

# Canning Bridge Precinct – Bonus Building Height Local Planning Policy

## Stakeholder Engagement Outcomes Report



# Document History & Status

**Canning Bridge Precinct – Bonus  
Building Height Local Planning  
Policy**

**Stakeholder Engagement Outcome  
Report**

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# Table of Contents

<b>1.0</b>	<b>Introduction</b>	<b>5</b>	<b>Technical Appendices</b>
1.1	The Project	5	APPENDIX A Elected Members Workshop 1 Presentation – 14 April 2020
1.2	Scope of Service	5	APPENDIX B Elected Members Workshop 2 Presentation – 20 April 2020
1.3	Engagement Process	5	APPENDIX C Elected Members Expectations for Local Planning Policy
1.3.1	Formulation of Draft LPP	5	APPENDIX D Stakeholder Working Group Workshop 1 Presentation – 23 April 2020
1.3.2	Formal Advertising	6	APPENDIX E Stakeholder Working Group Workshop 2 Presentation – 7 May 2020
1.4	Structure of this Report	6	APPENDIX F Community Benefits Survey Responses
1.5	Elected Members Workshops	6	APPENDIX G Stakeholder Working Group Workshop 3 Presentation – 21 May 2020
1.5.1	Location	6	APPENDIX H SWG Members Survey Responses
1.5.2	Purpose and Aim	6	APPENDIX I Other SWG Queries and Responses
1.5.3	Format	6	APPENDIX J DPLH Minutes of Meeting
1.6	Stakeholder Working Group Workshop	7	APPENDIX K City of South Perth Minutes of Meeting
1.6.1	Location	7	
1.6.2	Purpose and Aim	7	
1.6.3	Format	7	
1.7	Department of Planning, Lands and Heritage	7	
1.7.1	Location	7	
1.7.2	Purpose and Aim	7	
1.7.3	Format	7	
1.8	City of South Perth Officers	8	
1.8.1	Location	8	
1.8.2	Purpose and Aim	8	
1.8.3	Format	8	
<b>2.0</b>	<b>Engagement Outcomes</b>	<b>10</b>	
2.1	Elected Members Workshops	10	
2.1.1	Workshop 1 – 14 April 2020	10	
2.1.2	Workshop 2 - 20 April 2020	12	
2.2	Stakeholder Working Group Workshops	15	
2.2.1	Workshop 1 - 23 April 2020	15	
2.2.2	Workshop 2 – 7 May 2020	17	
2.2.3	Workshop 3 – 21 May 2020	21	
2.2.4	Other SWG Queries	23	
2.2.5	SWG Draft Local Planning Policy	23	
2.3	Department of Planning, Lands and Heritage Meeting	24	
2.4	City of South Perth Meeting	24	
<b>3.0</b>	<b>Consideration of Outcomes</b>	<b>26</b>	
<b>4.0</b>	<b>Next Steps</b>	<b>40</b>	

Section

# 1.0

## Introduction

# 1.0 Introduction

## 1.1 The Project

Taylor Burrell Barnett has been engaged by the City of Melville to prepare and deliver a Local Planning Policy (LPP) relating to the bonus height in the City of Melville's portion of the Canning Bridge Activity Centre Plan (CBACP) area.

## 1.2 Scope of Service

The scope of services comprises the following tasks:

**Task 1: Document Review**

**Task 2: Stakeholder Engagement**

**Task 3: Preparation of draft Local Planning Policy**

## 1.3 Engagement Process

The engagement process for this study is detailed in the projects Consultation and Engagement sStrategy, and is summarised below:

### 1.3.1 Formulation of Draft LPP

Engagement Group	Phase 1: Enquiry, research and testing	Phase 2: Presentation of Preliminary draft LPP
<ol style="list-style-type: none"> <li>SWG Members</li> <li>DPLH Officers (Chairman WAPC, if available)</li> </ol>	<p><i>Virtual Interactive Session assuming all participants have technology or an email with briefing paper and survey/written response form.</i></p> <ol style="list-style-type: none"> <li>Introduction email, overview of purpose of study and background.</li> <li>Provision of Background Report.</li> <li>Feedback/Survey:               <ol style="list-style-type: none"> <li>Confirmation of issues identified in Background Report and identification of any missing issues.</li> <li>Confirmation of solutions suggested in Background Report and identification of any possible solutions that have not been identified.</li> </ol> </li> </ol>	<p><i>Virtual Interactive Session assuming all participants have technology or an email with briefing paper and survey/written response form.</i></p> <ol style="list-style-type: none"> <li>Presentation of preliminary draft LPP (prior to Council adoption for advertising).</li> <li>Feedback/Survey on specific bonus elements.</li> </ol> <p><i>Note: This is an optional task, and will only be undertaken if Council agree to extend timeframes, and if Council officers consider this is necessary. Alternatively, phase 2 engagement can occur during public advertising of the draft LPP.</i></p>
City of South Perth Officers	Telephone discussion regarding applicable planning framework and South Perth's approach.	
Elected Members	<ol style="list-style-type: none"> <li>As per 1-3. above</li> </ol> <p>Noting, a virtual meeting could be conducted for Elected Members so that</p>	<p><i>Virtual Interactive Meeting</i></p> <p>Council presentation of draft LPP, and respond to any issues or queries of Elected Members.</p>



Engagement Group	Phase 1: Enquiry, research and testing	Phase 2: Presentation of Preliminary draft LPP
	questions could be asked of the Project Team.	

### 1.3.2 Formal Advertising

Following Council support to advertising the draft LPP, the City of Melville will undertake its formal engagement process. The form of this engagement should be reviewed against the social distancing requirements of COVID-19 at the time. Assuming a return to normality, a Community Workshop to display project information and seek one-on-one feedback from the local community about the draft advertised LPP would be recommended. This process would be run by the City of Melville.

## 1.4 Structure of this Report

This report is presented in seven sections:

- **Section 1** provides the introduction, background to the project, and purpose and format of the Stakeholder Engagement undertaken;
- **Section 2** contains the explanation, description and outcomes summary Stakeholder Engagement sessions.
- **Section 3** provides an analysis of the feedback received and outlines aspects that require consideration during the preparation and delivery of the LPP;
- **Section 4** contains the next steps.

The appendices to this report contain the PowerPoint presentations given in the workshops and the completed Feedback Forms. Personal information has been redacted from the Feedback Forms.

## 1.5 Elected Members Workshops

### 1.5.1 Location

Two Elected Members workshops were held during the LPP formulation phase on Tuesday 15<sup>th</sup> April from 6:30 – 8:00pm and Monday 20<sup>th</sup> April from 6:30 – 8:00pm in a virtual interaction meeting using Zoom software.

### 1.5.2 Purpose and Aim

The purpose of the Elected Members workshops was to provide Elected Members the opportunity to understand and confirm key issues identified in the *Canning Bridge Activity Centre Plan – Bonus Building Height Local Planning Policy – Document Review Report* (Document Review Report), and provide input into possible solutions identified in the background report to inform the LPP formulation process, and understand the Elected Members issues and concerns with draft LPP 1.18 to ensure these are addressed in the draft LPP.

### 1.5.3 Format

Both workshops were facilitated by TBB. The Document Review Report was sent to the Elected Members prior to the first workshop. During the first Workshop TBB presented a PowerPoint which provided an overview of the background research including:

- Planning framework
- Previous decisions (Council and JDAP)
- Review of previously draft LPP 1.8

The Elected Members provided some high-level feedback in regard to the process for preparing the draft LPP and concerns with draft LPP 1.18

The second workshop involved a facilitated group discussion regarding the expectations for the LPP. An explanation of two exercises was also provided by TBB; Exercise 1 – Confirmation of Key Considerations / Issues, and Exercise 2 – Suggested Solutions, and the Elected Members were given the opportunity to complete these following the workshop and provide feedback to TBB.

## 1.6 Stakeholder Working Group Workshop

### 1.6.1 Location

Three Stakeholder Working Group (SWG) workshops were held during the LPP formulation phase on Thursday 23 April from 3:00 – 5:00pm, Thursday 07 May 2020 from 3:00- 5:00pm and Thursday 21 May 2020 from 3:00 – 5:00 pm in a virtual meeting using Zoom software.

### 1.6.2 Purpose and Aim

The purpose of the SWG workshops was to provide the SWG members the opportunity to understand and confirm key issues identified in the Document Review Report, and provide input into possible solutions identified in the background report to inform the LPP formulation process, and understand the SWG members' issues and concerns with draft LPP 1.18 to ensure these are addressed in the draft LPP.

### 1.6.3 Format

The workshops were facilitated by TBB. The Document Review Report was sent to the SWG members prior to the first workshop. During the first Workshop TBB presented a PowerPoint which provided an overview of the background research including:

- Planning framework
- Previous decisions (Council and JDAP)
- Review of previously draft LPP 1.8

The Elected Members provided some high-level feedback in regard to the process for preparing the draft LPP and concerns with draft LPP 1.18

The second workshop involved a facilitated group discussion, focusing on the scope of the LPP. An exercise was also provided to SWG members on Community Benefits, and members had the opportunity to complete the exercise and provide feedback to TBB following the workshop.

The third workshop focused on addressing queries previously raised by the SWG, and involved two exercises on Proportionality and Community Benefits. SWG members also had the opportunity to complete the exercises following the workshop and provide feedback to TBB.

## 1.7 Department of Planning, Lands and Heritage

### 1.7.1 Location

A meeting was held with the Department of Planning, Lands and Heritage (DPLH) officers on Friday 17<sup>th</sup> April at 12:00pm in a virtual interactive meeting using Zoom software.

