



AGENDA

Town Planning & Building Committee

Tuesday, 2 October 2018 at 6.30pm

Disclaimer

The purpose of this Committee meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst the Committee has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Committee decision. No person should rely on the decisions made by the Committee until formal advice of the Committee decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of the Committee, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Committee meeting.

Copyright

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Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

Deputations A formal process where members of the community request permission to address Council or Committee on an issue.	Presentations An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Town of East Fremantle Local Government (Council Meetings) Local Law 2016*:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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**AGENDA FOR TOWN PLANNING MEETING
TUESDAY, 2 OCTOBER 2018**



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NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Town Planning & Building Committee will be held on Tuesday, 2 October 2018 at East Fremantle Town Hall, 135 Canning Highway, East Fremantle commencing at 6.30pm and your attendance is requested.

GARY TUFFIN
Chief Executive Officer
27 September 2018

AGENDA

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

2. ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past and present."

3. RECORD OF ATTENDANCE

3.1 Attendance

3.2 Apologies

Mayor Jim O'Neill
Cr Jenny Harrington

3.3 Leave of Absence

4. MEMORANDUM OF OUTSTANDING BUSINESS

5. DISCLOSURES OF INTEREST

5.1 Financial

5.2 Proximity

5.3 Impartiality

6. PUBLIC QUESTION TIME

6.1 Responses to previous questions from members of the public taken on notice

6.2 Public Question Time



7. PRESENTATIONS/DEPUTATIONS

7.1 Presentations

7.2 Deputations

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Town Planning and Building Committee (4 September 2018)

8.1 OFFICER RECOMMENDATION

That the minutes of the Town Planning and Building Committee meeting held on Tuesday 4 September 2018 be confirmed as a true and correct record of proceedings.

9. ANNOUNCEMENTS BY THE PRESIDING MEMBER



10. REPORTS OF COMMITTEES

10.1 Community Design Advisory Committee

Prepared by: Andrew Malone Executive Manager Regulatory Services

Supervised by: Gary Tuffin, Chief Executive Officer

Authority/Discretion: Town Planning & Building Committee

Attachments: Nil.

PURPOSE

Due to the Queen's Birthday Public Holiday the CDAC Meeting was held on Monday 1 October 2018, therefore the minutes are not available for this meeting, however they will be presented to the next Town Planning Meeting.

11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

11.1 Canning Highway No. 158 (Lot 3) – Meditation Centre Signage

Landowner	A Kelsang
Applicant	C Bayliss
File ref	P/CAN158; P054/2018
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	2 October 2018
Voting requirements	Simple majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location Plan2. Place Record Form3. Photographs4. Plans date stamped received 22 June 2018

Purpose

This report considers an application for signage to be erected within the front setback area and on the building (pylon, wall, under awning and emblem (gable insert) signs) at the meditation centre at 158 Canning Highway, East Fremantle.

Executive Summary

The development application the subject of this report considers five proposed signs at the Kadampa Meditation Centre. The signage application comprises the following signs:

- Pylon sign at the entry to the site from Canning Highway (to replace existing);
- Wall sign on an internal retaining wall adjacent to parking spaces (to replace existing);
- Wall sign at the front door entry (to replace existing);
- Under awning sign (under gable); and
- Interpretative sign (emblem sign – gable insert).

The main issues raised with this application relevant to its determination are the impact of signage on the Heritage Listed building (category B) and Canning Highway and the number of signs on the site. Three of the signs are considered acceptable, however, the signs proposed for the gable and the under awning sign (hanging below the gable) are not supported and it is recommended they be deleted from the development application approval. The signs recommended for approval are subject to a number of standard planning conditions.

Background

Zoning: Town Centre

Land Area: 827m²

MRS: Subject property abuts Stirling Highway a 'Primary Regional Roads' Reserve under the MRS. The application was referred to Main Roads WA (MRWA). MRWA has provided conditions of approval and the conditions will be included in the development approval determination.

Consultation

Advertising

The application was referred to MRWA. There is no objection to the proposal subject to a number of conditions being imposed.

Community Design Advisory Committee

This application was considered by the Committee at its meeting of 30 July 2018 and the following comments were noted:

The Committee raised no concerns regarding the proposal as noted below.

- (a) *The overall built form merits;*
 - Supportive of the proposal.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development;*
 - No comment.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
 - No comment.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
 - No comment.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
 - No comment.
- (f) *The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places.*
 - No comment.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3 (LPS 3)

LPS 3 Heritage List

MRS: Important Regional Road Reserve – Canning Highway

Policy Implications

Local Planning Policy – Design Guidelines – Signage 2011

Municipal Heritage Inventory (MI) – Category B

Fremantle Port Buffer Zone – Area 3

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

-
- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
 - 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
 - 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

August 2018

Comment

The property is listed on the Town's Heritage List with a category B rating. The application is for the replacement of existing signs and for new signage at the site to identify the purpose of the building and the services available. The details of the signage proposal are outlined below.

Proposed signage

Wall signs

Front door entry

- 1.26mH x 740mmW
- Flat sheet panel sign to replace existing sign

Parking bay area – front setback

- 600mmH x 1.78mW
- Flat sheet panel mounted sign on retaining wall adjacent to parking bays

Pylon/pole sign

- 3.3mH (overall height) x 1.2mW
- Sign height – 1.8m; pole height 1.5m
- Internally illuminated

- To replace pylon/pole sign on Canning Highway

Interpretative sign (gable insert)

- 1.95mH x 4.63mW
- Deer and Dharma Wheel gilded figures mounted in fascia of leading gable on front façade

Below awning sign

- 350mmH x 4.63mW
- To hang from the gable directly below the mural

All signs are coordinated in terms of colour, lettering and styling – white lettering on a blue background.

Local Planning Scheme No. 3

The following clauses of the Scheme apply:

5.9 Advertising Signs

- 5.9.2 *Advertising signs are to be designed and constructed having due regard to any relevant local government Policy.*
- 5.9.3 *In its determination of any application for erection or display of an advertising sign for which planning approval is required, the local government is to take into consideration the likely impact of the proposal on the safety and amenity of the area.*

67 Matters to be considered by Local Government (Deemed Provision clause)

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application -

- (k) The built heritage conservation of any place that is of cultural significance;*
- (l) The effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) the compatibility of a use or development with its setting including the relationship of the development to development on adjoining land or on land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (n) the amenity of the locality, including (ii), the character of the locality; and*
- (w) the history of the site where the development is to be located.*

In the main it is considered the proposed signs have been designed having due regard to the Town's Local Planning Policy and the relevant sections of Clause 5.9 and 67 of the Local Planning Scheme.

Local Planning Policy – Design Guidelines - Signage

Council has adopted the Local Planning Policy 3.1.3 – Signage Design Guidelines pursuant to clause 2.4 of LPS No. 3. The policy clarifies the range and extent of signage that is allowable.

Under Clause 2.3.2 of the Scheme, Council must have regard to a Policy but is not bound by any provision of a Policy and may vary or disregard a Policy provision where it is considered that it is not inconsistent with the Scheme provisions to do so.

Clause (1) of the above Guidelines requires that each sign must comply with Clauses 2 and 6. Whilst the signage complies with Clause (2) (General Requirements) the proposal does not comply with the "Acceptable Solution (Permitted)" provisions of the Policy, therefore, the signs must be considered under the "Alternative Performance Criteria" of the Guidelines as outlined below for wall signs.

Wall Sign – (non-complying – more than one sign per building and greater than height permitted)
(subject to "Alternative Performance Criteria" below)

- (i) Multiple wall signs or wall signs exceeding the Acceptable Solution provisions shall only be considered as part of an approved signs regime.
- (ii) Signs must face a primary space.
- (iii) Maximum height equivalent to 10% of the height of a building wall or 2m whichever is greater.
- (iv) Maximum length 5m.

The two wall signs proposed for the site (parking area and front door entry signs) are both pre-existing. The signs are not greater than 2 metres in height, however, they will occupy more than 10% of the height of a building wall. This is considered supportable on the basis that the signs are not located on the same section of wall and the parking sign has minimal visual impact on the heritage property and Canning Highway.

Elements of the above 'Alternative Performance Criteria' that refer to compliance with an approved signs regime are considered to be satisfied in that the applicant has sought Council approval for all proposed signage for the site in the one application and therefore the signs are considered to be part of an overall approved signs regime. The signs also face a primary space as the building has a frontage to Canning Highway. The combined impact of these two signs is not considered to have a detrimental impact on the heritage values of the building.

Pylon sign

A pylon sign is required to be considered under the following 'Alternative Performance Criteria' (Discretionary) provisions of the Policy:

- (i) Total height should not exceed 5m.
- (ii) Total area of each sign face should not exceed 6m².
- (iii) Double sided signs should be identical in dimension and both sides should be less than 300mm apart.
- (iv) Only one pole or pylon sign per site (land parcel).
- (v) May be internally illuminated.

The pylon/pole sign is 3.3 metres in overall height above the ground and is located on private property. It will be higher than the existing sign, illuminated and clearly visible from Canning Highway. The overall area of the signage is 2.16m² which is slightly larger than the previous sign which was approximately 1.2m² in area.

This sign complies with the 'Acceptable Solution' and the 'Alternative Performance Criteria' under the Design Guidelines for Signage. The proposed sign does not impede sight lines for traffic and is not considered to impact on the streetscape or the appearance of the building. It is therefore supportable as a replacement for the existing pylon/pole sign. However, it is noted that this sign has effectively doubled in size and more than adequately identifies the location of the meditation centre. This is relevant to discussion below on the assessment of the interpretative sign (Deer and Dharma Wheel).

Interpretative sign (Deer and Dharma Wheel)

- (i) Must form part of an approved coordinated framework for signage.*
- (ii) Must be distinctive.*
- (iii) Combinations with artistic or sculptural works are encouraged.*

The emblem is considered to fit the definition and alternative performance criteria of an interpretative sign, however, it is not supported on the basis that it is considered to have a significant visual impact on the heritage listed property and will further contribute to the loss of the original features of the building.

The meditation centre has a category B rating under the MI. The place record form notes that the property has considerable aesthetic value as a Federation Bungalow style building (c1915). The place retains a moderate to low degree of authenticity and a moderate degree of integrity. It retains most of the characteristic features of a dwelling of the type and period. The MI states that the place plays an important role in the pattern of development of a middle class suburb.

This property is visible from Canning Highway and forms part of a small remaining strip of heritage properties between Preston Point Road and Staton Road. Over the years the site has undergone considerable changes to the frontage of the property in respect to its conversion from a residential property to a meditation centre. There are additions to the rear and sides of the house. The front garden has been modified to accommodate a car park, including a carport and more recently a substantial shade structure which required removal of one of the mature palms in the front garden was approved. The lot has been subdivided and two residences built to the rear. Whilst these changes have been supported, Council has always been mindful of the heritage value of the property and it is now listed in the Scheme's Heritage List.

The building is asymmetrically designed and the front elevation is divided into two planes. Both planes feature a gable bay and a hip roofed verandah and both gable bays feature circular vents. The interpretative sign (emblem in gable and hanging sign below the gable) is proposed to be located in the leading gable which is the most prominent and visible from Canning Highway. The front façade of the house in particular will be significantly altered from a visual perspective. The architectural detail and vent of the gable will be obscured and dominated by the emblem which will occupy the entire gable space and is approximately 1.8 metres in height. The sign proposed to hang below the emblem from the gutter line will also be visually prominent. The double gable is a strong architectural feature and elevated above street level. Retention of the heritage elements of the former dwelling are considered important to respect and maintain if its remaining heritage status is to be conserved.

This proposed signage combined with other changes to the property is considered to further erode the heritage elements of the property to the point where the appearance of the façade of the dwelling will be significantly altered and architectural features obscured.

Furthermore, the additional signage is not considered necessary. The pylon/pole and wall signs are reasonably large and clearly visible, being higher than the previous sign and more visible on Canning Highway. The additional signage is not considered necessary for identifying the use on the site and the location of the meditation centre. As such the interpretative (emblem) and under awning hanging signs are not supported and it is recommended they be deleted from the building permit application plans and not approved as part of the development approval for the site.

Below awning sign

- (i) Maximum height 750mm.*
- (ii) Maximum width 300mm.*

- (iii) *Shall not project beyond the width of the awning or exceed 2700mm in length whichever is the shorter.*
- (iv) *Minimum distance between any other Above Awning Sign or Horizontal Projecting Wall Sign 2400mm.*
- (v) *Minimum distance from side boundary of the lot or site 1200mm.*

This sign is not supported on the basis that it is considered to contribute to an excess of signage for the site overall and will have a detrimental impact on the heritage elements of the building as discussed above.

Conclusion

In the main the proposed signage complies with the Town's Signage Design Guidelines policy and is supported by MRWA, subject to standard conditions. The proposed signage is replacing existing wall and pylon/pole signs, however, the new signage component which comprises an the Deer and Dharma Wheel emblem in the leading gable and signage hanging from below the emblem is not supported. It is considered to visually impact upon and detract from the heritage character of the property and will further erode the heritage elements and overall heritage value of the site. It is therefore recommended that this aspect of the signage not be approved and be deleted from the development approval for the site.

Discretionary approval under the 'Alternative Performance Criteria' of the Signage Design Guidelines policy, in respect to the proposed wall signs, is recommended and the pylon/pole sign is compliant. The application is consistent with Clauses 5.9 and 67 (Deemed Provisions) of the Scheme, with the exceptions noted above and is therefore recommended for conditional approval. Planning conditions have been imposed to address any graffiti or vandalism and any change to the signage regime.

11.1 OFFICER RECOMMENDATION

That Council grant development approval and exercise its discretion in respect to the following:

- (i) **Clause 6 – Signage Requirements (Wall Signs) of Local Planning Policy 3.1.1 - Signage Design Guidelines to allow signs the maximum height equivalent to 10% of the height of a building wall or 2m whichever is greater;**

for signage at No. 158 (Lot 3) Canning Highway, East Fremantle, as outlined on the plans and accompanying information date stamped received 22 June 2018 subject to the following conditions:

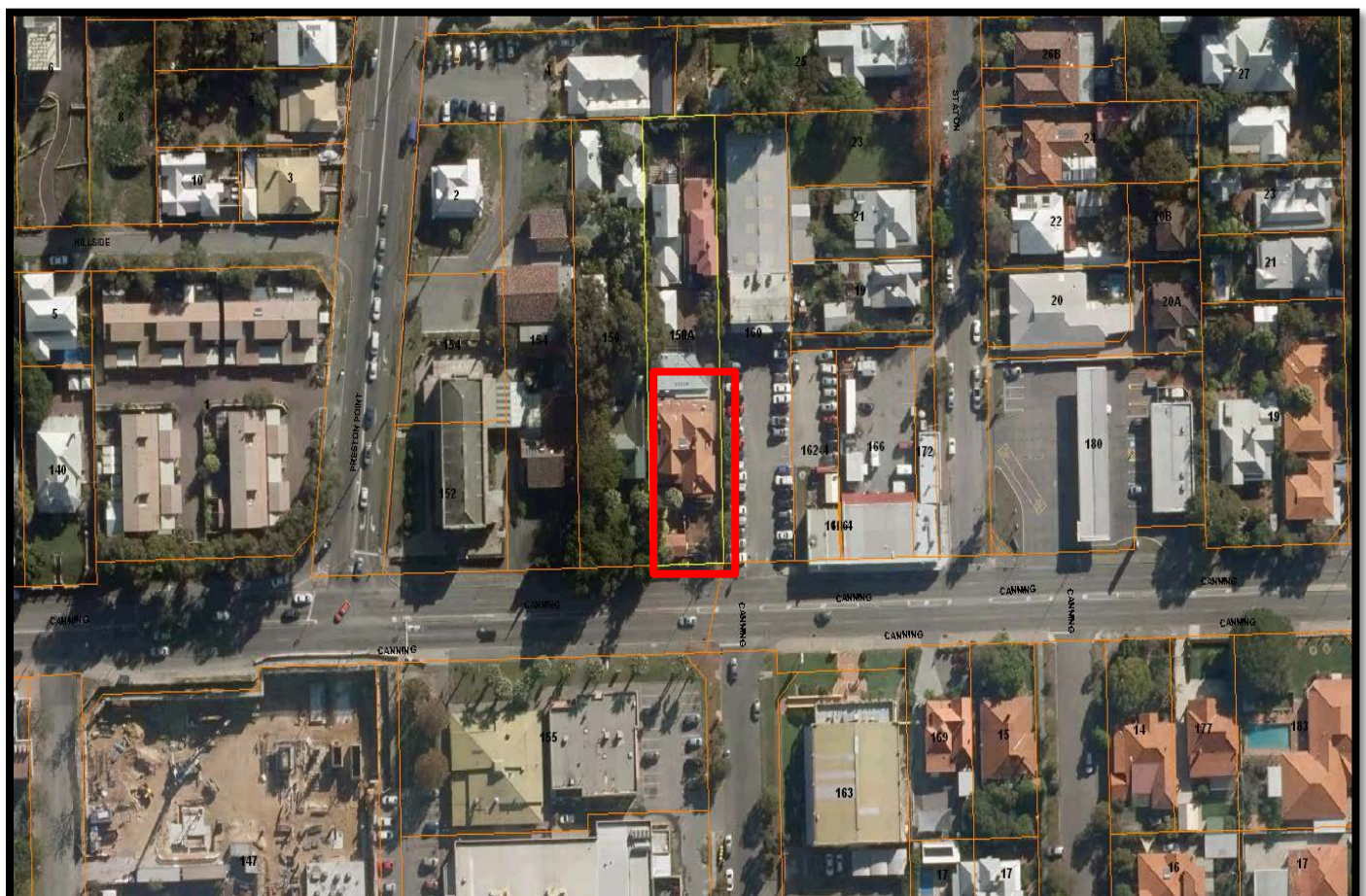
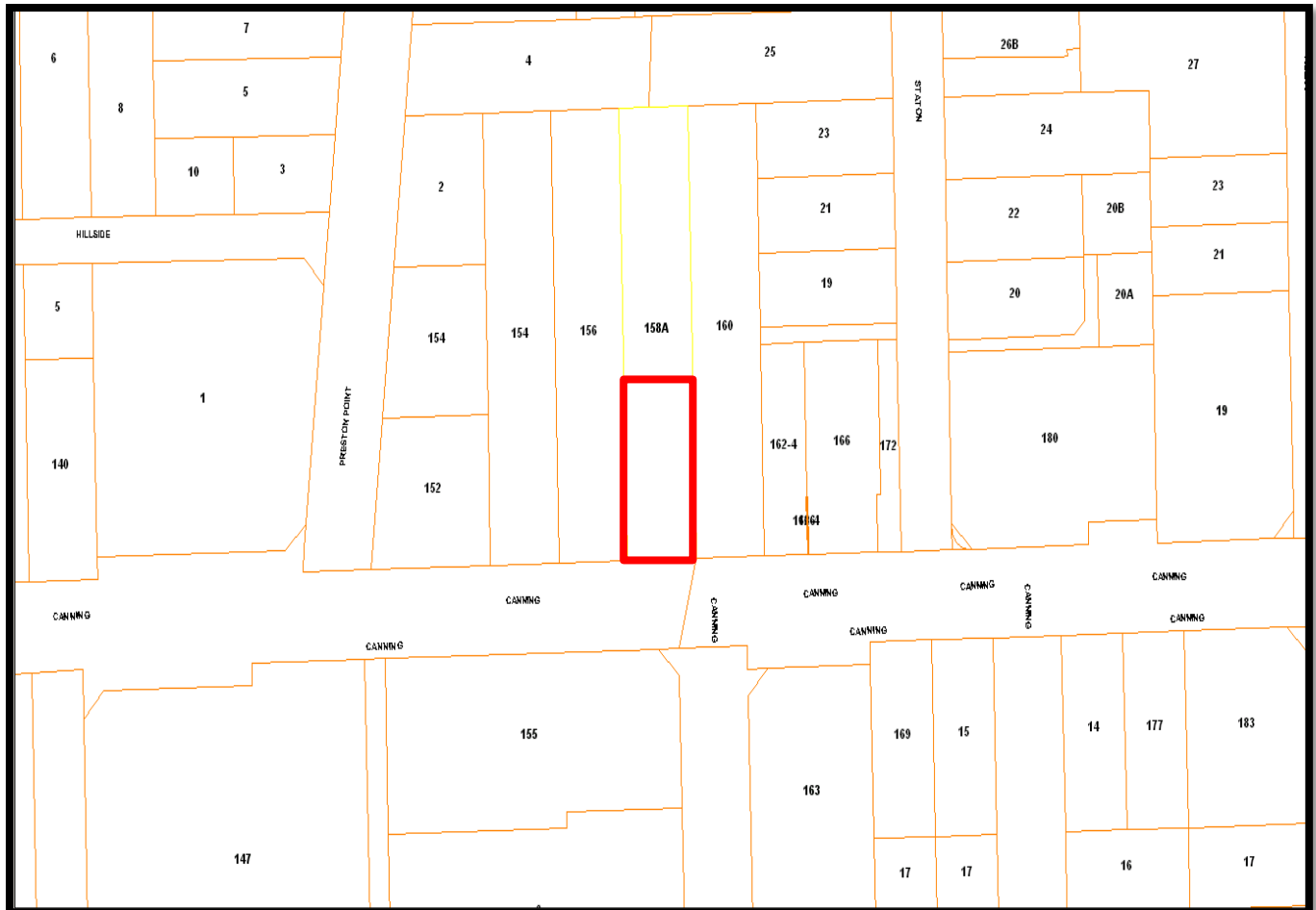
- (1) **Deletion of the interpretative sign (emblem) and under awning signage proposed for the leading gable facing Canning Highway. This is not approved and is not part of the development approval for the site.**
- (2) **Compliance with Main Roads WA conditions of approval (as stated in correspondence date stamped received by the Town on 7 August 2018) which states:**
 - (a) *The type of signs, size, content and location must comply with all relevant by-laws and planning schemes made by Council;*
 - (b) *The signs and sign structures are to be placed on private property and shall not over hang or encroach upon the road reserve;*
 - (c) *For the signs that are illuminated, it must be of a low-level not exceeding 300cdtm², not flash, pulsate or chase;*
 - (d) *The device shall not contain fluorescent, reflective or retro reflective colours or materials;*
 - (e) *No other unauthorized signing is to be displayed; and*
 - (f) *Main Roads agreement is to be obtained prior to any future modifications.*

- (3) All signage proposed being in accordance with the correspondence, elevations and accompanying notations and plans in regard to signage dimensions, wording, materials and graphics submitted with the application and date stamped received 22 June 2018 and subject to compliance with Main Roads WA conditions of approval with the exception of the emblem and below awning signage.
- (4) Any change to the type, design, location or illumination of the signage regime being the subject of a further development approval application for Council's consideration.
- (5) All signage to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Chief Executive Officer.
- (6) No other unauthorised signage is to be displayed.
- (7) The signage is to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (9) This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *A copy of the approved signage as stamped by Council is attached and the specifications graphics and wording of the signage is to conform with the approved plans unless otherwise approved by Council.*
- (ii) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*

NO. 158 (LOT 3) CANNING HIGHWAY (BUDDHIST CENTRE) (P054/18) – SIGNAGE (CATEGORY B)





PLACE RECORD FORM



PRECINCT	Town Centre
ADDRESS	158 Canning Highway
PROPERTY NAME	N/A
LOT NO	Lot 3
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1915
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Commercial
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 158 Canning Highway is a single storey house constructed in limestone and rendered masonry with a hipped and gable decramastic tiled roof. It is set on a gentle rising site on limestone foundations and is a good example of the Federation Bungalow style. The place is asymmetrically planned with an irregular plan. The front elevation is divided into two planes. Both planes feature a gable bay and a hip roofed verandah. The verandahs are supported by timber posts. A St Andrew's Cross balustrade spans between the posts. Both gable bays feature circular vents. The front gable features lead light casement windows. The rear gable features double hung sashes with hopper and sidelights. The</p>

entry door is located on the east side of the front plane. A ramp with a timber balustrade leads up to the door. The roofscape features rendered chimneys.

