Landscape Plan.</li> <li>Re-consider selected species and their locations. Increase diversity and density of planting.</li> <li>Consider increasing the size of the private open spaces to provide greater amenity for residents.</li> </ul>
Principle 3 - <b>Built form and scale</b>		<p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p> <p><u>3a. Comments</u></p> <ul style="list-style-type: none"> <li>Reduced street setbacks, bedrooms fully reliant on high level or frosted windows and undersized outdoor areas may as a whole be considered to be indicators of overdevelopment of the site.</li> <li>Excessive boundary wall lengths to the northern boundary compromise access to northern sunlight.</li> </ul> <p><u>3b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Consider increasing the size of the private open spaces to provide greater amenity for residents.</li> <li>Increase the street setbacks on ground and upper floors to be consistent with planning framework (LPP 5.14).</li> <li>Consider adding an additional storey (3 storeys) without excavation to fit proposed buildings in more suitable footprint to achieve compliance.</li> <li>Reduce site cover and provide more meaningful private open space and primary garden areas for residents.</li> </ul>
Principle 4 -		<p><i>Good design meets the needs of users efficiently and effectively, balancing</i></p>

<b>Functionality and build quality</b>	<i>functional requirements to perform well and deliver optimum benefit over the full life cycle.</i>
	<p><u>4a. Comments</u></p> <ul style="list-style-type: none"> <li>• The driveway gradient may not support safe vehicle manoeuvrability, DDA access, or compliant pedestrian movement. This also runs at odds with the provision of lifts to aid with ageing in place.</li> <li>• AC condenser units have not been shown on the drawings.</li> <li>• Outdoor living space may be of insufficient size to be functional or appropriate for the scale of the dwelling.</li> <li>• Excavation proposed may be excessive, unnecessary, expensive and pose construction challenges.</li> <li>• Stormwater management may be unnecessarily challenging due to excessive excavation, steep slopes and limited provision for dealing with potential flooding.</li> </ul> <p><u>4b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>• Show location of AC units on plans. Ensure they are not visible from public realm.</li> <li>• Consider reducing excavation and increasing dwelling height to 2.5 or 3 storeys above ground level in strategic locations.</li> <li>• Depict furniture and room dimensions on the plans.</li> </ul>
<b>Principle 5 - Sustainability</b>	<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social, and economic outcomes.</i>
	<p><u>5a. Comments</u></p> <ul style="list-style-type: none"> <li>• No ESD report provided.</li> <li>• Lack of passive ESD narrative or initiatives.</li> <li>• No detail regarding passive shading and response to orientation.</li> </ul> <p><u>5b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>• Appoint ESD professional to provide a sufficient ESD narrative and commitments.</li> <li>• Consider inclusion of PV solar panels, EV charging, heat pump HWSs, double glazing, greater passive shading, light coloured roof etc.</li> </ul>
<b>Principle 6 - Amenity</b>	<i>Good design optimises internal and external amenity for occupants, visitors, and neighbours, providing environments that are comfortable, productive and healthy.</i>
	<p><u>6a. Comments</u></p> <ul style="list-style-type: none"> <li>• Some habitable rooms (such as the Activity Room in the rear dwellings) rely solely on hi-lite windows or windows with obscure glazing. This is a poor outcome and is not supported.</li> <li>• Some habitable rooms on the northern lots have limited access to northern sunlight.</li> <li>• Southern dwelling living spaces may not have adequate access to northern light because of the central driveway and mirrored layout of the design and obscure windows.</li> </ul> <p><u>6b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>• Include increased window sizes that are not obscured to improve access to natural light and outlook.</li> </ul>

		<ul style="list-style-type: none"> <li>Consider offsetting windows so that overlooking is minimised between the northern and southern dwellings.</li> <li>Consider a redesign that alters the driveway design to allow southern dwellings improved outlook and northern dwellings increased access to northern light.</li> <li>Consider increasing the size of the private open spaces to provide greater amenity for residents.</li> </ul>
Principle 7 - <b>Legibility</b>		<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
		<u>7a. Comments</u> <ul style="list-style-type: none"> <li>Pedestrian entrance legibility is not well denoted. Entry at the rear of the sloping common property driveway is not within an appropriate line of sight.</li> </ul> <u>7b. Suggested amendments/improvements</u> <ul style="list-style-type: none"> <li>Improving entry legibility can be achieved by including a level common driveway, creating an entrance porch and using demarcated paving.</li> </ul>
Principle 8 - <b>Safety</b>		<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
		<u>8a. Comments</u> <ul style="list-style-type: none"> <li>The sloping driveway does not support convenient or safe pedestrian access.</li> <li>The sloping driveway does not support disability access of the rear dwellings.</li> <li>The driveway gradient may not support safe vehicle manoeuvrability.</li> </ul> <u>8b. Suggested amendments/improvements</u> <ul style="list-style-type: none"> <li>Review site planning to overcome issues arising from the steeply sloping driveway (and apparent overdevelopment of the building footprint), e.g. an increase in height of the dwellings to 3 storeys above natural ground level would remove the need for a significantly sloping driveway.</li> <li>Provide further evidence of vehicle swept paths.</li> </ul>
Principle 9 - <b>Community</b>		<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
		<u>9a. Comments</u> <ul style="list-style-type: none"> <li>Sleeved garages and attractive front facades contribute positively to the streetscape.</li> </ul> <u>9b. Suggested amendments/improvements</u> <ul style="list-style-type: none"> <li>Notwithstanding generally supported dwelling façade, consider increasing the street setback to further complement the existing streetscape.</li> </ul>
Principle 10 <b>Aesthetics</b>		<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
		<u>10a. Comments</u> <ul style="list-style-type: none"> <li>The design is contemporary, attractive and features quality materials.</li> </ul> <u>10b. Suggested amendments/improvements</u>

	<ul style="list-style-type: none"> <li>Consider including further analysis of the context and character that influence the design.</li> </ul>
<b>SUMMARY</b>	The development provides good streetscape interaction and presentation. However, the excessive excavation creates an unnecessarily steep driveway that does not appropriately accommodate pedestrian friendly design or legibility. The reduced setbacks and extent of building footprint leaves insufficient space for private open space, as well as other poor design outcomes, such as hi-lite windows. The central driveway design compromises the amenity of the dwellings in terms of access to natural light and outlook.
<b>OVERALL RECOMMENDATION</b>	Not Supported

Design Review progress			
	<i>Supported</i>		
	<i>Further information required</i>		
	<i>Not yet supported</i>		
	<i>Yet to be addressed</i>		
	<i>DR1 5 May 2025</i>	<i>DR2</i>	<i>DR3</i>
Principle 1 - <b>Context and character</b>			
Principle 2 - <b>Landscape quality</b>			
Principle 3 - <b>Built form and scale</b>			
Principle 4 - <b>Functionality and build quality</b>			
Principle 5 - <b>Sustainability</b>			
Principle 6 - <b>Amenity</b>			
Principle 7 - <b>Legibility</b>			
Principle 8 - <b>Safety</b>			
Principle 9 - <b>Community</b>			
Principle 10 - <b>Aesthetics</b>			

Architectural Design Review Assessment City of Nedlands Design Review Panel																							
Design quality evaluation	Date: 4 August 2025																						
Application: 14 Tyrell Street, Nedlands																							
Review No.: 2	Time: 3:30pm – 4:30pm																						
Panel: <ul style="list-style-type: none"><li>• Simon Anderson</li><li>• Gordana Nestic-Simic</li><li>• Tony Blackwell</li><li>• Brett Wood-Gush</li></ul>																							
City of Nedlands Representatives: <ul style="list-style-type: none"><li>• Bruce Thompson – Director Planning &amp; Development</li><li>• Dillon Reid – Senior Urban Planner</li></ul>																							
Apply the applicable rating to each Design Principle	<div>Supported</div>																						
	<div>Further information required</div>																						
	<div>Not supported</div>																						
	<div>Yet to be addressed</div>																						
Summary	<p>Site Context</p> <p>The subject site is zoned ‘Urban’ by the Metropolitan Region Scheme and ‘Residential’ by the City of Nedlands Local Planning Scheme No.3 and has a density coding of R60. The site is 809m2 in area and has a sole frontage to Tyrell Street. The site features an existing, single storey, single house.</p> <p>Application History</p> <p>The application proposes a residential development comprising 4 grouped dwellings and a central common property driveway. The application has been lodged as a DAP. This is the second time this proposal has been presented to the DRP. See scoring below from DRP 1 (5 May 2025).</p> <table><thead><tr><th>Design Principle</th><th>DRP 1</th></tr></thead><tbody><tr><td>Principle 1 - <b>Context and character</b></td><td></td></tr><tr><td>Principle 2 - <b>Landscape quality</b></td><td></td></tr><tr><td>Principle 3 - <b>Built form and scale</b></td><td></td></tr><tr><td>Principle 4 - <b>Functionality and build quality</b></td><td></td></tr><tr><td>Principle 5 – <b>Sustainability</b></td><td></td></tr><tr><td>Principle 6 – <b>Amenity</b></td><td></td></tr><tr><td>Principle 7 – <b>Legibility</b></td><td></td></tr><tr><td>Principle 8 – <b>Safety</b></td><td></td></tr><tr><td>Principle 9 – <b>Community</b></td><td></td></tr><tr><td>Principle 10 – <b>Aesthetics</b></td><td></td></tr></tbody></table> <p>Assessment will be done in accordance with:</p> <ul style="list-style-type: none"><li>• Clause 32.4: Additional site and development requirements, and the objectives of the zone under the Scheme;</li><li>• SPP 7.0</li><li>• Residential Design Codes Volume 1</li><li>• Local Planning Policy Precincts 5.14</li><li>• Consideration of the application under clause 67 of the Planning and Development – Local Planning Schemes (Regulations).</li></ul>	Design Principle	DRP 1	Principle 1 - <b>Context and character</b>		Principle 2 - <b>Landscape quality</b>		Principle 3 - <b>Built form and scale</b>		Principle 4 - <b>Functionality and build quality</b>		Principle 5 – <b>Sustainability</b>		Principle 6 – <b>Amenity</b>		Principle 7 – <b>Legibility</b>		Principle 8 – <b>Safety</b>		Principle 9 – <b>Community</b>		Principle 10 – <b>Aesthetics</b>	
	Design Principle	DRP 1																					
	Principle 1 - <b>Context and character</b>																						
	Principle 2 - <b>Landscape quality</b>																						
	Principle 3 - <b>Built form and scale</b>																						
	Principle 4 - <b>Functionality and build quality</b>																						
	Principle 5 – <b>Sustainability</b>																						
	Principle 6 – <b>Amenity</b>																						
	Principle 7 – <b>Legibility</b>																						
	Principle 8 – <b>Safety</b>																						
Principle 9 – <b>Community</b>																							
Principle 10 – <b>Aesthetics</b>																							



<b>Strengths of the proposal</b>	<ul style="list-style-type: none"> <li>• All garage access from common property is supported.</li> <li>• Garages are sleeved from view of the street.</li> <li>• The landscaping along the common property driveway is positive and helps to break up the driveway visually.</li> <li>• The trellis over the driveway is supported in principle (refer to Functionality). It creates visual interest and adds greenery.</li> <li>• A single crossover for vehicle access to the site is supported.</li> <li>• Front facing dwellings have direct entrance doors and living spaces that address the street and engage well with the public realm.</li> <li>• Some consideration of local context is positive.</li> <li>• The removal of the front boundary walls is a positive amendment that responds well to the streetscape.</li> <li>• The appointment of a landscape professional is supported.</li> <li>• Overall, the design of the front dwellings present well to the primary street.</li> <li>• The balconies of the front dwellings face the street and improve streetscape appeal and passive surveillance.</li> <li>• The provision of lifts supports ageing in place.</li> <li>• Some ESD solutions have been incorporated.</li> <li>• The inclusion of the upper floor courtyards provide good amenity for the rear dwellings.</li> <li>• Front fence design is well presented with a mixture of solid and permeable elements that achieves a good balance between privacy and passive surveillance.</li> </ul>
<b>Principle 1 - Context and character</b>	<div data-bbox="448 1111 485 1223" data-label="Image"></div> <p><i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p> <p><u>1a. Comments</u></p> <ul style="list-style-type: none"> <li>• Street setback does not accord with the existing character of the area and may be one indicator that there is an overdevelopment of the site.</li> <li>• Street setback may not be sufficient to achieve desired landscaping outcomes.</li> </ul> <p><u>1b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>• Consider an increased street setback to satisfy LPP 5.14 to more appropriately respond to the existing and desired future streetscape character and accommodate more substantial front landscaping.</li> </ul>
<b>Principle 2 - Landscape quality</b>	<div data-bbox="448 1581 485 1693" data-label="Image"></div> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p> <p><u>2a. Comments</u></p> <ul style="list-style-type: none"> <li>• Three of the four tree species on the landscaping plan are on the PSHB host list.</li> <li>• No retention/incorporation of existing mature trees on site.</li> <li>• Tree species choice requires review for suitability regarding Perth climatic and soil conditions in combination with the impacts of global warming.</li> <li>• Increasing front setback of dwellings will provide opportunity for more generous and meaningful landscaping in the front setback area.</li> </ul>



