

12.3 State Development Assessment Unit referral for Proposed Residential Apartments and Commercial Tenancy

Location	East Victoria Park
Reporting officer	Senior Planning Officer
Responsible officer	Manager Development Services
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none"> Attachment 1 - Aerial photo [12.3.1 - 2 pages] Attachment 2 - Development plans & Renders [12.3.2 - 35 pages] Attachment 3 - Applicants report [12.3.3 - 42 pages] Attachment 4 - Applicants R- Code Assessment [12.3.4 - 57 pages] Attachment 5 - Landscape Concept [12.3.5 - 5 pages] Attachment 6 - Sustainability Design Report [12.3.6 - 25 pages] Attachment 7 - Waste Management Plan [12.3.7 - 31 pages] Attachment 8 - Noise Management Plan [12.3.8 - 26 pages] Attachment 9 - Transport Impact Assessment [12.3.9 - 40 pages] Attachment 10 - Economic Benefit Assessment report [12.3.10 - 20 pages] Attachment 11 - Previous development concept [12.3.11 - 10 pages] Attachment 12 - Summary of Submissions to LG [12.3.12 - 4 pages] Draft Without Prejudice conditions [12.3.13 - 5 pages]

Landowner	Goldblaze Nominees Pty Ltd
Applicant	Rowe Group
Application date	17 December 2021
DA/BA or WAPC reference	Town ref# DA5.2024.40.1; WAPC ref# SDAU-057-21
MRS zoning	Urban
TPS zoning	'Industrial 1'
R-Code density	Not applicable
TPS precinct	Precinct 9 – Welshpool Precinct
Use class	Multiple Dwellings and unspecified 'commercial tenancy' (indicated by applicant as either Shop, Fast Food Outlet or Restaurant/Café)
Use permissibility	Respectively 'X' (Prohibited) Use and either 'P' (Permitted) or 'AA' (Discretionary) Use - depending on the commercial tenancy land use

	chosen
Lot area	1226m2
Right-of-way (ROW)	Not applicable
Municipal heritage inventory	Not applicable
Residential character study area/weatherboard precinct	Not applicable
Surrounding development	The site has frontage to Bank Street. The under-construction elevated rail and new Oats Street Train Station is located to the east. Single storey and two storey residential dwellings about the subject site to the north and west. Further north (across Oats Street) is the South Metropolitan TAFE Campus. Light industrial units are located to the south.

Summary

The purpose of this report is for Council to form a recommendation to the Western Australian Planning Commission (WAPC) with respect to the development application for the mixed-use proposal comprising a 16 storey tower with 85 multiple dwellings and a ground floor commercial tenancy, at Nos. 167 and 169 Bank Street, East Victoria Park.

The Town's officers do not have delegation to make recommendations to the WAPC in relation to a development application under the State Development Assessment Unit (SDAU) process for significant projects.

Recommendation

That Council advises the Western Australian Planning Commission that the development application for the proposed Mixed-Use development at Nos 167 and 169 Bank Street, East Victoria Park is not supported for the following reasons:

1. The purpose and intent of the Town of Victoria Park Town Planning Scheme No. 1 includes the following:

"The Council has prepared this Scheme for the purpose of controlling and guiding development and growth in a responsible manner"

The design in its current form and the manner in which it is being pursued (noting that it precedes precinct planning for the area) is considered to be contrary to this stated aim of the Scheme.

2. The proposal seeks approval for an 'X' (prohibited) land use. Approval of a prohibited land use by SDAU should only be contemplated where it is certain that the proposal is consistent with the strategic intent for the area and would not prejudice or pre-determine the future character of the area.
3. The proposal runs contrary to Actions OS.1, OS.2, OS.3 and OS.4 outlined in the Town's Local Planning Strategy, which outlines that although residential land uses are envisioned for this location and may be facilitated in the future, this should only take place following the preparation of a Precinct

Structure Plan (or other suitable planning instrument).

4. The Town does not accept the applicant's assertion that the proposal is "*Consistent with the desired future character*" for the area. The proposed building height is far greater than current controls would allow. Content from the Town's Local Planning Strategy and draft precinct structure plan (currently being prepared for the area) suggest that a 16 storey development will be well in excess of future planning controls for the area.
5. Approval of the development in its current form would prejudice or pre-determine the future character of the area, which is currently having a precinct structure plan prepared for it. As noted in the DPLH/WAPC 'Development Application Exercise of Discretion Guidelines' :
"It is rarely appropriate for an application for development approval that proposes a significant change to the existing character of the area (usually by way of height, bulk and scale) to be approved ahead of a more comprehensive plan for the area being progressed".
6. Approving the development application without ability to collect infrastructure contributions, could potentially place greater financial burden on the Town to upgrade public infrastructure.
7. The proposal does not demonstrate satisfaction of the 10 design principles of State Planning Policy 7.0 – Design if the Built Environment or the Element Objectives of R-Codes Volume 2. Reasons for this view includes:
 - a. R-Code Volume 2 acceptable outcomes, particularly pertaining to visual privacy and stormwater disposal are not met, while these are incorrectly marked 'compliant' in the applicants supporting documentation.
 - b. The applicants own R-Code self-assessment indicates that access corridor widths do not meet the element objectives, and silver accessibility compliance is doubtful.
 - c. State Design Review Panel critique levelled against this design (February 2023) with respect to residential floor plans have not been responded to by the applicant either in terms of justification or design changes.
8. The adjoining dwellings located at 64, 66 and 68 Oats Street will be adversely impacted by way of loss of visual privacy and amenity overlooked by a significant number of balconies located in very close proximity to their rear boundaries.
9. The adjoining dwellings located at 64, 66 and 68 Oats Street will be adversely impacted by way of visual bulk and scale, stemming from the 16 storey development abutting their single storey and two storey dwellings.
10. The applicant's assertion that the subject site falls within a District Centre are not verified or clear. SPP 4.2 Activity Centres Policy (2010) listed Oats St as a District Activity Centre and while the maps from this SPP are not clear, it appears the centre is not on the railway line. This implies there was not an intent to create another centre at Oats St Station. This is supported by the METRONET Gateway Strategy designation of the precinct as a 'Neighbourhood Centre'.
11. Economic activity generated by the development is not considered to offset the negative impacts that would result from the approval of this development. Development of this scale will always generate economic activity. Such economic activity does not 'as-of-right' automatically justify either poor design, adverse amenity impacts, departures from the planning framework and orderly and proper planning (including potentially prejudicing a substantially progressed precinct structure planning

exercise).