### 1.7.2 Purpose and Aim

The purpose of the meeting was to provide the DPLH officers an overview of the scope for preparing the Local Planning Policy, and understand any key issues which should be considered in the formulation of the LPP.

### 1.7.3 Format

The Document Review Report was sent to the SWG members prior to the first workshop. The meeting was facilitated by TBB, who provided an overview of the purpose of the meeting and TBB's role in preparing an LPP to provide further guidance on the bonus height provisions of the CBACP within the City of Melville's quarters. The DPLH provided feedback on the Document Review Report.

## 1.8 City of South Perth Officers

### 1.8.1 Location

A meeting was held with the City of South Perth Officers on Friday 24<sup>th</sup> April at 10:00am in a virtual interactive meeting using Zoom software.

### 1.8.2 Purpose and Aim

The purpose of the meeting was to provide the City of South Perth officers an overview of the scope for preparing the Local Planning Policy, and understand any key issues which should be considered in the formulation of the LPP.

### 1.8.3 Format

The meeting was facilitated by TBB, who provided an overview of the purpose of the meeting and TBB's role in preparing an LPP to provide further guidance on the bonus height provisions of the CBACP within the City of Melville's quarters. The City of South Perth Officers provided an overview of the Canning Bridge Activity Centre Plan and the South Perth Activity Centre Plan and Amendment 61.



Section

2.0

Engagement Outcomes

## 2.0 Engagement Outcomes

### 2.1 Elected Members Workshops

#### 2.1.1 Workshop 1 – 14 April 2020

##### 2.1.1.1 Presentation

TBB provided an overview of the planning background relevant to the CBACP area, a summary of the previous Council and JDAP decisions relevant to the project and provided a review of the previous draft LPP 1.18. A full copy of the PowerPoint presentation is available in **Appendix A**.

##### 2.1.1.2 Workshop Feedback

Throughout the workshop, the following matters were raised by Elected Members and discussed as a group:

##### **Community Benefits**

- In relation the community benefits under Element 22 of the CBACP, Cr Pazolli confirmed only 1 community benefit has been provided to date, which was a community space.

##### **Previous Decisions (Council and JDAP)**

- TBB advised that the WAPC's Statutory Planning Committee meeting on 7 April considered an amendment to CBACP to introduce a bonus height cap to the M10 zone where it interfaces with the H8/H4 zone, and confirmed this was included in the DPLH officer recommendation to the SPC (available on the SPC Agenda on the DPLH website) in response to a query by an elected member. Based on advice of the City's planning officers, it is understood this recommendation was passed, however at the time of this workshop, the SPC Meeting Minutes had not been published to confirm this.

##### **Stakeholder Working Group**

- Elected Members queried who will be involved in the Stakeholder Working Group (SWG) Workshops, how the members were selected, what information the SWG members will receive and the process for providing feedback.
- TBB listed the stakeholders who have been invited, and those who have confirmed their attendance at the first SWG Workshop. The stakeholders invited to the SWG Workshop were based on a list of stakeholders who lodged submissions on the draft LPP 1.18 which was provided to TBB by the City's planning officers. The list was reviewed to ensure only residents within the CBACP were invited, as well as architects, specialists or consultants representing these residents, and to try to maintain a balance of residents who had different views on LPP 1.18. A separate resident who requested to come to the SWG was also invited.
- It was noted that due to COVID-19 conditions and the requirement to hold virtual workshops, residents outside of the CBACP area have not been invited to the SWG Workshop to limit the number of attendees to a manageable amount, however the wider community will be provided with an opportunity to comment on the draft LPP when it is formally advertised.
- Cr Pazolli queried if Elected Members can attend the SWG workshops. The Mayor confirmed Elected Members are permitted to attend the SWG Workshop to observe only, if desired.
- TBB confirmed SWG members will be provided with *Canning Bridge Activity Centre Plan – Bonus Building Height Local Planning Policy Document Review Report* prepared by TBB prior to the Workshop, and have the opportunity to provide written feedback following the workshop in addition to any feedback provided in the Workshop.

## Process for Preparing Local Planning Policy

- The Elected Members raised concerns with the planning framework for the site, and expressed that they do not believe it is appropriate to base the new LPP on the draft LPP 1.18 given that it was not considered to be satisfactory by the Council.
- TBB confirmed a completely new LPP will be prepared with a new structure which will not be based on the draft LPP 1.18, and it will achieve the objectives of the Council. However, it is important to understand the specific concerns with the draft LPP 1.18 and in this regard, exercises have been prepared to help guide the discussion to understand Council's concerns with draft LPP 1.18.

## Local Planning Policy and Canning Bridge Activity Centre Plan Relationship

- Building Heights
  - Mayor expressed the biggest issue with the CBACP planning framework is the extent of bonus building heights which have been approved – for example an 81% bonus building height was approved for a development in Applecross.
  - TBB confirmed the height maximums is outside of the scope of the LPP, and forms part of the role of the CBACP review. This is because the LPP cannot be inconsistent with the CBACP, and because the CBACP does not include the capping of height in the M15 and M10 precincts, the LPP cannot introduce capping of heights. TBB noted the CBACP is a document of due regard. In order to secure building height maximums within a statutory planning document, the City's Local Planning Scheme No. 6 would be required to be amended to include building height caps, which would require approval of the Minister.
  - TBB reiterated that broader concerns with CPACP will be addressed separately in the review of the CPACP which the City of Melville is arranging.
- State Planning Policy 7.3 Volume 2
  - Cr Pazolli expressed that SPP 7.3 Volume 2 includes a Clause which recommends that when dealing with additional heights or plot ratio in return for community benefits, that a cap be imposed, and so queried why this does not apply and override the CBACP. TBB confirmed that because SPP 7.3 Volume 2 was released after the CBACP was approved, the WAPC determined that the CBACP would stand as is and supersede SPP 7.3 Volume 2 in its current form. Therefore, as part of the review of the CBACP a key component would be reviewing the CBACP in the context of 7.3 and utilising this document to inform this review process.

### 2.1.1.3 Exercises

- Elected Members suggested there has not been sufficient time to review the documentation to complete the exercises in Workshop 1 and requested a second workshop is held at a later stage.

### 2.1.1.4 Draft LPP 1.18 Concerns

Noting that the Exercises were not completed, TBB requested Elected Members raise any concerns on the draft LPP 1.18. Elected Members provided the following feedback:

#### Level of Discretion

- LPP 1.18 was considered to be too prescriptive and a "tick the box exercise" that favoured developers being able to pitch for any uncapped bonus height that they requested. Cr Pazolli would like the policy to be less prescriptive and provide more discretion to the Council.
- TBB advised that the CBACP provides a framework for the decision makers, and the intent of an LPP being more prescriptive is to clearly articulate and provide guidance around the policy so the decision makers are able to make a clearer, more informed decision at the time. The vaguer the LPP is, the less effective it is because the decision makers do not have the guidance to make an informed decision. The level of prescription cannot go beyond what the CBACP allows, and the policy should articulate more clearly the intent of the CBACP.

#### Community Benefits

- Cr Pazolli expressed that Elected Members should have a direct input to the community benefits, and this needs to be incorporated into the LPP, as this would be beneficial in expressing the communities view.
- Need criteria for determining what is an actual and perceived community benefit. Definition of benefit needs to be flexible to change over time as needs vary.
- Elected Members want control over the discretion of the City officers to determine what the community benefits are. Council should have a role in this.
- TBB noted that there is an opportunity for the Council to do an assessment to understand what the community needs for the precinct are now and as the community grows – in terms of what infrastructure is needed and where these are needed, staging of facilities and capping of certain facilities.
- It was noted that a needs assessment has been undertaken by a separate consultant. Elected Members noted issues with this needs assessment process.

#### **Bonus Height**

- Elected Members suggested that design should be required to be exemplary as a minimum standard, and bonus height should only be provided if a real community need is provided. TBB reiterated the requirements of CBACP in relation to meeting minimum standards, and will consider this in the preparation of the LPP.

#### 2.1.1.5 Timeframes

- Elected Members requested a second workshop and time constraints for the project were subsequently noted, including that TBB were required to present at a May Council meeting due to the Council's previous resolution. Second workshop to be confirmed by Council.

#### 2.1.1.6 Conclusion and Next Steps

- Mayor advised he will seek a meeting with Minister at the same time as the LPP is being progressed.
- CEO confirmed need input from 13 Elected Members in formulating LPP.
- CEO confirmed a second Elected Members workshop is to be held next Monday 20 April 2020, to run through Exercises 1 and 2. Written responses to exercises and feedback on background document are welcomed at this meeting.
- TBB to send list of SWG members to Elected Members for review and advice on any other residents to be invited to the SWG Workshop. Noted that meeting may need to be rescheduled if additional participants required to be invited.
- Elected Members recommend TBB liaise with Len Kosova during the preparation process as a result of Len's deputation at previous Council meeting considering LPP 1.18

### 2.1.2 Workshop 2 - 20 April 2020

#### 2.1.2.1 Presentation

TBB provided a recap on the previous workshop, confirmation on the WAPC Statutory Planning Committee decision on the CBACP Amendment, a summary of the outcomes of the meeting with the DPLH, and a summary of the status of the Community Needs Assessment being undertaken by the City. A full copy of the PowerPoint presentation is available in **Appendix B**.

#### 2.1.2.2 Workshop feedback

Throughout the workshop, the following matters were raised by Elected Members and discussed as a group:

##### **Community Needs Assessment**

- Elected members concerned about Community Needs Assessment as Council have not seen this. Members noted the Community Needs Assessment is required as soon as possible for the LPP

- Mr Cope confirmed Community Needs Assessment undertaken is being run by the City's Community Development Place Activity staff, and is required to inform the review of the CBACP. Document is in draft form.
- TBB confirmed opportunity for LPP to align with Community Needs Assessment and will discuss this with the City.