The place retains its form and most of its details. There are additions to the rear and sides of the house. The front garden has been modified to suit a car park for its commercial purpose. The car park includes a carport. The lot has been subdivided and two residences built to the rear.

The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

The Town of East Fremantle became an independent municipality in 1897. Following this the Town promoted the construction of a Town Hall, Fire Station, Post Office and Police Station on Richmond Road (later the Canning Road and thereafter Highway) at the eastern edge of development. Land was allocated for this purpose by the Western Australian Government Lands Office and the various government structures built shortly thereafter.

The Canning Road formed the initial spine for development of the area. The commercial structures logically appeared along it over the first years of development of the Town. The development included both single and two storey structures to both sides of the road. The two storey buildings featured residential portions above. A resulting commercial strip, a number of churches and civic buildings were largely constructed by the end of the first decade of the 20th century. They provided a distinct edge and identity to the new Town. The strip paralleled a commercial precinct that had developed to the south in George Street in the centre of Plympton. The strip extended along to Staton (then Victoria) Road.

This strip survived largely intact until a project to develop a new "Town Centre Zone" was announced in 1971. It was to include shops, offices, eating places, a tavern, clinics etc. Council purchased the Richmond Shopping Centre in 1972 and planned to sell the land to a development company. The project was completed in the early 1970s. The subsequent building of the Stirling Highway extension linking Leach Highway with Canning Highway and Stirling Highway in 1979 saw the loss of more original buildings. The extension effectively cut the Town of East Fremantle in two. The Town Centre has since been separated from the majority of Plympton.

The building has been converted from a residence to a commercial building.

OWNERS

Unknown

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Limestone and rendered masonry

Roof – Decramastic tiles

PHYSICAL SETTING

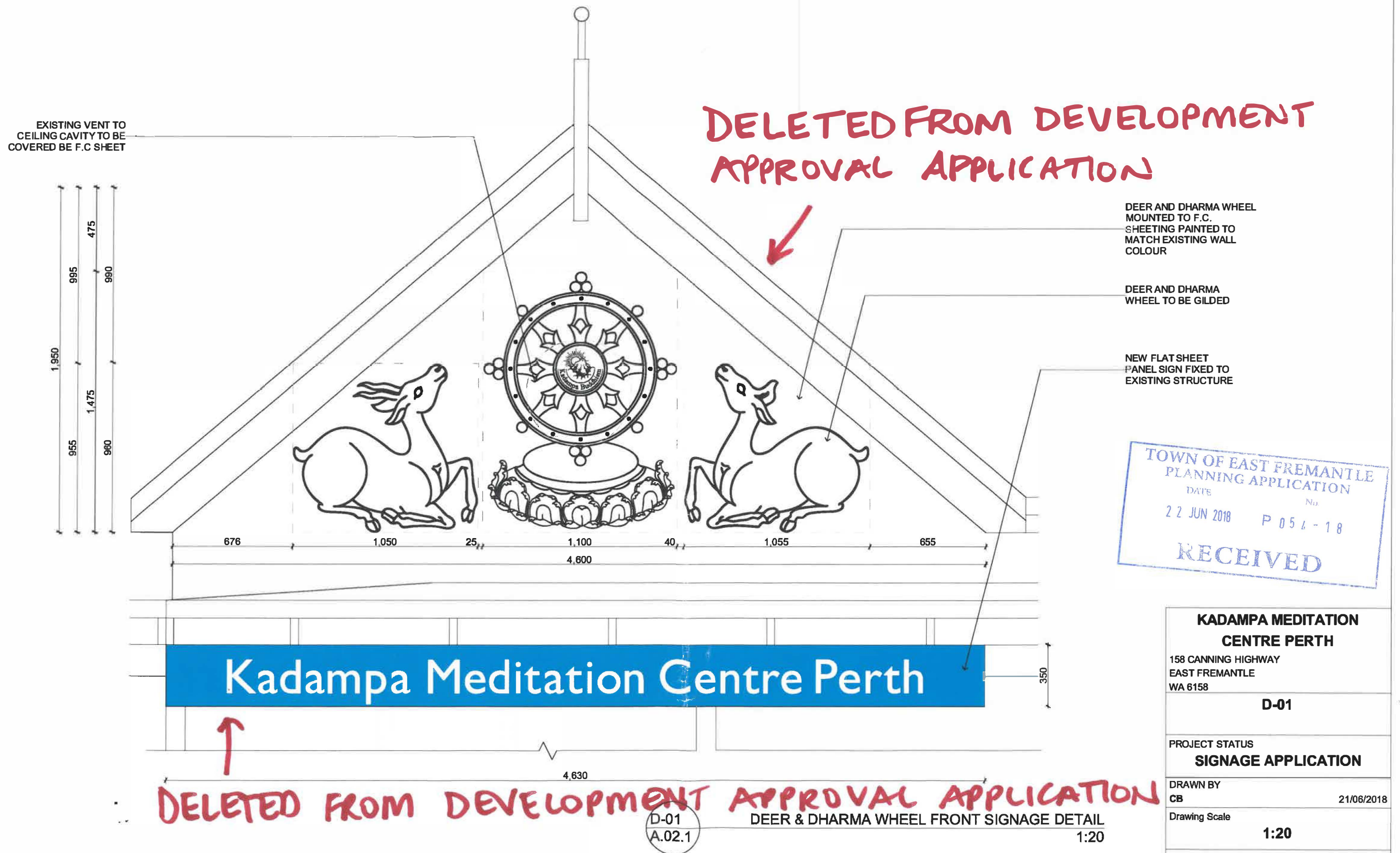
The place is located on a rising lot with a limestone wall and timber picket fence on the lot boundary.

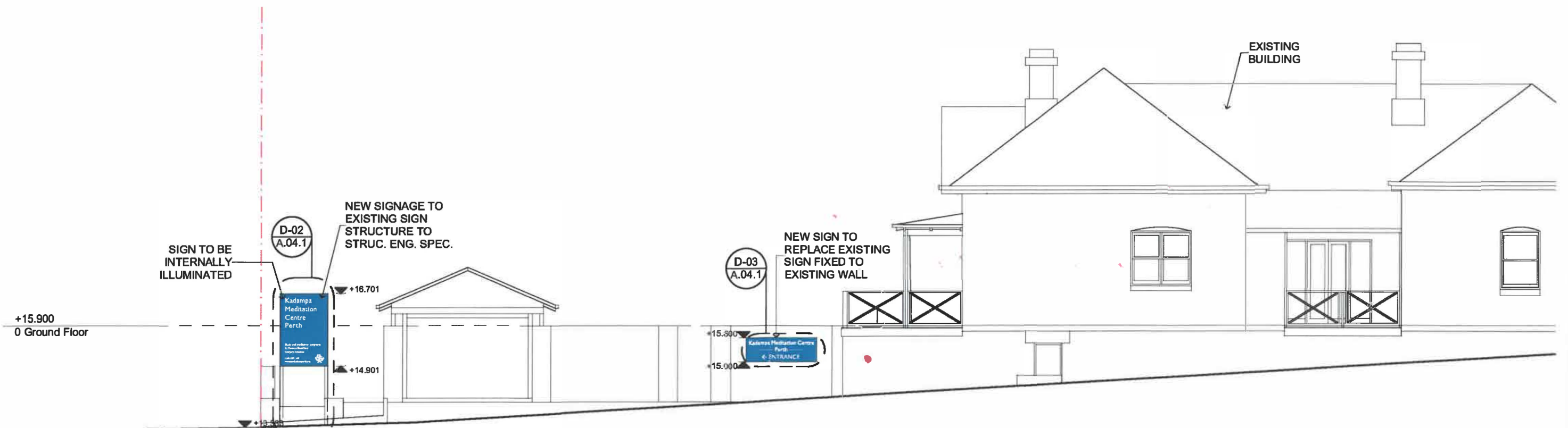
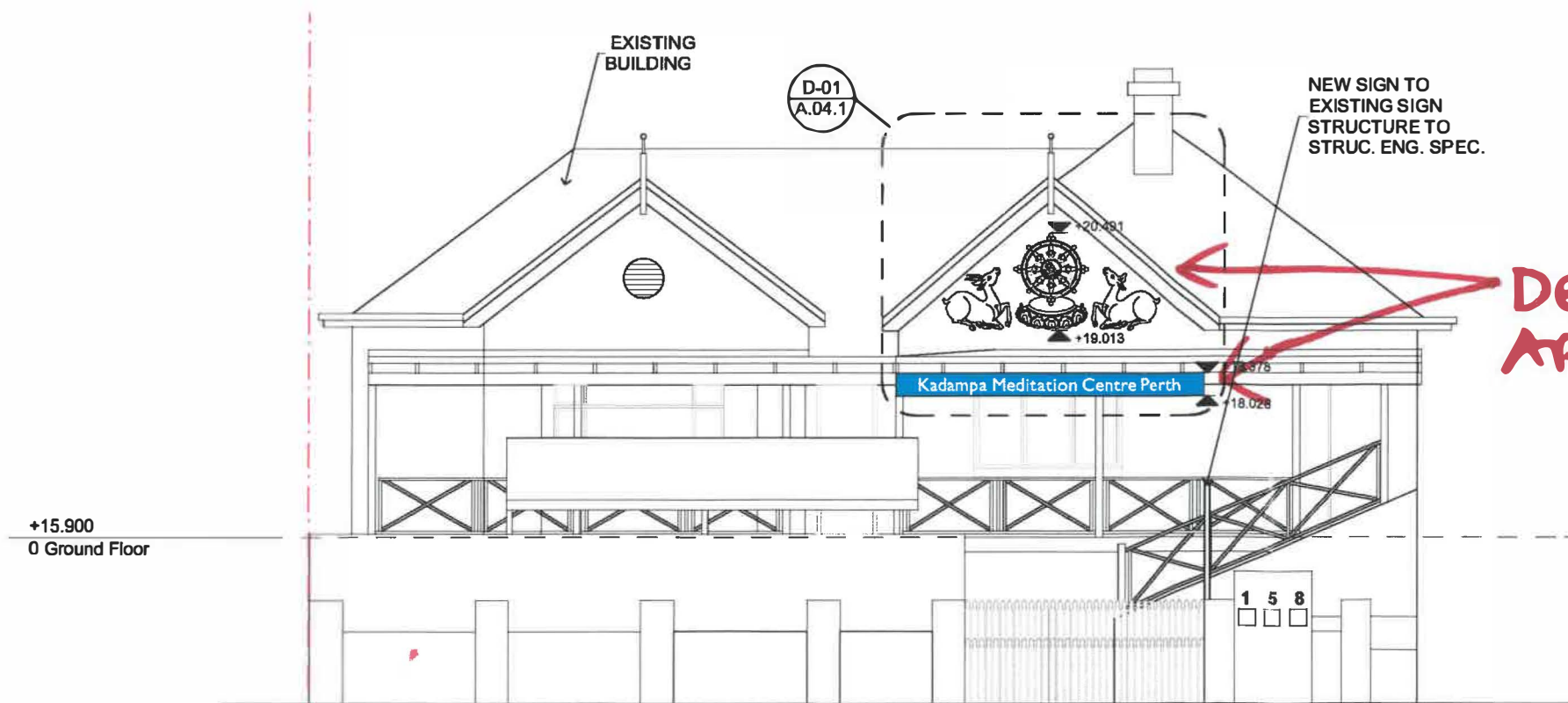
STATEMENT OF SIGNIFICANCE

No 158 Canning Highway is a single storey building constructed in limestone and rendered masonry with a Decramastic tiled roof. It has historic and aesthetic value for its contribution to Town Centre's streetscape. The place contributes to the local community's sense of place.

The place has considerable aesthetic value as a Federation Bungalow style building. The place retains a moderate to low degree of authenticity and a moderate degree of integrity.

	The additions and houses to the rear have no significance. The carport is intrusive.
AESTHETIC SIGNIFICANCE	No 158 Canning Highway has considerable aesthetic value as a Federation Bungalow style house. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 158 Canning Highway has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Walter Easton's Estate from 1901.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 158 Canning Highway has some social value. It is associated with development and expansion of East Fremantle.
RARITY	No 158 Canning Highway is not rare in the immediate context. The Town Centre has rarity value as a cohesive middle class suburb.
CONDITION	No 158 Canning Highway is in good condition.
INTEGRITY	No 158 Canning Highway retains a moderate degree of integrity.
AUTHENTICITY	No 158 Canning Highway retains a moderate to low degree of authenticity.
MAIN SOURCES	



EL04
A.01.1ELEVATION 02
1:100DELETED FROM DEVELOPMENT
APPROVAL APPLICATIONEL01
A.01.1ELEVATION 01 (STREET)
1:100

TOWN OF EAST FREMANTLE
PLANNING APPLICATION
DATE 22 JUN 2018 No. P 056-18
RECEIVED

KADAMPA MEDITATION CENTRE PERTH

158 CANNING HIGHWAY
EAST FREMANTLE
WA 6158

EL01, EL04

PROJECT STATUS
SIGNAGE APPLICATION

DRAWN BY
CB 21/06/2018

Drawing Scale
1:100

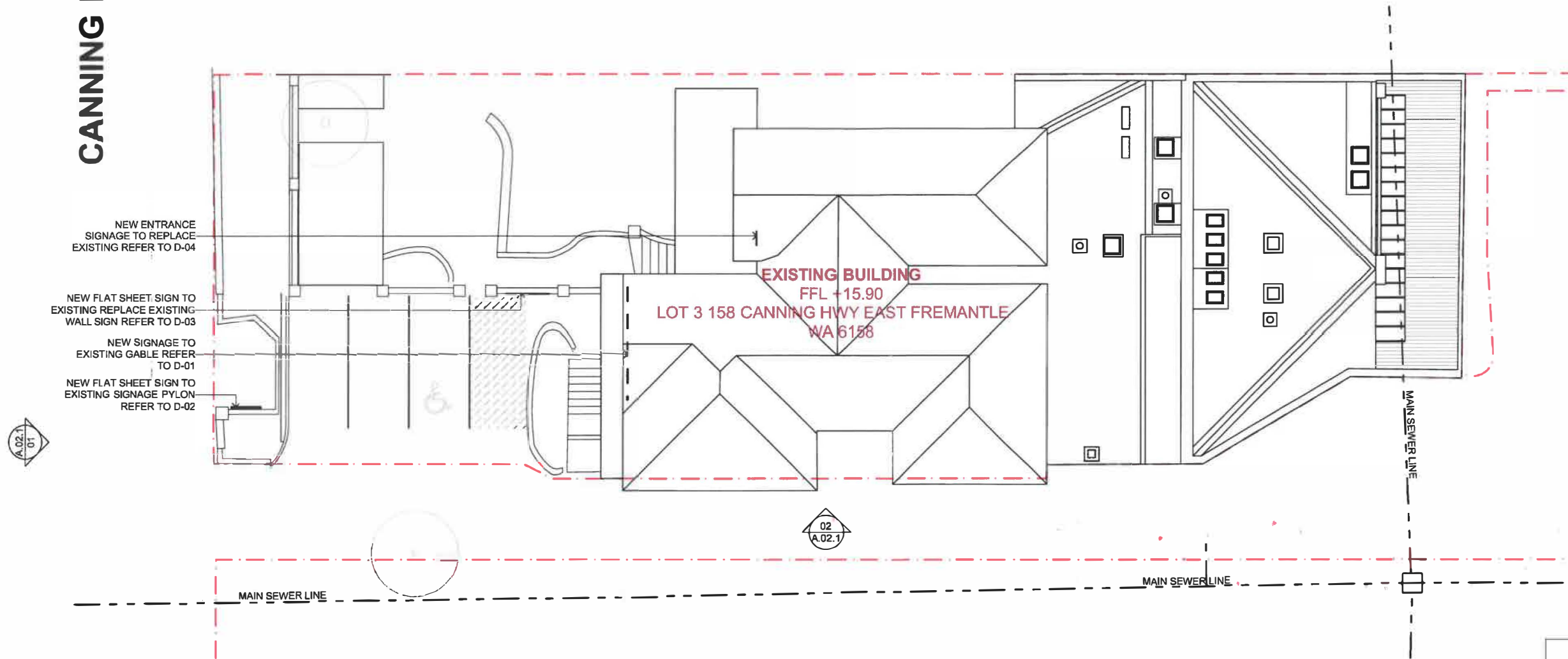
Layout ID
A.02.1 Revision
B

NEW ENTRANCE
SIGNAGE TO REPLACE
EXISTING REFER TO D-04

NEW FLAT SHEET SIGN TO
EXISTING REPLACE EXISTING-
WALL SIGN REFER TO D-03

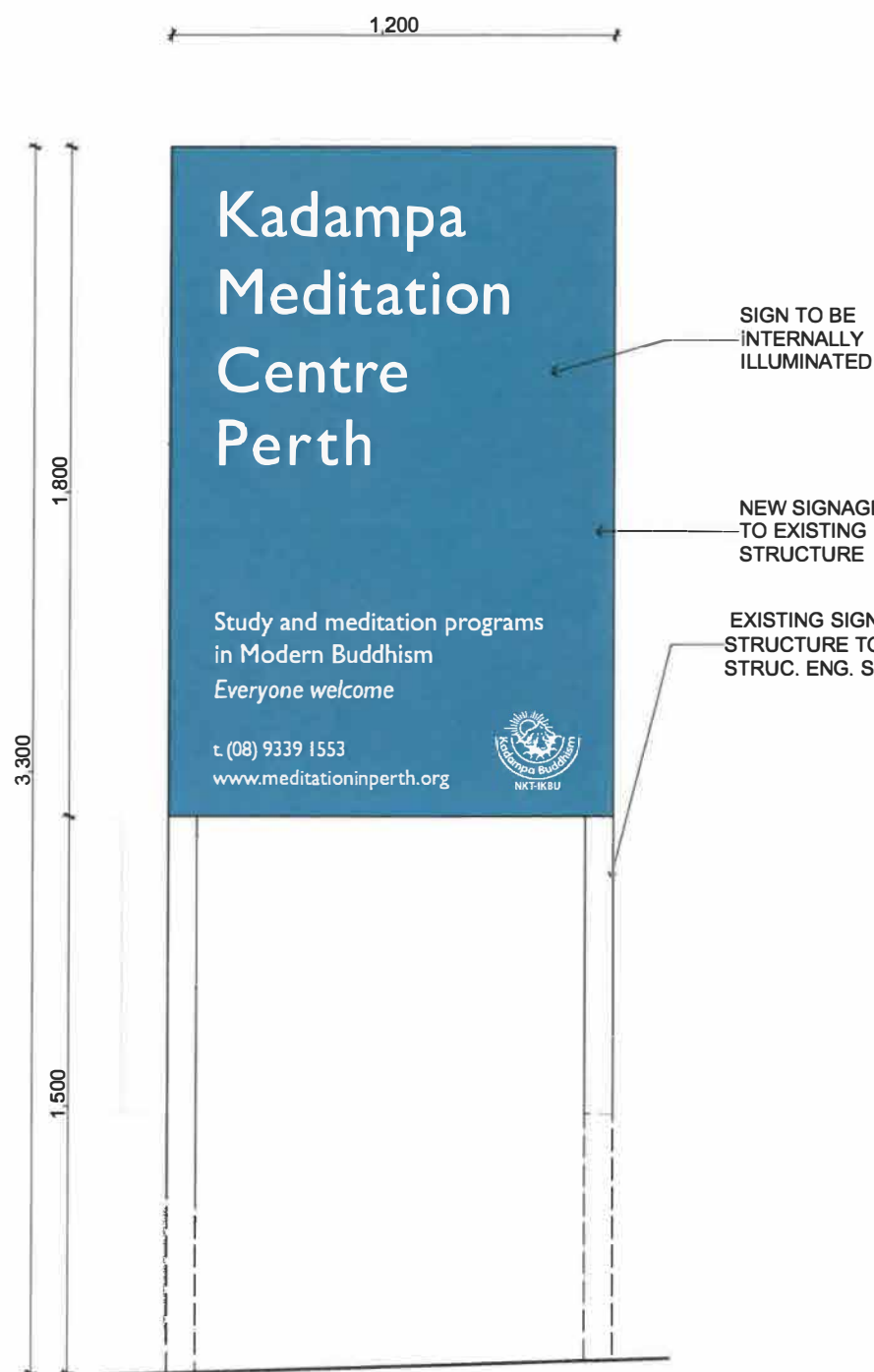
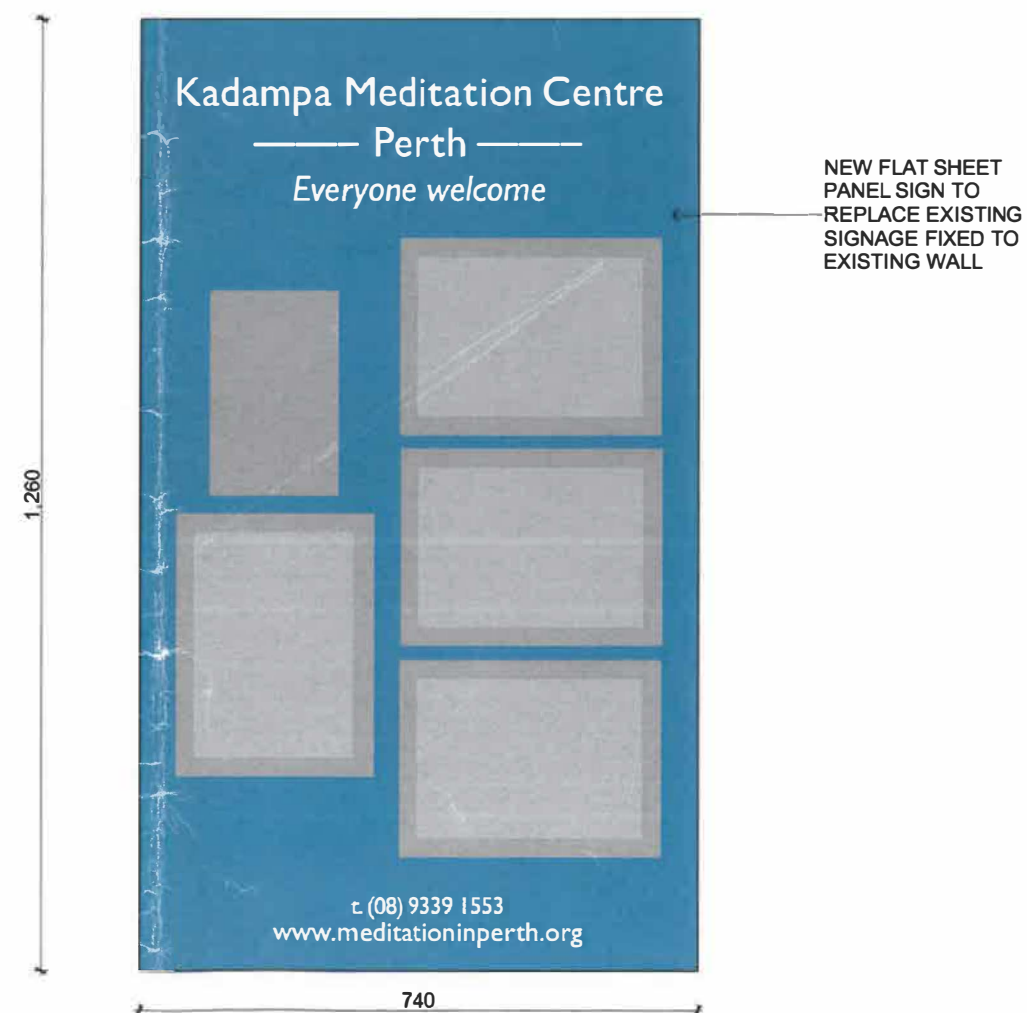
NEW SIGNAGE TO
EXISTING GABLE REFER
TO D-01

NEW FLAT SHEET SIGN TO
EXISTING SIGNAGE PYLON
REFER TO D-02



Layout ID	Revision
A.01.1	A

21

D-02
A.02.1PM ENTRANCE SIGNAGE DETAIL
1:20D-03
A.02.1WALL MOUNTED SIGNAGE DETAIL
1:10D-04
-FRONT DOOR SIGNAGE DETAIL
1:10KADAMPA MEDITATION
CENTRE PERTH158 CANNING HIGHWAY
EAST FREMANTLE
WA 6158

D-02, D-03, D-04

PROJECT STATUS
SIGNAGE APPLICATIONDRAWN BY
CB 21/06/2018Drawing Scale
1:20, 1:10Layout ID Revision
A.04.2 22 B

11.2 View Terrace, No. 11 (Lot 1) – Demolition and Construction of Two Level Grouped Dwelling

Applicant/Owner	M, G and B Hardwick
File ref	P/VIE11; P049/2018
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Voting requirements	Simple Majority
Meeting date	2 October 2018
Documents tabled	Nil
Attachments	1. Location Plan 2. Photographs 3. Amended plans date stamped received 24 August 2018

Purpose

This report considers a planning application for the demolition of one half of a duplex strata development and the construction of a two level grouped dwelling at No. 11 (Lot 1) View Terrace, East Fremantle.