		<ul style="list-style-type: none"> <li>Consider steep slope to driveway and resultant contained hollow at the eastern end together with implications on stormwater flow, erosion and potential flooding to adjacent garages.</li> <li>Some of the landscaping spaces do not appear to be sized to properly support the growth of a small tree.</li> <li>The private open space /primary garden areas for the two front units do not meet the R-Code requirements.</li> <li>Lack of landscaping area may indicate an overdevelopment of the site.</li> <li>There is a discrepancy between the stated deep soil area on the development plans and the landscaping plan.</li> <li>No swept path movement diagrams provided (as previously requested) to demonstrate that the extent of landscape within the driveway is workable.</li> </ul> <p><u>2b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Re-consider selected species due to PSHB risk. Increase density of planting.</li> <li>Consider increasing the size of the private open spaces to achieve compliance and to provide greater amenity for residents.</li> </ul>
Principle 3 - <b>Built form and scale</b>		<p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p>
		<p><u>3a. Comments</u></p> <ul style="list-style-type: none"> <li>Reduced street setbacks, some bedrooms being fully reliant on high level or frosted windows and undersized outdoor areas to the front units may as a whole be considered to be indicators of overdevelopment of the site.</li> <li>The structures appear bulky from the street and do not feature enough articulation to minimise this perception.</li> <li>Boundary wall lengths to the northern boundary compromise access to northern sunlight.</li> </ul> <p><u>3b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Consider increasing the size of the private open spaces on the front units to provide greater amenity for residents.</li> <li>Increase the street setbacks on ground and upper floors to be consistent with planning framework (LPP 5.14).</li> <li>Consider a more substantial break between the front and rear units.</li> <li>Consider adding an additional storey (3 storeys) without excavation to fit proposed buildings in a more suitable footprint to achieve compliance.</li> <li>Consider increased variation and articulation to building massing for internal facades to break up the scale of the dwellings.</li> </ul>
Principle 4 - <b>Functionality and build quality</b>		<p><i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</i></p>
		<p><u>4a. Comments</u></p> <ul style="list-style-type: none"> <li>The driveway gradient may not support safe vehicle manoeuvrability, DDA access, or compliant pedestrian movement. This also runs at odds with the provision of lifts to aid with ageing in place.</li> </ul>

		<ul style="list-style-type: none"> <li>Individual unit waste management may be difficult to achieve practically with regards to waste bin manoeuvring on steep driveway.</li> <li>Front unit outdoor living space may be of insufficient size to be functional or appropriate for the scale of the dwelling.</li> <li>The door outside the lift on the bottom floor of the front ground floor units may conflict with the lift itself.</li> <li>Stormwater management may be unnecessarily challenging due to excessive excavation, steep slopes and limited provision for dealing with potential flooding.</li> <li>Garden areas near the rear units main pedestrian entrance may obstruct the porch area.</li> <li>Dark roofs are not energy efficient and contribute to the urban heat Island effect.</li> <li>Concern was expressed about clearances for furniture trucks and the like under the pergola/trellis proposed over the driveway.</li> </ul> <p><u>4b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Consider moving the porch post adjacent to the rear unit garages to improve vehicle manoeuvrability.</li> <li>Consider reducing excavation and increasing dwelling height to 2.5 or 3 storeys above ground level in strategic locations.</li> <li>Consider altering the colour of the roofs to a lighter colour.</li> <li>Ensure that the pergola over the driveway has sufficient clearance height.</li> </ul>
Principle 5 - Sustainability		<p><i>Good design optimises the sustainability of the built environment, delivering positive environmental, social, and economic outcomes.</i></p>
		<p><u>5a. Comments</u></p> <ul style="list-style-type: none"> <li>No ESD report provided.</li> <li>The basic mirroring of the plan layout significantly reduces the benefits that could otherwise be achieved from passive solar design.</li> <li>Insufficient detail regarding passive shading and response to orientation.</li> </ul> <p><u>5b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>A full ESD report should be prepared and incorporated into the design.</li> </ul>
Principle 6 - Amenity		<p><i>Good design optimises internal and external amenity for occupants, visitors, and neighbours, providing environments that are comfortable, productive and healthy.</i></p>
		<p><u>6a. Comments</u></p> <ul style="list-style-type: none"> <li>Some habitable rooms (such as the Activity Room and Bedroom 3 in the rear dwellings) rely solely on hi-lite windows or windows with obscure glazing. This is a poor outcome and is not supported.</li> <li>The mirrored design and layout only benefit the northern units with regard to access to natural light.</li> <li>Some habitable rooms on the northern lots have limited access to northern sunlight due to the floorplan layout where habitable rooms face south.</li> <li>Southern dwelling living spaces may not have adequate access to northern light because of the central driveway and mirrored layout of the design and obscure windows.</li> </ul>

		<ul style="list-style-type: none"> <li>There is a lack of connection between the rear unit entrances and the street due to the slope of the driveway.</li> </ul> <p><u>6b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Include increased window sizes that are not obscured to improve access to natural light and outlook.</li> <li>Consider 'flipping' some of the rooms and windows to maximise northern light.</li> <li>Consider redesigning the south-eastern dwelling to improve solar access to the habitable spaces.</li> <li>Consider offsetting windows so that overlooking is minimised between the northern and southern dwellings.</li> <li>Consider increasing the size of the private open spaces to provide greater amenity for residents.</li> </ul>
Principle 7 - <b>Legibility</b>		<p><i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>
		<p><u>7a. Comments</u></p> <ul style="list-style-type: none"> <li>Pedestrian entrance legibility is not well denoted. Entry at the rear of the sloping common property driveway is not within an appropriate line of sight.</li> </ul> <p><u>7b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Improving entry legibility could be achieved by including a level common driveway.</li> </ul>
Principle 8 - <b>Safety</b>		<p><i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>
		<p><u>8a. Comments</u></p> <ul style="list-style-type: none"> <li>The sloping driveway does not support convenient or safe pedestrian access.</li> <li>The 1:4 sloping driveway does not support disability access to the rear dwellings.</li> <li>The driveway gradient may not support safe vehicle manoeuvrability.</li> <li>There may be issues when two vehicles attempt to enter or exit the site at the same time. It may be difficult to view an existing vehicle from the street due to the excavation.</li> </ul> <p><u>8b. Suggested amendments/improvements</u></p> <ul style="list-style-type: none"> <li>Review site planning to overcome issues arising from the steeply sloping driveway (and apparent overdevelopment of the building footprint), e.g. an increase in height of the dwellings to 3 storeys above natural ground level would remove the need for a significantly sloping driveway.</li> <li>Provide further evidence of vehicle swept paths.</li> <li>Consider introducing an area at the top of the ramp with a shallow gradient (as per AS2890.1) so vehicles can have sight of the street.</li> </ul>
Principle 9 - <b>Community</b>		<p><i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>
		<p><u>9a. Comments</u></p>

	<ul style="list-style-type: none"> <li>Sleeved garages and attractive front facades contribute positively to the streetscape.</li> <li>There may be further opportunities to provide neighbour interaction and sense of community with the rear lots.</li> </ul>
	9b. Suggested amendments/improvements <ul style="list-style-type: none"> <li>Notwithstanding general support of the dwelling façade, consider increasing the street setback to further complement the existing streetscape.</li> </ul>
<b>Principle 10 Aesthetics</b>	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	10a. Comments <ul style="list-style-type: none"> <li>The design is contemporary, reasonably attractive and features quality materials.</li> </ul> 10b. Suggested amendments/improvements <ul style="list-style-type: none"> <li>Some simplification of the materiality may be warranted to improve aesthetic cohesion.</li> </ul>
<b>SUMMARY</b>	The development provides good streetscape interaction and presentation. Modest improvements have been made with the reduction in boundary walls in proximity to the street and increased measures to obtain natural light. However, the excessive excavation creates an unnecessarily steep driveway that does not appropriately accommodate pedestrian friendly design or legibility. The reduced street setback and extent of building footprint leaves insufficient space for meaningful landscaping, as well as other poor design outcomes, such as hi-lite windows. The central driveway design and mirrored layout compromises the amenity of the dwellings in terms of access to natural light and outlook.
<b>OVERALL RECOMMENDATION</b>	Not Supported

Design Review progress			
	Supported		
	Further information required		
	Not yet supported		
	Yet to be addressed		
	DR1 5 May 2025	DR2 4 August 2025	DR3
Principle 1 - Context and character			
Principle 2 - Landscape quality			
Principle 3 - Built form and scale			
Principle 4 - Functionality and build quality			
Principle 5 - Sustainability			
Principle 6 - Amenity			
Principle 7 - Legibility			
Principle 8 - Safety			

Principle 9 - <b>Community</b>			
Principle 10 - <b>Aesthetics</b>			

**From:** [Simon Anderson](#)  
**To:** [Dillon Reid](#)  
**Subject:** Re: 14 Tyrell Street, Nedlands - DRP Chair Review  
**Date:** Wednesday, 27 August 2025 12:21:03 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[image010.png](#)

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognise the sender and know the content is safe. If suspicious REPORT to IT.

Dillon

Thank you for the opportunity to further assist with this project.

I am not the decision maker on this development application while I and the Nedlands Design Review Panel (DRP) are bound by our terms of reference to provide feedback against the State government's 10 design principles in the specific context of the current relevant planning scheme and policies. We are also obliged to provide recommendations that will help applicants achieve their approval and to provide an overall assessment of support or otherwise. Our role is assessment and improvement of design quality, not compliance and decision making.

In this case the DRP through two meetings has not supported the project and provided extensive advice to the applicant to help them improve the design quality of the four houses.

Having analysed the new drawings supplied to me I remain convinced that the design as now described remains not supportable under DRP terms of reference. The amendments proposed following the last DAP meeting improve the design marginally from DRP point of view but are nowhere near sufficient, in my opinion, to achieve support. The marginal improvements include improved site lines for cars leaving the site, removal of posts to improve vehicle accessibility in houses 3&4 and better use of northern light in the rear two houses. Yet the substantive issues including for example, but not limited to, street setback, building bulk, quality of outdoor spaces, use of highlight windows, screening and obscure glass to provide privacy, safe pedestrian access, are not addressed in the new drawings.

I trust the above is useful to you in preparing your report.

When asked to undertake a Chair review of amended plans I have always closed my comments with a statement of support or otherwise for the proposal in its current form. In this case and for the reasons outlined above, I **do not support** within DRP terms of reference the current proposal overall.

An updated Design Quality Evaluation follows in your text. Note that the Evaluation is almost unchanged from the last DRP and reflects the comments above.

Simon

Emeritus Professor Simon Anderson LFRAIA  
Senior Honorary Research Fellow  
M433 School of Design  
The University of Western Australia  
35 Stirling Hwy, Crawley, Western Australia 6009  
Mobile 0405 381 408  
Email [simon.anderson@uwa.edu.au](mailto:simon.anderson@uwa.edu.au)

**From:** Dillon Reid <dreid@nedlands.wa.gov.au>

# DEVELOPMENT APPLICATION



**LOT 115 (NO.14) TYRELL STREET, NEDLANDS**

**PROPOSED FOUR (4) GROUPED DWELLINGS  
CITY OF NEDLANDS**

**Planning & Development Consultants**

**Address:** 3/1 Mulgul Road, Malaga WA 6090

**Tel:** 9249 2158 **Mb:** 0407384140 **Email:** carlo@cftp.com.au

CVF Nominees Pty Ltd ABN: 86 110 067 395



**Prepared for**

Glenway Homes and the landowner for the construction of four (4) new grouped dwellings on Lot 115 (No.14) Tyrell Street, Nedlands.

**Prepared by**

**CF Town Planning & Development**  
Planning & Development Consultants

**Address:** 3/1 Mulgul Road, Malaga WA 6090

**Tel:** 92492158

**Mb:** 0407384140

**Email:** [carlo@cftp.com.au](mailto:carlo@cftp.com.au)



**Carlo Famiano**  
**Director**  
**CF Town Planning & Development**

Name	Position	Document Revision	Date
Mr Carlo Famiano	Town Planner	Planning Report	19 March 2025
Mr Carlo Famiano	Town Planner	Planning Report	7 April 2025

*All rights are reserved by CVF Nominees Pty Ltd trading as CF Town Planning & Development. Other than for the purposes of and subject to conditions prescribed under the Copyright Act 1968 (C), no part of this report may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic or otherwise, without the prior written permission of CF Town Planning & Development.*



7 April 2025

Chief Executive Officer  
City of Nedlands  
PO Box 9  
NEDLANDS WA 6909

Dear Sir/Madam

**APPLICATION FOR DEVELOPMENT APPROVAL  
PROPOSED FOUR (4) GROUPED DWELLINGS (TWO STOREY & BASEMENT LEVEL)  
LOT 115 (No.14) TYRELL STREET, NEDLANDS  
CITY OF NEDLANDS**

We act on behalf of Glenway Homes and the landowner as their consultant town planners and hereby lodge an Application for Development Approval seeking the Metro Inner Development Assessment Panel (DAP) and City of Nedlands approval for the construction of a four (4) new grouped dwellings on Lot 115 (No.14) Tyrell Street, Nedlands to provide much needed housing within close proximity to the 'Stirling Highway Activity Corridor' and other key nodes.