### Community Input

- Elected Members queried the community's involvement in the CBACP precinct to date. The following processes were identified:
  - 2020 Scheme Amendment was publicly advertised, feedback obtained from the community
  - 2019 previous draft LPP 1.18 was publicly advertised, feedback obtained from the community
  - Preparation of draft LPP being undertaken in consultation with SWG, comprising representatives of community.

### 2.1.2.3 Expectations for Local Planning Policy

- TBB facilitated a broader discussion on expectations for the LPP. The Elected Members views are contained in **Appendix C**. A summary of the themes, issues and matters raised is provided in **Table 1** below.

Table 1 Expectations for Local Planning Policy – Elected Members

Element	Expectations
Building Heights	<ul style="list-style-type: none"> <li>• LPP should provide a framework for limiting heights.</li> <li>• Current heights have a great impact on the community.</li> <li>• Need a framework which details the link between community benefit and bonus storeys (if there are bonus storeys)</li> <li>• Heights should remain as 10 and 15 storeys as this is what the community expects.</li> <li>• M10 and M15 to remain as is, having a graduation.</li> <li>• 10 and 15 storeys may not be achievable but a few storeys above may be ok.</li> <li>• M15 bonus could be more generous than M10. Bonus within M15 could be flexible based on the development rather than a fixed %, based on the benefit provided (i.e. one building at 20%, another at 30%).</li> <li>• Happy with 20% bonus on M10 and M15. Some heights more appropriate in some areas than others.</li> <li>• Supportive of 20% bonus. Needs to be graduated – don't want centre of M15 to be built out by big block developments.</li> <li>• Building heights should be conditional on community benefits.</li> </ul>
Community Benefits	<ul style="list-style-type: none"> <li>• LPP to provide framework to apportion community benefits.</li> <li>• Need to understand what will be of value to the community first.</li> <li>• Community Benefits should be redefined.</li> <li>• Consider cash-in-lieu contribution / approach which can be spent anywhere in the City of Melville on community benefits / foreshore improvements.</li> <li>• This is an area that is accessible by more than those who live there. Community benefit needs to be mindful of greater CoM and Perth, greater population of WA.</li> <li>• High amenity of the foreshore – destination for more than just the residents. Eg. Boating.</li> <li>• Community values open space, access to the precinct (unfettered by traffic, parking)</li> <li>• Consider benefits of greater mix of uses – e.g. swimming pool, child care centre, rowing, fitness centre, libraries, innovation centres, POS, parks and gardens, etc.</li> <li>• Consider how much of a particular benefit is needed in the precinct e.g. Bike parking – limited bonus if there is already sufficient parking in the area.</li> <li>• Private enterprises not regarded as community benefit.</li> <li>• Review register of community benefits periodically.</li> <li>• Element 22 lists examples of Community Benefits, LPP can provide additional guidance / list should be expanded.</li> <li>• Concerns relating to trading off community amenity to provide developers with extra bonus storeys,</li> </ul>

Element	Expectations
	<p>translating into windfall profits for the developer.</p> <ul style="list-style-type: none"> <li>• 6 Star Green Star rating is too onerous, but could allow for bonus if this is achieved.</li> <li>• Developers shouldn't get bonus height for features they would provide in any event, or features that make their development more marketable - e.g. widening foreshore (Canning Beach DA)</li> <li>• Consider register of community benefits – to be reviewed periodically.</li> </ul>
Built Form	<ul style="list-style-type: none"> <li>• Architects can work within the 10-storey height limit to design buildings which are not just 'boxes'.</li> <li>• Built form modelling – 3D model for the area would assist. Want to avoid stranded properties adjacent to taller buildings. Better transition around edges of taller buildings.</li> <li>• Buildings closer to river could be smaller to allow views.</li> <li>• Limiting bonus could result in shorter, bulkier buildings. Limiting height could result in all buildings looking similar, want more variation</li> </ul>
Precinct Vision	<ul style="list-style-type: none"> <li>• Create vibrant activity centre – 'Canning Bridge, a great place' attracting people for living, employment, night time activities – post COVID19 recovery phase.</li> <li>• Development currently is way ahead than objectives or densities wanted or agreed to be achieved. Will be a cost to the community – loss of quality of life</li> <li>• No clear vision, approach seems ad-hoc.</li> </ul>
LPP Structure	<ul style="list-style-type: none"> <li>• LPP to provide prescriptive direction to decision makers, aiming to deliver proportionate relationship between benefits and bonus storeys.</li> <li>• Needs to be succinct, easy to read.</li> <li>• Needs to be implementable.</li> <li>• Needs to be able to evolve over time.</li> <li>• Not a checklist of community benefits.</li> <li>• Include a process for selecting community benefits.</li> <li>• Format/structure of previous LPP was not ideal.</li> </ul>
Process and Implementation	<ul style="list-style-type: none"> <li>• Assessment of community benefit currently being undertaken behind closed doors, and is not transparent.</li> <li>• Councillors want input on community benefits and decision making.</li> <li>• Design Advisory Committee, cross-functional committee assessing community benefits.</li> <li>• Council and community having direct involvement in negotiation of community benefits in return for developer bonus storeys.</li> <li>• Negotiation is left between developer and planning officers. No input from Councillors or community.</li> <li>• Would be benefit if planning meetings be opened so Councillors can understand how decisions are being made.</li> <li>• Concern with consultants undertaking Community needs assessment and LPP – working on behalf of developers?</li> <li>• Community education would help with understanding community benefits being delivered – relates to broader community, not just immediate residents</li> </ul>
CBACP Review	<ul style="list-style-type: none"> <li>• Misleading document - most people think M10 and M15 are height limits</li> <li>• Maximum height caps to be considered in CBACP review</li> <li>• Review of community benefits needs to be more comprehensive through the CBACP review, consider implications of delivering certain benefits – e.g. parking and road infrastructure.</li> </ul>



### 2.1.2.4 Community Needs Survey

TBB outlined a draft Community Needs Survey, which is intended to be used to review the Community Benefits identified under Element 22 at the SWG.

- Cr Pazolli identified concerns that the survey would be difficult to complete, and community members are not being asked how much they are willing to pay for the relevant community benefits- needs to be asked.
- Cr Sanford – too difficult for SWG members to answer without photographs and examples.

## 2.2 Stakeholder Working Group Workshops

### 2.2.1 Workshop 1 - 23 April 2020

#### 2.2.1.1 Presentation

TBB provided an overview of the study scope, engagement activities, planning background and a summary of the submissions the City received on the draft LPP 1.18 prepared by the City. A full copy of the PowerPoint presentation is available in **Appendix D**.

#### 2.2.1.2 Workshop Feedback

Throughout the workshop, the following matters were raised by SWG members and discussed as a group:

##### **Study Scope and Engagement Process**

- Overall, SWG members concerned regarding process of preparing LPP and proposed engagement process. In particular:
  - Mr Ross concerned regarding process of preparing LPP prior to CBACP review.
  - Mr Rowe requested additional information before proceeding with workshop, in particular what it is we are trying to achieve and density targets for the precinct.
  - Mr Burns advised he is not happy with workshop format and prefers an alternative format.
  - Mr Rowe concerned about Conflict of Interest with TBB preparing the LPP given Rachel Chapman's position on the JDAP. TBB confirmed Rachel Chapman is not able to sit on any JDAP applications during TBB's preparation of the LPP, and therefore TBB is not conflicted.
  - Ms Waldron-Hartfield advised resident feedback that there is a high level of distrust in engagement process in the past, and important that consultation is transparent and open.
  - SWG members concerned LPP will be based on draft LPP 1.18. TBB confirmed a new LPP is being prepared, it is not based on draft LPP 1.18.
  - Mr Ross requested a SWG meeting to revise the process for preparing the LPP.
  - Mr Burns identified community consultation should not be completed as per the proposed scope. Requested a SWG workshop once the draft LPP is prepared to provide an opportunity to give feedback. Concerned as LPP being prepared prior to the review of the CBACP.
  - TBB confirmed the interim LPP is to provide a framework now to provide guidance around the bonus height, given the length of time for the CBACP review to be completed.
  - TBB confirmed the LPP has to be prepared within the constraints of the CBACP, including putting a cap on building heights.
- Revised engagement process - SWG members requested more comprehensive engagement with the SWG to inform the LPP preparation. Post Workshop Note: Council has since approved 2 additional SWG Meetings, and an exclusive briefing to the SWG once the draft LPP has been prepared.

##### **CBACP Review**

- Mr Sobejko identified the need to talk about overall objectives of CBACP, and minimum building heights, as does not believe the bonus heights in the CBACP was the intention of the document.

- Mr Ross requested confirmation if the M10 and M15 heights would achieve the precinct's density targets, and determine if bonus heights are permissible based on this.
- Review to consider density as well as height to be considered, as well as spaces between building as part of the CBACP review. TBB confirmed Built Study also required as part of the CBACP.

#### Developer Contributions

- Mr Ross wants developer contributions to be a priority and addressed in the LPP. TBB confirmed LPP cannot address this, but should be considered as part of the CBACP so it can be implemented given this is a significant process. Mr Ross advised the DPLH have prepared the relevant information for this and will make this available.
- Concern that large developments hard to coordinate and these are going ahead, although developer contributions are not. TBB confirmed as long as Developer Contributions are not in place, there is no requirement to provide contributions.
- Suggestion from Mr McCarthy that any developer who is granted bonus heights has to contribute to developer contributions. TBB advised no Developer Contribution Scheme exists and so this is not possible at this point, in this form.