12. 'Housing affordability' shouldn't be used to justify departures from the planning framework which deliver poor design outcomes.
13. The proposal does not deliver superior design outcomes that are commensurate to the extent of discretion being sought, as per Local Planning Policy 33 – Guide to concessions on planning controls, based on the development controls applicable under Town Planning Scheme No 1 and Draft Local Planning Scheme No 2.
14. The proposal does not deliver superior design outcomes that are commensurate to the extent of discretion being sought, as per Local Planning Policy 33 – Guide to concessions on planning controls, based on a hypothetical scenario where the scheme development controls are amended to reflect increased density contemplated within the Oats Street Precinct Planning growth-scenario consultation material.

Background

1. The State Government introduced a new development application process for significant projects as part of COVID-19 economic recovery plans. Part 17 of the Planning and Development Act 2005 (as amended by the Planning and Development Amendment Act 2020) was established by the WAPC as a temporary decision-making authority for applications for significant development.
2. The proposed development was lodged with the SDAU in December 2020. The applicant has elected to seek approval via the SDAU pathway. The SDAU is not bound by the local planning framework and therefore has the ability to vary local provisions and undertake a more strategic assessment to consider non-planning related matters. as part of its decision-making process.
3. In accordance with s.276 (4) of the *Planning and Development Act 2005*, the Commission must-
 - a. give any local government to whose district the development application relates an opportunity to make submissions to the Commission within a period specified by the Commission; and
 - b. have due regard to any submissions made by the local government within that period.
4. Town Officers were invited to provide preliminary feedback on the concept proposal on 6 February 2023. Feedback provided to the applicant in late February from both Town Officers and the State Design Review Panel was critical of the concept proposal as presented at that time.
5. The SDAU advised the Town of an updated set of plans and supporting documentation had been prepared by the applicant on 15 February 2024 and invited the Town to provide a formal referral response/recommendation.

Applicant's submission

6. The applicant contends that the local context is well suited to a development of this scale, and that the proposal aligns with state and local strategic intent/directions to accommodate growth, and focus residential infill development around train station precincts.
7. The applicant acknowledges that having a precinct plan prepared for the location (currently in development by the Town) in accordance with State Planning Policy 7.2 would 'have merit'.
8. Notwithstanding the above, the applicant contends that waiting for the preparation and adoption of a precinct plan and subsequent scheme amendments, would result in significant delay to the release of dwellings which are urgently needed to respond to a housing affordability crisis.

9. The applicant contends that the design of the proposal incorporates the ten (10) principles of State Planning Policy 7.0 Design of the Built Environment, is consistent with Element Objectives outlined in State Planning Policy 7.3, with regard to the desired future urban form of the locality and will have no adverse impact on the amenity of the surrounding development within the locality.
10. The applicant contends that the approval of the development would be consistent with the principles of orderly and proper planning.

Relevant planning framework

Legislation	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015 Town Planning Scheme No. 1 (TPS1) TPS1 Precinct Plan P9 'Welshpool Precinct' Metropolitan Region Scheme Text
State Government policies, bulletins or guidelines	Policy 3.6 – Infrastructure contributions (SPP3.6) Policy 7.0 – Design of the Built Environment (SPP7.0) Policy 7.2 – Precinct Design (SPP7.2) Policy 7.3 – Residential Design Codes Volume 2 – Apartments (R-Codes Vol 2)
Local planning policies	Local Planning Policy 23 - Parking and Access Policy (LPP23) Local Planning Policy 27 – Building Height Controls (LPP27) Local Planning Policy 29 – Public Art Private Developer Contribution (LPP29) Local Planning Policy 33 – Guide to concessions on planning controls (LPP30)
Other	Town of Victoria Park Local Planning Strategy (May 2022) Development Application Exercise of Discretion Guidelines

General matters to be considered

TPS precinct plan statements	<p>The following statements of intent contained within the precinct plan are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • <i>"The Welshpool Precinct shall continue to function as an industrial area, meeting the need for service industry in the inner areas of the city and close to the city centre."</i> • <i>Non-industrial uses shall generally be discouraged from locating in this precinct except where they directly serve the area, or are to be incidental to a primary industrial use.</i> • <i>Development shall be of a low to medium scale</i> • <i>"Where sites are adjacent to or abut residential uses, setbacks... must be provided to ensure that development respects those residential uses.</i>
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Local planning policy objectives

The following objectives of Local Planning Policy 29 – Public Art Private Developer Contribution are relevant in determining the application:

- *The development and promotion of the community's identity through the provision of public artworks which reflect the place, locality and/or community of which the occupants, visitors and customers of new or refurbished developments form part;*
- *To increase the amenity provided to the existing or future occupants of new or refurbished developments through the provision of public artwork on the development site or within the surrounding locality;*
- *To establish a clear and consistent approach for the provision of public art as part of the private development process;*
- *To facilitate understanding and celebration of the Town's natural, physical, cultural and social values, including natural and built cultural heritage;*
- *To enhance the visual amenity, vibrancy and character of the Town's built environment; and*
- *To improve way-finding and legibility of streets, open spaces and buildings, including landmark treatments where appropriate.*

The following objectives of Local Planning Policy 33 – Guide to Concessions on Planning Requirements for Mixed Use, Multi Dwelling and Non-residential Developments are relevant in determining the application:

- *"Development applications within the Town of Victoria Park are assessed in accordance with the Town's planning and legislative framework. The aim of this document is not to replicate development requirements outlined in other Town of Victoria Park documents or State Government documents such as the Residential Design Codes. Rather, its purpose is to outline only the additional requirements that a development proposal must satisfy in order to be considered favourably in terms of concessions on prescribed plot ratio, height, recession plan, and setback requirements."*
- *"The benchmark for achieving a concession for planning requirement is deliberately set high, well beyond compliance levels. Strata-titled residential developments have a very long life and the Town of Victoria Park seeks to encourage this form of efficient inner city living while at the same time ensuring that:*
 - *The amenity for multi-residential occupants and their long-term wellbeing are maximised;*
 - *New developments exhibit a well-mannered response to neighbouring properties; and*
 - *The Town's changing urban character is significantly enhanced."*

Deemed clause 67 of the Planning and Development (Local Planning Schemes)

The following are relevant matters to be considered in determining the application:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

Regulations 2015

- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (g) any local planning policy for the Scheme area;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development
- (n) the amenity of the locality including the following –
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development.
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (s) the adequacy of –
 - (i) the proposed means of access and egress from the site; and;
 - (ii) arrangements for the loading, unloading, manoeuvring of vehicles;
- (u) the availability and adequacy for the development of the following –
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;
- (y) any submissions received on the application
- (zb) any other planning consideration the local government considers appropriate.