Executive Summary

The following issues are relevant to the determination of this application:

- Dwelling density – redevelopment of a survey strata lot;
- Lot boundary setbacks: reduced setbacks to the rear, eastern and western boundary;
- Site works: excavation greater than 500mm;
- Retaining walls: greater than 500mm in height and within 1 metre of lot boundaries; and
- Solar access: exceeds 25% permitted.

It is considered the above variations can be supported subject to conditions of planning approval being imposed to address the adjoining owner's submission and where appropriate residential amenity.

Background

The 383m² survey strata lot to be developed is currently occupied by a 1980s duplex development. It is now intended that the front unit be demolished and replaced with a new two storey home. It is proposed to use the existing driveway to access a double garage to the rear and a new crossover would be located on the eastern side of the lot which would provide access to a single garage.

The master bedroom suite, main living areas and balcony are located on the upper level with six bedrooms, laundry, bathroom and media/games room with kitchenette located on the ground level. A pool is proposed within the front setback area. Front fencing is also proposed with this application.

Consultation

Advertising

The adjoining owners were notified of the amended proposal from 3 to 19 September 2018 and the following comments have been made by the owners to the east.

- *The reflection of the roof impacting on using and enjoying our property is noted. What options can be offered if this was considered a problem?*
- *Walk in Larder window (indicated as WIL on the plans) is clear glazing and would overlook our west facing bedroom and bathroom windows which have clear glazing. We guess this window is 5.3 m from boundary under the 6m rule.*

- *In our opinion all upstairs glazing on east side should be obscured to ensure privacy.*
- *What is the finish and colour specified for the garage wall on the boundary. We would like the colour to be of our choosing as this impacts visually on our property.*
- *Full length boundary fencing to be discussed and agreed upon between neighbours. Our preference is a timber fence.*
- *The existing small brick wall on the eastern boundary is listed to be removed. What is proposed as a replacement to retain soils as the properties have different soil levels? Please advise construction type and colour on east side. This should be of our choosing.*
- *Request a dilapidation report on our house.*

Officer response

Roof reflectivity, visual privacy and parapet walls

The issues raised in regard to roof reflectivity, upstairs windows on the southern and eastern elevations (with exceptions noted below) and parapet walls on the boundary are acknowledged and will be addressed as conditions of planning approval.

The walk in larder (WIL) window is not considered to be subject to the visual privacy provisions of the R-Codes because it is not included in the habitable room definition under the R-Codes. The WIL is a separate room to the scullery (i.e. kitchen sink, fridge and pantry) and main section of the kitchen. The remainder of the kitchen area, adjoining the living/dining area, is considered a habitable room and has highlight windows facing east. These along with the scullery window facing south are indicated as being obscure glazing. The WIL window is setback 5.3 metres from the boundary. It is not considered necessary to require this window to be obscure glazing or be set back 6 metres under the visual privacy provisions because it is not defined as a habitable room and obscure glazing would limit light to the area considerably. The Town, cannot compel the owner to install obscure glazing because it is not required under the provisions of the R-Codes. With regard to the other windows a condition of planning approval is recommended to ensure the windows that are within the visual privacy setback are installed with obscure glazing as indicated.

Boundary fencing and retaining walls

Boundary fencing is a matter for the adjoining owners to discuss. If there is disagreement the issues will be addressed under the provisions of the *Dividing Fences Act*. Retaining of soil after removal of a retaining wall is the responsibility of the land owner of the lot on which the retaining is required. The retaining wall is indicated as being wholly on the subject site and therefore is the responsibility of the applicant and subject to assessment at Building Permit application stage.

Dilapidation report

The Town cannot enforce a dilapidation report be carried out but recommends the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. If undertaken it is recommended that a dilapidation report be lodged with Council and a copy given to the owner of any affected property. This is included as an advice note to the applicant.

Community Design Advisory Committee (CDAC)

This application was considered by the CDAC at its meeting on 30 July 2018. The Committee's comments were recorded as follows:

(a) *The overall built form merits;*

- The Committee is supportive of the development.

-
- The development has passive surveillance of the front alfresco and balcony;
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development;*
- No comment.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The building is in keeping with the surrounding area, and fits with the built form design of the area.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No comment.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- No comment.
- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places.*
- No comment.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town’s character.

3.2.1 Ensure appropriate planning policies to protect the Town’s existing built form.

3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*

3.3.1 *Continue to improve asset management practices.*

3.3.2 *Optimal management of assets within resource capabilities.*

3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 *Conserve, maintain and enhance the Town's open spaces.*

4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*

4.1.2 *Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

4.3 *Acknowledge the change in our climate and understand the impact of those changes.*

4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

September 2018

Comment

LPS 3 Zoning: Residential R17.5

Site area: 383m² (street front strata lot)

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6.0m	7.2m	A
Lot Boundary Setback	Rear (south)	Rear (south)	
	GF – 1.5m	GF – 4.1m	A
	UF – 2.0m	UF – 1.2m - 2.7m	D
	Garage – 1.0m	Garage – 200mm	D
	East	East	
	GF – 1.5m	GF -1.2m	D
	UF – 1.9m	UF – 1.2m	D
	Garage - 1.0m	Garage - Nil	D
	West	West	
	GF – 1.5m	GF – 350mm – 2.7m (5.6m from lot boundary)	D
	UF – 4.2m	UF – 350mm – 1.6m	D

Open Space	50%	50%	A
Outdoor Living	36m ²	100m ²	A
Car Parking	2	3	A
Site Works Excavation	More than 500mm	Up to 600mm excavation	D
Retaining Walls	Greater than 500mm and closer than 1m from lot boundary	Up to 600mm and retaining wall up to boundary	D
Overshadowing	25%	33.25%	D
Drainage	On-site	On-site	A
Crossovers	1	2	D

Local Planning Policy Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	D
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	D
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	D
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.18.3 Garages, Carports and Outbuildings	A
3.7.15-20 Precinct Requirements	A

Building Height Requirement	Required	Proposed	Status
Building Height (top of wall – concealed roof) (Residential Design Guidelines)	6.5m	North – 6.5m South – 6.5m East – 6.1m West – 6.5m	A
Concealed roof – flat roof	<5°	2°	A

There are a number of variations to the R-Codes and the Residential Design Guidelines most of which are a result of the R17.5 provisions being applied to a smaller lot area the equivalent of a density code of R20 - R25 (i.e. 350m² – 450m² average lot area per dwelling). These matters and those raised by the adjoining land owner through a submission are discussed below.

Dwelling density (redevelopment of survey strata lot)

The current zoning of the area is Residential R17.5. The strata titled lot was developed in a time preceding the current density code and two grouped dwellings were developed on the parent lot to a standard equivalent to R20 - R25. The current Planning Scheme contains clause 5.3.3 which addresses this situation and states as follows:

Existing non-complying development:

Where a lot contains an existing authorised development which exceeds the prescribed density coding, the local government may permit redevelopment of the lot up to the same density as the existing development, or of a different form than otherwise permitted, provided that:

- (a) in the opinion of the local government, the proposed development will contribute more positively to the scale and character of the streetscape, the improvement of the amenity of the area, and the objectives for the precinct than the existing building; and*
- (b) except where proposed development comprises minor alterations to the existing development which, in the opinion of the local government, do not have a significant adverse effect on the amenity of adjoining land, advertising of the proposed development has been undertaken in accordance with the provisions of clause 9.4 (now clause 67).*

This clause, subject to the design and community consultation parameters being met, provides Council with discretion to approve of the redevelopment of the lot at the existing dwelling density despite the proposal's non-compliance with the current density code.

The advertising requirements have been met and there was one submission received as discussed above. Redevelopment of the lot at the same density as the proposed development is considered to contribute more positively to the scale and character of the streetscape, the improvement of the amenity of the area, and the objectives for the precinct than the existing building, mainly from the perspective that it addresses the street and offers greater surveillance of the street through large glass doors and windows which face the street. The design of the dwelling has an upper level balcony and alfresco area with glass doors which overlooks the street. Visually the dwelling has an improved presentation to the street.

Lot boundary setbacks

The lot boundary setbacks of the dwelling do not comply in respect to all side lot boundaries as discussed above. This is not unexpected on a lot that is only 383m². Redevelopment of small lots on which large family homes are proposed and views maximised results in an applicant seeking concessions for reduced side setbacks. This is the case with this application. Some sections of each elevation have been setback in an attempt to minimise bulk and most major openings face north or west along the boundary where the building has greater setbacks and views are available. So some sections of wall comply with the prescribed setbacks and other sections do not. The details of the variations and conditions imposed are outlined in the table above and discussed below. It is noted the other strata land owner has endorsed the proposal and the land owner to the west has not made a submission.

Southern (rear strata) boundary

The non-compliance with the rear setback is primarily related to the double garage parapet wall having a setback of 200mm for a length of 6 metres. The remainder of the ground level setback complies as it accommodates the rear courtyard. The upper level setback required is 2.0 metres and the setback proposed ranges from 1.2 metres to 2.7 metres. There is no overlooking issue and the overshadowing (whilst greater than that permitted) is mainly over the roof of the rear strata unit so the reduced setback in this circumstance is considered to satisfy the Design Principles of the R-Codes and is therefore supported. As mentioned the adjoining strata land owner has not objected to the reduced setback.

Western (driveway) boundary

The setback on the western boundary from the strata lot boundary does not meet R-Code requirements. However, the dwelling is proposed to be setback a minimum of 3.6 metres from the boundary of the property to the west (i.e. the width of the access driveway) and for some sections the dwelling is setback 5.6 metres. The reduced setbacks from this boundary are therefore not believed to reduce residential amenity and are considered to comply with the Design Principles of the R-Codes.

Eastern boundary

The setback of the eastern side of the building is also non-compliant with respect to another garage parapet wall which extends for ~6.0 metres. The adjoining owner has not objected to the garage wall on the boundary as such, however, comments in regard to the finish of the wall have been made and these will be addressed through a condition of planning approval. The remainder of the wall is also non-compliant for most of the length of the wall in that the minimum setback is required to be 1.5 metres for the lower level and 1.9 metres for the upper level. The dwelling is setback 1.2 metres, with the courtyard section being setback 5.3 metres. This is considered supportable as the non-compliance of less than 1.0 metre is not considered to have a significant bearing on the overall bulk of a two level dwelling which can be constructed on the lot in any case under the provisions of the Planning Scheme.

With regard to the overall setback variations of the proposal the Design Principles of the R-Codes are considered satisfied in that the building does not unnecessarily contribute to building bulk on the adjoining lot (given two storey development is permitted in the Precinct), provides for adequate sun and ventilation to open spaces and overshadowing is primarily over the building on the rear strata lot rather than the main area of open space on that strata lot.

Retaining walls and site works

The proposed excavation (up to ~600mm) on the eastern side of the lot is outside the parameters of the R-Codes. The applicant is excavating this side of the lot so the floor level can be lowered in order to meet the building height limit under the Residential Design Guidelines. The applicant has lowered the building height in the amended plans to address the concerns of the adjoining owner. This is considered to improve the amenity of the adjoining site and therefore the excavation to this level is supported. The depth of excavation will assist in reducing building bulk and height in relation to the property to the east. The Design Principles are considered satisfied in that the excavation will not substantially change the natural ground level at the lot boundary of the site as viewed from the street and replacement of the retaining wall is indicated on the plan. The plans indicate a retaining wall will be constructed for a considerable portion of the eastern boundary as it abuts this lot. The adequacy of the retaining wall will be assessed at Building Permit application stage.

Solar access - overshadowing

Overshadowing greater than that permitted under the R-Codes, will occur on the property to the south (i.e. permitted 25%; proposed 33.25%). The adjoining owners of the rear strata lot have not objected, most likely because the shadow will not impact the main outdoor living area of that dwelling. The non-compliance and additional overshadowing can therefore be supported.

Front fence

The proposed front fence complies with the requirements of the Residential Design Guidelines. A condition of approval is recommended only to ensure that the visual permeability of the fence as proposed and indicated on the plans is constructed and maintained with the degree of permeability required under the Guidelines.

Approval for single dwelling

It is noted this dwelling could potentially function with two separate living quarters under the one roof. If the owners wish to use the property, or part of the dwelling, for ancillary, short term or bed and breakfast accommodation a separate application to Council for its consideration will be required for these uses. However, a separate street number (i.e. address) for the property will not be issued by the Town as the development approval is for a single dwelling only, as permitted under a density code of R17.5. A footnote in this regard is recommended.

Conclusion

Given the above comments the application is recommended for approval subject to conditions. The redevelopment of the lot for a two level grouped dwelling is a permitted use of the land under the R17.5 code applicable to the area and LPS 3 provisions and is not considered to detrimentally impact the amenity of the surrounding area or the streetscape. Conditions in regard to visual privacy, roof reflectivity, finish of parapet walls, crossover width, roof fixtures and front fencing are recommended to be applied.

11.2 OFFICER RECOMMENDATION

That Council grant development approval and exercise its discretion in regard to the following:

- (i) Clause 5.1.3 – Lot Boundary Setback of the Residential Design Codes of WA to permit:**
 - (a) a lot (western) boundary setback of less than 1.5 metres (ground level) and 4.2 metres (upper level);**
 - (b) a lot (eastern) boundary setback of less than 1.0 metre for the garage, 1.5 metres for the ground level and 1.9 metres for the upper level; and**
 - (c) a lot (southern) boundary setback of less than 1.0 metre for the garage, and 2.0 metres for the upper level;**
- (ii) Clause 5.3.7 - Site Works of the Residential Design Codes of WA to allow excavation greater than 0.5 metres behind a street setback line and within 1.0 metre of a lot boundary;**
- (iii) Clause 5.3.8 – Retaining Walls of the Residential Design Codes of WA to permit a retaining wall greater than 0.5 metres in height less than 1.0 metre from the side lot boundary; and**
- (iv) Clause 5.4. 2- Solar Access for Adjoining Sites to allow greater than 25% of the site area of the adjoining property to be covered in shadow as set down in the R-Codes,**

for construction of a two storey grouped dwelling at No. 11 (Lot 1) View Terrace, East Fremantle, in accordance with the plans date stamped received on 24 August 2018, subject to the following conditions:

- (1) The metal roofing to be of a colour that reduces roof reflectivity. The colour to be to the satisfaction of the Chief Executive Officer and the details are to be submitted with the Building Permit application.**
- (2) If requested by Council within the first two years following installation, the Colorbond metal roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (3) The installation of permanent obscure glazing for all upper storey windows on the eastern elevation with the exception of the walk in larder and walk in wardrobe. The details of the obscure (visually impermeable glazing) to be indicated, to the satisfaction of the Chief Executive Officer, on the Building Permit application.**
- (4) The south facing kitchen window (scullery) to have permanent obscure glazing and be a fixed/non-opening or awning style window. The details of the window, to be to the satisfaction of the Chief Executive Officer and indicated on the Building Permit application plans.**

- (5) All parapet walls/building structures to adjacent property faces are to be finished by way of agreement between the property owners and at the applicant's expense. The details are to be to the satisfaction of the Chief Executive Officer and submitted and approved prior to the submission of a Building Permit application.
- (6) Front fencing to comply with Local Planning Policy 3.1.1 - Residential Design Guidelines 2016.
- (7) Sight lines for both driveways and fencing adjoining driveways to comply with Australian Standards.
- (8) No external fixtures, fittings or appliances to be installed on the roof of the dwelling without further Council approval.
- (9) The width of the new crossover on the eastern side of the lot is not to exceed 4.5 metres as indicated on the plans date stamped received 24 August 2018.
- (10) The width of the existing crossover to the lot is not to be increased.
- (11) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- (12) The proposed works are not to be commenced until Council has received an application for a Demolition Permit and a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (13) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (14) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (15) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (16) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (17) This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

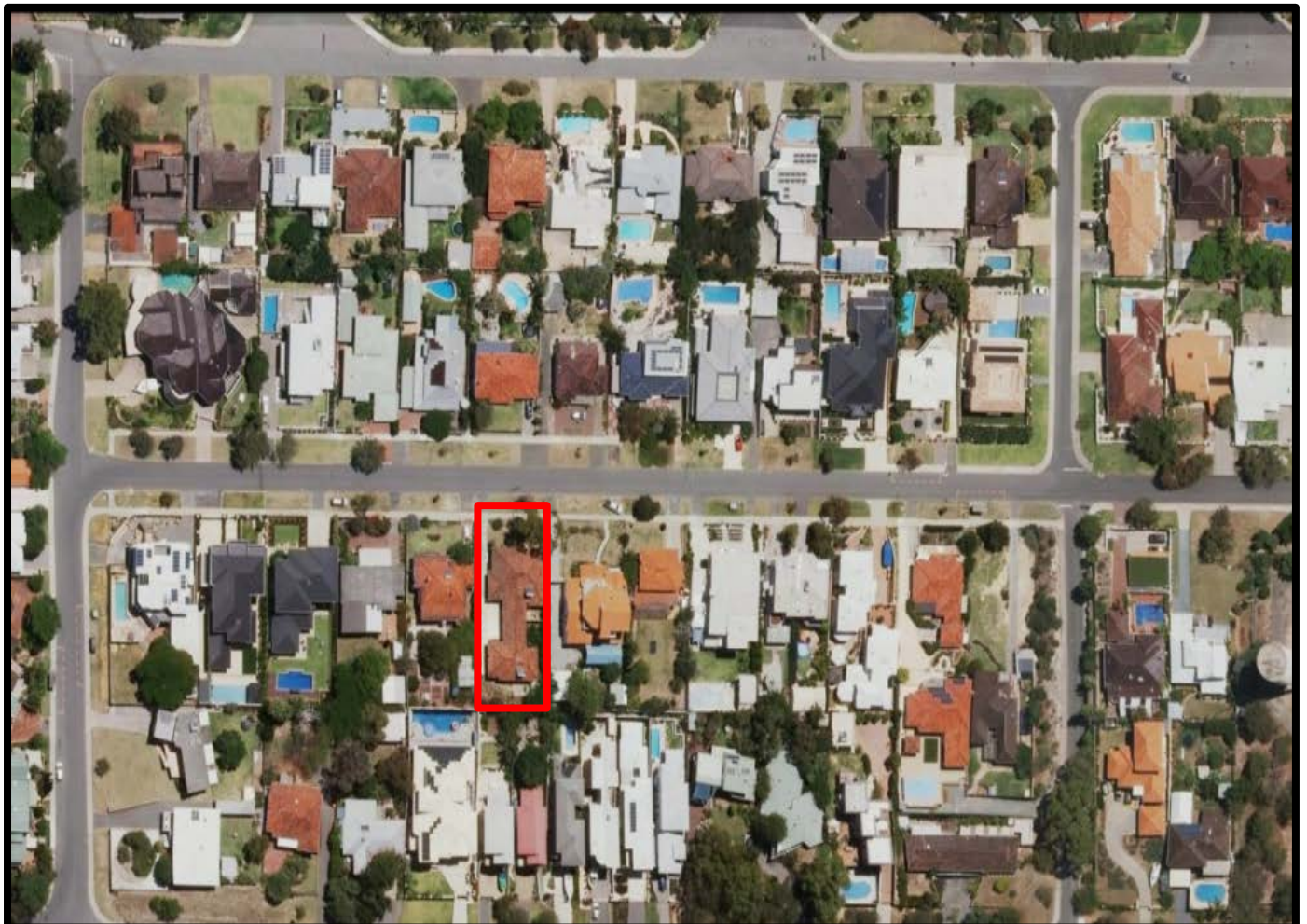
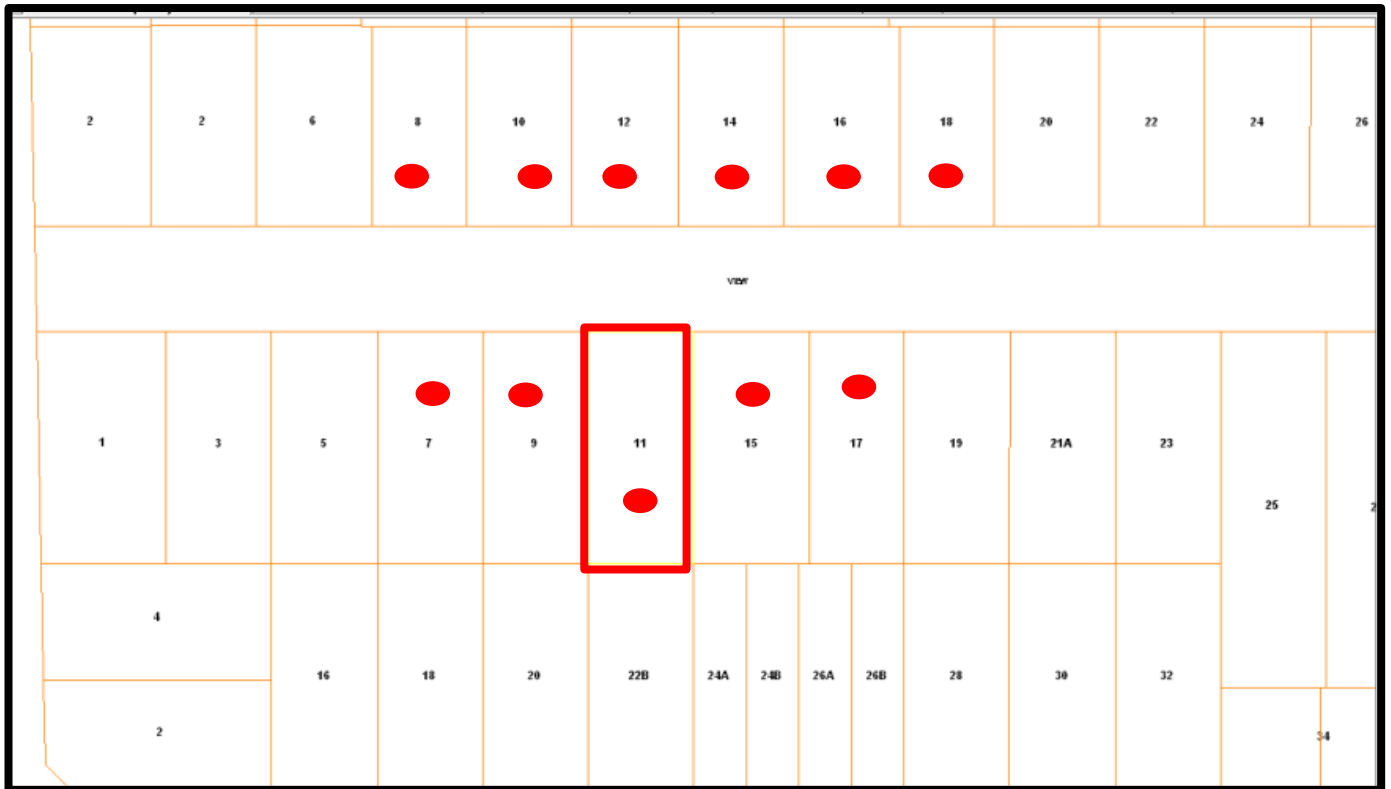
The following are not conditions but notes of advice to the applicant/owner:

- (i) *The dwelling, or any part of the dwelling, is not to be used for the purpose of an ancillary dwelling, short term or bed and breakfast accommodation. If these uses are contemplated a separate development approval application for Council's consideration is required to be submitted.*
- (ii) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (iii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*



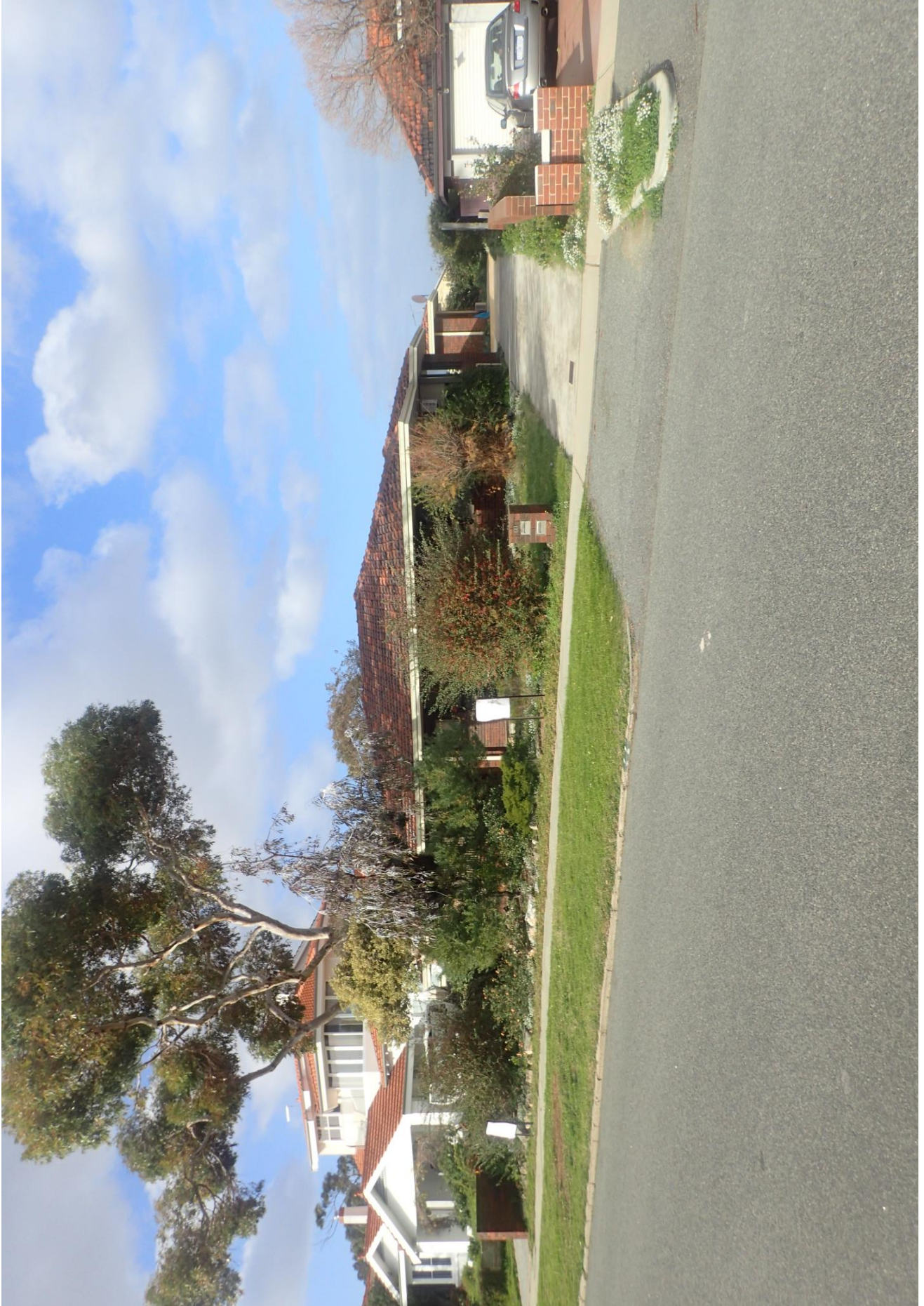
- (iv) It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (v) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (vi) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vii) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

NO. 11 (LOT 1) VIEW TERRACE- P049/18- TWO STOREY DWELLING













Mr & Mrs Hardwick

Strata Lot 1 (#11) View Street,
EAST FREMANTLE.



40



OVERSHADOWING CALC'S	
NEIGHBOURS LOT AREA:	420m²
OVERSHADOW AREA:	140m²
PERCENTAGE COVERED:	33%

OPEN SPACE CALC'S.	
SITE AREA:	383m²
TOTAL HOUSE AREA:	193m²
OPEN SPACE ACHIEVED:	50%

PLANS ARE SUBJECT TO CHANGE PERIODIC ON STRUCTURAL ENGINEERS & OR CONTRACTORS DISCRETION ON SITE	JOB NUMBER	DATE	
	18002	JAN. 18	
	SCALE	SHEET	
1:200		02	

AMENDMENT	REV No	DATE
PLANS FOR DA APPLICATION	01	24-08-18

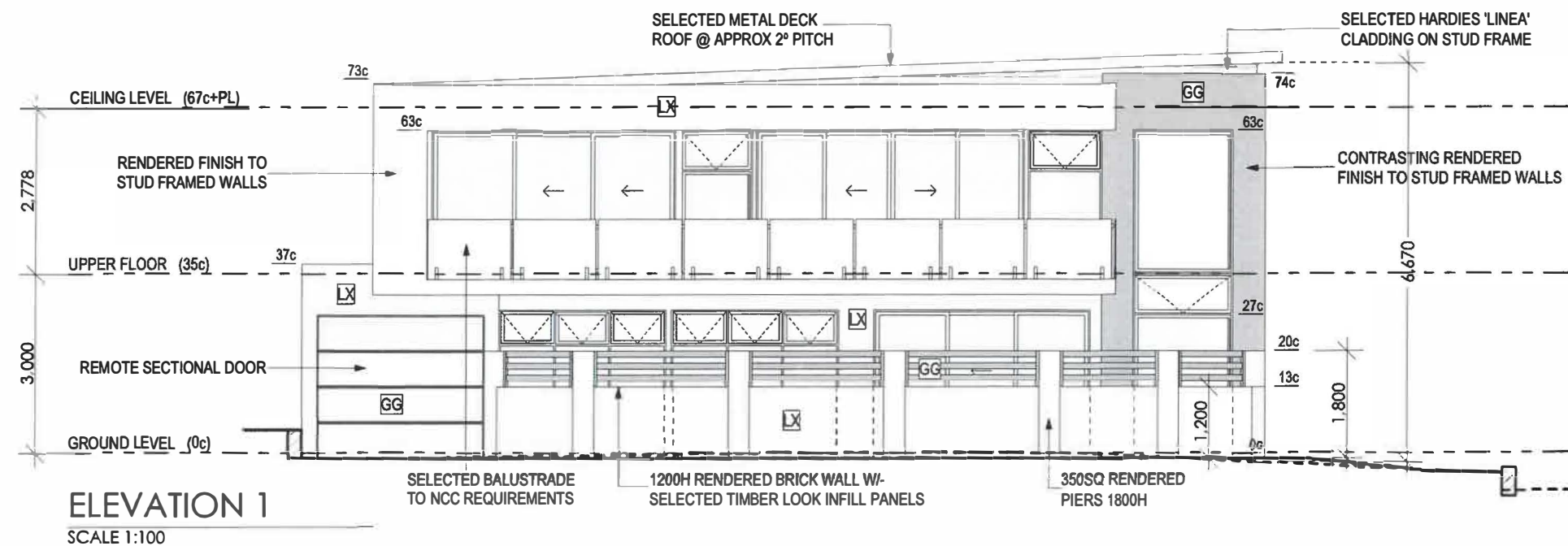
WORKING DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS DRAWINGS & OTHER CONSULTANT DRAWINGS IF ANY DISCREPANCIES TO CONTACT INFIMITY DESIGN & DRAFTING PH: 0413 152 846

SUB-CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE

CLIENT: Mr & Mrs Hardwick
ADDRESS: Strata Lot 1 (#11) View Street
EAST FREMANTLE.



INFINITY
DESIGN & DRAFTING



EXTERNAL COLOUR FINISHES

- ☒ -LEXICON WHITE (MAIN RENDER)
- ☒ -GUILD GREY (CONTRASTING RENDER, INFILL PANELS & GARAGE DOOR)
- ☒ -SILVER LUSTRE (WINDOW FRAMES)
- ☒ -SHALE GREY (ROOF)

Town of East Fremantle

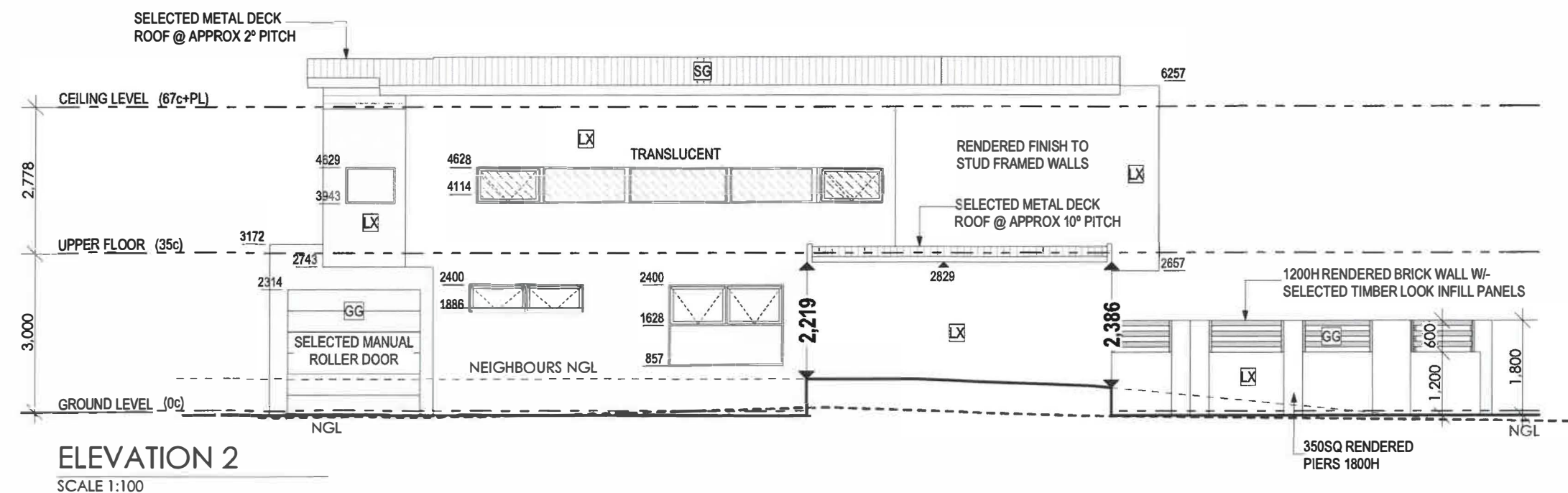
26 AUG 2018

RECEIVED

Town of East Fremantle

7 4 AUG 2018

RECEIVED



CLIENT:

Mr & Mrs Hardwick

ADDRESS:

Strata Lot 1 (#11) View Street,
EAST FREMANTLE.

AMENDMENT

PLANS FOR DA APPLICATION

REV No

01

DATE

24-08-18

PLANS ARE SUBJECT TO CHANGE PENDING
ON STRUCTURAL ENGINEERS &/OR
CONTRACTORS DISCRETION ON SITE

JOB NUMBER

18002

DATE

JAN,18

SCALE

1:100

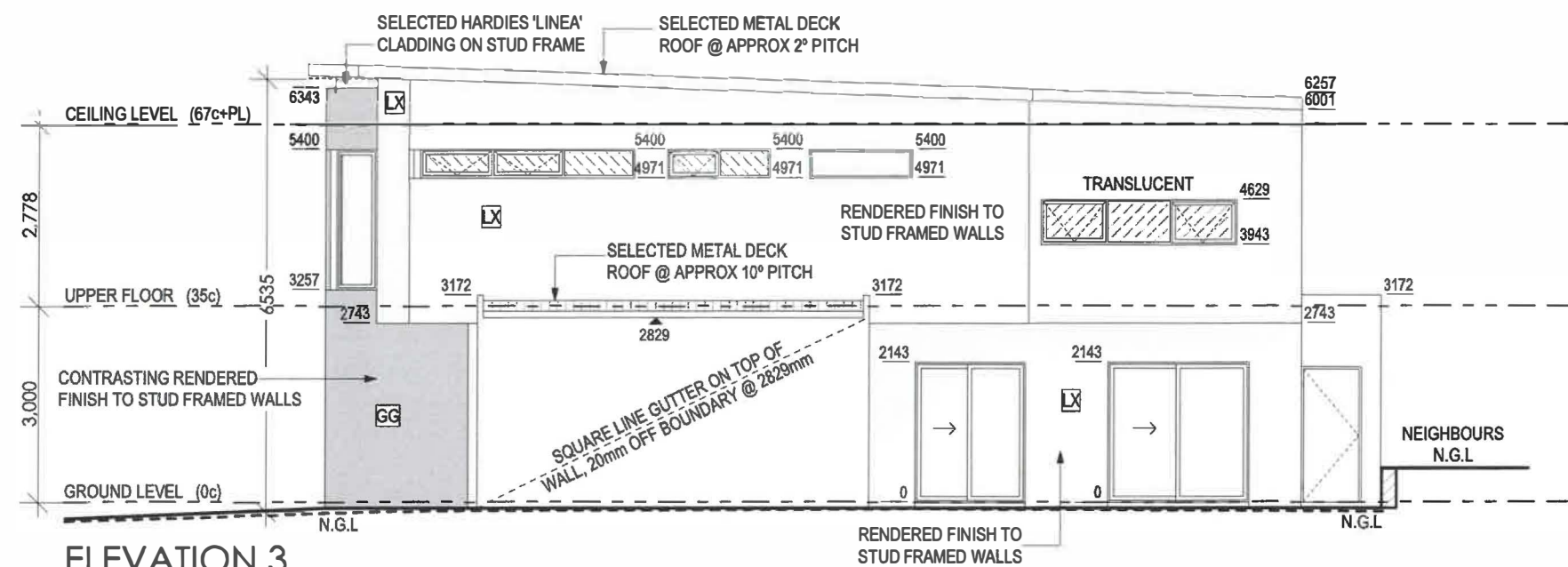
SHEET

05

WORKING DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS
DRAWINGS & OTHER CONSULTANT DRAWINGS IF ANY DISCREPANCIES
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SUB-CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE

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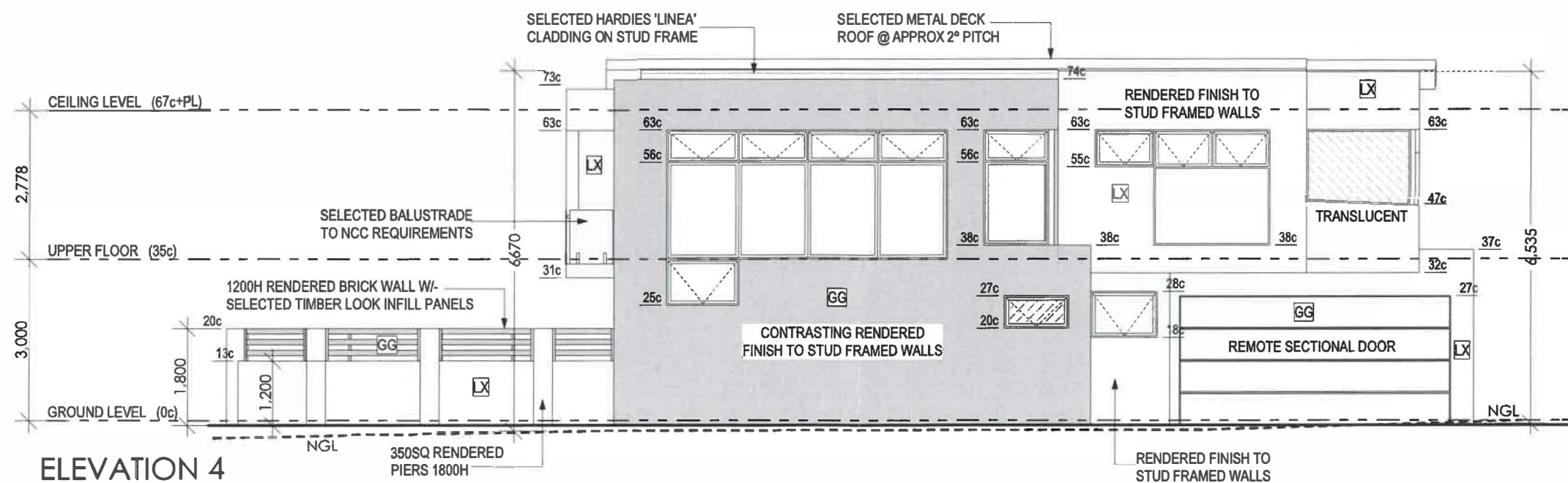
ELEVATION 3

SCALE 1:100

EXTERNAL COLOUR FINISHES

- LX -LEXICON WHITE (MAIN RENDER)
- GG -GUILD GREY (CONTRASTING RENDER, INFILL PANELS & GARAGE DOOR)
- SL -SILVER LUSTRE (WINDOW FRAMES)
- SG -SHALE GREY (ROOF)

Town of East Fremantle
24 AUG 2018
RECEIVED



ELEVATION 4

SCALE 1:100



CLIENT:

Mr & Mrs Hardwick

ADDRESS:

Strata Lot 1 (#11) View Street,
EAST FREMANTLE.

AMENDMENT

PLANS FOR DA APPLICATION

REV No

01

DATE

24-08-18

PLANS ARE SUBJECT TO CHANGE PENDING
ON STRUCTURAL ENGINEERS &/OR
CONTRACTORS DISCRETION ON SITE

JOB NUMBER

18002

DATE

JAN, 18

SCALE

1:100

SHEET

06

WORKING DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ENGINEERS
DRAWINGS & OTHER CONSULTANT DRAWINGS IF ANY DISCREPANCIES
TO CONTACT INFINITY DESIGN & DRAFTING PH: 0413 152 645

SUB-CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE

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11.3 Windsor Road No. 28 (Lot 1) – Proposed Verandah/ Patio

Owner / Applicant	G Puglisi
File ref	P063/2018; P/WIN28
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	2 October 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan 2. Place Record Form 3. Plans date stamped 11 July 2018

Purpose

This report considers an application for planning approval for a rear verandah / patio to an existing dwelling at No. 28 Windsor Road, East Fremantle.

Executive Summary

The proposed additions and alterations are for demolition of existing verandah / patio, stairs and planters and for construction of verandah / patio, stairs and planters. This application is considered to be significantly compliant with the Residential Design Codes and the Residential Design Guidelines. An objection was received by the adjoining neighbour therefore this application is required to be determined by Council.

The following issues are relevant to the determination of this application:

- Heritage considerations; and
- Visual privacy

The proposal comprises an addition to the rear of the dwelling and will not impact on the heritage character of the building. The proposal will have no negative impact to the streetscape. The adjoining neighbour to the east has signed a copy of the plan indicating no objection to the proposal.

It is considered the visual privacy is compliant with the 'Deemed to Comply' provisions of the R-Codes and therefore can be supported. The application is recommended for approval subject to conditions.

Background

Zoning: Residential R17.5

Site area: 911m²

Consultation

Advertising

The application was advertised to the property to the north surrounding land owners from 27 July to 13 August 2018. The adjoining neighbour to the east has signed a copy of the plan indicating no objection to the proposal. One (1) submitter provided Council with an objection to the proposal. The submitter noted the following comments and the applicant and officer responses are provided below:

- *I object to the proposal as is presented in the current planning application on the basis that it further degrades my already compromised privacy from the Applicant on our common boundary.*

- *The applicants kitchen window already has full view of my backyard. I will freely admit for the public record that this is a situation I inherited when purchasing my property of 30 Windsor Road, East Fremantle. I have tried to plant screen trees on the affected boundary only to have the applicant prune the said screen trees to nullify the passive screening potential of the screen trees.*
- *The current area where the applicant proposes to build a new all weather use veranda is now subject to seasonal use which by design means it has been a low frequency use area by the applicant. The proposed veranda is now going to be an all weather high frequency use area. It also proposes a dinning area pushing towards the applicants 21 Gill Street common boundary. This gives the applicant more line of sight into my backyard and where I have my outdoor entertaining area. This on top of the existing casual sitting area proposed by the applicant which also has line of sight into my backyard. This is further exacerbated by virtue of the topography of the proposed new veranda being considerable higher than the grade of the rear of my property that I would like to use as an entertaining area.*
- *The proposed new veranda design indicates the use of “vertical rolling insect screens” which by default are not privacy screens. Another point is that their use will be arbitrary at the sole discretion of the applicant. This having the potential to further degrade my compromised privacy position on the common boundary with the applicant. I also state for the record that the applicants car port is open on both sides.*
- *The applicant has gone to considerable lengths to provide privacy screening with their boundary with 21 Gill Street. This has been by means of louvred windows.*
- *I am amenable to removing my objection to the proposed planning application if the applicant installs permanent privacy screens on the open structure the applicants carport makes from the carport rear workshop to the existing gate and fence on the applicants house structure. This would give the applicant total freedom on when to use the proposed retractable fly screens without impacting on my privacy. If implemented I would not even be aware of when the applicant was using the new proposed all weather use veranda. I sincerely hope that the applicant considers this proposal to diffuse my existing privacy concerns with the common boundary with the applicant without the added complication of building the proposed new veranda as is presented in the current planning application.*

Applicant's response

- *Thank you for passing on the comments from my neighbour at 30 Windsor Road and the opportunity to provide a response. It is a shame that my neighbour feels he has compromised privacy from my kitchen window (as we do for his kitchen window) but frankly the kitchen windows are irrelevant to this application. However, my neighbour accuses me of pruning his screening vegetation to nullify its screening potential - an accusation which is not only factually incorrect but also absurd as it implies a desire on my part to view into his yard which I can assure you and Council that this cannot be further from the truth. What little pruning is done is limited to maintaining access along a path with the vegetation continuing to provide an effective screen along the shared boundary.*
- *You might recall than when we discussed the need to seek comments from my neighbour at 30 Windsor Road that my view was that this neighbour is not potentially affected by the proposal because of the effective screen provided by the existing carport and workshop. By virtue of the difference in elevation between the carport slab (only slightly above the neighbour) and the higher current patio (which will be the same level as the verandah) then most of this screening is provided by the carport roof and to a lesser extent the brick wall of the workshop and some infill lattice. For people of normal height the partially impeded view through the lattice is of the carport slab and the boundary fence, all on my side of the property. This is somewhat difficult to describe and it would be best for you or someone from Council's Planning Department to visit and have a look and this should be mandatory before you proceed with assessment of my application.*

- *I'm assuming that the permanent privacy screens that my neighbour has referred to as a condition of removing his objection would be instead of the existing infill lattice screens that I have referred to above. These lattice screens were installed over 20 years ago as part of Council approved plans for extensions to my house which included the now existing roofed patio area immediately adjacent to the screens. The proposed verandah will replace the roof and extend the roof cover towards Gill Street but the new roof area will all be screened to 30 Windsor Road by the carport roof and brick walls of the workshop as it is now. Again this will be obvious when you visit the site.*
- *In summary my response to the comments from my neighbour at 30 Windsor Road is as follows: That you or another Council officer visit the site and ascertain first hand the relativities of the two properties and that the existing permeant structures provide adequate privacy screening for both properties; That my neighbours objections be ignored in the assessment of my application on the basis that they are factually incorrect and that his privacy will not be degraded by the proposal.*

Officer response

The proposal is compliant with the R-Codes and the Residential Design Guidelines with regard to setbacks and privacy to the northern boundary. The matters raised in regard to privacy to the north is compliant and therefore cannot be conditioned to include privacy screens.