Please find enclosed the following information to assist the DAP and the City of Nedlands consideration and processing of the application:

- A completed and signed 'Application for Development Approval' form;
- A completed and signed 'Metropolitan Region Scheme Form 1';
- A completed and signed 'DAP Form 1';
- A copy of the Certificate of Title for the subject land; and
- A copy of the plans prepared in support of the application.

We request that the invoice for any development application fees payable be addressed to Glenway Homes and forwarded to Mr John Woodford via email to [john@glenwayhomes.com.au](mailto:john@glenwayhomes.com.au) at the DAP and City's earliest convenience.

In light of the above, the following information and justification has been prepared in support of the application for the subject land for consideration by the DAP and the City of Nedlands.

**LOCATION & PROPERTY DETAILS**

Location

The subject land is located within the eastern part of the Nedlands locality approximately 200 metres south of Stirling Highway, which is identified as an 'Activity & Transit Corridor'. The Corridor contains a variety of shopping, entertainment, medical and employment activities, along with a high frequency

public transport network. The subject land is also located approximately 558 metres west of the University of Western Australia (UWA) campus (see Figure 1 – Location Plan).

An overview of the immediate locality has identified that the subject land is within close proximity and comprises convenient access to the following key nodes:

- A high frequency bus network (i.e. Stirling Highway) which provides access to the Perth Central Business District (CBD), Claremont Activity Centre and the University of Western Australia (UWA);
- Access to a regional road network (Stirling Highway & the Kwinana/Mitchell Freeway), including a pedestrian foot path network along Stirling Highway;
- Various public open space reserves;
- Various employment opportunities and access to nearby hospitals; and
- Various schools and place of worships.

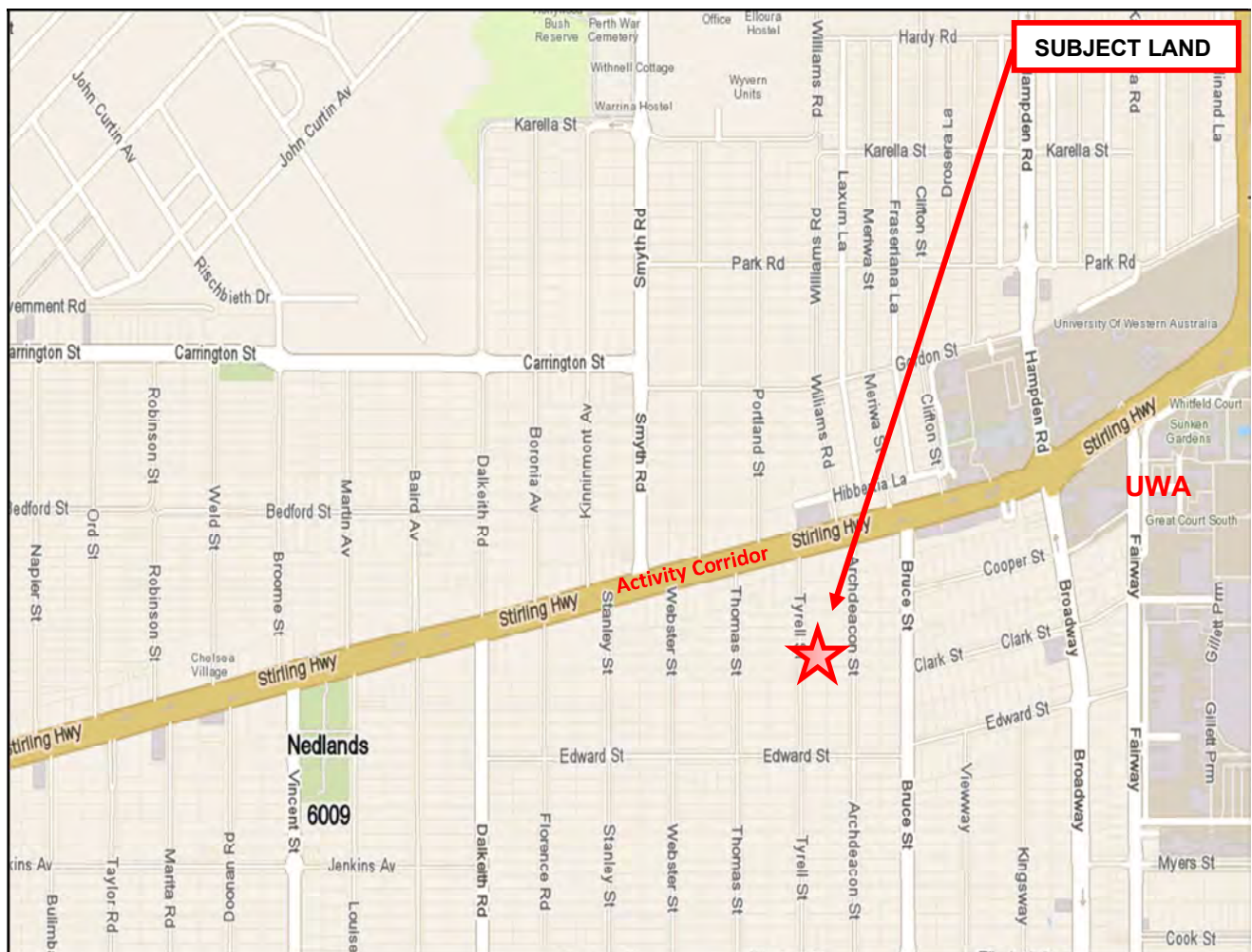


Figure 1 – Location Plan

It is significant to note that portions of the Nedlands locality is currently undergoing a significant change in character and built form that reflects the designation of the land's R60 density coding and the nearby R160 density coding. The development is reflective of the anticipated increase in residential densities



as a result of the changes to the density coding of the area (i.e. increase in density coding in close proximity to Stirling Highway). A review of the Nedlands area in close proximity to Stirling Highway has identified a number of similar grouped and/or multiple dwelling type developments that are emerging, which highlights the changing nature and built form character of the area.

### Property Details

The subject land is legally described as Lot 115 on Plan 1747 on Certificate of Title Volume 1949, Folio 736. The land is currently owned by Caroline Woodford (see Certificate of Title)

The subject land is rectangular in shape, comprises a lot area of 809m<sup>2</sup> and contains a fall in natural ground levels (NGL) from 20.24 metres along the land's front lot boundary to 19.1 metres along the land's rear lot boundary. This equates to a fall in NGL of 1.14 metres down/across the land (see Site Feature Survey).

The subject land is currently developed and used for 'Single House' purposes and comprises a number of physical improvements including a single detached dwelling, a patio structure, boundary fencing and a sealed driveway/crossover (see Figure 1 – Aerial Site Plan & Figure 2). This application proposes the existing dwelling and associated structures on the land will be removed to accommodate the new grouped dwelling development.

The existing dwelling and associated structures on the subject land are not listed on the City of Nedlands Municipal Heritage Inventory (MHI) and may therefore be removed subject to the issuance of the demolition permit or building permit by the City.

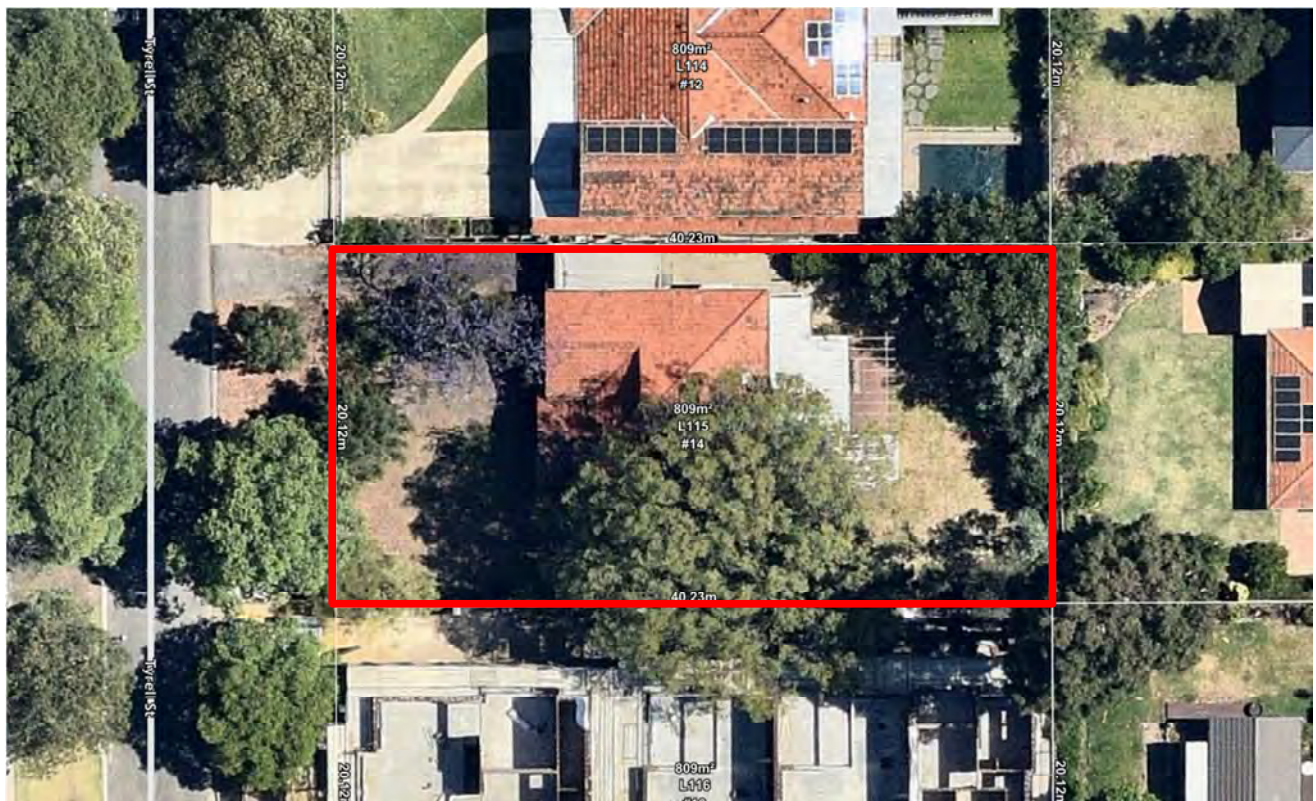


Figure 2 – Aerial Site Plan

**Planning & Development Consultants**

**Address: 3/1 Mulgool Road, Malaga WA 6090**

**Tel: 9249 2158 Mb: 0407384140 Email: carlo@cftp.com.au**

CVF Nominees Pty Ltd ABN: 86 110 067 395





Figure 3 – The subject land.

The verge area abutting the subject land comprises two (2) large mature street tree which will be retained as part of this application.

### Essential Services

The subject land is served by an extensive range of essential service infrastructure including power, water, reticulated sewerage, stormwater drainage, gas and telecommunications (see Figure 4).



Figure 4 – The existing services in and around the subject land (MNG Mapping).



This part of the Nedlands locality is well served by an efficient local and district road network with convenient access to Stirling Highway and the Kwinana/Mitchell Freeways. Public transport is available along various nearby roads including along Stirling Highway and other surrounding roads (see Figure 5 – Public Transport Network).

The subject land is also well served by a pedestrian path network and regional cycle network (including along both Tyrell Street and along Stirling Highway). It is contended that the subject land's good access to public transport and a pedestrian path network will provide an alternative form of transportation for the future occupants and visitors of the new dwellings on Lot 115.