Urban forest strategy

- This application has the following impacts, in regards to the Town's Urban Forest Strategy.
- The proposed development does not involve removal of significant trees. It also, however, does not propose many trees that would positively contribute to the Town's tree canopy.
 - An alternate development that met (or was closer to meeting) the acceptable outcomes of R-Codes Volume 2 with respect to Deep Soil Area would likely be able to provide a greater contribution to the Town's Tree Canopy cover.
 - Approval of the development under consideration could 'lock in' this outcome where the site is not developed in a manner that positively contributes to the Town's tree canopy as much as R-Codes Volume 2 encourages developers to.

11. Deemed clauses 67(b) and 67 (zb) of the Planning and Development (Local Planning Schemes) Regulations 2015, list the requirements of 'orderly and proper planning' and 'any other planning consideration the local government considers appropriate' as matters to be considered in the determination of a development application. Under the abovementioned clauses, the following observations are noteworthy and should be given due regard:
- o Draft Local Planning Scheme No 2 was endorsed by Council in February 2024 and has been sent to the WAPC for consideration. This document is therefore a 'seriously entertained document'. Accordingly, although not yet in effect, how the proposal *would* be assessed under Local Planning Scheme No 2 (if gazetted) is noted where considered relevant under the compliance assessment section below.
 - (a) Town of Victoria Park Local Planning Strategy (May 2022) lists the preparation of a precinct structure plan for the Oats Street Station neighbourhood as a short-term action. This action is progressing with community consultation for growth scenarios already having taken place. A preferred growth scenario is expected to be presented to Council in May 2024.
12. While the above matters should not be considered matters of 'compliance' they should nonetheless be given regard in the assessment of this proposal, particularly where the proposal seeks discretion on the basis/under the assertion that the proposal will be consistent/is aligned with the future planning framework.

Compliance assessment

The table below summarises the planning assessment of the proposal against the provisions of the Town of Victoria Park Town Planning Scheme No.1, the Towns local planning policies, the Residential Design Codes and other relevant documents, as applicable. In each instance where the proposal requires the exercise of discretion under the planning framework. The relevant planning element is discussed in the detailed assessment section following from this table.

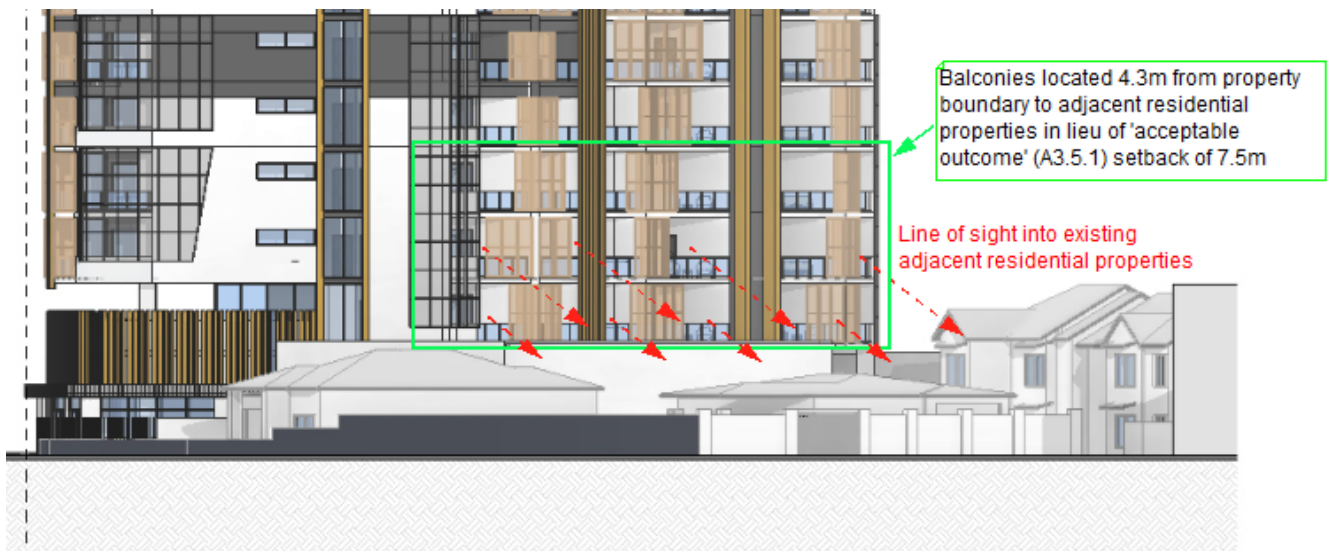
As noted in the background section of this report, the SDAU is not bound by the local planning framework and therefore has the ability to vary local provisions and undertake a more strategic assessment to consider non-planning related matters. as part of its decision-making process. Nonetheless, SDAU must give any local government to whose district the development application relates an opportunity to make submissions to the Commission and then give due regard to any submissions made by the local government.