Community Design Advisory Committee (CDAC)

This application was not considered by the CDAC. All additions are proposed to the rear of the property and have no impact to the streetscape or heritage character of the property.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

LPS No. 3 Heritage List

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Municipal Heritage Inventory - 'B' Category

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*

3.3.1 *Continue to improve asset management practices.*

3.3.2 *Optimal management of assets within resource capabilities.*

3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 *Conserve, maintain and enhance the Town's open spaces.*

4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*

4.1.2 *Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

4.3 *Acknowledge the change in our climate and understand the impact of those changes.*

4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

August 2018

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6.0m	As existing	A
Lot boundary setbacks			
Northern	1.8m	10m	A
Southern	1.0m	4.2m	A
Eastern	1.8m	7.1m	A
Open Space	50%	>50%	A
Outdoor Living	30m ²	35m ²	A
Car Parking	2	2	A
Site Works	Less than 500mm	Less than 500mm	A
Visual privacy setback			
North	7.5m	8.0m	A
South	N/A	As existing	A
East	7.5m	7.1m	D
Overshadowing	≤25%	≤25%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings (studio and patio)	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.18.3 Garages and Carports	N/A
3.7.15-20 Precinct Requirements	A

The proposal comprises demolition of existing verandah / patio, planters and stairs and construction of new verandah / patio (outdoor sitting area and outdoor dining area) stairs and planters.

Heritage

The dwelling is categorised as Category 'B' on the Heritage List of the Planning Scheme. Overall the proposal is considered to acknowledge the significant heritage value of the property. The dwelling still maintains the same street presence and appearance and the addition will not be viewed from the street. The proposed addition is not considered intrusive as far as the streetscape or fabric of the building is concerned. The addition is recommended for approval subject to conditions.

Lot boundary setback

The lot boundary setbacks are compliant with the R-Codes. The finished floor levels of the verandah will be consistent with existing levels. No height changes are proposed. New access stairs and planters are also proposed.

Visual Privacy

There are variations to the R-Codes in respect to the visual privacy setbacks of the verandah / patio to the rear (east). The proposed variation is a distance of 0.4 metres (7.5m required, 7.1m proposed). The proposal is replacing a verandah / patio that is considered significantly consistent with the existing. No additional height is proposed. No screening devices have been indicated. The neighbour to the east has signed a copy of the plans indicating they have no objection to the proposal.

The adjoining neighbour to the north has objected to the proposed verandah / patio area. The proposed verandah / patio is consistent with the existing verandah. The verandah / patio is located 8.0 metres from the northern boundary and therefore compliant with the 'Deemed to Comply' provisions of the R-Codes. Notwithstanding the acceptable setback distance, a carport minimises direct views into the adjoining northern property, whilst a store restricts the views entirely. Oblique views from the proposed verandah are towards an adjoining shed to the north northeast and through the limited views through the carport to the north northwest. The overlooking is compliant with the R-Codes and Council cannot condition screens to be erected to the northern elevation.

Conclusion

It is considered the proposal is compliant and can be supported.

11.3 OFFICER RECOMMENDATION

That Council grant development approval and exercise discretion in regard to the following:

- (i) Clause 5.4.1 – Visual Privacy of the Residential Design Codes of WA to permit a visual privacy setback of less than 7.5 metres from the verandah to the rear boundary,

for a verandah/ patio to the rear of the existing dwelling, at No. 28 (Lot 1) Windsor Road, East Fremantle, in accordance with the plans date stamped received 11 July 2018, subject to the following conditions:

- (1) The details of construction materials, colours and finishes to be used for the alterations and additions the subject of this application to the satisfaction of the Chief Executive Officer and to be submitted at Building Permit application stage.
- (2) If requested by Council within the first two years following installation, the metal roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (3) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (4) The proposed works are not to be commenced until Council has received an application for a Demolition Permit and a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (5) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.\
- (6) All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (7) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (9) This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

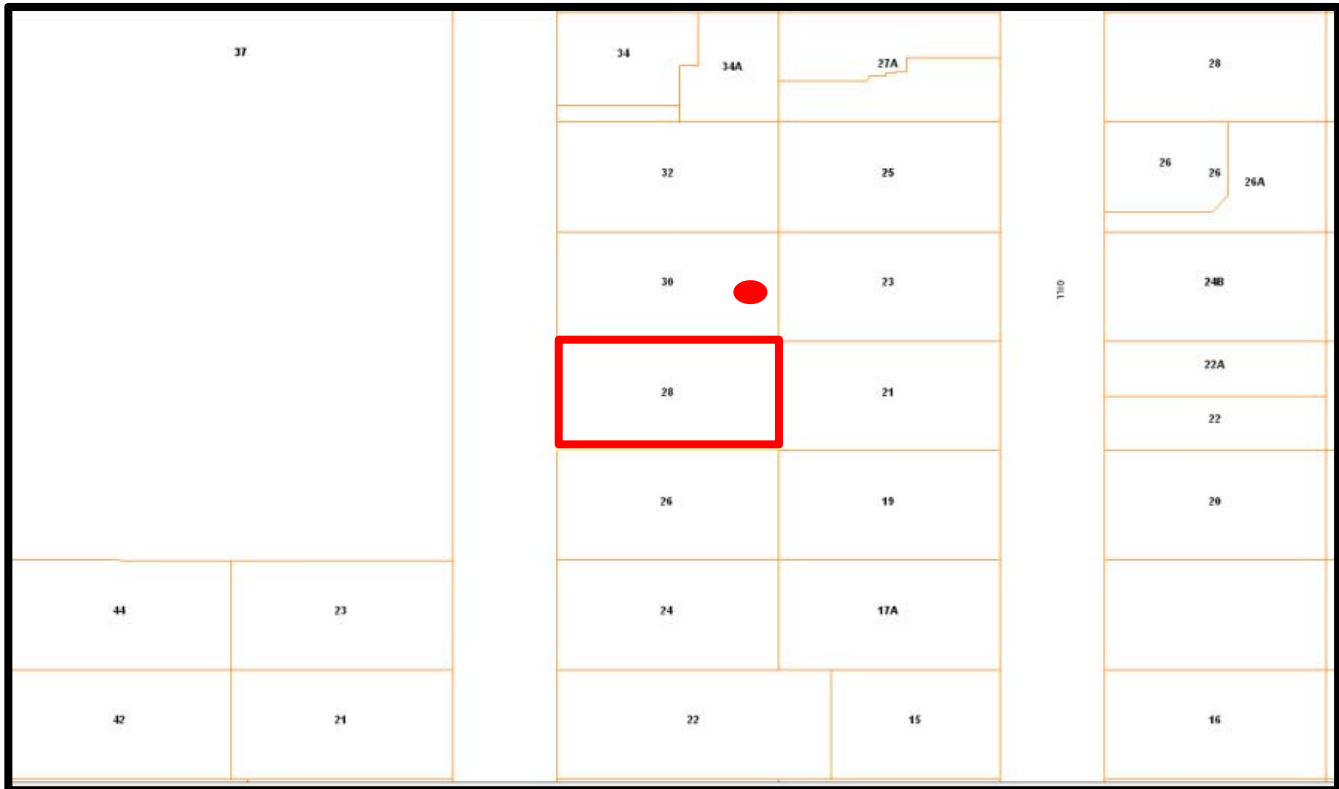
The following are not conditions but notes of advice to the applicant/owner:

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*



- (ii) A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (iv) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (v) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – “An Installers Guide to Air Conditioner Noise”.*

NO. 28 (LOT 1) WINDSOR ROAD – P063/18- VERANDAH – CATEGORY B



PLACE RECORD FORM



PRECINCT	Richmond
ADDRESS	28 Windsor Road
PROPERTY NAME	N/A
LOT NO	Lot 1
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1925
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 28 Windsor Road is a single storey house constructed in brick and rendered brick with a hipped and gable tiled roof. It is a fine expression of the Inter-War Bungalow style. The additions were carried out to the place in 1994. It is asymmetrically composed with a full width return hip roofed verandah. The verandah is supported on timber posts set over piers. The verandah terminates on a gabled bay on the north elevation. The front elevation features a prominent gabled roof, a set of casement windows and a corner suite. The entry door is located on the north elevation under the return verandah. The lower walls are face brick and the upper walls rendered. The roofscape features rendered chimneys and finials.</p>

The place retains its form and most of its details. There are additions to the rear. There is a carport to the north side of the house and to the rear of the lot.

The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

In September 1883 Stephen Henry Parker and James Morrison of Perth commenced subdivision of 65 acres of land to the north of Canning Road. The subdivision occurred at Swan Locations 63, 176, 219 and the south western portion of Swan Location 306. The subdivision included Preston Point Road, Alcester Gardens, Wolsely Gardens, Victoria Road, Alexandra Road, Parry Avenue, and Salvado Avenue.

The Richmond Precinct was owned by Walter Easton and was named after the town of Richmond where Easton lived in England. In 1901 Easton's sons subdivided Windsor Estate. New streets to the subdivision of the Windsor Estate were named after various members of the Easton family; Walter, Gill, Stratford and Morgan (later Osborne Road).

Initially lot sizes were generous but sold at a slow rate. The initial development of the Richmond Precinct occurred at Canning Highway and Preston Point Road. Substantial residences were developed on these streets giving precedence to the future development of Richmond. The distinct architecture of Canning Highway and Preston Point Road distinguish Richmond from the surrounding area.

By 1913 there were approximately 40 residences in the area between Preston Point Road and Alexandra Road. Osborne Road, Windsor Road and Gill Street had several buildings apiece by 1913. By 1931 approximately half the lots were developed. In 1921 Richmond Primary School was developed between Windsor and Osborne Road and several Inter-War residences were developed in the immediate area. In the 1930s the Workers' Homes' Board developed a number of weatherboard, asbestos, brick and tiled residences. Inter-War style front porches were preferred over Federation style full width verandahs.

Redevelopments have occurred throughout the Richmond Precinct. Large lot sizes have allowed Richmond to be subject to the redevelopment of group and multiple housing. However, significant clusters of heritage dwellings remain throughout.

OWNERS

Unknown

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Brick and rendered brick

Roof – Tiles

PHYSICAL SETTING

The residence is situated on a gently sloping site with a brick wall and a steel palisade fence on the lot boundary.

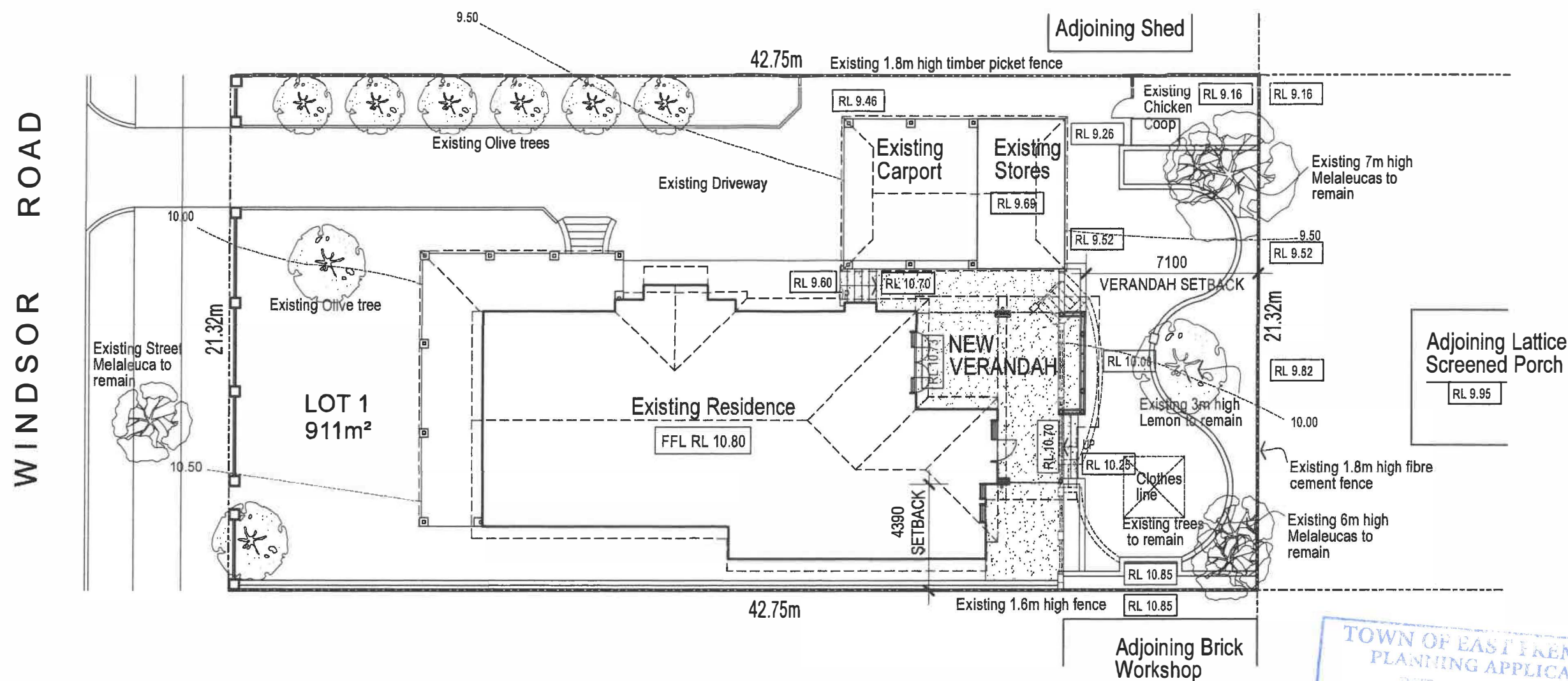
STATEMENT OF SIGNIFICANCE

No 28 Windsor Road is a single storey house constructed in brick and rendered brick with a tiled roof. It has historic and aesthetic value for its contribution to Richmond's high concentration of predominantly Federation and Inter-War period houses and associated buildings. The place contributes to the local community's sense of place.

The place has considerable aesthetic value as a fine Inter-War Bungalow. The place retains a moderate to high degree of authenticity and a high degree of integrity.

The carport and additions have no significance.

AESTHETIC SIGNIFICANCE	No 28 Windsor Road has considerable aesthetic value as a fine Inter-War Bungalow. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 28 Windsor Road has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Walter Easton's Estate from 1901.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 28 Windsor Road has some social value. It is associated with a significant area of middle class Federation and Inter-War period development which contributes to the community's sense of place.
RARITY	No 28 Windsor Road is not rare in the immediate context but Richmond has rarity value as a cohesive middle class suburb.
CONDITION	No 28 Windsor Road is in good condition.
INTEGRITY	No 28 Windsor Road retains a high degree of integrity.
AUTHENTICITY	No 28 Windsor Road retains a moderate to high degree of authenticity.
MAIN SOURCES	



SITE PLAN
SCALE 1 : 200



AS OWNER(S) OF 21 GILL STREET, I (WE) HAVE NO OBJECTIONS TO THE NEW VERANDAH PROPOSAL SHOWN ON THIS DRAWING

SIGNATURE(S):

Fred Grosvenor

NAME(S):

Fred Grosvenor

REV.	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPROVAL	2.07.18

**J A M E S
D R E W E
A R C H I T E C T**

ABN 47 668 071 156
+61 415 684 107
jdarchitect@inet.net.au
36a Westbury Crescent
Bicton, WA 6157

PROJECT TITLE:
NEW VERANDAH
28 WINDSOR ROAD EAST FREMANTLE

DRAWING TITLE: SITE PLAN	DRAWING NO.: SK01
SCALE: 1:200	DATE: JUN 18
	REVISION: A

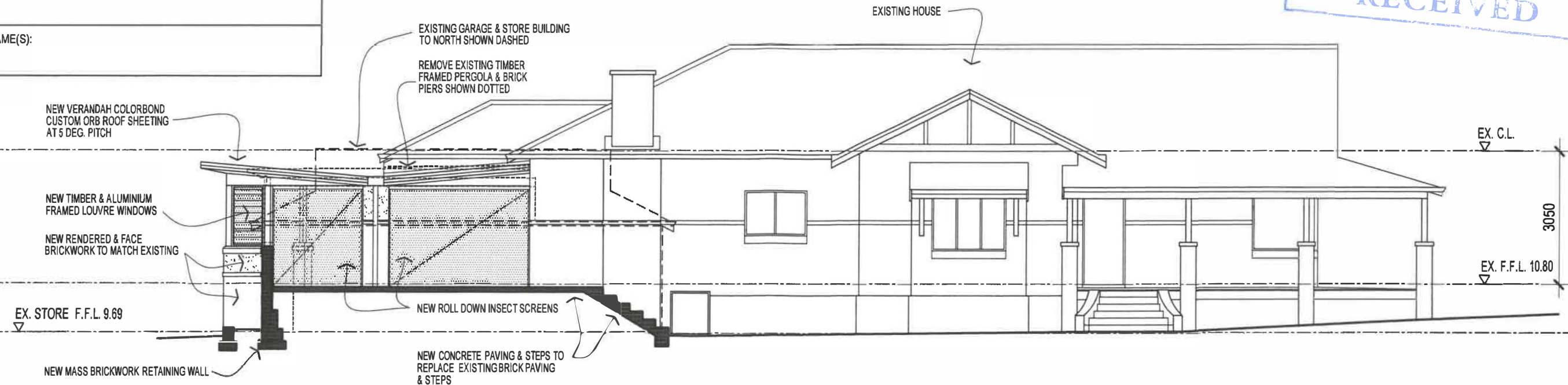


DRAWING TITLE:		DRAWING NO.:
PART FLOOR PLAN		SK02
SCALE:	DATE:	REVISION:
1:50	MAY 18	B

AS OWNER(S) OF 21 GILL STREET, I (WE) HAVE NO OBJECTIONS
TO THE NEW VERANDAH PROPOSAL SHOWN ON THIS DRAWING

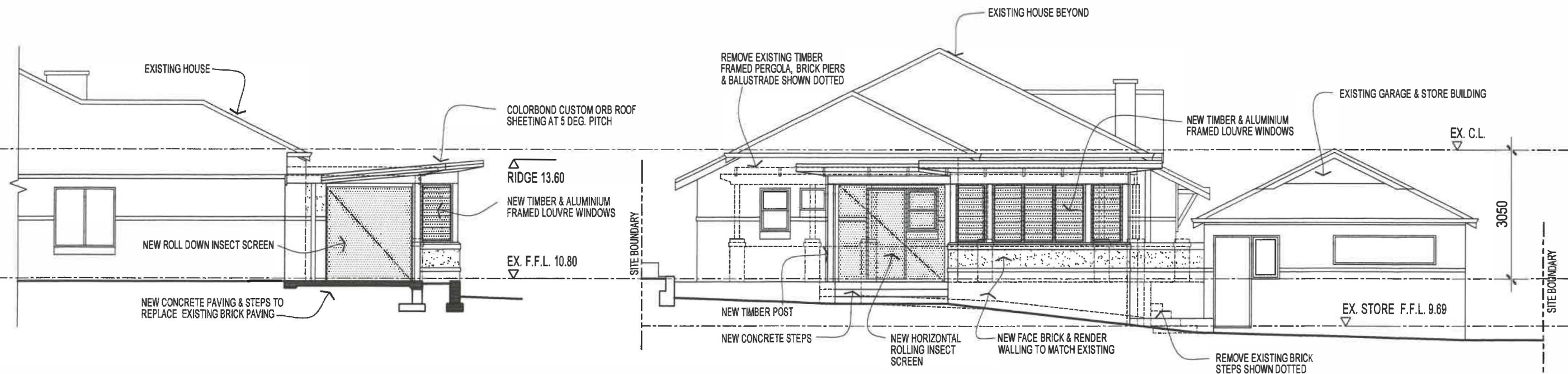
SIGNATURE(S):

NAME(S):



NORTH ELEVATION

SCALE 1 : 100



EAST ELEVATION

SCALE 1 : 100

PART SOUTH ELEVATION

SCALE 1 : 100

REV.	DESCRIPTION	DATE
A	ISSUE FOR DEVELOPMENT APPROVAL	2.07.18

J A M E S
D R E W E
A R C H I T E C T

ABN 47 668 071 156
+61 415 684 107
jdarchitect@inet.net.au
36a Westbury Crescent
Bicton, WA 6157

PROJECT TITLE:

NEW VERANDAH

28 WINDSOR ROAD EAST FREMANTLE

DRAWING TITLE:

ELEVATIONS

SCALE:

1:100

DATE:

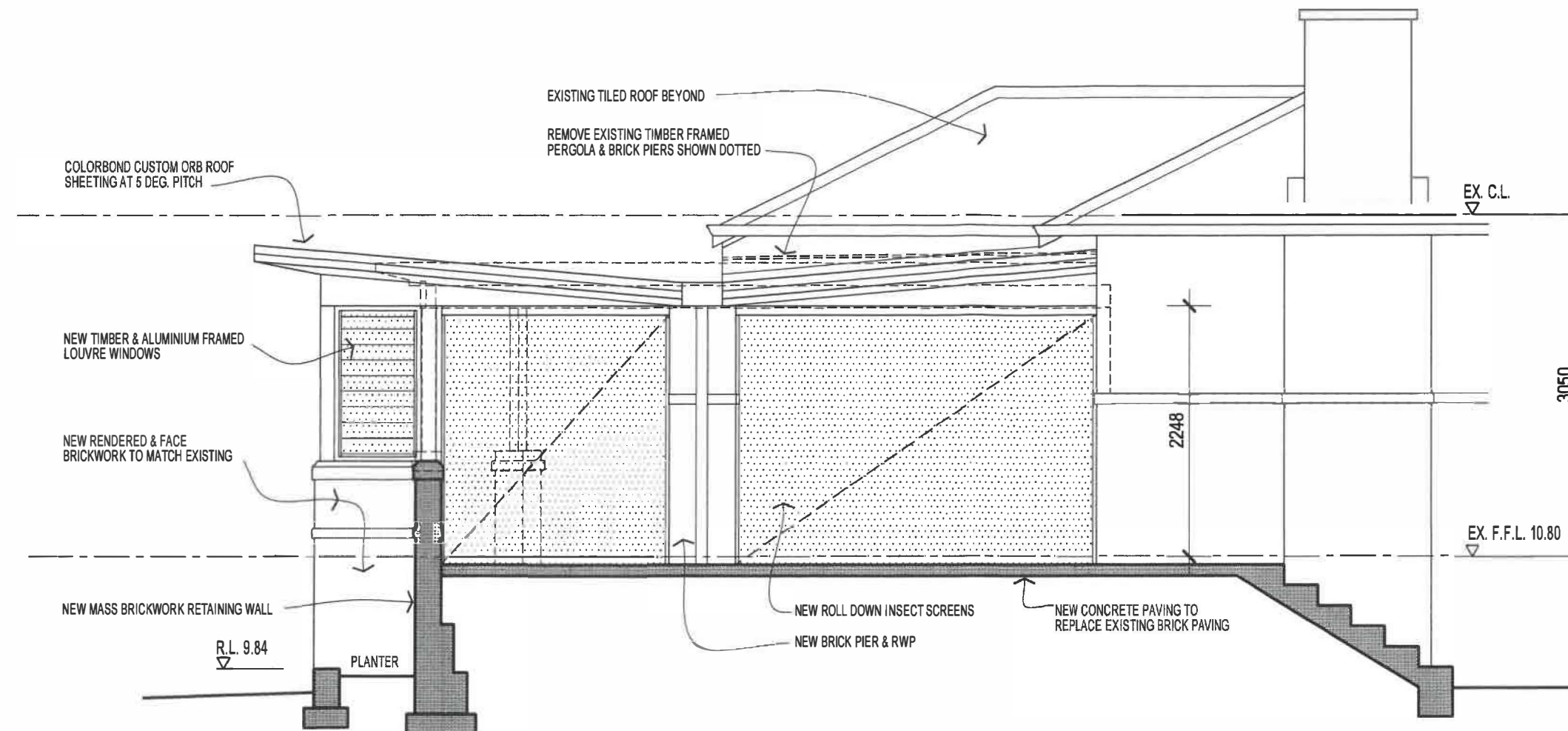
JUN 18

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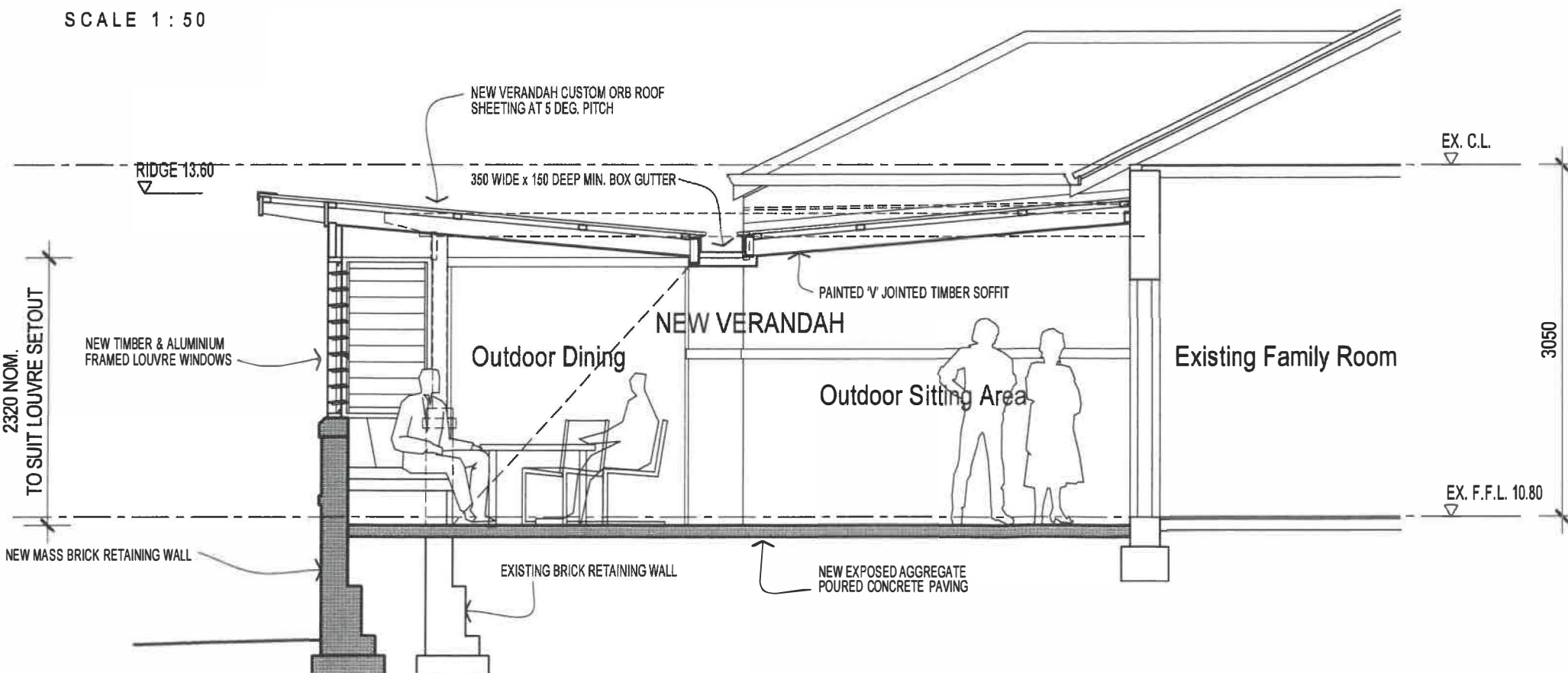
SK03

REVISION:

A



SECTION A
SCALE 1 : 50



SECTION B
SCALE 1 : 50

AS OWNER(S) OF 21 GILL STREET, I (WE) HAVE NO OBJECTIONS TO THE NEW VERANDAH PROPOSAL SHOWN ON THIS DRAWING

SIGNATURE(S):

NAME(S):

B A	ISSUE FOR DEVELOPMENT APPROVAL PRELIMINARY ISSUE	2.07.18 28.05.18
REV.	DESCRIPTION	DATE

JAMES DREW ARCHITECT
 ABN 47 668 071 156
 +61 415 684 107
 jdarchitect@iinet.net.au
 36a Westbury Crescent
 Bicton, WA 6157

PROJECT TITLE:
NEW VERANDAH
28 WINDSOR ROAD EAST FREMANTLE

DRAWING TITLE: SECTIONS	DRAWING NO.: SK04
SCALE: 1:50	DATE: MAY 18
REVISION: B	

11.4 Duke Street, No. 36-42 (Lots 601 & 602) – Change of Use Application

Applicant	Manotel P/L
Owner	Manotel P/L
File ref	P/DUK 36
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location Plan 2. Applicant Letter

Purpose

This report considers a change of use application for the 'Brush Factory' (former Lauder & Howard building) to include additional office space at 36-42 Duke Street, East Fremantle.

Executive Summary

The application proposes a change of use application for Tenancy 1 and Tenancy 4 of the building for additional office space:

Tenancy 1: Currently approved for wine and general storage for the Jazz bar.

Tenancy 4: Currently approved for a "Performing Arts/ Music" space (vacant).

The following issues are relevant to the determination of this application:

- Use of the tenancies; and
- Car parking

It is considered there will be minimal impact on the amenity and car parking to the area and as such the change of use can be supported subject to standard conditions of development approval being imposed.

Any Relevant Previous Decisions of Council and/or History of an Issue or Site

1897	Building at 36 Duke Street starts use as a 'Brush Factory';
20 May 1983	Council approves the use of 36 Duke Street for restoration and sale of furniture;
14 June 1983	Council approves use of the building at 42 Duke Street for the manufacture of decorative glass (Freedom Glass);
21 November 1983	Council grants conditional approval for the erection of two signs at 36 Duke Street;
16 April 1984	Council advises Lauder & Howard that it has no objections to repainting the exterior of the building at 36 Duke Street;
16 July 1984	Council approves signs on the façade of 36 Duke Street;
24 April 1986	CEO advises Lauder & Howard that signage on the east wall of the building at 36 Duke Street is approved;
19 June 1995	Council endorses a proposal for an opening to the front wall of the building at 42 Duke Street;
10 July 1995	Building Permit 100/2309 approved for installation of new door frame, doors and side-lights at 42 Duke Street;
24 July 1996	Building Surveyor approves removal of a chimney and portion of a parapet wall from the building at 36 Duke Street;
19 August 1996	Council decides to advise the WAPC that it supports the subdivision and amalgamation of Lots 1, 2 & 3;
10 December 1996	WAPC grants conditional approval to the subdivision & amalgamation;

25 February 1997	Council resolves to rezone 36 Duke Street to Residential Area 2;
June 1997	Conservation Plan prepared for Main Roads Department for 36 & 42 Duke Street;
16 December 1997	WAPC endorses for final approval Diagram 94449 for the subdivision & amalgamation;
21 July 1998	Council resolves to reconsider a proposal to convert existing workshop at 42 Duke Street into 2 workshops;
18 August 1998	Council grants special approval for 2 workshops at 42 Duke Street;
5 May 1999	Building Licence 93/2833 approved for alterations to the building at 42 Duke Street to form 2 separate workshops;
25 August 1999	Storm damages building; roof ends up on Stirling Highway;
3 August 2001	Premier Gallop, MPs, Mayor and CEO & VIP's join in the reopening of Lauder & Howard's antiques;
9 December 2008	Planning Approval granted to redevelop the buildings at 36-42 Duke Street from antique furniture showrooms and workshops to 7 x 1 bedroom apartments, and 5 x 3 bedroom apartments.
15 March 2011	Planning Approval granted to redevelop the buildings at 36-42 Duke Street for a change of use, partial demolition, redevelopment and new construction to accommodate a mixed use residential/arts and entertainment venue.
12 February 2013	Planning Approval granted to amendments to a previously approved planning application, date stamped Approved on 15 March 2011 (Application (P199/10) and to extend the previous planning approval P199/10 for a further 2 years. The previously approved application was for a change of use, partial demolition, redevelopment and new construction to accommodate a mixed use residential/arts and entertainment venue.
16 July 2013	Planning Approval granted to amendments to a previously approved planning application, date stamped Approved on 15 March 2011 (Application (P199/10) for 2 storeys of commercial offices above the approved Jazz Club/ Performance space. Council refused the penthouse apartment located above the 'Brush Factory'.
1 October 2013	Planning Approval for a penthouse apartment to be erected on top of the proposed performance space and existing heritage building at the 'Brush Factory (former Lauder & Howard building), 36-42 Duke Street. In addition it considers an application which has been presented to Council with regards to a review of the opening times for the Jazz Club.

Consultation

Advertising

The application for the proposed change of use was not advertised as the proposed additional office area is not considered to have an impact to the surrounding area or adjoining properties. The proposed use does not have a requirement for additional car parking as per the applicant's information and 'Time Share Analysis'.

Community Design Advisory Committee (CDAC)

This application was not referred to the CDAC as there are no external or internal changes to the building.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

*Town of East Fremantle Residential Design Guidelines 2016
Municipal Heritage Inventory - 'A' Category
Fremantle Port Buffer Zone - Area 3*

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

- 3.1 Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 Plan for a mix of inclusive diversified housing options.*
- 3.2 Maintaining and enhancing the Town's character.*
 - 3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 Continue to improve asset management practices.*
 - 3.3.2 Optimal management of assets within resource capabilities.*
 - 3.3.3 Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 Plan for improved streetscapes parks and reserves.*
- 4.2 Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 Reduce waste through sustainable waste management practices.*
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

July 2018

Comment

LPS 3 Zoning: Mixed Use
Site area: 1440m²

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3.

Use

It is proposed to change the use for Tenancy 1 and Tenancy 4 of the building to include additional office space. This would remove the basement storage area and the Performance Art/ music space from the permitted uses in the building.

The application proposes a change of use application for Tenancy 1 and Tenancy 4 of the building for additional office space. Office use in a 'Mixed Use' zone is a 'D' use meaning *that the use is not permitted unless the local government has exercised its discretion by granting planning approval*. Council has previously granted approval for Office space in the building totaling 360m². An additional 192m² of office space is proposed. The total office area will be 552m². Car parking will be discussed in the next section of this report.

It is considered the proposed use will have no additional impact to the area or adjoining neighbours. The additional office space is considered to have a lesser impact to the area than the Performance Arts use, however the proposed change of use from 'store' to 'office' space is considered to have an impact. Assessed in total the proposed change of use (additional office space) is considered not to have a greater impact to the locality than the existing uses. The proposed office use is recommended for approval subject to conditions.

Parking Requirements

The main Brush Factory building comprises of the following approved uses:

- Commercial Offices: 360m²
- Residential penthouse: 193m²
- Dance Studio
- Jazz Club

With the additional office space comprising of:

- Tenancy 1 is 103m²; and
- Tenancy 4 is 89m²

It is proposed to change the use for Tenancy 1 and Tenancy 4 of the building to include additional office space. This would remove the basement storage area and the Performance Art/ music space from the permitted uses in the building.

Based on Council's previous planning approval, the total parking generation was: residential – 19 bays and commercial – 42 bays (comprising Jazz Club/ Dance Studio and Performance Space demand).

There are 49 car parking bays to be provided on site. The previously approved total on site car parking required as above is 61 bays leaving a net parking shortfall of 12 bays of which 5 are accommodated by immediately adjacent on-street car parking and 7 are provided in the form of reciprocal car parking on-site.

Schedule 11 of TPS No 3 requires:

- 1 space for every 30m² net lettable area (min 3 per tenancy or office unit).

There is 360m² of office space approved, comprising 4 tenancies. A total area of 192m² is proposed to be added over two tenancies. The total office space proposed is 552m². Therefore the total car parking required to be provided on-site for the office space alone is 19 car parking spaces. The 19 bays required

for the Offices will be allocated from the 28 commercial off street undercroft bays on a reciprocal time share basis with the Jazz Club and the Dance Studio.

Clause 5.8.5 Car Parking and Vehicular Access of TPS3 states:

Car parking in respect of development in the Commercial Zones is to be provided in accordance with the standards set out in Schedule 11 of the Scheme and the specifications in Schedule 4 of the scheme. Where there are no standards for a particular use or development, the local government is to determine what standards are to apply. In its determination of the requirements for a particular use or development which is not listed in Schedule 11 of the Scheme, the local government is to take into consideration the likely demand for parking generated by the use or development.

Furthermore Clause 5.8.7 On-Street Parking states:

The local government may accept immediately adjacent on-street car parking as satisfying part or all of the car parking requirements for development, provided such allocation does not prejudice adjacent development or adversely affect the safety or amenity of the locality.

The development provides a total of 49 parking spaces on site.

The total parking generation would be residential – 19 bays and commercial – 48 bays (comprising Jazz Club/ Dance Studio and Commercial Office). Total on site requirement = 67 bays leaving a net parking shortfall of 18 bays.

Five (5) spaces can be accommodated by immediately adjacent on-street car parking.

Nine (9) car parking bays have previously been approved as reciprocal car parking between the Jazz Club, Dance Studio and Office. The requirement for 19 car parking bays for the commercial offices has been requested to be considered as reciprocal day/ night time share spaces. A total of 13 car parking bays are assessed as requiring reciprocal shared car parking space. The applicant has previously provided a 'Time Share Analysis' as stated in letter dated 15 May 2013 and a further letter dated 5 September 2018.

It is noted that the change of use from the Performance space to an office use does not require any additional car parking. The Performance space had three bays allocated to it. The proposed office requires three bays therefore there is no change to the car parking ratios required. The addition of Tenancy 1 requires 4 additional bays to be provided on-site. These bays have been assessed against the 'Time Share Analysis' proposed by the application.

During the day the office space and dance studio requires 22 bays during the day. 28 commercial bays are provided on-site, addressing the day time requirements for the site. The opening hours of the Jazz Club are limited to be only outside the hours of general business, therefore after 5pm, the commercial bays for the office and dance studio are utilised by the Jazz Club. The provision of 28 commercial bays is considered acceptable in this instance.

In light of the above and the applicant's 'Time Share Analysis', it is considered that there is provision for reciprocal car parking within the development, however this is based on the 'Time Share Analysis' and the previous condition resolved by Council controls the operating hours of the uses within the development. Based on the appropriate conditions it is considered reciprocal car parking can be supported by Council to approve the additional office area within the George Street area.

Conclusion

Given the comments above the application is recommended for approval subject to conditions.

11.4 OFFICER RECOMMENDATION

That Council exercise its discretion in granting approval for the change of use to office space 36-42 Duke Street, East Fremantle, as described on the information date stamped received 5 September 2018 subject to the following conditions:

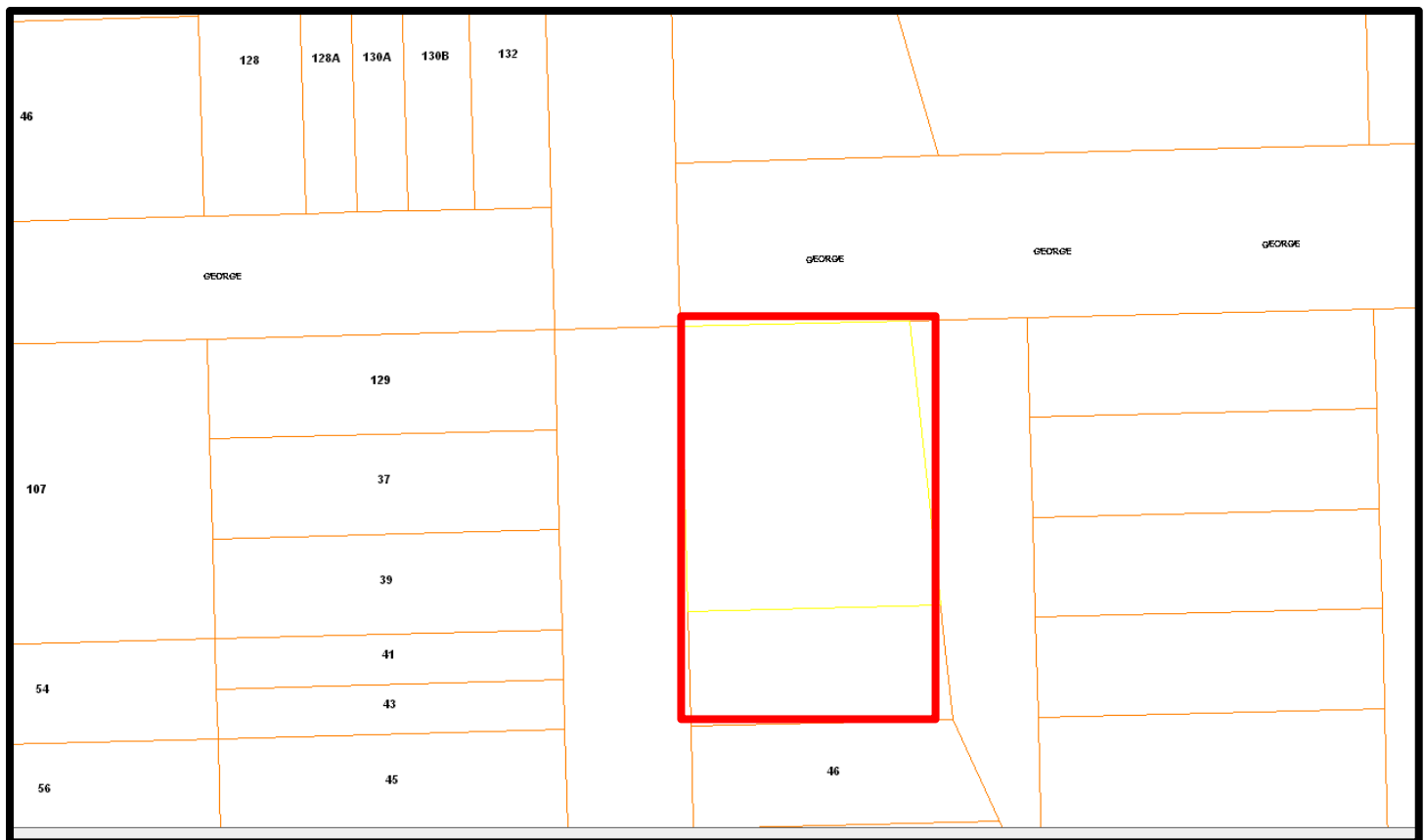
- (1) Maximum area of the additional office area is not to exceed 192m².
- (2) Seven car parking bays are required to be provided to the additional office space as per the applicant's information and 'Time Share Analysis'.
- (3) All other conditions as previously endorsed by Council are to be complied with unless modified by this proposal.
- (4) The works are to be constructed in conformity with the drawings and written information in relation to use accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (5) The commercial building kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Chief Executive Officer.
- (6) No signage is approved under this change of use application. A separate application is required for the proposed signage. All signage to comply with the Town's Local Planning Policy Design Guidelines - Signage
- (7) With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (8) The proposed use is not to be commenced until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
- (9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (10) This planning approval to remain valid for a period of 24 months from date of this approval

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.
- (ii) A copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.
- (iii) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).
- (iv) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air-Conditioner Noise"
- (v) The approval does not include approval of any advertising signage. A separate development application is required for any signage proposal.

NO. 36-42 (LOT 601 & 602) DUKE STREET- P081/18- CHANGE OF USE APPLICATION – CATEGORY A



Manotel

Pty Ltd

ABN 77 009 208 164

1 GRAINGER DRIVE
MT CLAREMONT WESTERN AUSTRALIA
AUSTRALIA 6010

Telephone: (61) (8) 9384 4136 Fax: (61) (8) 9284 3910
Mobile: 0418 941 313 Email: punswor@ozemail.com.au

Andrew Malone

Town Planner

Town of East Fremantle

Dear Andrew, Brush Factory (Cnr Duke and George Sts.)

I refer to our recent telephone conversations regarding a change of use for two tenancy areas in the Brush Factory :

Tenancy Location 4 —See attached Surveyed Plan marked A

This tenancy space on the dance studio floor but at the rear (Stirling Highway side) was planned and approved as a "Performing Arts/Music" space and approved under "community use" which was approved for 3 parking bays. The space has proved to be unsuitable for this purpose and we would now like to convert it to "office space ". The tenancy area as per attached survey drawing "A" shown as Tenancy 4 is now needed for office space. The tenancy area (excluding the toilet) is 85m2 and if the tea prep area of 4m2 is included the total space is 89m2. Based on the requirement of one parking bay for every 30m2, this means no further parking is required.

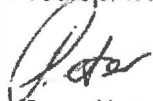
Tenancy Location 1—see attached Surveyed Plan marked B

This tenancy space was planned as a wine and general storage area for the Jazz bar, but is no longer required or suitable for this purpose. There was no parking allocation set aside for this space. The space has windows on the east wall (Stirling Highway side), full air conditioning, lift and stair access, a multi- purpose toilet and a kitchenette. The tenancy area is 101m2 (slightly larger than the tenancy 4 performing arts/music area referred to above. We would like to use this as an office space tenancy and based on 1 car bay for each 30m2, 3-4 car bays would be required.

Attached is the Reciprocal Time Share Analysis for the parking previously accepted by Council which shows that during the day (normal office hours 8.00am to 5.30am a total of only 18 bays are required out of 28 available (this 28 excludes the 3 bays for the penthouse). The 18 bays required during the day already include the 3 required by the performing arts/music Tenancy Area 4—to now be for offices. This means that there are an additional 10 bays available for the additional 3-4 bays needed for Tenancy Area 1 being the cellar changed to office space.

As we are now seeking office tenants, we would approval your consent to the above as soon as possible.

Yours sincerely



Peter Unsworth

NLA (NET LETTABLE AREA) FOR TENANCY 1
#135 GEORGE STREET, EAST FREMANTLE,
SITUATED ON LOT 800 ON DP 402703, C/T 2931-826.

Area for Tenancy 1 calculated using the Property Council of Australia
'Method of Measurement (March 1997)'.

The lease area for Tenancy 1 is calculated from the internal finished surfaces
of permanent internal walls and the internal finished surfaces of dominant
portions of the permanent outer building walls.