#### Transport and Parking

- increased densities also create parking, transport, access to public infrastructure problems. Concerns traffic reports use outdated numbers. TBB confirmed any traffic reports should be using current figures, and any reports supporting DAs will be assessed by the City with consultation with the relevant agencies (e.g. Main Roads WA) as required.
- CBACP review – consider if bonus height is required, and if so, how it should be achieved.
- TBB confirmed ideally Community Needs Assessment required to inform Community Infrastructure Plan, and the ACP should respond and ensure spatially these items can be addressed.

### 2.2.1.3 Expectations for Local Planning Policy

SWG members discussed their expectations for the Local Planning Policy, which are summarised in **Table 2** below.

Table 2 Expectations for Local Planning Policy – SWG

Element	Expectations
Building Heights	<ul style="list-style-type: none"> <li>• Sensible transition to lower height zones is critical.</li> <li>• Additional building heights have resulted in removal of amenity of area and have cumulative impacts (pedestrian safety, overshadowing, congestion, etc) – needs to be resolved.</li> <li>• Review of the bonus heights should have regard to the intended population for the area, the capacity of the CBACP, and how the developments approved to date compare to this.</li> </ul>
Community Benefits	<ul style="list-style-type: none"> <li>• Need a clear definition of the community benefits possible and how this translates to bonus heights.</li> <li>• Need to actually benefit the community.</li> <li>• Want open space, playgrounds, etc.</li> <li>• Cash contributions may be beneficial.</li> <li>• Community benefits should be continually available to the public – e.g. end of trip facilities.</li> <li>• Concern of safety around and en-route to the train station – can community benefits improve this.</li> </ul>
Process and Implementation	<ul style="list-style-type: none"> <li>• Need to be transparent as to what community benefits are being provided – currently lack of transparency.</li> <li>• LPP needs to be adhered to by the City officers.</li> </ul>

### 2.2.1.4 Exercises

Workshop exercises were not completed and it was requested exercises be re-considered to provide the opportunity for more comprehensive feedback.

### 2.2.1.5 Timeframes

- CBACP Review Brief – due to be released in May.
- TBB to liaise with City regarding extending timeframes for LPP and engage further with SWG.

## 2.2.2 Workshop 2 – 7 May 2020

### 2.2.2.1 Presentation

TBB provided an overview of the Canning Bridge Activity Centre Plan objectives, the Activity Centre Plan framework documents, and responded to queries raised through SWG Meeting No. 1, including the scope of the Local Planning Policy, Design Review Panel queries and queries on density. A full copy of the PowerPoint presentation is available in **Appendix E**.

### 2.2.2.2 Workshop Feedback

Throughout the workshop, the following matters were raised by SWG members and discussed as a group

#### Queries Raised Through SWG Meeting No. 1

- TBB acknowledged a range of queries and comments have been provided by SWG members since the first meeting on 23 April 2020. These have been noted and will be taken into consideration, where possible, as we develop the draft LPP.
- The City has examined the various questions received, and is able to provide more detailed responses to any specific queries the SWG may have which are not addressed in this workshop.

#### Scope of Local Planning Policy

TBB provided an overview of which matters can and cannot be dealt with in the LPP, based on previous queries raised by the SWG, as outlined in **Table 3** below.

Table 3 Scope of Local Planning Policy

Issue/comment	LPP	Notes
<b>Building Height</b>		
Introduce specific restrictions such as height caps	<input checked="" type="checkbox"/>	The LPP can provide guidance on the extent of bonus awarded based on the community benefit delivered (proportionality), but cannot introduce a cap to heights. → To be explored through CBACP review.
Ensure intent of the CBACP is applied through additional clarity and guidance	<input checked="" type="checkbox"/>	The LPP must remain consistent with the intent and objectives of the CBACP.
Mezzanine areas should be included in the number of storeys	<input checked="" type="checkbox"/>	The CBACP defines a 'Storey' and specifically excludes a mezzanine. The LPP cannot change this definition. → To be explored through CBACP review.
Height bonuses should be considered in terms of metres and/or percentage terms, not just storeys.	<input checked="" type="checkbox"/>	There is scope for the LPP to provide more guidance on how the bonus is to be measured.

Issue/comment	LPP	Notes
Plot Ratio		
Consideration of plot ratio	<input checked="" type="checkbox"/>	LPP may consider amount of bonus floorspace or plot ratio as a guide when examining the corresponding level of community benefit/exemplary design required to achieve a certain bonus height. The LPP is not able to set floorspace or plot ratio limits.
Minimum Lot Size		
Provide guidance on minimum site area requirements	<input checked="" type="checkbox"/>	Minimum site areas are defined under the CBACP, and includes the area ceded for road widening under the 22.1.10 bonus provision. LPP1.19 clarifies that this applies only to land adjacent to Canning Highway. Whilst the definition of minimum site area cannot be modified, the LPP may provide further guidance, within the CBACP definition.
Exemplary Design		
Provide clarification and guidance on achieving exemplary design	<input checked="" type="checkbox"/>	The LPP may include clarification and guidance as to what is expected to achieve exemplary design.
Introduce a community component to the Panel with veto powers on exemplary design	<input checked="" type="checkbox"/>	A community panel with veto powers is beyond the scope of this LPP.
Developer Contributions		
Enable Developer Contributions	<input checked="" type="checkbox"/>	Whilst the framework provides for developer contributions to be prepared they are not an instrument which can be activated through an LPP. → To be explored through CBACP review, and can only be implemented through an amendment to Local Planning Scheme No. 6.
Parking		
There is insufficient public parking in the CBACP area.	<input checked="" type="checkbox"/>	Parking studies to date indicate an oversupply of parking in the CBACP. Additional public parking in certain locations may assist the operation of the centre. Element 22.1.11 recognises this and identifies the provision of public parking as a potential community benefit. The LPP may elaborate on this Element.
Cash-in-lieu payments to the City for shortfalls in car parking is not acceptable to the community.	<input checked="" type="checkbox"/>	Element 18 of the CBACP allows for an applicant to make a cash payment to the Council in lieu of the provision of all or any of the required number of parking spaces. This cannot be varied through an LPP. Where public parking is provided as a community benefit under Element 22.1.11, this must be provided on-site.
Public Open Space		
Differentiate between POS being provided on podiums compared to POS provided on ground level	<input checked="" type="checkbox"/>	The LPP may elaborate on the value/merit of POS at ground level that is accessible from the street compared to podium level POS, and how that may translate into the awarding of bonus building height.
Stranded Assets		

Issue/comment	LPP	Notes
Ensure no stranded assets which are not able to be developed in the future	<input checked="" type="checkbox"/>	The LPP may be able to explore how a development responds to its particular site and incentivise patterns of development which don't overly impact other sites. DO2 of the CBACP may offer some assistance in allowing the LPP to elaborate on the matter, but requires further investigation through this process.
Podium Walls & Setbacks		
Modify podium wall and boundary setback requirements from CBACP	<input checked="" type="checkbox"/>	Podium walls and nil boundary setbacks are a design feature encouraged/required by the CBACP in certain locations.
Minimise impact of podium walls and boundary setbacks	<input checked="" type="checkbox"/>	There may be some opportunity for a LPP to explore the impact of these features from an exemplary design/bonus height viewpoint.
Overshadowing		
Modify overshadowing provisions from CBACP	<input checked="" type="checkbox"/>	Recent review of the H4 provision of the CBACP have required greater setbacks to development adjoining land outside the CBACP. The amendment had also proposed to introduce privacy provisions into the H4 zone, however this initiative was not supported by the WAPC. The CBACP is specific on overshadowing and privacy and an LPP would not be able to override the broader provisions which apply to the entire CBACP area.
Provide further guidance on overshadowing considerations where bonus is sought	<input checked="" type="checkbox"/>	Elements 22.4.1 and 22.1.6 relate to solar access/overshadowing considerations where a bonus is sought in the M10 or M15 zones. The LPP can provide further guidance on how this is to be considered and addressed where a bonus is sought.
Community Benefits		
Community benefits must be ongoing and "real".	<input checked="" type="checkbox"/>	There is a hierarchy in the value of the community benefit/merit of different types of community benefit. The LPP can explore and expand on this to maximise the benefit realised by the community. Controls are also able to be put in place to ensure the benefits are ongoing.
Public Art		
Public art is not considered to be a "community benefit".	<input checked="" type="checkbox"/>	Public Art is required under Element 17, and assessed separately to Elements 21 and 22 in the CBACP. As such, public art does not directly contribute to the awarding of additional storeys. The provision of public art over and above the minimum requirement may be considered in the LPP as part of a community benefit.

### Design Review Panel

SWG members queried the possibility for community members to be elected on the City's Design Review Panel. TBB confirmed that the membership of the DRP is outside of the scope of the LPP. A copy of the SWG's submission is included in **Appendix XX**.

### Community Benefits Committee

SWG members requested possibility for Councillors and Community representatives to be on a Community Benefits Committee. TBB confirmed this is outside of the scope of the LPP, though suggest this is considered separately by the City of Melville. A copy of the SWG's submission is included in **Appendix XX**.