Mixed use development

Planning element	Permissibility/deemed-to-comply	Proposed & requires the discretion of SDAU
Land use	<p><u>TPS1</u> (Current)</p> <p>Multiple Dwelling: 'X' (prohibited); Fast Food Outlet: 'P' (permitted); Shop: 'AA' (discretionary); and Restaurant/Café: 'AA' (discretionary).</p> <p><u>Draft LPS2</u> (Proposed/Seriously entertained)</p> <p>Multiple Dwelling: 'X' (prohibited); Fast Food Outlet / Lunch Bar: 'P' (permitted);</p>	<p>The vast majority of the development consists of Multiple Dwellings, which is an 'X' (prohibited) land use.</p> <p>This would remain the case if draft LPS2 were gazetted in the form endorsed by Council in February 2024</p> <p>An 'X' (prohibited) land use is, in the vast majority of instances, legally incapable of being approved under the Town Planning</p>

	Shop: 'I' (incidental); and Restaurant/Café: 'I' (incidental). NOTE: exact land use proposed for 'commercial tenancy' is unclear	Scheme. The SDAU, however, while not <i>bound</i> by the Scheme must still have regard to the Scheme
Plot ratio	Buildings shall have a maximum plot ratio of 1.0	Plot ratio of 5.12
Street setback	4.5m primary street setback	0.9m primary street setback
Landscaping	A minimum of 25% (37.5m ²) of the front setback area between the site boundary and the building setback requirement shall be landscaped and maintained in such a manner.	6% (9.3m ²) of front setback area landscaped (at ground level)
Car Parking	Between 9 and 20 car bays* required (LPP23) for exclusive use of commercial tenancy. *Dependent on whether Shop or Café proposed	8 car bays proposed as <u>both</u> commercial bays and visitor parking for apartments
Building height	2 storeys (LPP27)	16 storeys
Public Art	1% contribution to public art (LPP29)	No public art indicated in proposal

13. State Planning Policy 7.3 Residential Design Codes Volume 2 applies qualitative performance-based criteria in assessing developments. While many 'acceptable outcomes' are listed within the document, they are not intended to serve as method to assess *compliance*. Notwithstanding the above, the applicant's R- Code Volume 2 self-assessment responds to numerous element objectives by responding to the associated acceptable outcomes as 'compliant'.
14. It is noted that Town staff do not agree with or support many of the assertions made by the applicant with respect to whether or not the acceptable outcomes (and the related element objectives) R- Code Volume 2 are satisfied.
15. One example of the above is the applicant's description of visual privacy setbacks (A3.5.1) as 'compliant' despite open balconies being located as close as 4.3m from the adjoining residential property boundary and the 'acceptable outcome' setback for that interface being 7.5m.



Above: Annotated elevation depicting interface of proposed balconies onto/above adjacent residential properties.

Below: Aerial photo of No 64, No 66 (a & b) and No 68 Oats Street, which would have their back yards overlooked by the proposed development.



16. Additional issues are commented on in the following section of this report. Noting that that Town is not the key assessing agency for this proposal, however, a comprehensive assessment of the proposal against the entirety of R-Codes Volume 2 has not been undertaken. Instead, Officers have limited themselves to higher level comments framed against the 10 Design Principles of SPP7.0

State Planning Policy 7.0 – Design of the Built environment

17. The applicant contends that *"The design of the proposal incorporates the ten (10) principles of State Planning Policy 7.0 Design of the Built Environment and is consistent with Element Objectives outlined in State Planning Policy 7.3, with regard to the desired future urban form of the locality."*

18. The applicant has not provided a report outlining their response to the 10 design principles. Their report infers that this policy and the design principles is addressed via their R-Codes Volume 2 self-assessment (see Attachment 4)
19. It is noted that Town staff do not agree with or support many of the assertions made by the applicant with respect to whether or not the acceptable outcomes (and the related element objectives) of the R-Code Volume 2 are satisfied.
20. State Planning Policy 7.0 is a performance-based policy that places a greater emphasis on design review and expertise rather than prescriptive 'compliance' based approaches.
21. Design review has taken place as part of this proposal. An earlier concept design for this proposal (see attachment 11) was reviewed at a State Design Review Panel (SDRP) meeting held in February 2023. Aside from largely cosmetic changes to the elevations, the main differences noted between the previous concept proposal and the plans currently under consideration are that the carparking decks now form a three-storey basement rather than an above-ground plinth with four-storey blank/lot boundary walls abutting neighbours.
22. At the February 2023 SDRP meeting, the apparent emphasis on yield at the expense of resident amenity, dwelling size and usability of this design was critiqued. It is observed that the floor plan layout and configuration for the multiple dwellings remains largely unchanged. Accordingly, it is expected that problems previously noted (such as the long and narrow corridor) are still an issue.

State Planning Policy 7.0 Design of the Built Environment

10 Design Principles – relevant policy excerpts

Officer comments in relation to this planning proposal

1. Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

"New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development. Building materials, construction techniques and details should, where appropriate, enhance local distinctiveness.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and able to be sustained by existing or proposed transport, green and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change."

Design Principle not demonstrated:

The intended future character of the area is being considered and planned for as part of the precinct structure planning (PSP) process referred to by the Town's Place Planning team. While still in development, the proposed development is well in excess of future built form controls (by a significant margin) contemplated by the initial scenarios presented as part of the PSP work, in addition to exceeding the current built form envisioned for the area.

While not displacing the consideration of appropriate built form for the context, the provision of public art could have been an opportunity for the applicant to consider, respond and contribute to the local context, but the applicant's submission provides no indication that public art is being considered.

<p>2. Landscape quality</p> <p>Good design recognizes that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p> <p><i>"Good landscape design provides optimal levels of external amenity, functionality and weather protection while encouraging social inclusion, equitable access and respect for the public and neighbours. Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance."</i></p>	<p>Design Principle not demonstrated:</p> <p>The applicant expresses in their R-Code assessment document that the <i>"the subject site is severely constrained in terms of size and orientation, and the below ground basement parking makes it difficult for the development to provide adequate deep soil areas"</i>.</p> <p>The assessing officer is of a view that the above issue is the result of overdevelopment, with larger sites (sometimes created through amalgamating lots) affording greater opportunity to deliver both density and landscape quality.</p>
<p>3. Built form and scale</p> <p>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p> <p><i>"Buildings can define open spaces by enclosing them. Good design delivers buildings and places of a scale that responds to landform characteristics and existing built fabric in a considered manner, mitigating the potential for negative amenity impacts on both private land and the public realm"</i></p>	<p>Design Principle not demonstrated:</p> <p>The 16 storey development is considered to represent a clear significant adverse amenity impact to adjoining residences in terms of visual bulk and scale, in addition to considerations such as visual privacy that appear to have been neglected by the applicant/architect.</p> <p>The applicant's claim that the development <i>"will have no adverse impact on the amenity of the surrounding development within the locality"</i> is clearly incorrect.</p>
<p>4. Functionality and build quality</p> <p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</p> <p><i>"Good design accommodates services in an integrated manner, without detriment to the appearance, functionality and serviceability of the final outcome."</i></p>	<p>Design Principle not demonstrated:</p> <p>No stormwater retention or disposal has been accounted for. Resolution of this issue should not be deferred, as the proposed development would fill the site to maximum capacity – leaving no opportunity to provide soak wells or similar within the site boundaries.</p> <p>Discussions with internal business units suggest that the water table could potentially be an issue for the three basement levels proposed.</p> <p>The applicant's R-Code assessment states that 46 bicycle bays are provided to the dwellings, but no details are provided. If relying on the use of storerooms as bicycle bays, then this:</p> <ul style="list-style-type: none"> (i) Substantially diminishes the amount of practical storage available for dwellings to use; and (a) Often leaves the bicycle location ill-suited to facilitate or encourage active modes of transport.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

"Sustainable design also includes the use of sustainable construction materials, recycling, good waste management practices, re-use of materials and existing structures, harnessing of renewable energy sources, and total water cycle management."