JOB : 15109
DRAWN BY : MSO
DRAWN DATE: 8 - 6 - 2018
CHECKED BY : BST

CARLTON SURVEYS

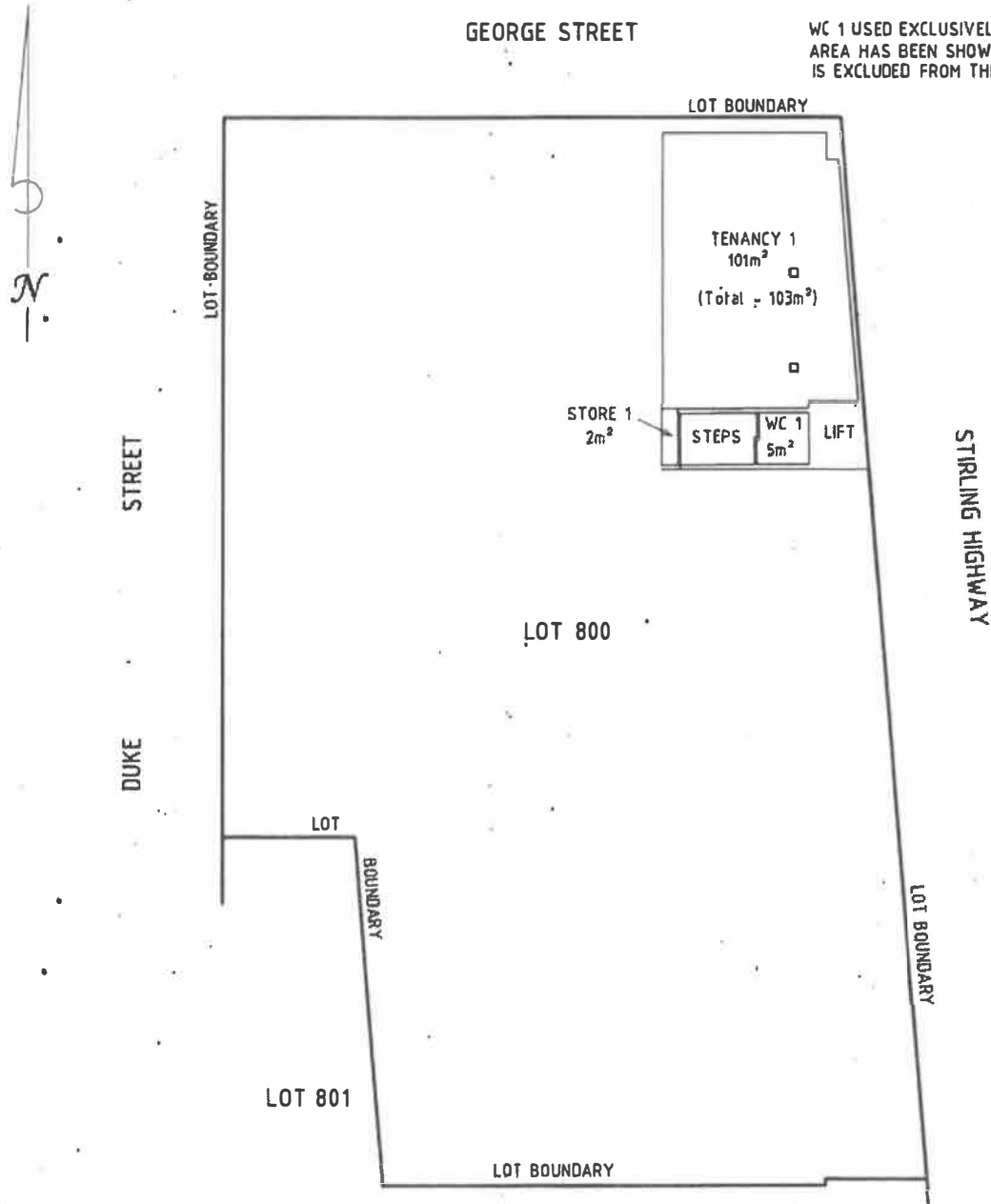
Licensed Surveyors

SUITE 4 / 180 BURSWOOD ROAD
BURSWOOD WA 6100
TELEPHONE 9381 5358 FAX 9381 3457
E-mail : carlton@carlton-surveys.com.au

STORE 1 USED EXCLUSIVELY BY
TENANCY 1 HAS BEEN SHOWN SEPERATELY,
BUT IS INCLUDED IN THE TOTAL AREA SHOWN.

WC: WASH CLOSET/TOILET

WC 1 USED EXCLUSIVELY FOR TENANCY 1.
AREA HAS BEEN SHOWN SEPERATELY AND
IS EXCLUDED FROM THE TOTAL AREA SHOWN.



SHEET 1 OF 5
SEE OTHER SHEETS FOR OTHER FLOORS

BASEMENT FLOOR

0 5 10

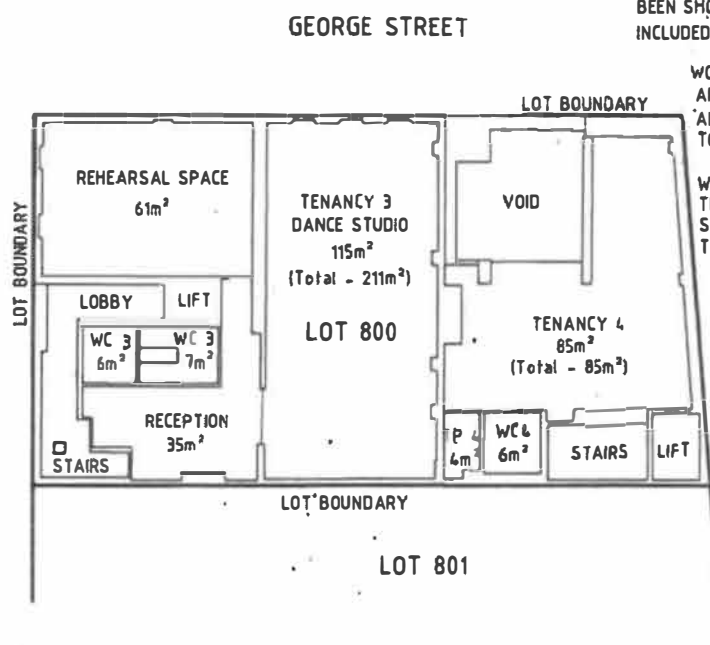
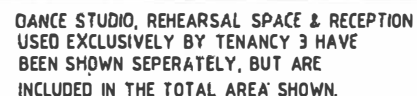
SCALE 1:300 @ A4

JOB : 15109
DRAWN BY : MSO
DRAWN DATE: 8 - 6 - 2018
CHECKED BY : BST

CARLTON SURVEYS
Licensed Surveyors

**SUITE 4 / 180 BURSWOOD ROAD
BURSWOOD WA 6100
TELEPHONE 9361 5358 FAX 9361 3457
E-mail : carton@carton-surveys.com.au**

For Tenancy 4, the lease area is calculated from the internal finished surfaces of permanent internal walls and the internal finished surfaces of dominant portions of the permanent outer building walls and, in the case of inter-tenancy walls, measuring from the centreline of those walls.



WC 3 USED EXCLUSIVELY FOR TENANCY 3.
AREA HAS BEEN SHOWN SEPERATELY
AND IS EXCLUDED FROM THE
TOTAL AREA SHOWN

WC 4 & TP 4 USED EXCLUSIVELY FOR
TENANCY 4. AREA HAS BEEN SHOWN
SEPERATELY AND IS EXCLUDED FROM
THE TOTAL AREA SHOWN.

GROUND FLOOR

0 5 10
SCALE 1:300 @ A4

(Table1)
RECIPROCAL TIME SHARE ANALYSIS: (of the 28 off street undercroft level bays)

Day	Morning			Cars	Afternoon			Cars	Early Evening (up to 6.00pm)	Cars	Night		Cars
Monday	O	D	P	12+3+3=18	O	D	P	12+3+3=18	D&P	6	D		3
Tuesday	O	D	P	12+3+3=18	O	D	P	12+3+3=18	D&P	6	D		3
Wednesday	O	D	P	12+3+3=18	O	D	P	12+3+3=18	D&P J (*1)	6+22=28	D	J (*1)	3+22=25
Thursday	O	D	P	12+3+3=18	O	D	P	12+3+3=18	D&P J (*1)	6+22=28	D	J (*1)	3+22=25
Friday	O	D	P	12+3+3=18	O	D	P	12+3+3=18	J	28	J		28
Saturday		D	P	3+3=6	J			28	J	28	J		28
Sunday				0	J			28	J	28	J		28

(min. 10 unused bays) (10 unused bays Monday to Friday)

- D Dance Studio (3 bays required including staff)
P Performing Arts (3 bays required including staff)
J Jazz Club – 29 bays (24 patrons + 5 staff) of which one bay to be on-street parking
O Office (12 bays required)

(*1) Jazz Club parking on Wednesday and Thursday evenings and nights is likely to be low and it would be unlikely that 29 car bays would be required on these evenings. A capacity reduced to approximately 70% has been allowed for in the table, indicating 17 bays for patrons and 5 staff bays, a total of 22 bays for Wednesday & Thursday nights.

Additional Offsite Parking and Local Patronage

The Council has a 10 bay parking area behind the toy exchange shop at the eastern end of George Street. This carpark is seldom used. In addition the pedestrian underpass under Stirling Highway immediately adjacent to the site provides direct access to general public parking on Silas Street on the eastern side of Stirling Highway. There are 84 bays on Silas Street to the north and south of the underpass (50 metres away). A recent afternoon check showed only 9 bays occupied. The Transcore Traffic & Parking report previously provided to Council advised that on Silas Street at 6pm Thursday night only 7 bays were occupied and on Friday night only 18 bays occupied. The proposed commercial uses for the Heritage Building is expected to attract significant local patronage from people within walking distance.

Summary of Non-Residential Car Parking Bays

As set out in detail in 'Table 1' above the occupation of the commercial spaces will occur at different times of the day. The Jazz Club will only be operational from early evenings Wednesday to Friday, and from lunch until 12pm on weekends. The Dance Studio & Performing Arts / Music spaces will predominantly be used in the afternoons and early evenings Monday to Thursday, and on Saturday mornings. Conversely, the offices will be active Monday to Friday, during normal office hours. This being the case the 28 bays provided together with local parking and patrons who walk to the venue, should more than exceed the minimum requirements at any one time.

11.5 Osborne Road 41 (Lot 16) – Extension of Time to previously approved Multiple Dwellings

Applicant	R J Gauci
Landowner	R J Gauci
File ref	P/OSB41 P70/15
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Voting Requirements	Simple majority
Meeting Date	2 October 2018
Documents tabled	Nil
Attachments:	1. Planning Report endorsed September 2015 2. Applicant Letter

Purpose

This report considers an application for an extension of time for planning approval (DA P70/15) granted 1 September 2015 (extension of approval granted 2 May 2017) for the retention of existing dwelling and proposed four two storey dwellings situated at 41 (Lot 16) Osborne Road, East Fremantle, based on a five lot subdivision of the subject parent lot.

The applicant has also requested Council consider condition 6 of the Western Australian Planning Commission (WAPC).

Executive Summary

This application was determined by Council in September 2015. The application was for retention of the existing dwelling and proposed four, two storey dwellings subject to conditions. The information provided below is not a full assessment of the application (*original report is attached*).

Due to unforeseen circumstances Mr Gauci has not been able to progress the application and is requesting an extension of the approval. Mr Gauci is also requesting Council consider for deletion condition 6 of WAPC subdivision approval, which reads:

Dwellings being constructed to plate height on each of the proposed lots prior to the submission of the diagram or plan of survey (deposited plan).

In this instance, given the extent of the development it is recommended Council extend the approval period by 24 months (2 years) as to date no works have been completed. It is also recommended Council advise the WAPC that it supports removal/ deletion of Condition 6 of the subdivision approval.

The requested extension of time for the proposed multiple dwelling development is recommended for approval subject to retaining the original conditions of approval.

Background

Zoning: R 12.5

Date request for extension received: 29 August 2018

Previous Decisions of Council and/or History of an Issue on Site

August 2015 Council grant planning approval for proposed multiple dwellings.

May 2017 Council grant planning extension to approval for proposed multiple dwellings.

Consultation

Advertising

The application was advertised to surrounding neighbours between 6 July 2015 and 20 July 2015 originally. At the close of advertising no submissions were received. The application for an extension of time to the current planning approval was not readvertised.

Community Design Advisory Committee

This application was not referred to this Committee again. The Town Planning Advisory Panel previously reviewed the development.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3 (LPS 3)

Planning and Development (Local Planning Schemes) Regulations 2015 Clause 77 of Schedule 2 - Part 9.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2015 – 2025 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices.

3.3.2 Optimal management of assets within resource capabilities.

3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 Conserve, maintain and enhance the Town's open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.

4.1.2 Plan for improved streetscapes parks and reserves.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices.

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Site Inspection

As previously undertaken in 2015

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

LOT 1 (Existing Dwelling)

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment Proposed Lot 1

Design Element	Required	Proposed	Status
Open Space	55%	68.2%	A
Outdoor Living	N/A	N/A	N/A
Car Parking	2	2	A
Site Works	Less than 500mm	Less than 500mm	A
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
LPP Residential Design Guidelines Provision	Status
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 2 (Unit 1)

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	55%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	550mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 3 Unit 2

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	60%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	600mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A

3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 4 Unit 3

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	60%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	700mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
LPP Residential Design Guidelines Provision	Status
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 5 Unit 4

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	64%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	880mm	D
Overshadowing	25%	On Driveway	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

The following are the areas that Council previously exercised its discretion. For the purposes of this assessment, only the assessments under the Performance Criteria of the R-Codes and variations to the Town's other relevant policies are discussed below (extracts from the original report only), with inclusions to ensure the report is current. An additional section has also been included to address Condition 6 of the WAPC subdivision approval.

Heritage

The existing dwelling is listed on the Town's MHI as a C category dwelling. A Category C rating refers to properties involving "some heritage significance at local level" and that "places to be ideally retained and conserved". This is supported in this application by the retention of the dwelling. In practical terms, it is considered an effort should be made to allow a subdivision/ redevelopment of the subject lot to occur and include the retention of the dwelling.

Site Area Requirements

The proposed development has been designed to significantly comply with the minimum area for R30 densities, with the exception of Lots 3 and 4, which are only 10m² under the minimum lot size. As noted previously this application comprises the retention of the existing MHI listed dwelling and is based on four additional survey strata lots.

The Town Planning and Building Committee approved the original development at approximately an R40 coding in October 2014 with the proposed development modified and approved by Council in August 2015 at approximately a R30 density.

Whilst the proposed density is approximately R30, the proposed development has been designed to significantly comply at an R12.5 density, with the exception of the actual number of dwellings permitted on the lot and some minor development standard specifications as discussed in detail below.

Building Setback

- Unit 1: Buildings on the boundary: 2 walls proposed with a nil setback.
- Unit 2: Setback requirements for western wall: 1.5 metres required. 1.2 metres provided.
- Unit 3: Setback requirements for western wall: 1.5 metres required. 1.2 metres provided.
- Unit 4: Setback requirements for western wall (ground floor): 1.5 metres required. 1.2-1.65 metres setback provided. Setback requirements for western wall (first floor): 1.2 metres required. 1.98 metres provided.

With the exception of the western ground and first floor to unit 4, all other set back variations to the 'Deemed to Comply' provisions are internal and have no impact to adjoining properties or to the streetscape. The variations to the western boundary for unit 4 are considered minor and will not significantly impact on the western dwelling.

Overall the proposed setback variations are considered minor and will not significantly impact on the adjoining neighbours, the character of the heritage dwelling or on the streetscape. In all other respects the proposed dwellings to the Lots comply with the 'Deemed to Comply' set back requirements of the R-Codes. The proposed variations as detailed above are considered can be supported.

Overlooking / Privacy Requirements

A condition is included in the officer's recommendation to require the owner to screen the boundary to a height of 1.6 metres above altered ground level to provide appropriate screening to the northern neighbour's property (should there be appropriate screening to a height of 1.6 metres at the altered ground level from the boundary fence, no additional screening is required).

The 'Design Provisions' are considered to be adequately addressed, through the provision of screening of the lot boundary to a height of 1.6 metres and offsetting the location of windows so that viewing is oblique away from any habitable area. The recommendation for screening is considered to protect the neighbour's amenity and therefore it is considered the overlooking as conditioned can be supported.

Site Fill / Retaining Wall

It is proposed a retaining wall is required on the northern and southern boundaries to a maximum height of approximately 0.88 metres, reducing to 0.55 metres. A maximum excavation of 0.8 metres is also proposed.

The applicant is proposing to retain the rear garden areas to the dwellings and to excavate the driveway.

It is proposed to fill / grade to approximately a maximum of 0.88 metres to the rear of unit 4, reducing to 0.55 metres to unit 2 and no retaining wall required for unit 1. The proposed fill will establish new finished ground levels to the dwelling enabling a level pad / ground level for the dwelling, with both excavation and fill being proposed at equal heights.

The impact on the subject lot and adjoining lots is considered minimal, as the proposed fill only assists in establishing a suitable finished floor level for the foundations to the proposed dwelling. The proposed fill is staggered / graded and landscaping is proposed. As noted above, a condition has been included in the Officer Recommendation requiring suitable privacy screening to be provided.

It is considered the proposed fill / retaining wall significantly respects the natural ground level at the boundary of the site and the adjoining properties as viewed from the street. The proposed retaining wall is consistent with other retaining walls in the locality. It is considered the proposed fill suitably addresses the overall streetscape and is sympathetic with adjoining dwellings.

Roof Form and Pitch

The proposed primary roof pitches of the dwellings are 30° pitched roofs, consistent with the development requirements of the RDG. The rear of each of the dwellings has a 20° pitch. The roof form is significantly consistent in form with the surrounding dwellings. The rear single storey element of each of the dwellings is simplistic and reduces the overall scale, height and bulk of the dwelling to the northern properties.

WAPC Condition 6

Condition 6 of WAPC subdivision approval 1093-15 states the follow:

Dwellings being constructed to plate height on each of the proposed lots prior to the submission of the diagram or plan of survey (deposited plan).

The intent of this condition was to ensure the construction of the dwellings were constructed to 'plate height', which usually is the first stage inspection of a new dwelling undertaken (once brickwork has been completed to roof level). This was to ensure the project could not be subdivided (titles issued) prior to construction works to plate height being complete, therefore ensuring the development is substantially constructed and consistent with the approved plans. This condition restricts the development and subdivision of the property, without any practical benefit to the Town. The approved design, plan and heritage agreement of the property is still required to be complied with. The proposal will add to the Town's density in the area that is wholly consistent with the proposal.

Scheme Amendment No. 10 provisions to LPS No.3 stated that development of a higher density dual code of R40 could only occur if it was designed so that the dwellings could be developed concurrently, therefore Condition 6 as discussed above was included in the subdivision approval to ensure all dwellings were constructed concurrently. Scheme Amendment No. 10 was substantially modified by the Department of Planning, therefore the higher density dual code of R40 was not supported and deleted from the amendment. The condition is now unnecessary given the provisions of Amendment No. 10 were modified.

Additionally in the current economic environment where finance is difficult to obtain, it is considered this condition requiring the dwellings to be developed concurrently is overly onerous on the applicant. Whilst Council cannot consider directly the economics of a project, this condition is considered to add costs and complications to the project and is unnecessary. It is recommended that Council recommend to the WAPC that condition number 6 of WAPC approval 1093-15 be removed from the approved subdivision conditions. This is considered to have no significant impact to the Town.

Conclusion

The proposed development was previously approved by Council in August 2015. Mr Gauci has not been able to commence the project due unforeseen circumstance, however would like an extension to the

existing approval to enable the project be undertaken. Due to the scale of the development it is recommended the approval be extended for a further two years. There has been no material change in the legislative assessment requirements of the proposal since previously determined by Council, therefore there is no impediments to approving the extension of the development.

The proposed development variations ultimately comes down to one significant planning issue, that of density. As assessed above, the proposed development significantly complies with the R12.5 development standards, however the proposed four grouped dwellings and retention of the existing heritage dwelling does exceed the permitted density for the area.

The proposed impacts to adjoining neighbours are considered minimal as the development has been designed to significantly comply with the 'Deemed to Comply' provisions of the R-Codes and the Acceptable Development provisions of the RDG, except where outlined above. The proposed development is considered consistent with the adjoining R30 density developments to the north and south. Whilst Scheme amendment 10 has not been supported by the Department of Planning, the proposal does support the proposed future strategic intent of the zoning and redevelopment of the area.

Based on the previous Council approval it is considered the proposal can be supported, subject to similar conditions.

11.5 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION

That Council:

- (1) grant an extension of time to the existing planning approval (DA P70/15) for the retention and restoration of an existing dwelling and the construction of four two storey dwellings situated at 41 (Lot16) Osborne Road, East Fremantle on the following basis and subject to the following conditions in accordance with the application plans date stamp received on 24 August 2015:**
 - (a) Prior to the issue of a Building Permit the existing dwelling at 41 (Lot16) Osborne Road is to be included on the Heritage List pursuant with clause 7.1.3 of TPS No. 3.**
 - (b) Prior to the issue of a Building Permit the land owner is to enter into a Heritage Agreement pursuant with section 29 of the Heritage of Western Australia Act 1990 in the form of words contained within the attached the draft agreement.**
 - (c) Prior to the issue of a Building Permit, a Landscape Plan, prepared by a qualified Landscape Architect, shall be submitted and approved by the Chief Executive Officer. The Landscape Plan shall include details of all plant species to be introduced and retained, a management plan for the installation and maintenance of all landscaped areas inclusive of adjacent street verge.**
 - (d) Any new crossover which is constructed under this approval is to be a maximum width of 3.0m, the footpath (where one exists) to continue uninterrupted across the width of the site and the crossover to be constructed in material and design to comply with Council's RDG Policy all to the satisfaction of the Chief Executive Officer in consultation with relevant officers.**
 - (e) In cases where there is an existing crossover this is to be removed and the kerb, verge and footpath are to be reinstated at the applicant's expense to the satisfaction of Council, unless on application, Council approval for the crossover to remain is obtained.**
 - (f) All parapet walls to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.**
 - (g) Screening to a height of 1.6 metres above the altered ground level is to be provided on the northern boundary, to ensure appropriate screening to the northern neighbour's property. Screening finish is to be by way of agreement between the affected property**

- owners and at the applicant's expense. (Should there be appropriate screening to a height of 1.6 metres above the altered ground level from the boundary fence, no additional screening is required).
- (h) Details of the materials, colours and finishes of the dwelling are to be provided at building permit application stage and approved by the Chief Executive Officer, in consultation with relevant Council Officers prior to the issue of a Building Permit.
 - (i) Prior to the installation of externally mounted air-conditioning plant, a development application, which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997, is to be lodged and approved to the satisfaction of the Chief Executive Officer. (refer footnote (i) below)
 - (j) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
 - (k) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
 - (l) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
 - (m) The proposed dwellings are not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
 - (n) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
 - (o) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
 - (p) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
 - (q) This planning approval to remain valid for a period of 24 months from the date 2 May 2019.
- (2) Recommends to the Western Australian Planning Commission that it supports the removal/deletion of Condition No. 6 of WAPC approved Survey Strata Plan 1093-15 for the subdivision of No. 41 (Lot 16) Osborne Road, East Fremantle.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*

- (ii) A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.*
- (iv) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) In regard to the condition relating to the finish of the neighbour's side of the parapet wall it is recommended that the applicant consult with the neighbour to resolve a mutually agreed standard of finish.*
- (vi) With regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (vii) The 'alfresco' areas may not be enclosed without the prior written consent of Council.*
- (viii) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (ix) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*



1 September 2015

MINUTES

accordance with the plans date stamped received on 3 August 2015, subject to the following conditions.