### Queries on Densities

SWG requested the information on the densities. Gavin Ponton confirmed this information will be provided prior to the next SWG. TBB provided the following responses in the meantime:

Table 4 Density Queries

Question/Comment	Response																
Received via email dated 25 April 2020																	
1. In terms of density, what is the overall target density that has been set for the entire City of Melville and how has that target been spread across the City?	<p>The Central Sub-Regional Planning Framework (March 2018) outlines the minimum additional dwelling targets for each local government. The City of Melville's target is a minimum of 10,830 new dwellings to 2031.</p> <p>The targets have been distributed across the City (as identified in the Local Planning Strategy 2016) as follows:</p> <table><tr><th>Area</th><th>Extra Dwellings By 2031</th></tr><tr><td>Canning Bridge</td><td>~2,500</td></tr></table>	Area	Extra Dwellings By 2031	Canning Bridge	~2,500												
Area	Extra Dwellings By 2031																
Canning Bridge	~2,500																
2. Also, in terms of density, what is the core objective of the CBACP and how is that measured (It was suggested this may be number of dwellings to be achieved by 2031 and 2051 as set out in the CBACP)?	<p>The CBACP identifies 9 objectives. The objectives describe a centre, which amongst other things, will accommodate an increase in intensity, diversity and density. In terms of expected staging of development, the CBACP forecasts an extent of development (dwellings, commercial floorspace, etc) at 2031, 2050 and ultimate capacity.</p>																
3. Given the above targets, what is the verifiable justification for the requirement to have buildings of 15 storeys, 10, storeys, etc in the CBACP?	<p>The urban form investigations for the CBACP arrived at a building height hierarchy including the base heights of 10 and 15 storeys in M10 and M15. The urban form considerations determined these base heights as suitable in delivering the CBACP goals and objectives, whilst noting the capacity of other elements such as infrastructure.</p>																
4. What are the densities (per hectare) that are being achieved in the recently approved or built developments in the M10 and M15 areas?	<table><tr><th></th><th>Dwellings</th><th>Site Area (m²)</th><th>~ dwellings per hectare</th></tr><tr><td>M15</td><td>914</td><td>17,715</td><td>~R500</td></tr><tr><td>M10</td><td>375</td><td>10,385</td><td>~R350</td></tr><tr><td>TOTAL</td><td>1,289</td><td>28,100</td><td>~R450</td></tr></table> <p>Note – DesignWA Vol 2 Apartments allocated an R-Coding of R160 to ‘High Density Urban Development’ for 5 storey building height.</p>		Dwellings	Site Area (m²)	~ dwellings per hectare	M15	914	17,715	~R500	M10	375	10,385	~R350	TOTAL	1,289	28,100	~R450
	Dwellings	Site Area (m²)	~ dwellings per hectare														
M15	914	17,715	~R500														
M10	375	10,385	~R350														
TOTAL	1,289	28,100	~R450														

### 2.2.2.3 Exercise – Community Benefits

The group commenced an exercise to understand what Community Benefits the SWG members would like to see in the CBACP precinct, and completed these outside of the workshop, providing responses back to TBB. The responses are included in **Appendix F**, with a summary of the feedback provided in **Table 5** below.



## 2.2.3 Workshop 3 – 21 May 2020

### 2.2.3.1 Presentation

TBB provided an overview of the outcomes of the previously meeting and responded to SWG members request for further information, including on the purpose and composition of Design Review Panels, the purpose of the Community Benefits Committee and provided a response to the SWG's LPP sent to TBB. A full copy of the PowerPoint presentation is available in **Appendix G**.

### 2.2.3.2 Summary of Community Needs Survey Feedback

TBB provided the following summary of the feedback received on the Community Needs Survey:

Table 5 Community Needs Survey Feedback

Summary of feedback	Comment
The list of community benefits are not considered to be of benefit to the community.	<p>Noted. The list of community benefits included in the survey are taken directly from Element 22 of the CBACP. These cannot change, but we can expand to provide further guidance on what could be considered under each of the requirements and as they facilitate a relative height bonus.</p> <p><b>The SWG's input is sought to inform this outcome. What should the community benefits be? And what degree/extent of height bonus would they generate?</b></p>
Many of the community benefits are perceived to be commercial opportunities, and/or should apply to all developments, not just those seeking bonus height. Examples include active street frontages, streetscape improvements, on-site landscaped spaces or facilities, toilets/end-of-trip facilities, provision of view corridors and mid-winter sunlight to adjacent properties.	<p>Noted. Elements 1-20 already require many of these matters to be addressed as a prerequisite to considering bonus heights. The LPP will be structured to differentiate between the base requirements and the bonus provisions and will look to require these to be documented separately to items being sought for bonus height. The LPP will also define principles which require applicants to distinguish between community benefits that offer a commercial advantage to the applicant from those that provide a "real" benefit to the community. Where community benefit is also provided, the applicant will need to justify the amount of bonus sought against the extent of community benefit realised.</p> <p>The LPP can look to provide guidance around this matter.</p>
Suggestion of a cash payment to the City of Melville to cover the land acquisition costs, planning and development of an open plaza or piazza at the corner of Kishorn Road and Moreau Mews, with a large central fountain, planted with shade trees and seating, and surrounded by cafes and restaurants. While there should be dedicated space for bicycle parking, riding or pushing bicycles in the piazza must be banned. An adjoining children's play area may also be desirable.	<p>There is opportunity for the LPP to encourage cash contributions towards such off-site community infrastructure by a voluntary agreement between developers and the City of Melville. Such a contribution would need to relate to one of the community benefits listed under Element 22.</p> <p>It is noted the Canning Bridge Masterplan identifies a Central Plaza around the pedestrian bridge over Canning Highway.</p> 

### 2.2.3.3 Workshop Feedback

SWG Members advised they have no confidence in the City's ability to objectively assess any development, believe City officers acting as planning consultants rather than on behalf of the rate payers.

### 2.2.3.4 Exercise – Proportionality

The group commenced an exercise to obtain SWG members on the proposed approach to proportionality. Some SWG members also completed the exercise outside of the workshop, providing responses back to TBB. A summary of the feedback obtained in the workshop and the feedback received following the workshop is included in **Table 6** below, with the full responses included in **Appendix H**.

Table 6 SWG Members Survey Feedback

Element	Feedback	Comment
Proposed Tiered Approach to Proportionality	<ul style="list-style-type: none"> <li>SWG members suggest Tier 3 is not appropriate, and that this provides an additional bonus which exploits current provisions.</li> <li>SWG members suggests a percentage approach is used to confirm the bonus. by percentage so therefore Tiers proposed.</li> <li>Needs to be clear in terms of bonus heights so there is no confusion.</li> </ul>	<ul style="list-style-type: none"> <li>TBB explained the intention of Tier 1,2 and 3 is to differentiate between the height bonus rewarded based on the community benefits offered and reaffirm the hierarchy intended by the Vision for the precinct.</li> <li>TBB explained not all bonuses able to be defined</li> </ul>
Height Limit	<ul style="list-style-type: none"> <li>SWG members suggested LPP should have cap on building heights.</li> </ul>	<ul style="list-style-type: none"> <li>A cap on building heights cannot be placed given the CBACP does not allow this. However we can look to provide guidance in the form or building height ranges.</li> </ul>
Exemplary Design	<ul style="list-style-type: none"> <li>SWG suggest matters cannot be considered in isolation – e.g. Forbes residence considered 'exemplary design' now, though when further development occurs next to it, it will not be considered exemplary design.</li> <li>Overall masterplan required to ensure ad-hoc development does not occur, to consider exemplary design.</li> </ul>	<ul style="list-style-type: none"> <li>Masterplan not in scope of LPP. TBB suggest using 10 Design Principles in SPP 7.0 to measure exemplary design. The Design Principles include the consideration of context and character.</li> </ul>

### 2.2.3.5 Exercise - Community Benefits

Prior to the workshop, an exercise on Community Benefits was circulated to SWG members. Mr Sobejko completed the exercise before the workshop, and a summary of his responses were outlined by TBB during the workshop. The SWG members generally agreed with Mr Sobejko's responses, and were given the opportunity to review and provide further feedback on the exercises and Mr Sobejko's responses. A summary of the feedback discussed in the workshop is provided below, with the full responses included in **Appendix F**.

#### Community Benefits Definition

In regards to the suggested definition of community benefits, SWG members provided the following feedback:

- Concerns with words 'existing and future residents'. Community benefits need benefit a wider community, not just the residents and visitors of a particular building.
- Community benefits should also be substantive in nature with a material cost to implement and are proportionate to the bonus being sought.

#### Community Benefits

In regards to the types of community benefits, SWG members provided the following feedback:

- Suggestion to create list of items which do not form community benefits.
- Substantial open space potential community benefit
- Financial contribution to piazza areas potential community benefit
- Public car parking ceded to the City of Melville, made available at a heavily subdivided rate potential community benefit
- The ultimate capacity of the CBACP needs to be considered, noting this is outside of the scope for the LPP.

## 2.2.4 Other SWG Queries

Throughout the LPP preparation phase, SWG members requested information on various matters regarding the Local Planning Policy and densities in the CBACP precinct. Many of the questions were discussed in the workshops and summarised above, however a record of all of the questions raised by SWG members and corresponding answers provided are included in **Appendix I**.

## 2.2.5 SWG Draft Local Planning Policy

A draft Local Planning Policy (and various revisions) was prepared by a select group of the SWG members and provided to TBB and City of Melville Councillors via email on 18 and 28 May 2020. The SWG's draft LPP seeks to provide further guidance and limitations on density within the CBACP area, in addition to dealing with the bonus height provisions of Elements 21 and 22. The key aspects of the SWG's draft LPP include:

- A primary focus on density targets and dwelling numbers within the CBACP area
- Expanding the scope of the LPP to apply to land in all zones of the CBACP area
- Introducing the following key mechanisms:
  - Maximum limits to density in identified zones
  - Minimum lot sizes in identified zones
  - Performance assessment of proposed developments on amenity
  - Performance assessment of bonus items
  - Maximum limit to bonus height (including maximum metres per storey)

As outlined to the SWG at Workshop 3 and via email, the purpose of the LPP, as determined by Council (at its meeting on 10 December 2019) is to:

1. Clarify the information to be submitted with development applications seeking bonus height;
2. Define the correlation between community benefit and bonus height for new developments in the M10 and M15 zones; and
3. Introduce corresponding provisions to guide the exercise of discretion when assessing and determining development applications seeking bonus height.