Design Principle not demonstrated:

Solar access is not as good as the applicants R-Code Volume 2 report would indicate. Access to winter sun under A4.1.1 a (Minimum 2hrs between 9am and 3pm) is to a "living room *and* balcony", not "living room *OR* balcony" as the applicant's figure of 80% relies upon.

Many apartments will receive minimal winter sun, but still be subject to hot summer afternoon sun due to the orientation of windows and balconies.

It is noted that far better solar access could be achieved if less yield was being pushed for by the applicant within this relatively small site. With that noted, affordable housing shouldn't be accepted as an excuse for poor design (particularly where such choices result in higher heating and cooling energy costs for users).

Cross ventilation arrows shown on the plan sets appear to have no basis in reality. While single aspect apartments can be 'naturally ventilated' this should only be to units that are oriented towards an identified prevailing wind.

While it is reassuring that the applicants modelling demonstrates an ability to achieve a minimum of 6.5 and an average of 7.5 Star NatHERS Rating, this is not considered commensurate to the level of discretion sought by the applicant with respect to building height and plot ratio.

6. Amenity

Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook. Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Design Principle not demonstrated:

The applicant describes visual privacy setbacks (A3.5.1) as 'compliant' despite open balconies being located as close as 4.3m from the adjoining residential property boundary and the 'acceptable outcome' setback for that interface being 7.5m. The adjacent dwellings located at Nos 64, No 66 (a & b) and No 68 Oats Street would have their back yards overlooked by the proposed development.

This, in addition to the bulk and scale of the proposed 16 storey development, is considered to represent a clear adverse amenity impact. The applicant's claim that the development "*will have no adverse impact on the amenity of the surrounding development within the locality*" is

	strongly disagreed with.
<p>7. Legibility</p> <p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</p> <p><i>"Good design provides environments that are logical and intuitive to use, at the scales of building, site and precinct. Consideration should be given to how the urban design of street environments can provide visual cues as to the street hierarchy."</i></p>	<p>Design Principle potentially satisfied:</p> <p>Narrow 'L' shaped hallway corridors with minimal natural light (discussed under the following design principle) is considered to be a poor design outcome.</p> <p>Aside from that issue, however, the development is considered to be sufficiently logical and intuitive in terms of layout and legibility.</p>
<p>8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<p>Design Principle not demonstrated:</p> <p>The applicant's own assessment acknowledges that an 11m long hallway is proposed to be 1.2m in width (notably narrow) in lieu of 1.5m width sought by R-Code Volume 2 Acceptable Outcome A4.5.1.</p> <p>The relevant objective here is that circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.</p> <p>No further comment or discussion is provided as to how or why this long, dark and narrow corridor might be considered acceptable with respect to the SPP7.0 Design Principles, or the sense of safety or 'community' (design principle 10) this space is expected to create.</p> <p>It is acknowledged that with respect to the Bank Street interface, the proposal is an improvement from the previous design concept that went before the State Design Review Panel in February 2023. The previous concept had a plinth of carparking above ground for the first 4 storeys, meaning there was negligible interface or surveillance to the street (See attachment 11)</p> <p>The sinking of the carparking decks to become basement levels has improved CPTED outcomes by providing habitable rooms and spaces at lower levels that provide activation close to the street</p>

	level. This change, however, carries around to the non-street interfaces with balconies now situated directly above neighbours back yards causing visual privacy issues.
<p>9. Community</p> <p>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</p> <p><i>"New development should have some capacity to adapt to changing demographics, an ageing population, new uses and people with disability. In residential proposals, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and accommodating all ages and abilities."</i></p>	<p>Design Principle not demonstrated:</p> <p>A review of bathroom configurations by the assessing officer suggests that few, if any, of the dwellings would satisfy the silver standard for accessibility (Liveable Housing Australia design guidelines). This in contrast to the applicant's claim regarding Element O4.9.1, that 56% of the proposed dwellings would meet the standard.</p> <p>The applicant has referred to addressing the housing crisis as a rationale for supporting the proposed departures from the planning framework (height, plot ratio, land use etc). It is contended that housing affordability shouldn't mean abandoning amenity standards that ensure dwellings are ready to facilitate changing demographics, an ageing population and people with disability.</p>
<p>10. Aesthetics</p> <p>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</p> <p><i>"Good design resolves the many competing challenges of a project into an elegant and coherent outcome. At the precinct scale, good design delivers outcomes that are logical and guided by a consideration of the experiential qualities that it will provide. Consideration should be given to how the arrangement of built form and spaces can contribute to the setting of important buildings and landmarks, including public art."</i></p>	<p>Design Principle not demonstrated:</p> <p>This design does not resolve many of the above listed competing challenges (including visual privacy, stormwater drainage, landscaping and more). Concerningly, the applicant appears to ignore the existence of many of those issues and/or states that those areas are 'compliant' when they are not.</p> <p>Noting that the Town's Urban Planning team are not subject matter experts on design aesthetics (an understandably subjective area), the Town's DRP expertise is often relied upon for judgements pertaining to aesthetics. As noted below, the Town's DRP was not engaged in this instance, but the State DRP did express concerns.</p>

23. The Town's DRP was not engaged in this instance for a number of reasons. These include the following:
- (i) Limited time for the Town to prepare this report.
 - (a) The absence of application fees paid to the Town to justify the involvement of DRP members.
 - (b) State DRP involvement has occurred.
24. The conclusion reached by Town Officers, as detailed in the above table, is that the proposal does not demonstrate that the 10 Design Principles of SPP7.0 are satisfied.