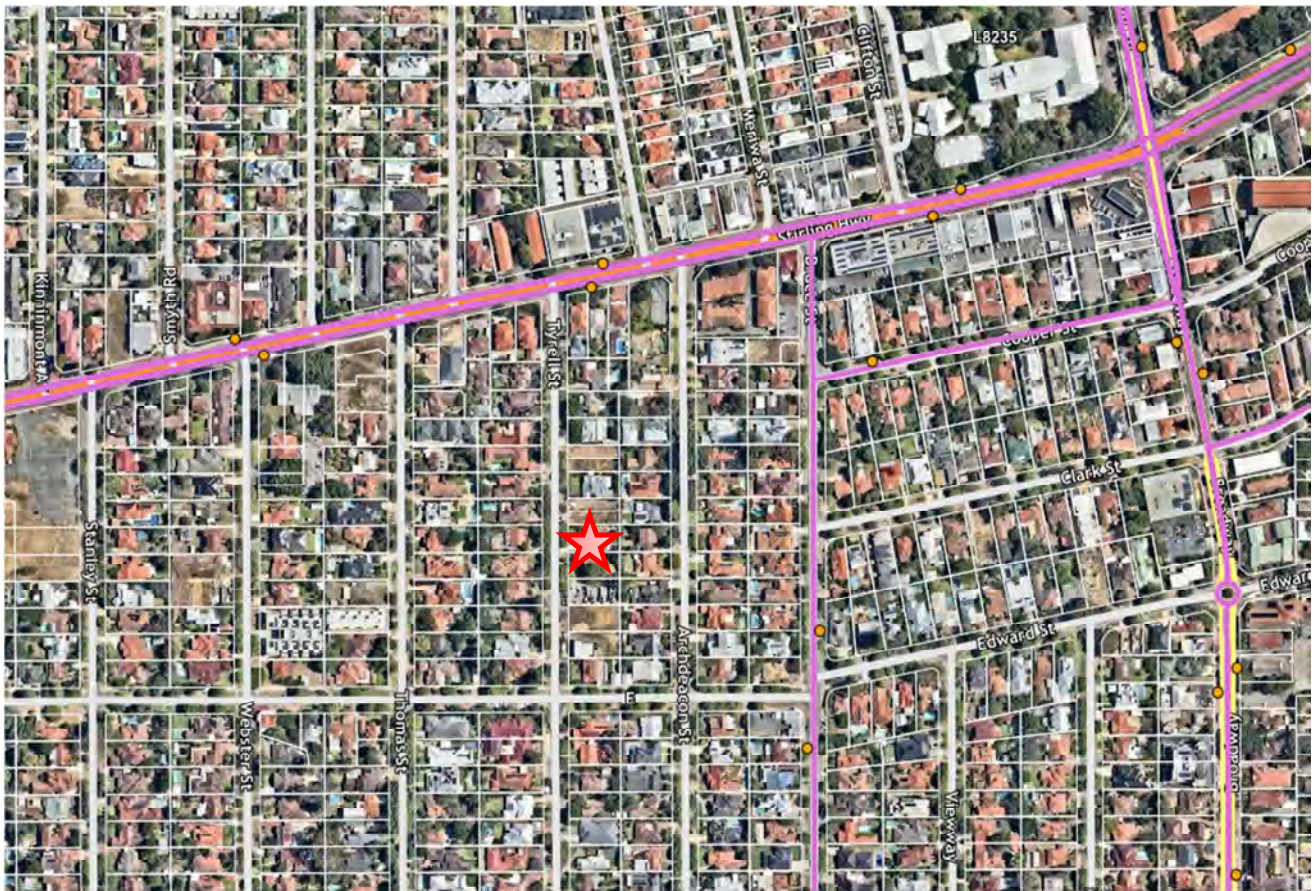


Figure 5 – The existing public transport network within the area. Bus routes are indicated in pink, with bus stops illustrated as orange dots (MNG Mapping).

## STATUTORY REQUIREMENTS

### Metropolitan Region Scheme

The subject land is currently classified 'Urban' zone under the provisions of the Metropolitan Region Scheme (MRS) (see Figure 6). The following definition is provided as a guide to its stated purpose/s in the MRS:

**"Urban Zone** - Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry."



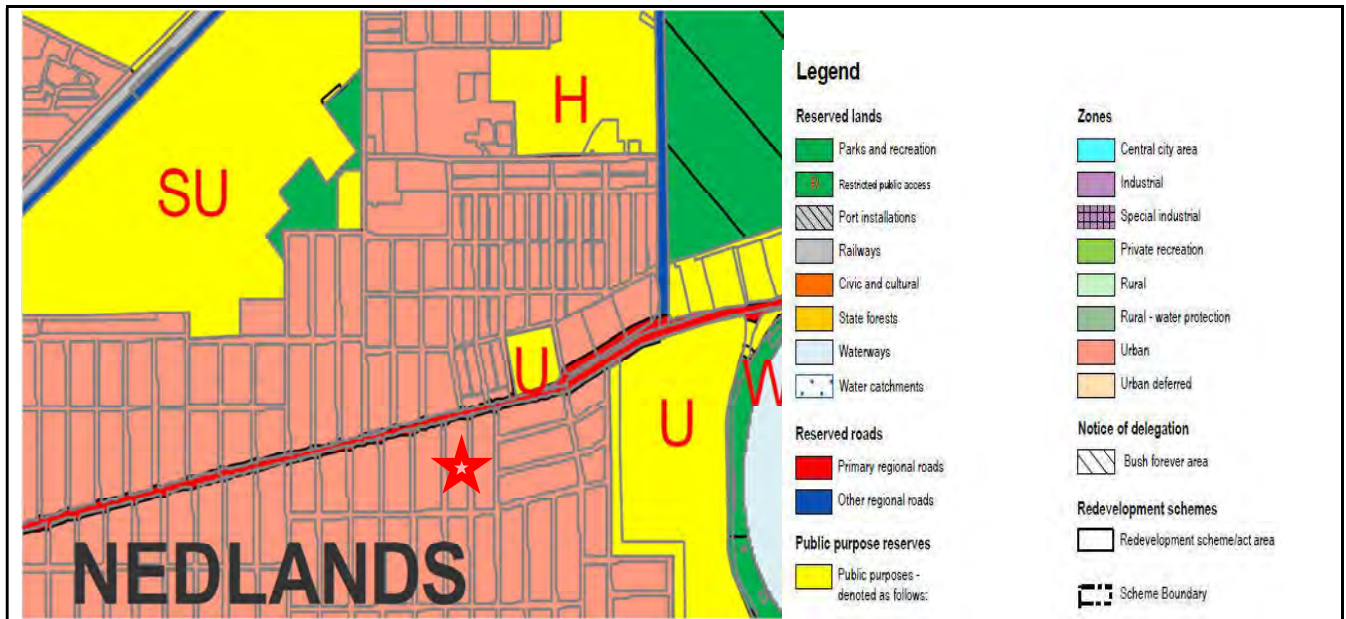


Figure 6 – MRS Map

The proposed grouped dwelling development on the subject land is considered to be consistent with the defined intent of the land's current 'Urban' zoning classification under the MRS and may therefore be approved.

#### City of Nedlands Local Planning Scheme No.3

The subject land is classified 'Residential' zone under the City of Nedlands current operative Local Planning Scheme No.3 (LPS No.3) with a density coding of R60 (see Figure 7).

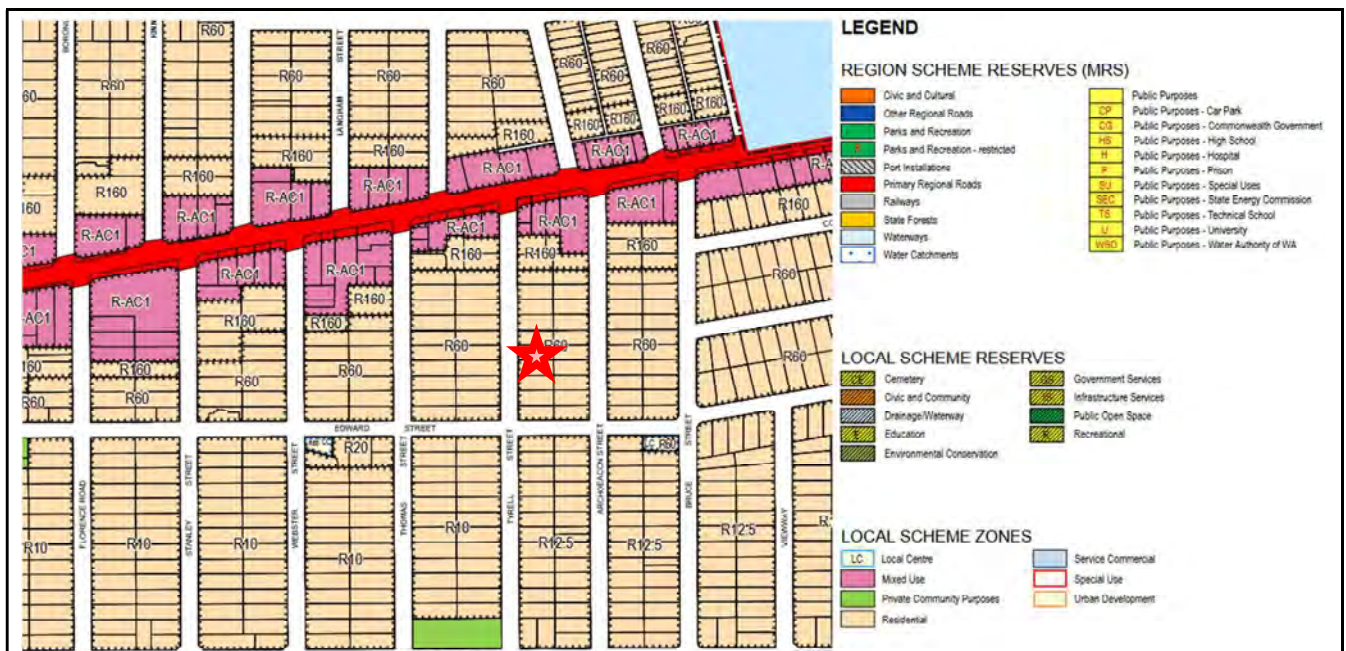


Figure 7 – Scheme Map

It is significant to note that LPS No.3 does not distinguish the different types of residential developments/land uses. In this instance the Scheme simply identifies that the use of land classified 'Residential' zone for 'Residential' (including single, multiple and grouped dwellings) purposes is a permitted ("P") use, meaning the proposed grouped dwelling development of Lot 115 (being a 'Residential' use) is permitted.

Council's stated objectives for all land classified 'Residential' zone under LPS No.3 are:

- a) *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- b) *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- c) *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- d) *To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.*

The proposed development of the subject land for grouped dwelling purposes is consistent with the objectives of the land's current 'Residential' zoning classification in LPS No.3 for the following reasons:

- It will assist with providing a wide range of housing types and densities within the immediate locality, which will cater for varying household structures and demographics;
- It will foster the re-development of the land to provide for significant improvements to the current levels of passive surveillance of the local streetscape, will add to the diversity of housing stock within the immediate locality, provide a development that will include good connectivity between both the public and private realms; and
- It reflects the changing nature and built form currently being experienced within the Nedlands locality, including bulk, scale and building alignment.

#### City of Nedlands Local Planning Policy No.5.14: 'Precincts'

Under the terms of the City's Local Planning Policy No.5.14, the subject land is located within the 'Nedlands Stirling Highway Activity Corridor (NSHAC) – Residential Precinct'.

The purpose of the Policy is to set built form requirements and development standards for each precinct and promote quality of new development. The design of the proposed development on the subject land has been undertaken having due regard to the City's Policy and associated objectives, along with reflecting the emerging built form within the area.

#### State Planning Policy No.5.4 – 'Road & Rail Noise' & Bushfire Prone Areas

The subject land is located in close proximity to Stirling Highway (a regional road), with PlanWA only identifying a minor portion of Lot 115 as being potentially impacted by traffic noise (see Figure 8). Given the minor nature of the intrusion of the noise corridor within the subject land, it is contended that information addressing State Planning Policy No.5.4 in terms of road noise is not required in this instance.



Notwithstanding the above, any information required to address SPP No.5.4 can be provided following the City's preliminary assessment/review of the application.

In addition to the above point, the subject land has not been identified by the Department of Fire and Emergency Services (DFES) as being located within a bushfire prone area See Figure 8).

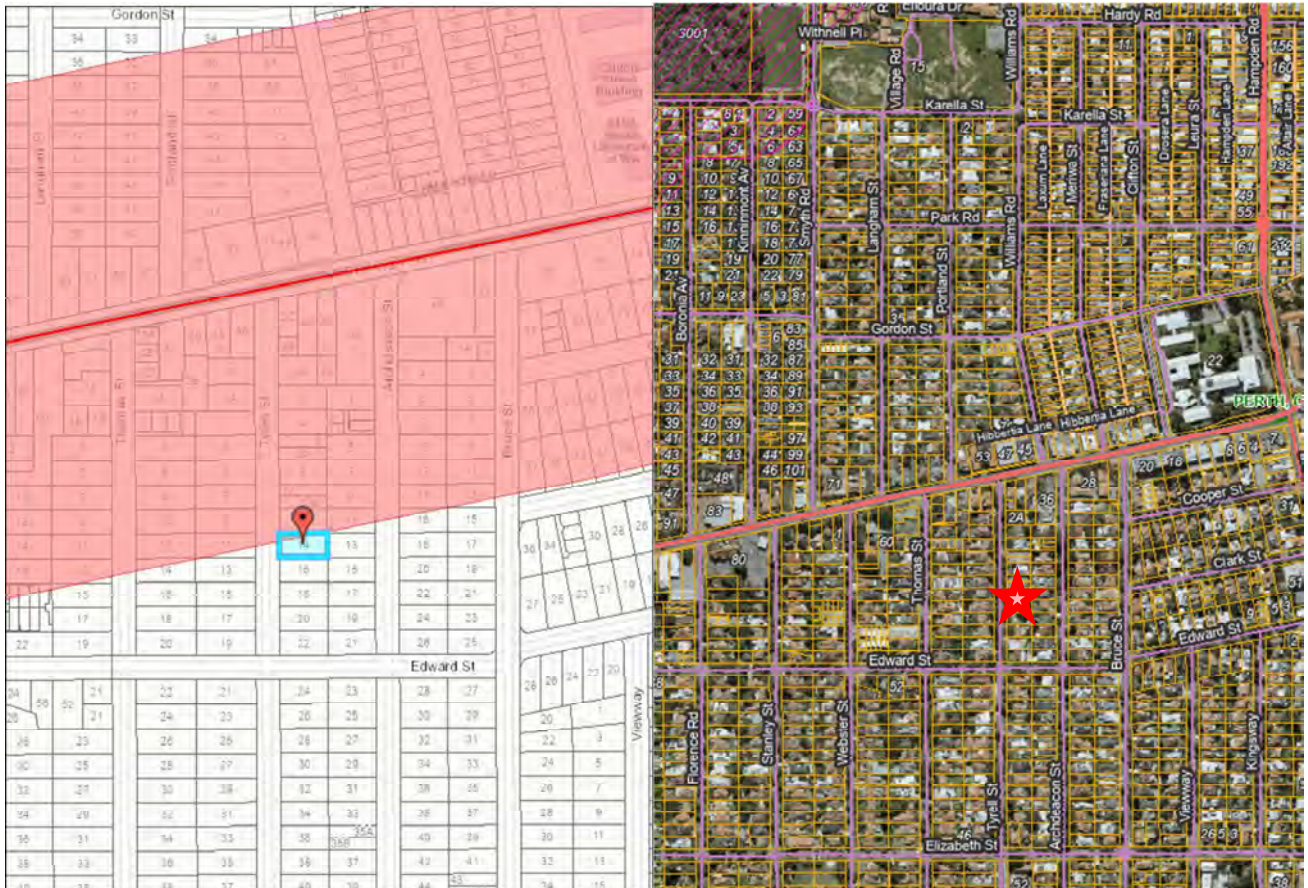


Figure 8 – State Planning Policy No.5.4 (left) and DFES bushfire mapping (right).