The policy TBB has been engaged to prepare will be consistent with these objectives. Importantly, the City of Melville's Local Planning Scheme No. 6 and the CBACP do not cap the density, population or yield for this area. Whilst there may be scope for an LPP to provide guidance (but not limitations) on the density targets established under the State-level strategic planning framework and the CBACP, this proposal would be at the discretion of the City. The City's Local Planning Scheme (R-AC0) & CBACP in their current form do not cap the density, population or yield for this area. The CBACP guides an intended built form outcome and is subject to review and audit at the City's discretion (prior to the 10 year compulsory review).

Notwithstanding, it is at the discretion of the City to consider if it wishes to also include provisions relating to density, either through an LPP or the CBACP review.

Where possible, the draft LPP prepared by TBB will take into consideration the provisions drafted by the SWG.

## 2.3 Department of Planning, Lands and Heritage Meeting

In the meeting with the DPLH officers, TBB provided an overview of the purpose of the meeting and TBB's role in preparing an LPP to provide further guidance on the bonus height provisions of the CBACP within the City of Melville's quarters, and history of previous draft LPP1.18 prepared by the City's officers. Discussions were had on the potential structure of the LPP and the requirement for community benefits to be scalable based on the complexity of the benefit delivered, and subsequent bonus allowable.

TBB agreed to provide DPLH a copy of the draft LPP before it is finalised. This would be provided for informal feedback/information purposes only, noting that the Planning and Development (Local Planning Schemes) Regulations 2015 only require the local government to give notice of the proposed policy to the WAPC if it is inconsistent with a State Planning Policy (but not to make a recommendation or decision on the policy).

The minutes of the meeting are included in **Appendix J**.

## 2.4 City of South Perth Meeting

In the meeting with the City of South Perth officers, TBB provided an overview of TBB's role in preparing the LPP to provide further guidance on the bonus height provisions of the CBACP within the City of Melville's quarters.

The City officers provided feedback on the Canning Bridge Activity Centre Plan and the South Perth Activity Centre Plan and Amendment 61.

The minutes of the meeting are included in **Appendix K**.

Section

# 3.0

Consideration of  
Outcomes &  
Implications

## 3.0 Consideration of Outcomes

The following table provides a summary of the key outcomes and feedback received through the engagement process. Each of these matters has been considered, and a recommendation made accordingly. Items highlighted in blue are able to be considered through the LPP, with all other matters to be addressed through alternative processes to be explored by the City.

Table 7 Consideration of key outcomes and feedback from engagement

Feedback	Comment	Recommendation
<b>1. Building Height</b>		
Introduce specific restrictions such as height caps	A cap on building heights cannot be implemented through the LPP given the CBACP does not allow this. However, further guidance can be provided in the form of building height ranges to inform consideration of the allocation of bonus height based on the community benefit delivered (proportionality).	Height limits to be explored through CBACP review.  More guidance on bonus height/proportionality to be explored through the LPP.
Ensure intent of the CBACP is applied through additional clarity and guidance	The LPP must remain consistent with the intent and objectives of the CBACP. Further clarity and guidance on the intent of the Bonus Provisions, being Elements 21 and 21, may be explored through the LPP.	Further guidance on the broader intent of the CBACP (beyond the Bonus Provisions) to be explored through CBACP review.
Mezzanine areas should be included in the number of storeys	The CBACP defines a 'Storey' and specifically excludes a mezzanine. The LPP cannot change this definition.	To be explored through CBACP review.
Height bonuses should be considered in terms of metres and/or percentage terms, not just storeys	There is scope for the LPP to provide more guidance on how the bonus is to be measured.	More guidance to be explored through the LPP. Further consideration to be explored through CBACP review.
<b>2. Plot Ratio</b>		
Consideration of plot ratio	As the CBACP does not currently utilise plot ratio as a form of development control, the introduction of such considerations under the LPP may have limited effect. Consideration of the amenity impacts of floorspace/plot ratio of upper (bonus) levels is considered through other design elements, such as building setbacks, solar access	Further consideration to be explored through CBACP review.



Feedback	Comment	Recommendation
	considerations, and achieving exemplary design.	
<b>3. Minimum Lot Size</b>		
Provide guidance on minimum site area requirements	Minimum site areas are defined under the CBACP, and includes the area ceded for road widening under the 22.1.10 bonus provision. LPP1.19 clarifies that this applies only to land adjacent to Canning Highway.	<p>Whilst the definition of minimum site area cannot be modified, the LPP may provide further guidance, within the CBACP definition.</p> <p>It is recommended the policy clarify the minimum lot size requirements to provide further information on how these have been determined, and whether lot dimensions should also be considered (City of Melville to advise).</p>
<b>4. Exemplary Design</b>		
Provide clarification and guidance on the definition and achieving 'exemplary design'	<p>The LPP may include clarification and guidance as to what is expected to achieve exemplary design.</p> <p>SWG suggest matters cannot be considered in isolation – e.g. the recently approved Forbes Residences was considered to achieve 'exemplary design' now, though when further development occurs next to it, it will not be considered exemplary design.</p> <p>Overall masterplan required to ensure ad-hoc development does not occur, in considering exemplary design.</p>	More guidance to be explored through the LPP. Consider appropriateness of using the 10 Design Principles of good design in SPP 7.0 to measure exemplary design. The Design Principles include the consideration of context and character. Guidance on the definition of 'exemplary design' may also be explored.
Introduce a community and Councillor component to the Design Review Panel (DRP) with veto powers on exemplary design	<p>The State-level Design Review Guide provides guidance to local governments on the composition of DRPs, summarised as follows:</p> <ul style="list-style-type: none"> <li>Design review should be carried out by suitably trained and qualified people who are experienced in design and know how to critique constructively.</li> <li>Local governments should ensure that panel members have a range of design and built environment expertise, combining the different perspectives of architects, urban designers, planners, landscape architects, engineers and other specialist experts to provide a complete, rounded assessment.</li> <li>To be independent and apolitical, the local government should not appoint decision-makers, its own elected members or city officers to its DRP.</li> <li>Council may appoint a pool of suitable</li> </ul>	<p>City to review the terms of reference of the CBACP Design Review Panel to:</p> <ul style="list-style-type: none"> <li>Ensure consistency with SPP 7</li> <li>Consider the design requirements of the CBACP</li> <li>Consider the guidance to be provided within the LPP as it relates to determining the Desired Outcomes of all Elements are met or exceeded and where exemplary design is deemed to be achieved in the Design Panel's opinion to enable consideration of Element 21 and 22</li> </ul>

Feedback	Comment	Recommendation
	<p>persons to serve on the Panel however each DRP meeting shall comprise a maximum of six members.</p> <p>The DRP for the CBACP has been established in accordance with the State Design Review Guide and was also been guided by Geoff Warn (the State Government Architect at the time).</p>	
Establish a Community Benefits Committee to assess community benefits, which includes community and Councillor membership	<p>Decisions around community infrastructure and benefits should be supported by the following:</p> <ul style="list-style-type: none"> <li>• A community infrastructure plan (CIP) for the area, identifying the services and facilities required over the next five to ten years, supported by needs analysis and identification of service catchments;</li> <li>• A capital expenditure plan detailing at least five years into the future which identifies the capital costs of facilities, and revenue sources including capital grants and provision programs;</li> <li>• Project growth figures including the number of new dwellings to be created at suburb or district catchment level; and</li> <li>• A methodology for determining the proportion of community infrastructure costs to be attributed to growth, and the proportion to be attributed to existing areas.</li> </ul> <p>The community will be consulted and inform the process of defining the CIP, prioritisation and staging and funding and implementation strategy. The CIP would be considered and approved by the City's Elected Members.</p>	<p>Finalisation of and implementation of a CIP to:</p> <ul style="list-style-type: none"> <li>• Guide the development, timing, design, and location of community infrastructure over the next ten to fifteen years;</li> <li>• Clearly identify the services and facilities required for the City's emerging population, based on supply and demand analysis, and identification of service catchments;</li> <li>• Specifically identify the capital costs associated with proposed community infrastructure to facilitate integration with the City's Business Plan;</li> <li>• Meet the requirements of SPP3.6, providing a robust basis for the City's Development Contribution Plan; and</li> <li>• Provide the City with a documented framework of community infrastructure planning principles and guidelines.</li> </ul> <p>Proposed community infrastructure projects need to balance community needs with the City's capital funding capabilities as identified within the Business Plan. Typically, the CIP will be budgeted for and delivered through the Community Infrastructure Plan, the City's Asset Management Plan, and the City's Service Delivery Team, in line with the Corporate Business Plan.</p> <p>Whilst the CBACP may facilitate the early provision or contribution towards community infrastructure, it needs to be considered and balanced within the above framework. For this reason, it is important that the City officers manage the implementation and decision-making process within the framework of the CIP.</p>