Engagement

Internal engagement

Stakeholder	Comments
Place Planning	<ul style="list-style-type: none"> Consideration of the proposal should be guided by impending changes to the planning framework through the preparation of the Oats Street Station Precinct Structure Plan (PSP) and Scheme Amendment. The proposed changes to the planning framework are based on context and place analysis and community / stakeholder engagement, and they will provide certainty around the future form and scale of development. The applicant's justification for the proposal rests on the assertion that subject site is located in a District (Activity) Centre. However, the activity centre status was questioned in the Town's Local Planning Strategy (and Activity Centre Strategy) and will be resolved following adoption of the PSP, with an option to remove the District Centre designation given the likely focus of the PSP on residential development. METRONET's Gateway Strategy designates this type of station precinct as a "Neighbourhood (station) Precinct" implying a lower order centre rather than a higher order District Centre. The proposed building height and scale are significantly higher than those suggested in the draft/under-development PSP. The Preferred Growth Scenario for the Precinct reflects community and stakeholder feedback and support for building heights up to 6 storeys in this location (Station Core sub-precinct) with the potential for up to 10 storeys subject to the suitability of sites having sufficient size to accommodate a reasonable transition in height to surrounding lower height and density areas. The need to minimise the negative impacts of a substantial change in height on surrounding residential areas was a core objective for the Precinct in the Town's Local Planning Strategy. The METRONET Station Precinct Design Guidelines should be given due regard in relation to this application. The Guidelines nominate Oats Street as a Neighbourhood (station) Precinct where building height and scale should respond to neighbourhood character. The Guidelines suggest high rise apartments over 10+ storeys are more appropriately located in Strategic (station) Precincts. While proposals that exceed height and density limits are sometimes justified on the basis of design excellence, this proposal is not considered to deliver design excellence. There is an emphasis on yield at the expense of dwelling size, usability and amenity, and creating a stable long-term resident population.
Engineering (General)	<ul style="list-style-type: none"> Objection - No stormwater details or design provided for multistorey development with nearly 100% lot coverage. Disposal onsite may not be achievable with current proposed design. Concerns regarding proposed excavation and construction of 3 basement levels, potentially into or below the water table for this area. Concerns regarding proposed excavation and construction of 3 basement levels adjacent to neighbouring properties and Water Corporation Sewerage System. Unclear how visitors, deliveries, DFES, and waste collection vehicles etc. operate proposed access gates to parking area/s.

	<ul style="list-style-type: none"> • Applicant has not demonstrated they have liaised with DFES in relation to fire Booster location, access pathways and need for a clearway, 6.0m x 15.0m hardstand for 30 Tonne fire appliance vehicle. This could impact the design of the apartments. • Stairway walls next to Proposed Bay 1 (next to access ramp) is blocking sightlines for vehicle in the car bay creating an unsafe situation. This is applicable to both basement level 1 and level 2. • Proposed Bay 25 next to ramp access blocks sightlines for vehicles coming down ramp and should either be removed or converted to a motorbike bay/s that do not extend out past wall to stairs. This is applicable to both basement level 1 and level 2
Engineering (Traffic)	<ul style="list-style-type: none"> • The current level of information provided is not adequate to provide the Town with confidence in the functioning of the development with respect to safe traffic and vehicle movements, ramp gradients and other technical details.
Health	<ul style="list-style-type: none"> • The information provided does not provide sufficient confidence that noise impacts generated from the development will not adversely impact neighbours. • Potential impacts from operational noise sources such as the bin chute, mechanical noise (air conditioners, entrance gate, car doors), and noise from the commercial tenancy (exhaust flue, refrigeration condensers) have not been considered. A revised acoustic assessment/noise management plan is required. • The proposed location of the waste compound is noted as a substantial area of concern as out-of-hours servicing might be the only feasible manner in which internal waste collection (vehicle on site) could take place safely. Those out-of-hours collections would likely result in unacceptable noise levels during times when the <i>Environmental Protection (Noise) Regulation 1997</i> require activities to be relatively quiet (ie – early morning or late evening)
Waste management	<ul style="list-style-type: none"> • The applicant outlines that waste collection by Town of Victoria Park is their first preference, while private collection is their second preference. Review by Town officers outline that <ul style="list-style-type: none"> - collection by ToVP is not viable; and - concerns exist with relation to on-site collection. <p>The large quantity of bins (32 in total, 21 being residential and 11 being commercial) would not fit within the verge for collection. Verge collection is required if relying on Town of Victoria Park collection. Accordingly, the proposal would rely on private waste collection.</p> • The above-mentioned number of bins is taken from the applicant's waste management plan. This plan assumes 1) Compaction of waste at a ratio of 2:1; and 2) twice weekly collection. • Cleanaway only provides once-weekly collection in this area. • Waste compactor units occasionally require servicing. • Given the above/Depending on the above operational issues, the bin store area and collection area planned for <i>may</i> be inadequate (as twice as many bins could be needed). • If internal collection is proposed, then further information regarding swept path movements and ceiling clearance (particularly near the entry gate) is required to

	demonstrate that the proposed development can function in this manner.
Building	<ul style="list-style-type: none"> • Dewatering Concerns: There will need to be dewatering of the site due to the proposed 3 level basement carpark, which is considered a major issue. Reports from DWER and Geotechnical experts are needed to assess the impact on the site and surrounding areas. • Contamination Risks: The proximity to a 'contaminated site' at 76 Oats Street raises concerns about potential impacts on dewatering efforts at 167 Bank Street. Relevant reports are required before lodging a Building Permit Application. • Noise Nuisance: The location of water closets (WCs) opposite bedroom heads may lead to noise complaints. It's suggested to relocate WCs to internal walls to prevent such issues.
Parks & Place Planning (Urban Forrest)	<ul style="list-style-type: none"> • Driveway Design: Suggests tighter corner radii to the driveway and planting to the edge of the kerb. This would reduce the extent of hardstand and increase pedestrian space. • Root Space: Concerns about the tight space allocated for the tree in NW corner of lot. • Small and medium trees in raised beds should be swapped for better fit. • Species selection: Callistemon Kings Park Special is not suitable and not supported due to limited shade provision and short lifespan. • Inconsistent information provided between development application plans and landscaping plan with respect to tree placement. Lack of clarify whether tree on south side of crossover is to be planted within private property or the street verge