## STATE PLANNING POLICY No.7.0 - 'DESIGN OF BUILT FORM ENVIRONMENT

State Planning Policy No.7.0 lists a number of 'design principles' that should be considered when proposing a new development. This policy addresses the design quality of the built environment in order to deliver broad economic, environmental, social and cultural benefit to the community.

The following table provides responses to the 'design principles' outlined with the Western Australian Planning Commission's State Planning Policy No.7.0 for consideration by the Metro Inner Development Assessment Panel and the City of Nedlands as part of its assessment of the development application:

**Table 1 – Design Principles**

DESIGN PRINCIPLE	RESPONSE
<p><u>Context and character</u></p> <p><i>“Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.”</i></p>	<ul style="list-style-type: none"> <li>• A review of the immediate locality has identified that the existing character of the street varies from new residential developments to the historic low density developments. The older housing character is reflective of the previous low density zoning of the area.</li> <li>• A review of development activity within this part of Nedlands has identified that the traditional low density housing stock is being replaced by more intensified grouped or new subdivisions to create small lots. As such the older character will significantly change over the coming years as new (more modern) developments comprising both grouped dwellings and developments on small lots emerging. The new built form within the area reflects the changes to the density coding and planning framework since the area was first established.</li> <li>• The changing nature of the area also reflects the State Government's vision to provide increased housing, introduce housing diversity and provide for affordable housing within close proximity to key nodes (including the Nedlands locality).</li> <li>• The new development on the subject land reflects the character of various recently approved and proposed developments within the area.</li> <li>• The City of Nedlands are aware that this part of the Nedlands locality is currently experiencing a transitional phase wherein the older building fabric and character within the area is changing to reflect the higher density coding.</li> <li>• The new development will provide distinguishable architectural features and passive surveillance of the public realm (see Figure 9).</li> <li>• Overall, the proposed grouped dwelling development has been designed to reflect the R60 density built form implemented within the area. As such, the proposed built form on the new development on the subject land reflects the current planning framework and emerging built form character of those part of Nedlands in close proximity to Stirling Highway.</li> </ul>
<p><u>Landscape quality</u></p> <p><i>“Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.”</i></p>	<ul style="list-style-type: none"> <li>• The landscaping to be provided within primary street setback area and will assist with softening the appearance of the development and assist with on-site drainage.</li> <li>• The proposed development will comprise extensive landscaping throughout the site. This includes the planting of new mature trees throughout the development. As previously mentioned, the verge area abutting the subject land comprises two (2) mature street trees which will assist with enhancing the appearance of the development when viewed from the street.</li> <li>• A variety of vegetation is proposed, ranging from shrubs to trees and adequate space is allowed for trees to grow to a sufficient size to provide canopy cover of the site for the benefit to the local community. This includes the planting of new trees within the courtyard of each dwelling.</li> </ul>

	<ul style="list-style-type: none"> <li>The landscaping will provide for adequate tree growth, therefore allowing for adequate shading and the creation of a comfortable environment.</li> </ul>
<p><b>Built Form and scale</b></p> <p><i>“Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.”</i></p>	<ul style="list-style-type: none"> <li>The proposed development features good massing as the façade is broken up by multiple elements and articulation, including varied setbacks, indentations along the front façade and use of varying materials/colours (see Figure 9). Given these key elements, it is contended that the future development on the land will contribute to the existing and desired built character of the streetscape.</li> <li>The proposed development is two (2) storeys (with an undercroft level), which compliant with the planning framework.</li> <li>The development enhances the existing streetscape by providing an active frontage to the street to assist with improved passive surveillance of the street, along with promoting community interaction.</li> <li>The front two (2) dwellings will have the outdoor living area within the front setback to provide for a safe environment for visitors.</li> <li>The proposed development will be constructed of high quality materials and finishes that will provide an improved appearance when viewed from the streets.</li> <li>The proposed grouped dwelling typology reflects the future anticipated development within this part of the Nedlands locality given the increase in density coding.</li> <li>The development will include the concealment of the residential car parking by placing these along the common driveway/undercroft level and not within the front setback area of the development.</li> </ul>
<p><b>Functionality and build quality</b></p> <p><i>“Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.”</i></p>	<ul style="list-style-type: none"> <li>The design of the dwellings within the development are considered to be functional, with the internal living area for each dwelling being designed to be utilised in conjunction with the external living areas to create large entertainment areas.</li> <li>The development will include the use of robust materials and construction methods that will comprise a long life cycle.</li> <li>Each dwelling has been provided with sufficient storage, on-site car parking and a private open space of sufficient dimension and width to meet the needs of the future occupants.</li> <li>Each dwelling has been provided with a large internal living area to meet the needs of the future occupants and accommodate visitors.</li> <li>The landscaping to be installed throughout the site will provide a buffer between the proposed building on the subject land for improved privacy and amenity for the occupants of the development. The landscaping will also assist with softening the appearance of the development when viewed from the public realm or the adjoining properties.</li> </ul>
<p><b>Sustainability</b></p> <p><i>“Good design optimises the sustainability of the built environment, delivering positive</i></p>	<ul style="list-style-type: none"> <li>The access to the natural light and ventilation is reinforced by the orientation of outdoor spaces with access to the northern winter sun, along with good access to cross ventilation to reduce the running costs for each dwelling.</li> </ul>



<p><i>environmental, social and economic outcomes.”</i></p>	<ul style="list-style-type: none"> <li>• Measures have been included within the design to limit exposure during the hot summer months (i.e. western summer sun).</li> <li>• The development has minimise hardstand areas to reduce the heat generated by the hardstand.</li> <li>• Adequate landscaping will be provided to accord with water-sensitive design, provide natural shading during the summer months and provide adequate greenery to benefit the development.</li> <li>• The proposed development will assist with the provision of a diversity of housing stock within the Nedlands locality, within close proximity to an Activity/transit Corridor and public transport. The close proximity to the high frequency bus route provided along Stirling Highway will assist with reducing motor vehicle dependency and is consistent with the State Government's aim to increase the use of the existing public transportation network, which increases the economic viability of the public transport network.</li> <li>• The proposed development is mindful of the environment (vehicle emissions) and aims to limit the dependency of motor vehicle usage by providing more housing in close proximity to public transport and within a walkable catchment for a commercial strip.</li> <li>• The proposed development allows an opportunity for the aging population within the Nedlands area to downsize and remain within the area (a lift is proposed within each dwelling).</li> </ul>
<p><u>Amenity</u></p> <p><i>“Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.”</i></p>	<ul style="list-style-type: none"> <li>• Each dwelling features a private open space that creates a usable internal and external area that is functional and will accommodate the needs of the future occupants of the development, which provides sufficient area to entertain visitors to each dwelling.</li> <li>• Adequate storage is also provided for each dwelling, along with bin storage area to minimise any impact on the future occupants</li> <li>• Development has been designed to allow for easy access for both the occupants and visitors to the development.</li> </ul>
<p><u>Legibility</u></p> <p><i>“Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.”</i></p>	<ul style="list-style-type: none"> <li>• The proposed development is legible in that it provides for good outlook to the public realm and provides separation between vehicle and pedestrian movements.</li> <li>• The proposed development has been provided with a defined entry point for each dwelling from the street or common driveway and good connectivity with the public realm.</li> <li>• This entry for the development is easily distinguishable and provides designated access from the street. This will allow for clear and easy access for visitors to the dwellings, whilst providing good connectivity to the street.</li> <li>• The two front dwellings will comprise a pedestrian access from the street (a pedestrian path is located on the adjacent side of Tyrell Street).</li> <li>• All dwellings will comprise a covered entry point (front door) that will provide protection from the elements.</li> </ul>

<p><u>Safety</u></p> <p><i>“Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.”</i></p>	<ul style="list-style-type: none"> <li>• The proposal provides major openings and a balcony to habitable rooms oriented towards the street to provide for good passive surveillance of the street. This includes the location of the outdoor living area for the front dwellings being located within the front setback area to provide good connectivity and passive surveillance of the public realm.</li> <li>• The on-site car parking area will be enclosed to provide security (garages).</li> <li>• The development comprises little blind recesses at ground level to avoid enticing criminal activity and intrusion. The development will have sufficient surveillance over both the public and private realms.</li> <li>• The development has been designed to provide one central common driveway to limit hardstand and the number of crossovers along Tyrell Street.</li> </ul>
<p><u>Community</u></p> <p><i>“Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.”</i></p>	<ul style="list-style-type: none"> <li>• The development provides an opportunity for aged residents within the locality to downsize and remain within the suburb with easy access to various key nodes and public transport.</li> <li>• The proposed dwelling types also cater for a variety of demographics such as first homebuyers, singles and couples without children (i.e. provide housing diversity).</li> <li>• The development provides housing density in close proximity to key nodes and public transport within the locality. The diversity of dwellings will provide an opportunity for new families to integrate within the community.</li> <li>• The proposed development accords with the State Government’s directive to increase residential densities in close proximity to public transportation and to provide housing diversity in close proximity to an Activity/Transit Corridor.</li> <li>• The increase of densities and the provision of additional housing within close proximity to public transport will assist with reducing motor vehicle usage and reduce the extent of the Perth Metropolitan area expanding into the rural and bushland areas along the City’s urban fringe. This will assist with providing a positive outcome for the environment.</li> </ul>
<p><u>Aesthetics</u></p> <p><i>“Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.”</i></p>	<ul style="list-style-type: none"> <li>• Aesthetics of the proposed street facing facades is highly demonstrated by the adoption of a modern architectural style, which includes the use of varying materials, colours and setbacks to provide for a degree of visual interest when viewed from the street.</li> <li>• The dwellings will comprise major openings to habitable rooms and balconies orientated towards the street to allow for the activation of the development along the street, improved passive surveillance and social intersection between the public and private realms.</li> <li>• The proposed façade of the development will provide an element of visual interest when viewed from the street.</li> <li>• The design of the proposed development incorporates sufficient and safe pedestrian movements, with each dwelling comprising easy access to the dedicated storeroom and car parking.</li> </ul>

## DEVELOPMENT STANDARDS/ASSESSMENT

The design of the proposed grouped dwellings on Lot 115 has been formulated with due regard for the relevant 'deemed to comply requirements' of Part C of the Residential Design Codes Volume 1 ('R-Codes') and the City of Nedlands current operative Local Planning Scheme No.3 (LPS No.3) including any relevant Local Planning Policies with the exception of the following:

- i) R-Code Element 1.1 C1.1.1 - 'Private open space';
- ii) R-Code Element 3.4 C3.4.1 - 'Lot boundary setbacks';
- iii) R-Code Element 3.4 C3.4.2 - 'Lot boundary setbacks';
- iv) R-Code Element 3.10 C3.10.1 - 'Visual privacy';
- v) City of Nedlands Local Planning Policy No.5.14 Clause 8.3 - 'Primary street setback'; and
- vi) City of Nedlands Local Planning Policy No.5.14 Clause 8.3 - 'Buildings on boundary'.

The following table provides justification for those aspects of the proposed grouped dwellings on the subject land seeking a variation to the 'deemed to comply requirements' of the relevant planning framework.