## 5. Developer Contributions

Feedback	Comment	Recommendation
Enable Developer Contributions	Whilst the framework provides for developer contributions to be prepared, they are not an instrument which can be activated through an LPP.	To be explored through CBACP review, and can only be implemented through an amendment to Local Planning Scheme No. 6.  Consider role of voluntary contributions in lieu of community infrastructure provision in LPP.
<b>6. Parking</b>		
There is insufficient public parking in the CBACP area	Parking studies undertaken by the City to date indicate an oversupply of parking in the CBACP. Additional public parking in certain locations and appropriate parking management may assist the operation of the centre. Element 22.1.11 recognises this and identifies the provision of public parking as a potential community benefit.	More guidance to be explored through the LPP as it relates to 22.1.11.  Adequacy of public parking to be explored through CBACP review.
Cash-in-lieu payments to the City for shortfalls in car parking is not acceptable to the community	Element 18 of the CBACP allows for an applicant to make a cash payment to the Council in lieu of the provision of all or any of the required number of parking spaces. This cannot be varied through an LPP. Where public parking is provided as a community benefit under Element 22.1.11, this must be provided on-site.	Further consideration to be explored through CBACP review.
<b>7. Public Open Space</b>		
Differentiate between POS being provided on podiums compared to POS provided on ground level	The LPP may elaborate on the value/merit of POS at ground level that is accessible from the street compared to podium level POS, and how that may translate into the awarding of bonus building height.	More guidance to be explored through the LPP.
<b>8. Stranded Assets</b>		
Ensure no stranded assets which are not able to be developed in the future	The LPP may explore how a development responds to its particular site and incentivise patterns of development which don't overly impact other sites. DO2 of the CBACP may offer some assistance in allowing the LPP to elaborate on the matter, but requires further investigation through this process.	More guidance to be explored through the LPP.
<b>9. Podium Walls &amp; Setbacks</b>		
Modify podium wall and boundary setback requirements from CBACP	Podium walls and nil boundary setbacks are a design feature encouraged/required by the CBACP in certain locations.	Further consideration to be explored through CBACP review.
Minimise impact of podium walls and boundary setbacks	There may be some opportunity for the LPP to explore the impact of these features from an exemplary design/bonus height viewpoint.	More guidance to be explored through the LPP.

Feedback	Comment	Recommendation
<b>10. Overshadowing</b>		
Introduce provisions which address overshadowing and privacy outside the CBACP area	Recent review of the H4 provisions of the CBACP required greater setbacks to development adjoining land outside the CBACP. The amendment had also proposed to introduce privacy provisions into the H4 zone, however this initiative was not supported by the WAPC. The CBACP is specific on overshadowing and privacy and an LPP would not be able to override the broader provisions which apply to the entire CBACP area.	Further consideration to be explored through CBACP review.  Design guidance could be incorporated to demonstrate how consideration to alleviating overshadowing impacts might assist in improving Exemplary Design performance under Element 21. See below.
Provide further guidance on overshadowing considerations where bonus is sought	Elements 21.4.1 and 22.1.6 relate to solar access/overshadowing considerations where a bonus is sought in the M10 or M15 zones. The LPP can provide further guidance on how this is to be considered and addressed where a bonus is sought.	More guidance to be explored through the LPP.
Solar Access	Development currently has little regard for solar access to adjoining properties.  The performance criteria are broad and do not provide adequate guidance on what is expected by this requirement.	To provide greater certainty for adjoining properties, consideration should be given to introducing measurable impact, for example: <ul style="list-style-type: none"> <li>Maximum percentage of site area overshadowed at certain points of the day/year</li> <li>Demonstrating outdoor living areas/major openings to habitable rooms/solar collectors maintain sunlight for a certain minimum period of time per day throughout the year</li> </ul> Where such requirements aren't or can't be achieved (due to lot orientation, dimensions, etc), the applicant must clearly demonstrate that access to natural sunlight has been maximised, in comparison to a base case (or similar).
<b>11. Community Benefits</b>		
Community benefits must be ongoing and "real"	There is a hierarchy in the value of the community benefit/merit of different types of community benefit. The LPP can explore and expand on this to maximise the benefit realised by the community. Controls are also able to be put in place to ensure the benefits are ongoing.	More guidance to be explored through the LPP.  Definition of community benefits to be included within the LPP.  Guidance to be provided to define what constitutes a significant community benefit.
Appropriateness/suitability of community benefits defined in Element 22, with a view that many of the listed	Elements 1-20 already require many of these matters to be addressed as a prerequisite before considering bonus heights and/or should apply to all developments. Examples include active street frontages, streetscape	More guidance to be explored through the LPP.  The LPP should be structured to differentiate between the base requirements and the bonus provisions

Feedback	Comment	Recommendation
'benefits' should be provided by all developments	<p>improvements, on-site landscaped spaces or facilities, toilets/end-of-trip facilities, provision of view corridors and mid-winter sunlight to adjacent properties.</p> <p>The LPP can provide further clarity and guidance around the expectations for such facilities, however they cannot be excluded as 'community benefits' unless modified under the CBACP.</p>	<p>The LPP could consider defining principles which require applicants to distinguish between community benefits that offer a commercial advantage to the applicant from those that provide a "real" benefit to the community. Where community benefit is also provided, the applicant will need to justify the amount of bonus sought against the extent of community benefit realised</p> <p>Consider appropriate documentation</p> <p>Further consideration of the list of 'community benefits' under Element 22 to be explored through CBACP review.</p>
Cash in lieu payment for community infrastructure	There is opportunity for the LPP to encourage cash contributions towards such off-site community infrastructure by a voluntary agreement between developers and the City of Melville. Such a contribution would need to relate to one of the community benefits listed under Element 22 or as defined in the LPP.	More guidance to be explored through the LPP.

## 12. Summary of JDAP Approvals

Developers appear to favour some community benefits over others	<ul style="list-style-type: none"> <li>Streetscape upgrades</li> <li>Public facilities I,e Toilets, shows and secure bike storage</li> <li>Various community spaces</li> <li>115 additional public car bays</li> </ul> <p>As certain community benefits are being consistently delivered, consideration should be given as to the actual demand and benefit received from these facilities. For example, there is likely to be a point where the number of public toilets/changeroom/car parking bays provided exceeds the demand for such facilities by the community, resulting facilities being provided where no actual value is realised. The anticipated demand for such quantifiable benefits should be clearly recorded and communicated to ensure individual developments are not over or under providing such facilities to achieve bonus height</p>	Given the community benefits listed under Element 22 appear to range in their complexity and costliness to deliver, consideration should be given to whether it is appropriate to introduce a gradual scale of bonus achievable, which may vary based on the particular community benefit proposed. This approach could also be considered for the quality and quantity of the benefit provided.
Some community benefits not being delivered	No attempt to deliver affordable housing or hotels (noting the Forbes Residences proposes a short-stay accommodation element), and only one landscape space	

Feedback	Comment	Recommendation
	and/or other facilities accessible to the public (rooftop/podium level garden, recreation spaces, rooftop cinema) and one aged care facility have been delivered.	
<b>13. Proposed Tiered Approach to Proportionality</b>		
Proposed tiered approach to proportionality is not supported	<p>SWG members suggested a three-tier approach to distribution of height bonuses is not appropriate, and that this provides an additional bonus which exploits current provisions.</p> <p>A scaled approach with overall height caps was suggested by SWG members.</p>	More guidance to be explored through the LPP.
<b>14. DRAFT Local Planning Policy (by some SWG members)</b>		
Maximum limits to density in identified zones	<p>The City's Local Planning Scheme (which zones the CBACP area Centre with a density code of R-AC0) &amp; CBACP in their current form do not cap the density, population or yield for this area. The CBACP guides an intended built form outcome and is subject to review and audit at the City's discretion (prior to the 10 year compulsory review).</p> <p>Whilst the LPP cannot limit density, it is at the discretion of the City to consider if it wishes to also include guiding provisions relating to density, either through an LPP or the CBACP review.</p>	Further consideration to be explored through CBACP review. Alternatively, the City may consider expanding the scope of the LPP to address this matter.
Element 22 Performance Assessment	SWG proposed an assessment framework for each of the community benefits under Element 22 ranking them in order of priority and importance to the community	Consider suitability/appropriateness of prioritisation and ranking framework as proposed by SWG.
Maximum limits to bonus heights	Refer 1. above	
Minimum lot sizes in identified zones	Refer 3. above	More guidance to be explored through the LPP.
Performance assessment of proposed developments on amenity	Refer 9. and 10. above	More guidance to be explored through the LPP.
Performance assessment of bonus items Maximum limit to bonus height (including maximum metres per	Refer 12. above	More guidance to be explored through the LPP.



Feedback	Comment	Recommendation
storey)		
<b>15. Infrastructure and Traffic</b>		
LPP does not address issues of infrastructure capacity and impacts on traffic and parking.	<p>TIA is clearly a defined requirement and no further detail is considered necessary. Clarification on the required documentation is supported.</p> <p>Whilst beyond the scope of the LPP, it is questioned whether the requirement for a traffic statement should form part of the bonus criteria, given this information is required to be submitted as part of any development applications proposing 10 or more dwellings. Consideration should also be given to addressing other infrastructure capacity.</p>	<p>Further consideration to be explored through CBACP review.</p> <p>Consideration should also be given to addressing other infrastructure capacity and providing more guidance through the LPP.</p>
<b>LPP 1.18 summary of submissions</b>		
<b>16. General</b>		
Recommend utilising consistent terminology (exceptional, exemplary, excellent) to further explain the expectations		
<b>17.</b> 21.4.5 Demonstrate a mitigation of urban heat island effects through the provision and maintenance of landscaping which includes the planting of mature shade trees.	In order to properly mitigate heat island effects, significant deep root tree planting is required, both within developments and in street-scapes. To achieve this, more land area needs to be allocated to proper landscaping within developments.	<p>Performance criteria assist in clarifying what other landscaping measures could be incorporated to mitigate urban heat island effects. There is opportunity to expand on this through reference to the Design Guidance for landscape design under SPP7.3 – R-Codes Vol. 2.</p> <p>Consider introducing a minimum requirement for mature tree/deep soil planting.</p> <p>Required documentation is supported.</p>
<b>18.</b> 22.1.1 Design comprising high quality active street frontages, furniture and landscaping which contribute to the character of the centre and are kept and maintained by agreement with the owners and/or strata company of the building in perpetuity	The criteria does not appear to ensure that the public amenity provided is of any meaningful size or functionality.	<p>It is important that further guidance be provided to determine what constitutes “high quality” to facilitate the bonus.</p> <p>There is a need to differentiate between what is ordinarily provided as part of a development, and what goes above and beyond to be deemed a public benefit. This requires further investigation and input through the engagement process.</p> <p>Required documentation appears to be onerous. Recommend reviewing and simplifying.</p>
<b>19.</b> 22.1.2 Provision of	Such facilities are likely to be features	This item can be difficult to deliver in terms of