External engagement	
Community Consultation	<p>The SDAU is responsible for undertaking all community consultation for the proposed development. Advertising of the subject SDAU application commenced on 15 February 2024 and concluded on 15 March 2024, during which a total of 59 submissions were received with the responses to the proposed development comprising:</p> <ul style="list-style-type: none"> • No Support – 25.42% (15) • Support with changes – 28.81% (17) • Support – 45.76% (27) <p>It is unclear what proportion of submitters are local residents, landowners, or interested non-locals.</p> <p>Themes opposing the development include impacts on amenity via excessive height & plot ratio, poor design, loss of privacy, traffic and parking, solar access and safety, and a lack of compatibility with the character of the area.</p> <p>Themes in support of the development centred on encouragement for transport-oriented-development (TOD), Housing affordability and this type of development in this location.</p> <p>"Support with changes" possibly could reflect a combination of the above matters, with some submissions noting that a smaller 'midrise' development (possibly 3-4 storeys, or 10 storeys) could be more appropriate for/compatible with the area. Other requested changes touch on housing affordability, safety, amenities, sustainability and design/built form.</p>

Planning Assessment

Deemed Clause 67(2) matters to be considered.

25. The *Planning and Development (Local Planning Schemes) Regulations 2015* require that, in considering an application for development approval, local governments have due regard to a wide range of matters listed out within deemed clause 67(2).
26. Matters that Town staff have identified as relevant to this application are listed within the 'General Matters to be considered' table featured earlier within this report.
27. Due to the general/broad nature of these matters listed, there are countless overlapping themes and issues that may already be discussed under a scheme, policy or strategy. For the purposes of brevity, the matters discussed below are noted as being considered against/under the respective sub elements of deemed clause 67(2).

Land Use

28. Multiple Dwellings are, under the current zoning (Industrial 1), an 'X' (prohibited) land use is. An 'X' (prohibited) Land Use is, in the vast majority of instances, legally incapable of being approved under the Town Planning Scheme. The SDAU, however, while not bound by the Scheme must still have regard to the Scheme.
29. Noting that Town of Victoria Park's Draft Local Planning Scheme No 2 was endorsed by Council in February 2024 and is before the WAPC for consideration, that document is now 'seriously entertained'. Under draft Local Planning Scheme No.2 the subject site is proposed to retain an 'industrial' zoning and the Multiple Dwellings would remain an 'X' prohibited land use.
30. It is further noted that the subject site is located in the Oats Street Precinct Planning Area as defined in the Town's Local Planning Strategy. Three of the four recommended actions for the Oats Street Neighbourhood are relevant to the consideration of the proposed development, these being:
 - Action OS.1 - *"Designate the Oats Street Neighbourhood as a Precinct Planning Area. Investigate the long-term future of Industrial land (west of the railway) and opportunities for higher density mixed use development (residential and commercial). Prepare a precinct structure plan (or other suitable planning instrument) to guide future updates to the local planning framework".*
 - Action OS.3 - *"Following preparation of a Precinct Structure Plan (or other suitable planning instrument) determine whether Oats Street Station should be classified an activity centre."*
 - Action OS.4 - *"Transition the current Town Planning Scheme No.1 zones and densities to the new Local Planning Scheme No.2 until further updates are recommended via Action OS. 1. "*
31. The Local Planning Strategy therefore envisions residential land uses may be facilitated for this location, but that this will only take place following the preparation of a Precinct Structure Plan (or other suitable planning instrument).

Orderly and proper planning

32. Preparation of a precinct structure plan for the Oats Street Station neighbourhood is underway. This action is progressing with community consultation for growth scenarios already have taken place. A preferred growth scenario is expected to be presented to Council in in May 2024.

33. Following feedback from council on the preferred growth scenario, the Place Planning team is aiming to commence concurrent Precinct Structure Plan and Scheme Amendment advertising in late 2024 / early 2025, with finalisation of the project in mid 2025.
34. While the Oats Street Station PSP is still in the process of being developed, two growth scenarios consulted upon in late 2023 contemplated the following future built form and land uses for the subject site:
- (a) Development intensity (up to 10 storeys). Primarily Residential with some ground floor commercial.
 - (b) Development intensity (up to 6 storeys). Primarily Residential with some ground floor commercial.
35. With respect to orderly and proper planning, the following excerpt from the DPLH & WAPC Development Application Exercise of Discretion Guidelines is noted as relevant:
- "The decision-maker must consider whether it is orderly and proper to approve an application for development approval ahead of the higher-order planning framework, and whether such an approval will unreasonably influence a future framework. This is particularly relevant with respect to matters such as building height and scale, and determining the 'desired future character' of an area for infill projects. In these circumstances, the decision-maker should exercise discretion only to approve a development when it is certain approval will not prejudice or pre-determine the future character of the area.*
- It is rarely appropriate for an application for development approval that proposes a significant change to the existing character of the area (usually by way of height, bulk and scale) to be approved ahead of a more comprehensive plan for the area being progressed."*
36. This development under consideration by the SDAU, if approved prior to completion of the precinct structure plan, is considered highly likely to prejudice or pre-determine the future character of the area. Accordingly Town officers have drafted a recommendation (for Council's consideration) that SDAU refuse the proposed development.

Infrastructure contributions

37. The Town is not able to quantify any potential development contributions that may be warranted to assist with the long-term financial delivery of infrastructure and facilities such as paths and cycleways, sewerage and drainage connections, parks, open spaces, and community facilities etc., in accordance with the State Planning Policy 3.6 Infrastructure Contributions.
38. The recently revised SPP3.6 introduces a cap of \$5,000 per dwelling for infrastructure contributions. Should the concept SDAU proposal and development application proceed without a formal contributions plan, the Town has no ability to impose infrastructure contributions on this development.
39. A thorough and accountable investigation of potential new and upgraded infrastructure is required at the precinct planning stage to provide adequate evidence of need and nexus to adequately justify contributions in an equitable manner.
40. Approval of the proposed development prior to investigation and/or completion of a development contribution plan for the area would preclude an infrastructure contribution being sourced (as a condition of approval) from the developer. The proportional burden of this development "free-riding" in terms of infrastructure would likely fall on surrounding landowners if/when such a contribution plan was adopted.
41. The above consideration contributes towards the Officer recommendation (for Council's consideration) that SDAU refuse the proposed development.