**Table 2 - Justification**

R-CODE DESIGN ELEMENT & 'DESIGN PRINCIPLES'	PROPOSED VARIATION TO 'DEEMED TO COMPLY REQUIREMENTS'	JUSTIFICATION
<p><b>R-Code Element 1.1 C1.1.1 &amp; C1.1.2 - 'Private open space';</b></p> <p><i>P1.1.1 Dwellings are designed to have direct access to private open space which provides for entertaining, leisure and connection to the outdoors that is:</i></p> <ul style="list-style-type: none"> <li><i>i. of sufficient size and dimension to be functional and usable for the intended number of dwelling occupants;</i></li> <li><i>ii. is sited, oriented and designed for occupant amenity, including consideration of solar access and</i></li> </ul>	<p>The application proposes the private open space of Units 1 &amp; 2 will be located forward of the front setback line in lieu of being located behind the front setback line as required by the 'deemed to comply requirements' of Element 1.1 C1.1.1 of the R-Codes.</p>	<ol style="list-style-type: none"> <li>The private open space for Units 1 &amp; 2 have been designed to be used in conjunction with a habitable room, providing a functional/usable entertainment area for the future occupants of each dwelling.</li> <li>The area and minimum dimension of the private open space areas for Units 1 &amp; 2 comply with the R-Codes. In addition, Units 1 &amp; 2 have been provided with a secondary private open space area behind the front setback line (central to the dwelling) to allow for a more private space for the future occupants of the dwelling if required.</li> <li>In addition to the above point, each dwelling will comprise a balcony on the upper floor to allow for additional outdoor space.</li> <li>The location of the private open space for Units 1 &amp; 2 with exposure to the street provides for good levels of passive surveillance of the street and an element of connectivity between the private and public realms. This is a good planning outcome.</li> <li>A portion of the private open space for Units 1 &amp; 2 will comprise some coverage to allow for protection from the elements/weather for the occupants of the dwelling, therefore allowing the area to be used all year round. In addition, the</li> </ol>

<p>natural ventilation appropriate to the climatic region; and</p> <p>iii. capable of use in conjunction with a primary living space of the dwelling.</p> <p>P1.1.2 Private open space allows for sufficient uncovered area to:</p> <p>i. permit winter sun and natural ventilation into the dwelling; and</p> <p>ii. provide for soft landscaping, including the planting of a tree(s) and deep soil area.</p> <p>P1.1.3 Balconies balance the need for outlook, solar access and natural ventilation with:</p> <p>i. visual privacy considerations;</p> <p>ii. acoustic and noise impacts; and</p> <p>i. local climatic considerations such as high winds.</p>		<p>covered outdoor area will provide for a large entertainment area for visitors to each dwelling (in conjunction with the internal and external areas).</p> <p>6. Units 1 &amp; 2 have been provided with electric drying facilities to avoid any use of the dedicated private open space area for such a purpose. This will improve the amenity and functionality of each dwelling and minimizes potential constraints to the use of the dedicated outdoor living area.</p> <p>7. The portion of the private open space for Units 1 &amp; 2 located within the front setback area will allow for some exposure to the northern winter sun. In addition, the dwellings have been designed to allow for natural light to penetrate into the internal living areas each dwelling.</p> <p>8. The proposed development will include the retention of the two (2) mature street trees within the abutting verge area and the provision of extensive landscaping within the front setback area to soften the impact the development may have on the streetscape and to preserve an element of the green/leafy aspect evident throughout the Nedlands area.</p> <p>9. It is noted that the City of Nedlands (along with other local governments) have approved the location of the private open space area within the front setback area where there is merit and to along for improved activation of the street.</p> <p>Having regard for the above it is contended that the location of the private open space area for Units 1 &amp; 2 within the front setback area satisfies the 'design principles criteria' of Element 1.1 of the R-Codes, will be usable to the future occupants of each dwelling, allows for activation of the public realm and may therefore be approved.</p>
<p><b>R-Code Element 3.4 C3.4.1 &amp; C3.4.2 - 'Lot boundary setback'</b></p> <p><b>P3.4.1</b> Lot boundary setbacks reinforce the location's streetscape character and are consistent with the existing or desired built form local character.</p> <p><b>P3.4.2</b> The setback of development from lot boundaries provides a transition between sites with different land</p>	<p>The application proposes that the following aspects of the new grouped dwelling development on Lot 115 do not meet the 'deemed to comply requirements of Element 3.4 C3.4.1 &amp; C3.4.2 of the R-Codes:</p> <p>i) Unit 1 bed 3/activity wall (upper floor) will comprise a minimum setback of 1.22 metres from the northern side</p>	<p>1. The setback variations from the side boundaries can be attributed to the configuration of the proposed development which comprises a central driveway to limit the number of crossovers along the street and assist with retaining the two (2) street trees. In addition, the setback variations will allow for adequate internal living areas for each dwelling to meet the modern needs of the future occupants.</p> <p>2. In addition to the above point, the layout of the development (in lieu 'house behind a house' layout) allows for two (2) dwellings to have separate street frontage to provide for better activation and passive surveillance of the street (see Figure 9).</p> <p>3. The proposed setback variations from the side boundaries for the section of wall up to 14 metres for Units 3 &amp; 4 are considered to be minor and will not have an adverse impact on the adjoining properties and/or the streetscape in terms of bulk and scale.</p>

<p><i>uses or intensity of development.</i></p>	<p>boundary in lieu of 1.5 metres;</p> <p>ii) Unit 2 bed 3/activity wall (upper floor) will comprise a minimum setback of 1.22 metres from the southern side boundary in lieu of 1.5 metres;</p> <p>iii) Unit 3 ensuite wall (upper floor) will comprise a minimum setback of 1.22 metres from the northern side boundary in lieu of 1.5 metres;</p> <p>iv) Unit 4 bed 3/activity wall (upper floor) will comprise a minimum setback of 1.22 metres from the southern side boundary in lieu of 1.5 metres;</p> <p>v) Unit 3 upper floor wall length along the northern side comprises a wall length greater than 14 metres (i.e. 17 metres) without a 3 metres setback; and</p> <p>vi) Unit 4 upper floor wall length along the southern side comprises a wall length greater than 14 metres (i.e. 17 metres) without a 3 metre setback.</p>	<p>4. In addition to the above, the overall wall length of the upper floor for Units 3 &amp; 4 from the side boundaries is 17 metres, which is a variation of 3 metres to the maximum allowable wall length prescribed within the R-Codes. It is viewed that the additional wall lengths without a recess is minimal and will not adversely impact the existing/future dwellings on the adjoining properties.</p> <p>5. The offending walls are setback on the property and are likely to be partly screened by developments on the adjoining properties and therefore limiting any adverse impacts on the streetscape in terms of bulk and scale.</p> <p>6. In addition to the above point, the application proposes the planting of a new tree within the front setback area of the development to assist with screening the dwellings (and associated setback variation) from being clearly visible from the street.</p> <p>7. The overall development on the subject land has been designed to provide effective use of the land and provide adequate private open space areas for the future occupants of each dwelling.</p> <p>8. The proposed development will comprise varying setbacks from the northern and southern side boundaries and the use of varying colours/materials to provide an element of visual interest when viewed from the adjoining properties.</p> <p>9. Other than the front balconies of Units 1 &amp; 2, the proposed development on the subject land meets the 'deemed to comply requirements' of the visual privacy provisions of the R-Codes. The matter regarding the balconies for Units 1 &amp; 2 will be address further within this submission.</p> <p>10. The proposed development on the subject land meets the 'deemed to comply requirements' of Element 3.9 C3.9.1 ('Solar access for adjoining sites') of the R-Codes.</p> <p>11. Those portions of the proposed development on the subject land comprising a non-compliant setback from the northern side boundary will abut the side setback area and extensive rear yard area of the existing single detached dwelling on adjoining Lot 114 (No.12) Tyrell Street (see Figure 1 – Aerial Site Plan). In addition, the proposed development on Lot 115 will not cast a shadow over adjoining Lot 114 at 12 noon on 21 June (i.e. winter solstice). Given these observations, it is contended that the proposed development on Lot 115 will not have an adverse impact on any key habitable spaces associated with the existing dwelling on adjoining Lot 114.</p> <p>12. Those portions of the proposed development on the subject land comprising a setback variations from the southern side boundary will abut the common driveway for the future grouped dwelling development currently under construction on adjoining Lot 116 (No.16) Tyrell Street (see Figure 2 – Aerial Site Plan). As such, the proposed development on Lot 115 will not have any adverse impacts on any key habitable spaces associated with the new grouped dwelling on adjoining Lot 116.</p>
---	--	--



		Having regard for the above it is contended that those portions of the proposed grouped dwelling development on Lot 115 comprising a setback variation from either the northern or southern side lot boundaries satisfy the 'design principles' of Element 3.4 of the R-Codes, will not have a negative impact on the adjoining properties or the streetscape and may therefore be approved.
<p><b>R-Code Element 3.10 C3.10.1 – 'Visual privacy'</b></p> <p><i>P3.10.1 Direct overlooking of major openings and active habitable spaces of adjacent dwellings and adjoining properties minimised through:</i></p> <ul style="list-style-type: none"> <li><i>i. building siting, layout and design;</i></li> <li><i>ii. design and location of major openings;</i></li> <li><i>iii. landscape screening of outdoor active habitable spaces; and/or</i></li> <li><i>iv. design and location of screening devices.</i></li> </ul> <p><i>P3.10.2 Adequate visual privacy achieved through appropriate interfaces between dwellings and adjoining properties including measures such as:</i></p> <ul style="list-style-type: none"> <li><i>i. offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;</i></li> <li><i>ii. building boundary walls where appropriate;</i></li> <li><i>iii. setting back the upper storeys from the lot boundary;</i></li> <li><i>iv. providing higher or lower windows, or</i></li> </ul>	<p>The application proposes that the front balcony for Units 1 &amp; 2 of the new grouped dwelling development on the subject land overlook the adjoining properties, contrary to the 'deemed to comply requirements' of Element 3.10.1 of the R-Codes.</p>	<ol style="list-style-type: none"> <li>1. The proposed development has been designed to effectively locate all major openings to habitable rooms in a manner which avoids direct overlooking of the existing dwellings on the adjoining properties. This has been achieved by providing obscure glazing, appropriate orientation of windows, providing adequate setbacks and ensuring the dividing fence provides screening to restrict any direct overlooking.</li> <li>2. It could be argued that the front balconies actually comply, as the 'cone of vision' for each dwelling to not extend over any habitable spaces associated with the existing dwellings on the adjoining lots.</li> <li>3. The extent of the unscreened front balcony (i.e. length of 2 metres) is considered to be minor. Given this minor variation, it is contended that the proposed unscreened section of the front balcony for each dwelling will not impact the existing dwellings on the adjoining properties.</li> <li>4. The unscreened section of the front balcony for each dwelling allows for an outlook over the street, improved access to the breezes for each dwelling, improved access to natural light to penetrate into each dwelling and reduce the overall bulk of the screen along the balconies when viewed from the street. Given these aspects, there is planning merit to allow for a part of the front balcony for Units 1 &amp; 2 to be unscreened.</li> <li>5. In addition to the above point, the unscreened section of each front balcony will assist with improved passive surveillance over the street and allow for activation of each dwelling along the street. This will enhance security for the local community and foster an element of social interaction between the public and private realms.</li> <li>6. Those portions of the 'cone of vision' from the front balconies of Units 1 &amp; 2 will overlook the driveway and front setback areas of the existing dwellings on adjoining northern and southern properties which are currently visible by the public from the street, therefore the overlooking from the balconies for each dwelling will not result in any undue impact on the amenity of the existing dwellings on the adjoining properties (see Figure 2 – Aerial Site Plan). As such, the extent of overlooking from the front balcony of Units 1 &amp; 2 is considered to be minor in nature and will not have an adverse impact on any sensitive habitable spaces associated with the existing dwellings on the adjoining properties.</li> </ol> <p>Having regard for the above it is submitted that the portions of the 'cone of vision' extending from the front balcony of Units 1 &amp; 2 of the new development on Lot 115 over the adjoining northern and</p>