Feedback	Comment	Recommendation
landscaped spaces and/or other facilities accessible to the public such as rooftop and/or podium level gardens and/or incidental recreation spaces and/or equipment and entertainment facilities such as rooftop cinema.	included in large developments for the benefit of residents.	<p>managing the potential security of areas within the building being publicly accessible.</p> <p>The use of near identical intents, performance criteria and required documentation for both 22.1.1 and 22.1.2 results in confusion as to the difference between these benefits. Suggest reviewing, clarifying and simplifying these provisions.</p>
<b>20.</b> 22.1.3 Provision of public facilities such as toilets, showers and sheltered bike storage	The provision of such facilities does not justify the bonus height being sought.	<p>This is a relatively low-cost contribution which can typically be relatively easily accommodated within the carpark/service areas required for the broader development.</p> <p>Further guidance from the City is needed on the anticipated public demand or use for such facilities, taking into consideration any existing or approved facilities (through previously granted bonuses).</p> <p>Suggest a register (or similar) should be maintained by the City to ensure these facilities are not over or under provided by developments.</p> <p>Suggest including minimum requirements /specifications for such facilities.</p> <p>Recommend reviewing and simplifying required documentation and consider provisions relating to suitable/sustainable provision.</p>
<b>21.</b> 22.1.4 Affordable housing provided as part of an affordable housing scheme and ceded to the Department of Housing or relevant not-for-profit organisation.	It is important to ensure the quantum of affordable housing provided to meet this criteria is reasonable.	<p>This is likely to be a costly contribution for the proponent, particularly given median housing prices and high demand for properties in the Canning Bridge area.</p> <p>Suggest including minimum requirements for the number of affordable dwellings expected to achieve a certain bonus (e.g. a percentage of the total number of dwellings).</p>
<b>22.</b> 22.1.5 Improvement to pedestrian networks or the ceding, free of cost, of pedestrian linkages which	Good pedestrian networks and linkages which contribute to the overall character and connectivity of the centre should be considered as a basic requirement for any development. This should not be considered in granting extra height to the proponent	Whilst improvements to pedestrian networks surrounding a site should be provided as a standard requirement for all applications, the provision of a linkage through a site (and the ceding of the linkage) is considered to go above standard requirements.

Feedback	Comment	Recommendation
contribute to the overall character and connectivity of the centre.		<p>However, this benefit is limited to particular sites where pedestrian linkages can be provided between streets. Suggest providing further guidance on appropriate locations for such linkages.</p> <p>Generic performance criteria could be strengthened to set out minimum standards to achieve the bonus.</p> <p>Required documentation appears to be onerous. Recommend reviewing and simplifying.</p>
<b>23.</b> 22.1.6 Provision of view corridors and/or mid-winter sunlight into adjacent properties, particularly where public spaces are provided.	View corridors and/or winter sunlight into adjacent properties should be a standard requirement of any development.	<p>If incorporated into the design at an early stage, view corridors and/or mid-winter sunlight access to adjacent properties can typically be accommodated by a development.</p> <p>Suggest providing further guidance on the location of desired view corridors, whether this requirement relates to view corridors from the public realm, or internal or external to the precinct.</p> <p>Similar comments to 21.4.1 apply in relation to defining solar access requirements. Consider whether the requirements under this provision should go above and beyond the minimum requirements under 21.4.1 for the public benefit to be delivered above and beyond what is required under Element 21 for any bonus sought.</p> <p>Required documentation is supported.</p> <p>Whilst beyond the scope of the LPP, consider whether this should be split to deal with view corridors and solar access through two separate provisions (<i>City of Melville</i>).</p>
<b>24.</b> 22.1.7 Provision of community, communal and/or commercial meeting facilities.	This provision is wide open to interpretation/manipulation by developers. While providing community meeting facilities is admirable, the provisions do not ensure that any meaningful benefit is actually provided to the community.	<p>This provision has the potential to be a 'win-win' for the developer and City/community, in that it provides the ability for a developer to provide a community use within the ground floor, where residential is not permitted, and in locations where commercial uses may not be considered viable.</p> <p>Defining the difference between community, communal and commercial is considered appropriate.</p> <p>Similar comments to 22.1.3 apply in relation to the City providing guidance on the anticipated</p>

Feedback	Comment	Recommendation
		<p>public demand or use for such facilities (where community facilities are proposed), taking into consideration any existing or approved facilities (through previously granted bonuses). Also suggest a register (or similar) be maintained by the City.</p> <p>Performance criteria are generally supported, however consideration should be given to including minimum requirements/specifications for such facilities.</p> <p>Recommend reviewing and simplifying required documentation.</p>
25. 22.1.8 The development comprises a hotel.	<p>Request the requirement be modified to “The development comprises a hotel or alternative short stay accommodation”.</p> <p>Hotel is a good thing to encourage, but consideration needs to be given to how this translates to the bonus granted.</p>	<p>This benefit is difficult to incorporate unless the development (or portion thereof) is purpose designed, built and operated as a hotel.</p> <p>The intent of this requirement is to promote economic development, support diversity of accommodation and contribute to the development of the precinct for tourism. However, the requirement is limited to ‘Hotel’ use, with the performance criteria setting out a list of arbitrary minimum standards for such a use.</p> <p>Suggest investigating more flexibility in the land use description to enable the provision to capture the full potential of the intent (<i>City of Melville</i>).</p>
26. 22.1.9 The development comprises an aged care facility.	<p>Request the requirement be modified to “The development comprises an Aged Care or alternative facility/mechanism to facilitate an aging in place strategy”. In home services are targeted to be the largest growth area in aged care and the Policy should take a more pragmatic approach to accommodating this sector.</p>	<p>This benefit is difficult to incorporate unless the development (or portion thereof) is purpose designed, built and operated as an aged care facility.</p> <p>Consideration should be given to expanding this provision to capture a wider range of opportunities, such as independent living units, to achieve the stated intent.</p> <p>Recommend investigating if the area is recognised as having a shortfall in relation to aged care bed licences (<i>City of Melville</i>).</p> <p>It is noted that operational arrangements for such facilities are covered under separate legislation and should not have to be detailed in a planning application.</p>
27. 22.1.10 Where the	Ensure that developers only be allowed to	It is noted the City recently adopted LPP1.19

Feedback	Comment	Recommendation
development is located adjacent to Canning Highway and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such a case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.	meet this criteria where it is actually feasible/likely that the land in question will actually be used for that purpose in the future.	<p>which clarifies the circumstances where land ceded by an applicant for road widening purposes may be eligible for consideration as a community benefit for the purpose of assessment of bonus height. This is limited to properties located adjoining Canning Highway, and is unable to be delivered by the majority of developments in the area (notwithstanding previous approvals which included road widening to Kintail Road).</p> <p>Suggest revising the intent and performance criteria to clearly stipulate that this applies only to land adjoining Canning Highway, consistent with LPP1.19.</p> <p>Required documentation is supported</p>
<b>28.</b> 22.1.11 The provision of car parking for public use beyond the users of the building, where such bays are ceded to the relevant Local Government free of charge or where such bays are unbundled from private ownership and are permanently made available to any user of the CBACP area by deed or agreement with the Local Government. In Q1 and Q2, Element 22.2.11 is only applicable where car parking is capped in total in accordance with Clause 18.3 and 18.4.	Provision needs to be strengthened to ensure a certain threshold is achieved for bonus height.	<p>This can be a relatively low-cost contribution which can be accommodated within the private carpark area of a developments.</p> <p>Similar comments to 22.1.3 &amp; 22.1.17 apply in relation to the City providing guidance on the anticipated public demand or use for such facilities, taking into consideration any existing or approved facilities (through previously granted bonuses). Also suggest a register (or similar) be maintained by the City.</p> <p>Suggest investigating the specific amount of off-street public parking likely to be required in the area, and where this is distributed locationally. Further consideration to be explored through CBACP review (<i>City of Melville</i>).</p> <p>Potential to also incorporate minimum requirements, relating to matters such as safety, passive surveillance, activation, etc.</p>

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Section

# 4.0

Next Steps



## 4.0 Next Steps

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# APPENDIX A

Elected Members Workshop 1 Presentation – 14 April 2020

# APPENDIX B

Elected Members Workshop 2 Presentation – 20 April 2020

# APPENDIX C

Elected Members Expectations for Local Planning Policy

# APPENDIX D

Stakeholder Working Group Workshop 1 Presentation – 23 April 2020

# APPENDIX E

Stakeholder Working Group Workshop 2 Presentation – 7 May 2020

# APPENDIX F

## Community Benefits Survey Responses



# APPENDIX G

Stakeholder Working Group Workshop 3 Presentation – 21 May 2020

# APPENDIX H

## SWG Members Survey Responses

# APPENDIX I

Other SWG Queries and Responses

# APPENDIX J

DPLH Minutes of Meeting

# APPENDIX K

City of South Perth Minutes of Meeting