Height and plot ratio

42. Variations to the permitted height and plot ratio standards of the current planning framework are proposed by the development as follows:

Planning element	Permissibility/deemed-to-comply	Proposed & requires the discretion of SDAU
Plot ratio	Buildings shall have a maximum plot ratio of 1.0	Plot ratio of 5.12
Building height	2 storeys (LPP27)	16 storeys

43. The applicant has described the proposal as “consistent with the desired future character and amenity of the surrounding area”. It is noted, however, that the applicant is silent on what planning document or group of people that ‘desire’ is supposedly established by. It can be said with certainty that no equivalent precinct planning exercise (to the one currently being undertaken by the Town) involving community consultation has taken place for this area without the Town’s knowledge. Accordingly, the applicant’s language is given little weight.
44. While the Oats Street Station PSP is still in the process of being developed, it is considered noteworthy that the upper end of height limits envisioned under the ‘growth scenarios’ for the subject site location contemplate a maximum built form of 6 storeys or 10 storeys.
45. The need to accommodate height transition was raised in the Local Planning Strategy (LPS) and its importance translated into a core objective for the Oats Street Station neighbourhood in the Local Planning Strategy:
- Objective OS2 - Ensure appropriate transition in built form and scale between future high-density development with established lower density development.*
46. The need for lower height density was also foreshadowed in the LPS in the discussion on planning opportunities and challenges for the Oat Street precinct “the potential to transition all or part of the Industrial zone to a mixed commercial and residential area that takes advantage of the larger lot sizes to develop lower-rise, high density residential development” (Local Planning Strategy Part Two, pp100).
47. Noting the above, it would appear that the 16 storey proposal is well in excess of the future permitted height limits in addition to those that currently apply under the current planning framework. In other words, it should not be assumed (as the applicant has) that the development is consistent with the desired future built form and character of the area.
48. Development Proposals that exceed height and density limits are sometimes justified, with reference to LPP33, on the basis of design excellence. The proposal is not considered to deliver design excellence. Reasons for this view are detailed within the SPP7.0 assessment table.
49. It should be noted that the applicant has not referred to LPP33 in their report. It does remain, however, a valid and relevant policy to consider if/when concessions are sought to planning controls such as height and plot ratio.
50. The applicant puts forward a contention that the development is needed and, by extension, the proposed departures from the planning framework justified, in part as a response to the housing affordability crisis described in part 8 of their report (See attachment 3).
51. The adjoining dwellings located at 64, 66 and 68 Oats Street will be adversely impacted by way of loss of visual privacy and amenity overlooked by many balconies located in very close proximity to their rear boundaries.
52. The adjoining dwellings located at 64, 66 and 68 Oats Street will be adversely impacted by way of visual bulk and scale, stemming from the 16 storey development abutting their single storey and two storey dwellings.

53. Noting the above, the applicant's assertion that the development 'will have no adverse impact on the amenity of the surrounding residential and light-industrial development within the locality' is blatantly incorrect.
54. It is considered that the design appears to have poor outcomes for both adjoining neighbours and future occupants of the dwelling. This is discussed above within the SPP7.0 assessment table.
55. It is considered that 'Housing affordability' shouldn't be used to simultaneously justify departures from the planning framework and deliver poor design outcomes.
56. The DPLH & WAPC 'Development Application Exercise of Discretion Guidelines' would appear to indicate that the discretion sought by the applicant should not, in the circumstances, be supported by the Town or SDAU.

Economic activity

57. Economic activity and the value of the development is generally not a relevant planning consideration. Noting that the SDAU pathway was established as part of COVID-19 economic recovery plans, however, the legislation for this approval pathway allows for some non-planning matters to form part of the overall consideration of the proposal.
58. Development of this scale will always generate economic activity. Such economic activity does not 'as-of-right' automatically justify either poor design, adverse amenity impacts, departures from the planning framework and orderly and proper planning.
59. In this case, the Economic activity generated by the development is not considered to offset the negative impacts that would result from the approval of this development (including potentially prejudicing a substantially progressed precinct structure planning exercise).

Financial implications

Current budget impact	This referral has financial implications to the extent that the Town does not receive any fee or financial compensation for providing comments and draft conditions to the SDAU.
Future budget impact	Not applicable

Risk management considerations

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk mitigation
Financial	Approving the DA without ability to collect infrastructure contributions, could potentially place greater financial burden on the Town to upgrade public infrastructure	Medium	Low	Avoid - by recommending SDAU not approve significant development until such time as the feasibility of a development contributions plan can be resolved
Environmental	Not applicable		Medium	
Health and	Not applicable		Low	

safety	
Infrastructure/ ICT systems/ utilities	Not applicable Medium
Legislative compliance	Not applicable Low
Reputation	The Town is publicly criticised for its recommendation to SDAU Low Low Accept – provide a comprehensive report addressing relevant matters.
Service delivery	Not applicable

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL1 – Effectively managing resources and performance.	<p>Should the concept SDAU proposal and development application proceed without a formal contributions plan, the Town has no ability to impose infrastructure contributions as per State Planning Policy 3.6 Infrastructure Contributions</p> <p>A thorough and accountable investigation of potential new and upgraded infrastructure is required at the precinct planning stage to provide adequate evidence of need and nexus to adequately justify contributions in an equitable manner.</p>

Environment	
Community Priority	Intended public value outcome or impact
EN3 - Enhancing and enabling liveability through planning, urban design and development.	<p>Construction of the development as proposed would result in adverse outcomes for the owners and occupants of nearby properties by way of overlooking, overshadowing, visual bulk and scale and potentially unmodelled impacts such as noise from bin collection etc.</p> <p>The development could also jeopardise the Precinct Structure Planning currently being undertaken</p>

Further Consideration

At the Agenda Briefing Forum on 2 April 2024 Council asked the following questions:

60. Q: Can without prejudice conditions be prepared.

Without prejudice conditions are included as an attachment.

61. Q: Can SDAU provide details of where submitters live (i.e. whether they live locally or not).

The SDAU have provided the following details from their consultation:

a. 79% of submitters reported themselves as "I live in the area";

- b. 5% of submitters reported themselves as "I work/run a business in the area";
- c. 8.5% of submitters reported themselves as "I own a rental property in in the area";
- d. 5% of submitters reported themselves as "I am a visitor or have a general interest in the area";
- e. 1.7% of submitters reported themselves as "I am a potential investor in the area";