<p>windows with obscure glazing; and/or</p> <p>v. screening (including landscaping, fencing, timber screens, external blinds, window hoods and shutters).</p> <p>P3.10.3 Visual privacy strategies maintain amenity of habitable rooms and active habitable space with regard to solar access, natural ventilation and external outlook both within the development and for adjoining properties.</p>		<p>southern properties are minor in nature, it satisfies the 'design principles' of Element 3.10 of the R-Codes, will unlikely impact the amenity of any existing dwellings on the adjoining properties and may therefore be approved.</p>
<p><b>City of Nedlands Local Planning Policy No.5.14, Clause 8.3 – 'Primary Street setback'</b></p> <p>R-Code 'Design Principles'</p> <p>P3.3.1 Buildings are set back from street boundaries an appropriate distance to ensure they:</p> <p>i) are consistent with the existing or future streetscape and local character;</p> <p>ii) provide sufficient space for tree planting and other landscaping, as well as community interaction;</p> <p>iii) provide adequate privacy to the dwellings;</p>	<p>The application proposes that the following aspects of Units 1 &amp; 2 within the new grouped welling development on the subject land do not meet the 'deemed to comply requirements' of Clause 8.3 of the City's Local Planning Policy No.5.14:</p> <p>i) The balconies for Units 1 &amp; 2 will comprise a minimum front setback of 2 metres in lieu of 4 metres; and</p> <p>ii) A portion of bedroom 4 wall will comprise a minimum front setback of 2.68 metres in lieu of 4 metres.</p>	<ol style="list-style-type: none"> <li>1. The proposed variation to the front setback requirements for the upper floor balconies will not have an adverse impact on the streetscape in terms of bulk and scale or the amenity of any adjoining properties given the open nature of the balcony structures and provide good connectivity with the street.</li> <li>2. Units 1 &amp; 2 have been designed to include a varying front setback to provide articulation and some visual interest of the buildings when viewed from the public realm.</li> <li>3. The main ground floor wall for Units 1 &amp; 2 comprise a front setback of 4 metres, which is consistent with the City's Local Planning Policy.</li> <li>4. The proposed development will include landscaping within the front setback area (including the planting of a new tree for each dwelling) to enhance the development when view from the street and soften any impact the dwelling may have on the street. In addition, the verge area abutting the subject land contains two (2) street trees that will be retained as part of this application. Given the extent of landscaping, there is merit in the City granting a front setback variation.</li> <li>5. It should be noted that the proposed front setbacks comply with Element 3.3 C3.3.1 ('Street setbacks') of the R-Codes. In fact, the R-Codes allow for a front setback of 2 metres. Therefore, the proposed development on the subject land is reflective of the required front setback prescribed within the R-Codes.</li> <li>6. The proposed development includes major openings, balconies and private open space areas (at ground level) orientated</li> </ol>

<p>iv) accommodate site planning requirements such as parking and utilities; and</p> <p>v) allow safety clearances for easements for essential service corridors and sightlines.</p>		<p>towards the street to assist with providing improved passive surveillance of the street (see Figure 9).</p> <ol style="list-style-type: none"> <li>7. The development will comprise the use of quality materials, along with the use of varying material types and colours which will assist with providing visual interest when viewed from the public realm which will enhance the local streetscape (see Figure 9).</li> <li>8. The proposed new development makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit all future occupants of the development.</li> <li>9. The proposed development will comprise sufficient landscaping within the front setback area to assist with softening any potential impacts that the building may have on the local streetscape.</li> <li>10. Abutting the subject land is a verge area with a width of approximately 7.0 metres along the land's frontage with Tyrell Street. The verge width provides an increased setback between the proposed development on Lot 115 and the road pavement, therefore minimizing any potential built form impacts the development may have on the Tyrell Street streetscape.</li> <li>11. It is viewed that the design of the proposed development on Lot 115, along with the reduced front setback, has merit as it will comprise sufficient landscaping within the front setback area, will include varying front setbacks, will adopt the use of varying materials and result in a high level of passive surveillance over the street (see Figure 9).</li> <li>12. The reduced front setback for the proposed development will not have an adverse impact on the visual outlook from any existing dwellings on the adjoining properties.</li> <li>13. The proposed development comprises sufficient space to accommodate any required easements within the front setback area of the development required by any servicing authorities.</li> <li>14. This part of the Nedlands is undergoing a transitional phase, with new grouped and multiple dwelling type developments emerging throughout the area. This is also evident with a number of recent planning approvals issued for both grouped and multiple dwelling purposes comprising lesser front setbacks than 4 metres. This is consistent with the State Government's planning direction to increasing densities and housing within key areas that a well serviced.</li> </ol> <p>Having regard for the above it is contended that the variations to the minimum front setback requirements of the proposed grouped dwelling development on Lot 115 (i.e. Units 1 &amp; 2) satisfy the 'design principles' of Element 3.3 of the R-Codes, does not undermine the objectives of the City's Local Planning Policy, will not have a detrimental impact on the streetscape or the adjoining properties and may therefore be approved.</p>
--	--	--



Figure 9 – The frontage of the development comprises varying setbacks, varying use of materials/colours and good activation/passive surveillance of the street.

**City of Nedlands Local Planning Policy No.5.14, Clause 8.3 – ‘Boundary walls’**

R-Code ‘Design Principles’

*P3.4.4 Buildings are built up to lot boundaries where this:*

- i) makes more effective use of space for primary garden areas and/or private open space;*
- ii) maintains adequate solar access to major openings and private open space of adjoining properties; and*
- iii) contributes positively to the prevailing or future development context and streetscape as outlined in the local planning framework.*

The application proposes that the new grouped dwelling development on Lot 115 will be built up to two (2) lot boundaries (i.e. northern and southern lot boundaries) in lieu of the one (1) lot boundary as prescribed within the ‘deemed to comply requirements’ of Clause 8.3 of the City’s Local Planning Policy No.5.14:

1. The use of parapet walls for the new development on the subject land will assist with providing sufficient internal and external living areas for the future occupants of each dwelling.
2. The variation can be attributed to the proposed development comprising a central driveway in lieu of a battle-axe lot configuration. This is a better design outcome as it results in a greater active frontage and location of vehicular access from the common driveway. In addition, the central driveway design allows for the retention of the two (2) existing street trees within the verge area abutting the subject land.
3. The proposed parapet walls will assist with providing an element of privacy between the dwellings on the subject land and the adjoining properties.
4. Those portions the proposed development on Lot 115 to be built up to the northern side boundary will the abut the side setback area of the existing single detached dwelling on adjoining Lot 114 (No.12) Tyrell Street (see Figure 2 – Aerial Site Plan). In addition, the proposed development on the subject land will not cast a shadow over the adjoining northern property at 12 noon on 21 June (i.e. winter solstice). As such, it is contended that the parapet walls for the new development on Lot 115 along the northern side boundary will not have an adverse impact on the any sensitive habitable spaces associated with the existing dwelling on adjoining Lot 114.
5. Those portions the proposed development on Lot 115 to be built up to the southern side boundary will the abut the common driveway associated with the new grouped dwelling development currently under construction on adjoining Lot 116 (No.16) Tyrell Street (see Figure 2 – Aerial Site Plan). Given the configuration of the proposed development on the adjoining southern property, it is contended that the proposed development on Lot 115 will not have an adverse impact on any

		<p>key sensitive habitable spaces associated with the proposed grouped dwelling development on adjoining Lot 116.</p> <p>6. It is viewed that the shadow cast by the proposed development over the adjoining southern property will not have an adverse impact on that property or impact access to light or ventilation.</p> <p>7. The design of the new development on the subject land provides for the effective use of all available space and the creation of adequate internal and external living areas for each dwelling that will benefit the future occupants.</p> <p>Having regard for the above it is contended that those portions of the new grouped dwelling development on Lot 115 to be built up to the northern and southern side boundaries satisfy the 'design principles' of Element 3.4 of the R-Codes, will not undermine the City's Local Planning Policy, will not have an adverse impact on the local streetscape, will not adversely impact the existing/future developments on the adjoining properties and may therefore be approved.</p>
--	--	---



## CONCLUSION

The portion of the Nedlands locality in close proximity to various key nodes and is also experiencing a transitional phase wherein the older low density housing stock is being replaced by new higher density developments to reflect the R60 density coding of the area and to provide for additional housing within a well services area (including public transport network).

The proposed development has been designed to reflect the changing nature, built form and character within the immediate locality, which includes grouped dwellings to achieve the objectives of the density coding for the area by providing much needed housing numbers within a well service and established area.

In light of the above information and justifications, we respectfully request the Metro Inner Development Assessment Panel and the City of Nedlands favorable consideration and conditional approval for the construction of four (4) new grouped dwellings on Lot 115 (No.14) Tyrell Street, Nedlands in accordance with the plans prepared in support of this application.

Should you have any queries or require any additional information regarding any of the matters raised above please do not hesitate to contact me on 0407384140 or [carlo@cftp.com.au](mailto:carlo@cftp.com.au).



**CF Town Planning & Development**  
Planning & Development Consultants

Planning & Development Consultants  
Address: 3/1 Mulgool Road, Malaga WA 6090  
Tel: 9249 2158 Mb: 0407384140 Email: [carlo@cftp.com.au](mailto:carlo@cftp.com.au)  
CVF Nominees Pty Ltd ABN: 86 110 067 395

**SCHEDULE OF SUBMISSIONS**  
**No.14 TYRELL STREET, NEDLANDS**  
**(PROPOSED FOUR GROUPED DWELLINGS)**

SUBMISSION NUMBER	SUBMISSION DETAILS	OFFICER COMMENTS	APPLICANT COMMENTS
1-4	<i>Reports are insufficient as there is no waste management plan or traffic impact statement.</i>	Noted	<ul style="list-style-type: none"> <li>According to the City's Development Application Checklist, a waste management plan is only required in support of development applications proposing five (5) or more dwellings. As this application only proposes four (4) grouped dwellings, a waste management plan is not required in this instance.</li> <li>Notwithstanding the above, each dwelling will comprise a set of rubbish bins to address the needs of the future occupants. Waste collection will be undertaken along the verge area as part of the City of Nedlands standard waste collection service. This is consistent with other similar developments approved within the immediate area.</li> <li>As the development comprises only four (4) grouped dwellings and will generate approximately twenty six (26) vehicle movements per day based on 6.5 vehicles movements per day per dwelling prescribed within the R-Codes Explanatory Guidelines. As such, a Traffic Impact Statement is not required in this instance as the local road network is capable of accommodating the anticipated vehicle movements that will be generated by the proposed development on the subject land (i.e. the traffic generated by the development is minor).</li> <li>According to the City's Development Application Checklist, a Traffic Impact Statement is only required for applications proposing five (5) or more grouped dwellings. As such, a Traffic Impact Statement is not required for this application.</li> </ul> <p>In light of the above responses, the comments made by the objector are incorrect/misleading and should be dismissed.</p>
1-4	<i>The primary street setback of 2.7m and 2m is not sufficient.</i>	Noted	<ul style="list-style-type: none"> <li>The plans have been amended to provide a greater front setback. The revised plans illustrate a minimum front setback of 4 metres to the building, with a veranda and balcony projecting into the street setback area to provide an element of articulation and passive surveillance. The revised plans reflects the front setback prescribed within the City's Local Planning Policy No.5.14 for the 'Nedlands Stirling</li> </ul>

**SCHEDULE OF SUBMISSIONS**  
**No.14 TYRELL STREET, NEDLANDS**  
**(PROPOSED FOUR GROUPED DWELLINGS)**

			<p>Highway Activity Corridor' and discussions held with the City's Planning Department</p> <ul style="list-style-type: none"> <li>The revised front setback is consistent with other similar development within the immediate area. As such, the proposed development on the subject land will not be out of character with the anticipated built form character within the area.</li> </ul> <p>In light of the above responses, the matter raised by the objector has been addressed and therefore the comment can be dismissed.</p>
1-4	<i>The front windows and balconies will result in overlooking of the adjacent properties across the street.</i>	The front glazing and balconies achieve the deemed-to-comply provisions for visual privacy in relation to the adjoining lots.	<ul style="list-style-type: none"> <li>The front balconies of the proposed development meet the 'deemed to comply requirements' of the R-Codes in terms of visual privacy.</li> <li>It should be noted that the front balconies for the new development on the subject land will comprise a setback of approximately 36 metres from the existing dwelling on the adjacent property (i.e. No.11 Tyrell Street – opposite side of the road from the subject land). In addition, the verge areas along Tyrell Street comprise mature street trees that will screen any overlooking. Given these observations, the proposed front balconies for the new grouped dwelling development on the subject land comply with the R-Codes and will not adversely impact the existing dwellings on the western side of Tyrell Street (i.e. opposite side of the street).</li> </ul> <p>In light of the above responses, the comments from the objector are misleading and should be dismissed.</p>
1-4	<i>The boundary walls proposed to the northern and southern lot boundaries will have a negative impact on the amenity of adjoining lots.</i>	Noted	<ul style="list-style-type: none"> <li>The objector has not outlined how the parapet walls for the proposed development will impact the amenity of the adjoining properties.</li> <li>The proposed parapet walls for the new development on the subject land have been amended to be located behind the front setback line. Furthermore, the parapet wall will be single storey (not including the under croft or below ground level).</li> <li>The proposed parapet walls along the southern side boundary will abut a common property driveway for the new grouped dwelling development on that property. As</li> </ul>

