

Appendix J

LandCorp Addendum

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
16-Nov-2018	08-50167-1



**Montario Quarter RFDP
Addendum 04
06 October 2017**

1) Within a mixed-use context, there is a level of ambiguity/interpretation as to the inclusion of ground level and above ground level parking in plot ratio calculations i.e. (i) for the residential car parking elements and separately (ii) for the commercial/ retail car parking elements. Does LandCorp have a position and has LandCorp received advice from the WAPC on how they interpret this?

Further, would the following be acceptable for the purposes of the mixed use site Lot 37 as per the City of Joondalup Scheme:

Plot ratio shall be determined as the ratio of the gross total of the areas of all floors of the buildings on a site to the area of land within the site boundaries. For this purpose, such areas shall include the area of any walls, but not include the area of lift shafts, stairs or stair landings common to two or more residential/commercial units, machinery, air-conditioning and equipment rooms, non-habitable space that is wholly below natural ground level, areas used exclusively for the parking of wheeled vehicles at or below natural ground level, lobbies or amenities areas common to more than one residential/commercial unit, or balconies or verandas open on at least two sides.

LandCorp Response

LandCorp has sought town planning advice on the query raised, including liaison with the Department of Planning, Lands and Heritage (DPLH) as the ultimate determining authority for any future statutory application. Copies of the correspondence received from DPLH are attached, in relation to the calculation of residential plot ratio (correspondence dated 10 July 2017) and non-residential development (correspondence dated 5 October 2017).

In both circumstances (residential and non-residential), the DPLH has formed the view that at-grade or below ground parking is excluded from the plot ratio calculation, however above ground parking structures are included in the plot ratio calculation.

Please note that DPLH in the attached correspondence notes their approach is consistent with the definition provided in the Joondalup scheme, as referenced in the question above.

Megan Gammon

Subject: Montario Quarter (SPHR) - Urgent Clarification

Hi Megan,

Our interpretation (based on the two definitions below) is that above ground (podium) car parking is included in the total plot ratio calculation for the mixed use lots.

Definition of Plot ratio from the Improvement Scheme:

“plot ratio, means the ratio of the floor area of a building to the area of land within the boundaries of the lot or lots on which that building is located except for residential development, where the term shall have the same meaning given to it in the R-Codes.”

RCodes definition below (See dot point 5):

Appendix 1 – Definitions

Plot ratio area

The gross total area of all floors of **buildings** on a **development site**, including the area of any **internal** and external walls but not including:

- the areas of any lift shafts;
- stairs or stair landings common to two or more **dwellings**;
- machinery, air conditioning and equipment rooms;
- space that is wholly below **natural ground level**;
- areas used exclusively for the parking of wheeled vehicles at or below **natural ground level**;
- storerooms;
- lobbies, bin storage areas, passageways to bin storage areas or amenities areas common to more than one **dwelling**; or
- **balconies**, eaves, **verandahs**, courtyards and roof terraces.

Regards,
Martin

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Department of Planning,
Lands and Heritage

The departments of Planning, Lands, State Heritage Office and the Aboriginal heritage and land functions of the Department of Aboriginal Affairs have been amalgamated to form the new Department of Planning, Lands and Heritage.

Megan Gammon

Subject: Montario Quarter [REDACTED]

Hi Megan

We've had a discussion internally regarding the issue surrounding plot ratio in respect to non-residential uses.

It is our view that at-grade or below ground parking is excluded from the plot ratio calculation, however above ground parking structures are included in the plot ratio calculation.

At grade parking (such as a typical open car park) is excluded from the calculation as it is not defined as a 'storey' under the BCA, and therefore is not covered by the definition of 'floor area' under the BCA or the definition of 'plot ratio' under the Improvement Scheme.

As you stated, the literal interpretation of the definitions of 'plot ratio', 'floor area' and 'storey' suggests that below ground parking is also included in the calculation. However, taking a pragmatic approach, we are comfortable that below ground is also excluded from the calculation.

As building heights within the scheme area are really only controlled through the allocated plot ratio for each precinct, the exclusion of above ground parking in the plot ratio calculation may result in development that is higher than what would normally be envisaged. If above ground parking is included in the calculation then this is likely to provide an incentive to developers to either provide at-grade or below ground parking, so they can utilise the entire plot ratio allocation for non-residential uses.

It is acknowledged that this approach is consistent with the definition provided in the Joondalup scheme, as referenced in the question by the short listed consultant.

As the Multiple Dwelling and Mixed Use Design Guidelines are currently being updated, it may be worthwhile clarifying the above position in these guidelines to avoid any future confusion over this matter.

If you require anything further please let me know.

Regards

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Department of Planning,
Lands and Heritage



The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

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