**SCHEDULE OF SUBMISSIONS**  
**No.14 TYRELL STREET, NEDLANDS**  
**(PROPOSED FOUR GROUPED DWELLINGS)**

			<p>such, the parapet walls along the southern side boundary of the subject land will not impact the amenity of the new dwellings on the adjoining southern property.</p> <ul style="list-style-type: none"> <li>In regard to the adjoining northern property, the proposed parapet wall on the subject land will abut the side setback area and extensive rear yard area of the existing dwelling on the adjoining northern property. In addition, the proposed development on the subject land will not cast a shadow over the adjoining northern property at 12 noon on 21 June (i.e. winter solstice). Given these observations, it is contended that the proposed development on the subject land will not have an adverse impact on the amenity of the existing dwelling on the adjoining northern property.</li> </ul> <p>In light of the above responses, the comments from the objector are misleading and should be dismissed.</p>
1-4	The bulk and scale of the proposal is inappropriate for the locality.	Noted	<ul style="list-style-type: none"> <li>The proposed development will comprise a 4 metre front setback and comprise a two storey building height when viewed from the street. This is consistent with other similar developments recently constructed within the immediate area and is reflective of the currently planning framework for the Precinct prescribed within the City's Local Planning Policy No.5.14. It should be noted that the City's Local Planning Policy allows a development within this precinct to comprise three storeys.</li> <li>It should be noted that the City's Design Review Panel recommended that the plans be amended to include an additional storey (i.e. three storeys when viewed from the street). The developer of the subject land has opted to not increase the height of the development so that bulk and scale of the development is lower than the allowable height prescribed within the current planning framework and to limit any bulk/scale impacts on the street.</li> <li>In light of the above, the proposed development is reflective of the anticipated built form character of the area and is not excessive in terms of bulk and scale.</li> </ul> <p>In light of the above responses, the comments from the objector are not accurate and should be dismissed.</p>

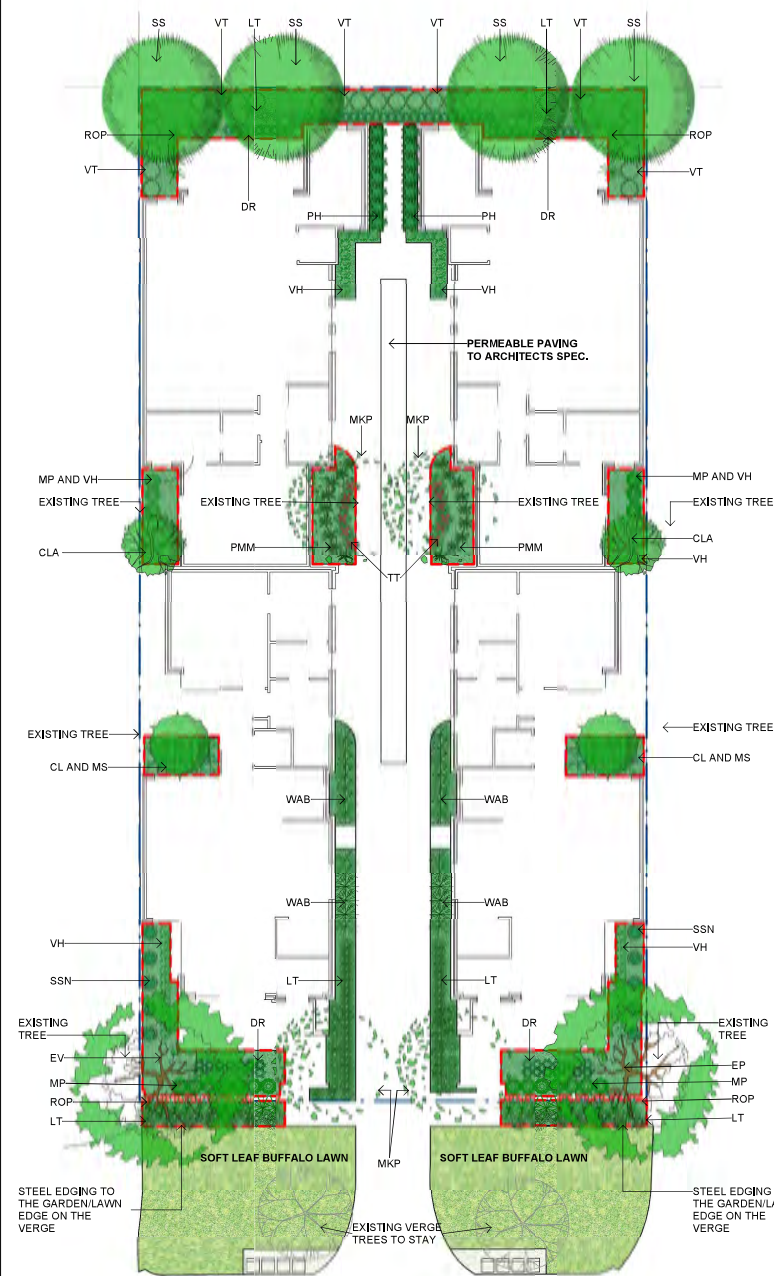


**SCHEDULE OF SUBMISSIONS**  
**No.14 TYRELL STREET, NEDLANDS**  
**(PROPOSED FOUR GROUPED DWELLINGS)**

1-4	No visitor parking provided is inadequate.	The proposal satisfied the deemed-to-comply provisions for visitor parking	<ul style="list-style-type: none"> <li>According to Element 2.3 C2.3.1 ('Parking') of Part C of the R-Codes, grouped dwelling developments comprising four or less dwellings are not required to provide a visitor car parking bay. As such, the proposed development complies with the 'deemed to comply requirements' of the R-Codes.</li> <li>Notwithstanding the above, each dwelling has been designed to provide two (2) on-site car parking bays in lieu of a minimum requirement of one (1) bay per dwelling prescribed within Element 2.3 C2.3.1 ('Parking') of the R-Codes. As such, the development is over-supplied with on-site car parking.</li> </ul> <p>In light of the above responses, the comment from the objector is misleading/incorrect and should be dismissed.</p>
1-4	The proposal offers a lack of open space and landscaping	Noted	<ul style="list-style-type: none"> <li>The plans have been amended to increase the extent of open space and landscaping for the development. This includes the planting of new trees throughout the development.</li> <li>It should be noted that the proposed development on the subject land complies with the open space provisions of the R-Codes.</li> <li>The proposed development will comprise a 4 metre front setback and comprise a two storey building height when viewed from the street. This is consistent with other similar developments recently constructed within the immediate area and is reflective of the currently planning framework for the Precinct prescribed within the City's Local Planning Policy No.5.14. It should be noted that the City's Local Planning Policy allows development to comprise three storeys.</li> <li>It should be noted that the City's Design Review Panel recommended that the plans be amended to include an additional storey (i.e. three storeys when viewed from the street). The developer of the subject land has opted to not increase the height of the development so that bulk and scale of the development is lower than the allowable height prescribed within the current planning framework and to limit any bulk/scale impacts on the street.</li> <li>In light of the above, the proposed development is reflective of the anticipated built form character of the area and is not excessive in terms of bulk and scale.</li> </ul>

**SCHEDULE OF SUBMISSIONS**  
**No.14 TYRELL STREET, NEDLANDS**  
**(PROPOSED FOUR GROUPED DWELLINGS)**

			In light of the above responses, the matter raised by the objector has been addressed and therefore the comment can be dismissed.
1-4	The central driveway design results in a poor outcome and limited natural light for the dwellings and limited natural	Noted	<ul style="list-style-type: none"> <li>• The comment is subjective. The central design approach has been adopted to assist with preserving the existing street trees within the verge abutting the subject land and to allow for two (2) dwellings to be orientated towards the street to allow for greater levels of passive surveillance and connectivity. Furthermore, the central driveway layout will assist with reducing hardstand within the front setback area and conceal the garages to enhance the streetscape.</li> <li>• The plans have been amended to allow for greater access to natural light, as suggested by the City's DRP.</li> <li>• It should be noted that the developer has adopted this same concept in the past, with the development being successful.</li> <li>• In light of the above, the central driveway design results in a good planning outcome.</li> </ul> <p>In light of the above responses, the matter raised by the objector has been addressed and therefore the comment can be dismissed.</p>



GROUND FLOOR  
SCALE 1:150

TYRELL STREET

PLANTS LEGEND	
SYMBOL	SPECIES
TREES	
	SS SAPIUM SEBIFERUM (CHINESE TALLOW)
	MKP MAGNOLIA KAY PARIS (MAGNOLIA)
	CL CITRUS LIMON (LEMON)
	EV EUCALYPTUS VICTRIX SNOW QWEEN (COOLBAH)
	CLA CITRUS LATIFOLIA (LIME)
EXISTING TREES REFER TO PLAN	

Shrubs and Ground Covers				
Type	Quantity	Spacing	Pot Size at Planting	Size at Maturity (h x w)
Dichondra Repens	76	300	130	0.15m x 2m
Lomandra Tanika	106	300	140	0.5m x 0.5m
Mentha Spicata	28	700	130	0.5m x 1m
Murraya Paniculata	20	500	175	3m x 3m
Philodendron Xanadu	14	500	175	1.5m x 1.5m
Pittosporum Miss Muffet	18	500	175	1m x 1.5m
Rhaphiolepis Oriental Pearl	32	500	175	1.5m x 1.5m
Syzygium Straight and Narrow	10	1000	175	6m x 1.5m
Trachelospermum Tricolor	12	500	175	1.5m x 2m
Viburnum Tinus	27	750	175	3m x 3m
Viola Hederacea	62	300	130	0.1m x 0.5m
Westringia Aussie Box	26	500	175	0.6m x 0.6m
Grand total: 431				

Trees			
Type	Quantity	Pot Size at Planting	Size at Maturity (h x w)
Sapium Seiberum	4	90l	7m x 7m
Magnolia Kay Paris	4	90l	7m x 4m
Eucalyptus Victrix	2	90l	6 x 4m
Citrus Lemonade	2	30l	3m x 2m
Citrus Latifolia	2	30l	3m x 2m
Grand total: 14			

PLANTS LEGEND	
SYMBOL	SPECIES
SHRUBS AND GROUND COVERS	
	TALL SHRUBS: VT VIBURNUM TINUS (LAURUSTINUS)
	TALL SHRUBS: MP MURRAYA PANICULATA (ORANGE JASMINE)
	TALL SHRUBS: SSN SYZYGIUM STRAIGHT AND NARROW (LILLI PILLI)
	MEDIUM AND SMALL SHRUBS: ROP RHAPHIOLEPIS ORIENTAL PEARL (INDIAN HAWTHORN)
	MEDIUM AND SMALL SHRUBS: LT LOMANDRA TANIKA (MAT RUSH)
	MEDIUM AND SMALL SHRUBS: PX PHILODENDRON XANADU
	MEDIUM AND SMALL SHRUBS: PMM PITTOSPORUM MISS MUFFET
	MEDIUM AND SMALL SHRUBS: WAB WESTRINGIA AUSSIE BOX
	GROUND COVER: DR DICHONDRA REPENS
	GROUND COVER: VH VIOLA HEDERACEA (WOODVIOLET)
	GROUND COVER: TT TRACHELOSPERMUM TRICOLOR (TRICOLOR STAR JASMINE)
	GROUND COVER: MS MENTHA SPICATA (SPEAR MINT)

Landscaping Legend  
SCALE 1:200

LANDSCAPE AREAS	
	TOTAL ON-SITE GARDEN AREAS: 174m <sup>2</sup>
	TOTAL LAWN AREAS: 89.8m <sup>2</sup> SOFT BUFFALO
	TOTAL DEEP SOIL AREAS: 118.5m <sup>2</sup>

- IRRIGATION NOTES**
1. AUTOMATIC IRRIGATION SYSTEMS OFF THE MAINS WATER SUPPLY TO ALL GARDEN AREAS AND LAWN.
    - A. RAINBIRD ESP - RZX APROPRIATE EXPANSION MODULES.
    - B. 25MM SOLENOID CONTROL VALVES.
    - C. 25MM MAINLINES - PVC.
    - D. 20MM PVC - LATERALS. TORO 570 SERIES POP UPS FOR TURF.
    - E. NETAFIM DRIP IRRIGATION TO FIRST FLOOR PLANTERS.
    - F. HUNTER BATTERY OPERATED CONTROLLER FOR DRIP.
    - G. GARDENS - 15MM POLY RISERS TORO 570 NOZZLES.
  2. SYSTEM TO HAVE A RAIN SENSOR OVERRIDE.
  3. SYSTEM TO WATER LAWN AND GARDENS SEPERATELY.
  4. POP-UPS TO ALL LAWN AREAS. DRIP IRRIGATION & BUBBLERS ON TREE.
  5. BUILDER TO PROVIDE 90MM SLEEVES UNDER PAVING FOR RETICULATION WERE REQUIRED.
  6. PAVED AREAS ARE TO BE GRADED SO THAT STORMWATER IS DIRECTED TO GARDEN/LAWNED AREAS.

- LANDSCAPE NOTES**
- GENERAL**
1. ALL MEASUREMENTS TO BE CHECKED PRIOR TO CONSTRUCTION. REPORT TO DESIGNER ANY DISCREPANCIES, IF OCCUR, BEFORE PROCEEDING WITH WORK.
  2. PAVED AREAS ARE TO BE GRADED SO THAT STORMWATER IS DIRECTED TO GARDEN/LAWNED AREAS OR DRAINS.
- IRRIGATION**
1. AUTOMATIC RETICULATION SYSTEMS OFF THE MAINS
- PLANTING**
1. SOIL CONDITIONER TO ALL GARDEN AREAS - 100mm DEPTH.  
PINE BARK MULCH TO ALL GARDEN AREAS - 75mm DEPTH.