1. The outbuilding shall not be used for the purposes of ancillary accommodation, short stay accommodation, or bed and breakfast accommodation.
2. The outbuilding must remain in conformity with the drawings and written information accompanying the application for retrospective planning approval for an outbuilding (studio for hobbies only) other than where varied in compliance with the conditions of this retrospective planning approval or with Council's further approval.
3. With regard to the plans submitted with respect to the Building Approval Certificate application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
4. Prior to the installation of an externally mounted air-conditioning plant, a development application, which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997, is to be lodged and approved by the Chief Executive Officer. (refer footnote (d) below).
5. All storm water is to be disposed of on-site and clear of all boundaries, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Approval Certificate.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (f) *with respect to condition 1 if any form of ancillary, short or long term accommodation is contemplated a fresh planning application must be submitted for further consideration by Council.*
- (g) *this decision does not include acknowledgement or approval of any other unauthorised development which may be on the site.*
- (h) *a copy of the approved plans as stamped by Council are attached and the application for a building approval certificate is to conform with the approved plans unless otherwise approved by Council.*
- (i) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (j) *under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

CARRIED 4:0

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 16 June 2015 this application is deemed determined, on behalf of Council, under delegated authority.

T100.5 **Osborne Road 41 (Lot 16)**
Applicant: Design Better Buildings
Owner: R J Gauci
Application No. P70/15
 By Andrew Malone, Senior Planning Officer, 22 July 2015

PURPOSE OF THIS REPORT

This report considers a revised development application for Planning Approval (previously approved P80/14) for retention of existing dwelling and proposed four two

storey dwellings situated at 41 (Lot 16) Osborne Road, East Fremantle, based on a five lot subdivision of the subject parent lot.

BACKGROUND

Proposed Development

The previous proposal envisaged two stages of strata development:

1. Build four additional two storey group dwellings to the unused area of land to the rear of the lot. The heritage listed dwelling will be separated from the rear lots. An existing deep sewer runs between the existing house and proposed group dwellings.
2. Demolish laundry and garages only; build adjoining 1978 additions a new laundry. A masonry – rendered store will be added to the southern boundary.
3. Restore the existing heritage listed house by way of (external only):
 - Retaining the masonry rendered wall to the original house including the sleep out. Repaint with lighter colour from an appropriate heritage colour range, based upon established surrounding historical examples.
Note: This was not always the case: Current owner recalls conversation with previous owner that a render was applied over face brickwork. It was of a high cement – hard mix. Not in this application future work may see the render removed.
 - The roof to be cleaned and insulated between the ceiling joists. Make good existing gutters, clean and paint white. Downpipes to be replaced where of poor condition and painted white.
 - Retain existing timber posts (metal posts were introduced to replace timber in 1960) – repaint white. Retain Federation style brackets – paint white.
 - Repaint concrete verandah, flooring with appropriate heritage colour paint.
 - Note: This was not always the case: A timber verandah existed as documented on 1960 plan. Not in this application future work may see this re-established.
 - Repaint existing timber windows white.
 - Front fence: Remove render. Make good existing stonework with lime mortar; rebuild of poor quality. Install white picket fencing between piers. New work in cold natural limestone.
 - Driveway: Replace existing bitumen with new red and introduce two visitor bays – retain existing low front wall – install white painted timber picket fence between piers – continue with a new limestone wall to form house garden enclosure.
 - Retain majority of lawn interspersed with new perimeter native plant species.

A heritage agreement has been entered into with the Town with regards the retention and restoration of the existing dwelling. This agreement has been conditioned to be retained.

The 2 stage development approach as noted above is to be retained. The proposal is for amendments to the previous plans to flip the development from the southern boundary to

the northern boundary and modify the design of the development to include the garages with each of the units (previously garages were located on common property). The proposal also included changes to the dwelling designs also. A full assessment of the proposal has been undertaken below.

Description of Site

The subject sites will be assessed as five individual lots, each containing a single dwelling.

Based on the proposed subdivision, the applicant has requested the proposed development is assessed under the provisions of Clause 7.5 of the Town of East Fremantle Town Planning Scheme No. 3. Based on the use of this Clause the applicant is requesting Council determine this application based on a Residential R30 zoning:

	Proposed Lot 1	Proposed Lot 2 Unit 1	Proposed Lot 3 Unit 2	Proposed Lot 4 Unit 3	Proposed Lot 5 Unit 4
Area	655m ²	266m ²	248m ²	248m ²	257m ²
Zoning	R12.5	R12.5	R12.5	R12.5	R12.5
Precinct	Woodside	Woodside	Woodside	Woodside	Woodside
MHI	Category C [^]	-	-	-	-

Each of the above lots has been assessed separately under the Town Planning Scheme, Residential Design Codes and the Town's Residential Design Guidelines Policy.

Statutory Considerations

Town Planning Scheme No. 3 (TPS3). The proposed residential development adheres to the Residential Zone of the Town Planning Scheme.

Residential Design Codes (R-Codes)

The existing building is listed on the Town's Municipal Heritage Inventory (MHI) – Management Category – C[^]

Some heritage significance at a local level; places to be ideally retained and conserved; endeavour to conserve the significance of the place through the standard provisions of the Town of East Fremantle Planning Scheme and associated design guidelines; a Heritage Assessment / Impact Statement may be required as corollary to a development application, particularly in considering demolition of the place. Full documented record of places to be demolished shall be required. Further development needs to be within recognised design guidelines. Incentives should be considered where the condition or relative significance of the individual place is marginal but where a collective significance is served through retention and conservation.

Relevant Council Policies

Local Planning Policy – Residential Design Guidelines (RDG)

Impact on Public Domain

Tree in verge : No impact
Light pole : No impact
Crossover : No impact

Streetscape : Street impact to Osborne Road is minimal. Proposed retention of the heritage dwelling will restrict views to the higher R30 density two storey dwellings to the rear of the lot.

Documentation

Plans, associated letters and relevant forms date stamp received on 30 June 2014.

Amended plans and justification letter date stamp received 24 August 2015

**Date Application Received**

30 June 2014

CONSULTATION**Town Planning Advisory Panel Comments**

This application was considered by the Town Planning Advisory Panel at its meeting held on 28 July 2015.

The Panel made the following comments in regard to the application and the applicant has responded.

PANEL COMMENT	APPLICANT RESPONSE	OFFICER ASSESSMENT
Panel express concern with regard to the proximity of the granny flat / activity room of Unit 1 to the heritage dwelling especially with regard to the potential impact on the setting and integrity of the heritage dwelling.	<p>Our proposed location of the activity room is behind the heritage dwelling where it will not be visible from the street. Therefore, it will have minimal impact on the setting or integrity of the heritage dwelling to the streetscape.</p> <p>The proposed activity location abuts a part of the dwelling that is actually an addition and not part of the original heritage building to begin with.</p> <p>In order to minimise its impact, the activity will be finished in materials and colours to match those of the existing heritage dwelling.</p>	A detailed assessment of the proposal has been undertaken and is addressed below.

Advertising

The application was advertised to surrounding neighbours between 6 July 2015 and 20 July 2015. At the close of advertising no submission was received.

Site Inspection

By Senior Town Planner on 10 August 2015.

ASSESSMENT

The proposal has been assessed against the provisions of Town Planning Scheme No. 3, the Residential Design Codes of Western Australia and the Town's Local Planning Policies.

Town Planning Scheme No. 3 Assessment**Development Site Requirements**

The previous planning application proposed:

	Proposed Lot 1	Proposed Lot 4	Proposed Lot 5	Proposed Lot 6	Proposed Lot 7
Proposed Area	627m ²	226m ²	218m ²	226m ²	264m ²
Zoning	R12.5	R12.5	R12.5	R12.5	R12.5
Required Min Area	700m ²	700m ²	700m ²	700m ²	700m ²
Required Avg Area	800m ²	800m ²	800m ²	800m ²	800m ²
Status	Does not comply	Does not comply	Does not comply	Does not comply	Does not comply



The proposed revised lot areas/ densities of the proposal have been amended to remove the communal car parking areas, as previously proposed and incorporating the previous car parking area into each of the proposed lots. The proposal does not comply with the site area requirements for minimum and average site areas as set out in Table 1 of the R-Codes.

	Proposed Lot 1	Proposed Lot 2 Unit 1	Proposed Lot 3 Unit 2	Proposed Lot 4 Unit3	Proposed Lot 5 Unit 4
Proposed Area	661.6m ²	263.3m ²	249.5m ²	249.5m ²	265.4m ²
Zoning	R12.5	R12.5	R12.5	R12.5	R12.5
Required Min Area	700m ²	700m ²	700m ²	700m ²	700m ²
Required Avg Area	800m ²	800m ²	800m ²	800m ²	800m ²
Status	Does not comply	Does not comply	Does not comply	Does not comply	Does not comply

The applicant has requested the proposed development and associated subdivision of the parent lot is assessed under the provisions of Clause 7.5 of Town Planning Scheme No 3, as the proposal does not comply with the current Scheme provisions, therefore Council discretion is required.

Under Clause 7.5 (Variations To Scheme Provisions For A Heritage Place or Heritage Area) and Clause 5.6 (Variations to Site and Development Standards and Requirements) of Town Planning Scheme No 3, the applicable development standard may be relaxed, unconditionally or subject to such conditions as the local government thinks fit, however the power conferred in this clause can only be exercised if:

- (i) Council is satisfied the non compliance will not have an adverse effect upon the occupiers and users of the development, the inhabitants of the locality or the likely future development of the locality.
- (ii) Council is satisfied the relaxation would be appropriate having regard to the criteria set out in clause 10.2
- (iii) If, in the opinion of Council, the relaxation is likely to affect any owners or occupiers in the general locality or adjoining the site, the Council is to consult the affected parties, as per the provisions of clause 9.4 and have regard to any expressed views prior to making its determination to grant the relaxation.

Clause 5.6.2 states:

In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to —

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and*
- (b) have regard to any expressed views prior to making its determination to grant the variation.*

The application was advertised for a two week period. No submission was received by Council.

Clause 5.6.3(b) of TPS3 requires that:

the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

With respect to (ii) the criteria extracted from clause 10.2 which appears relevant is as follows:



- (a) *the aims, objectives and provisions of the Scheme*
- (c) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submission to be sought;*
- (i) *the conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;*
- (j) *the compatibility of a use or development with its setting;*
- (l) *the cultural significance of any place or area affected by the development;*
- (o) *the preservation of the amenity of the locality;*
- (p) *the relationship of the proposal 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 proposal;*
- (q) *whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- (r) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (s) *whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;*

In short, having considered all of the above provisions, specifically Clause 5.6 and 7.6 (Heritage Provisions) and Clause 10.2 permitting Council to consider the *orderly and proper planning including any relevant proposed new town planning scheme or amendment* (that is Amendment 10), Council has the power, if satisfied that the relevant Scheme provisions have been met, to relax the development standards applicable in this application.

Those provisions provide for relaxations of applicable standards, most notably the relaxation of the lot areas if Council has satisfied itself with regard to relevant matters which must be considered prior to considering granting such relaxations.

A similar development proposal was approved by the Town Planning and Building Committee under delegation in October 2014. The owner has entered into a heritage agreement with the Town. The proposed amendments to the proposal are considered within the intent of the original development application.

Clause 4.2 Zone Objectives

The proposed development conflicts with Clause 4.2 Objectives of the Zones Residential Objectives of the Town of East Fremantle Town Planning Scheme No. 3, which states:

- *To provide for a range and variety of housing to meet the social and economic needs of the community, while recognising the limitations on re-development necessary to protect local character.*
- *To safeguard and enhance the amenity of residential areas and ensure that new housing development is sympathetic with the character and scale of the existing built form.*
- *To encourage high standards and innovative housing design, which recognises the need for privacy, solar access, cross ventilation, water sensitive design and provision of 'greenspace'.*
- *To protect residential areas from encroachment of inappropriate land uses which are likely to detract from residential amenities, but to provide for a limited range of home-based activities compatible with the locality.*
- *To recognise the importance of design elements such as the 'front yard' and the 'back yard' to the character, amenity and historical development of the Town and to the community.*



It is considered the proposed development significantly complies with all the Residential Design Codes requirements (addressed in detail below), with the exception of the site requirements and density coding.

The proposed development has been designed to be significantly compliant from a built form perspective under the R-Code requirements. The density of the proposal has been previously approved. The proposal increases the lot area of each unit. The proposal is consistent with the character and scale of the existing built form of the street (primarily single storey R30 development). The proposed amended lot areas now significantly comply with the minimum area for R30 densities, with the exception of Lots 3 and 4, which are only 10m² under the minimum lot size but exceed the previous lot areas. Accordingly, the proposal is considered to comply with Clause 4.2 of the Scheme.

Clause 5.2 Residential Design Codes

The proposed development conflicts with Clause 5.2 Residential Design Codes of TPS3 with regard to the following specific requirements:

- 5.2.2 *Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.*
- 5.2.3 *The Residential Design Codes density applicable to land within the Scheme Area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas shown on the Scheme Maps as being contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Planning Code density, as being contained within the centre-line of those borders.*
- 5.2.4 *Where a site is identified as having a split density coding such as R12.5/30, the higher code may only be employed where the specific requirements identified for development or re-development of the site as set out in Schedule 2 are addressed to the satisfaction of the local government. In all other circumstances, the lower of the two codes prevails.*

The R-Code densities applicable to land within the Scheme Area (R12.5) is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas shown on the Scheme Map. Based on the Scheme Map the lot is considered to be R12.5. The proposed development has been developed at an R30 density coding, with the exception of Lot 3 and 4 which are only 10m² under the minimum lot size. The proposed development and subdivision does not comply with the applicable R12.5 density coding for the area, however an applicable density of R40 was previously approved, therefore in this instance the proposed amended development application can be supported.

It is noted, the proposed Amendment 10, which is currently being considered by the Minister for final approval proposes a density of R12.5 / R40 for the area. The proposal has been designed to adhere to the proposed Scheme Amendment densities and the design requirements.

Clause 10.2 Matters to be Considered by Local Government

The proposed development conflicts with the provisions of the Town of East Fremantle Town Planning Scheme No. 3 Clause 10.2 (a), (c), (g), (j), (o), (p) and (q).

- (a) *the aims, objectives and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area (including the Metropolitan Region Scheme);*
- (c) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or*



amendment, which has been granted consent for public submissions to be sought;

- (g) any Local Planning Policy adopted by the local government under clause 2.4 or effective under clause 2.6, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (j) the compatibility of a use or development with its setting;
- (o) the preservation of the amenity of the locality;
- (p) the relationship of the proposal 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 proposal; and
- (q) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;

The amended proposal is significantly consistent with the adjoining densities of R30. The proposal is compatible with the existing built form of the surrounding locality. It is noted however, the proposed dwellings do significantly comply with the development requirements of a R12.5 development as required in the R-Codes and RDG (addressed in detail in the Discussion Section of this report).

The adjoining medium density developments (R30) have been developed as single storey dwellings. The proposed development has been designed to be two storey, however the existing heritage dwelling (single storey) is being retained and will significantly screen the rear two storey dwellings from the street, therefore the visual street impact to the area will be minimal. It is considered the proposed development as amended is consistent with the intent of the previously approved development and therefore can be supported at its proposed density and design.

Statutory Assessment

A summary of the R-Codes and RDG assessment is provided in the following tables:

LOT 1 (Existing Dwelling)

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment Proposed Lot 1

Design Element	Required	Proposed	Status
Open Space	55%	68.2%	A
Outdoor Living	N/A	N/A	N/A
Car Parking	2	2	A
Site Works	Less than 500mm	Less than 500mm	A
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A



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3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 2 Unit 1

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	55%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	550mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision.	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 3 Unit 2

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

**Residential Design Codes Assessment**

Design Element	Required	Proposed	Status
Open Space	55%	60%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	600mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision.	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 4 Unit 3

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	60%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	700mm	D
Overshadowing	25%	Less than 25%	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision.	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A

3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

LOT 5 Unit 4

The proposed dwelling has been assessed under R12.5 of TPS3.

Town Planning Scheme No. 3 Assessment

Scheme Provision	Status
4.2 Zone Objectives	A
4.3 Zoning Table	A

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Open Space	55%	64%	A
Outdoor Living	N/A	N/A	A
Car Parking	2	2	A
Site Works	Less than 500mm	880mm	D
Overshadowing	25%	On Driveway	A
Drainage	On-Site	On-Site	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision.	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	D
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15-20 Precinct Requirements	A

DISCUSSION

For the purposes of this assessment, only the assessments under the Performance Criteria of the R-Codes and variations to the Town's other relevant policies are discussed below.

The Design Provisions of the R-Codes and Performance Criteria of the RDG are general statements of the means of achieving an objective. They are not meant to be limiting in nature.

Heritage

The existing dwelling is listed on the Town's MHI as a C⁺ category dwelling. It has the following rating and assessment:



Rating & Assessment	High					Low
Aesthetic Value	1	2	3	4	5	
Architectural Merit	1	2	3	4	5	
Rarity Value	1	2	3	4	5	
Group/Precinct Value	1	2	3	4	5	
Condition	1	2	3	4	5	
Integrity	1	2	3	4	5	

The ratings and assessment for the various criteria referred to in the MHI are generally on the lower side, however it is not disputed there is heritage value in the building. The existing dwelling is being retained. The owner has entered into a Heritage Agreement with the Town. The dwelling will be preserved and elements of the dwelling will be restored.

A Category C rating refers to properties involving “some heritage significance at local level” and that “places to be ideally retained and conserved”. This is supported in this application by the retention of the dwelling. In practical terms, it is considered an effort should be made to allow a subdivision/ redevelopment of the subject lot to occur and include the retention of the dwelling. Clause 7.5 of the Scheme (Variations To Scheme Provisions For A Heritage Place or Heritage Area) permits Council, where it is satisfied to vary the Scheme requirements, therefore this application can be considered on its merits.

Site Area Requirements

The Performance Criteria of the R-Codes with regard to Element 5.1.1 states:

- P1.2 The WAPC may approve the creation of a lot, survey strata lot or strata lot of a lesser minimum and/or average site area than that specified in Table 1, and the WAPC in consultation with the local government may approve the creation of a survey strata lot or strata lot for a single house or a grouped dwelling of a lesser minimum site area than that specified in Table 1 provided that the proposed variation would be no more than five per cent less in area than that specified in Table 1; and*
- *facilitate the protection of an environmental or heritage feature;*
 - *facilitate the retention of a significant element that contributes toward an existing streetscape worthy of retention;*
 - *facilitate the development of lots with separate and sufficient frontage to more than one public street;*
 - *overcome a special or unusual limitation on the development of the land imposed by its size, shape or other feature;*
 - *allow land to be developed with housing of the same type and form as land in the vicinity and which would not otherwise be able to be developed; or*
 - *achieve specific objectives of the local planning framework.*

The proposed development has been designed to significantly comply with the minimum area for R30 densities, with the exception of Lots 3 and 4, which are only 10m² under the minimum lot size but exceed the previously approved Council lot areas. As noted previously this application comprises the retention of the existing MHI listed dwelling and is based on four additional survey strata lots. The applicant has requested the proposed development and associated subdivision of the parent lot is assessed under the provisions of Clause 7.5 of Town Planning Scheme No 3.

The Town Planning and Building Committee approved a similar development at approximately an R40 coding in October 2014. The proposed lot areas of each of the units have now increased, with the overall common property area decreasing.



It is considered the proposed design will have minimal impact on the streetscape or to adjoining neighbours. Council is required to vary P1.2 of the R-Codes as above because the proposed development does not comply with the 'Deemed to Comply' provisions of the R-Codes, however would be less than a five per cent variation less in area than that specified in Table 1 of the R-Codes for a R30 density.

Whilst the proposed density is approximately R30, the proposed development has been designed to significantly comply at an R12.5 density, with the exception of the actual number of dwellings permitted on the lot and some minor development standard specifications as discussed in detail below.

Residential Design Guidelines

The proposed four grouped dwellings and retention of existing dwelling have also been assessed in accordance with the Town's Residential Design Guidelines. The following issues are considered the areas of non compliance with the Acceptable Development Provisions and the Performance Criteria of the Guidelines:

Building Setback

- Unit 1: Buildings on the boundary: 2 walls proposed with a nil setback.
- Unit 2: Setback requirements for western wall: 1.5 metres required. 1.2 metres provided.
- Unit 3: Setback requirements for western wall: 1.5 metres required. 1.2 metres provided.
- Unit 4: Setback requirements for western wall (ground floor): 1.5 metres required. 1.2-1.65 metres setback provided. Setback requirements for western wall (first floor): 1.2 metres required. 1.98 metres provided.

With the exception of the western ground and first floor to unit 4, all other set back variations to the 'Deemed to Comply' provisions are internal and have no impact to adjoining properties or to the streetscape. The variations to the western boundary for unit 4 are considered minor and will not significantly impact on the western dwelling. (Whilst there is a requirement in an R12.5 density area for a 6 metre rear setback, Council has previously approved of a higher density coding and a reduced rear setback, therefore this was not discussed in detail).

The above variations will be addressed below. The LPP RDG Element 3.7.7 provides performance criteria by which to assess proposed variations to setback requirements. This is summarised below.

P1.1 *The primary street setback of new developments or additions to non-contributory buildings is to match the traditional setback of the immediate locality.*

The proposed setbacks as identified above are located to the rear of the subject lot. The proposed dwellings are in excess of 25 metres from the front of the lot and to the rear of the heritage dwelling (retained) and therefore will not be visible from Osborne Road. It is considered there will be no negative impact to the primary street from the reduced setbacks.

P1.2 *Additions to existing contributory buildings shall be setback so as to not adversely affect its visual presence.*

The existing dwelling is listed on the Town's Municipal Heritage Inventory as a C^A category dwelling. The existing heritage dwelling is proposed to be retained.

The proposed 4 units the subject of the setback variations will have no impact on the visual heritage character of the retained dwelling or on the streetscape as they are located to the western boundaries of each dwelling and therefore will primarily only have



internal impacts (considered minor) to each of the proposed dwellings and no significant impact to the streetscape.

P1.3 *Developments are to have side setbacks complementary with the predominant streetscape.*

With regard to the proposed side set back to proposed units 2 and 3, the required set back variations are minor relating to single storey walls, where the applicant is seeking a 0.3 metre variation. These are internal variations and do not impact on adjoining neighbours.

With respect to unit 1, the applicant is proposing two walls located on the boundary (eastern, adjoining the heritage dwelling and western boundary). These walls do not impact on adjoining properties, the heritage character of the dwelling or the streetscape. These walls are single storey. There is no significant scale, height or bulk impact. There is not overshadowing impact. The garage wall to the western elevation of unit 1 is proposed to be constructed as a simultaneous parapet wall and whilst the eastern elevation to the activities room is located adjoining a proposed rear and later rear addition of the heritage dwelling, therefore in both instances the boundary walls are considered to have no significant impact and therefore can be supported.

Unit 4 has variations to the western elevation. This does adjoin a rear neighbouring lot. The ground floor requires a maximum variation of 0.3 metres, however this reduces to a compliant wall (offset boundary). The first floor wall requires a 0.02 metre setback variation. Both the setback variations to the ground floor and first floor western walls are considered minor. There is no significant impact to the western neighbour. There is no overshadowing issues. The bulk, scale and height of the western elevation is considered acceptable, therefore it is considered the variation can be supported.

Overall the proposed setback variations are considered minor and will not significantly impact on the adjoining neighbours, the character of the heritage dwelling or on the streetscape. In all other respects the proposed dwellings to the Lots comply with the 'Deemed to Comply' set back requirements of the R-Codes. The proposed variations as detailed above are considered can be supported.

Overlooking / Privacy Requirements

The 'Deemed to comply' provisions for Element 5.4.1 Visual privacy of the R-Codes requires major openings which have their floor level more than 0.5 metre above natural ground level, and positioned so as to overlook any part of any other residential property behind its street setback line, to comply with the following:

- 4.5 metres in the case of bedrooms and studies;
- 6.0 metres in the case of habitable rooms, other than bedrooms and studies; and
- 7.5 metres in the case of unenclosed outdoor active habitable spaces.

The subject lot requires fill in excess of 0.5 metres, therefore the ground floor of units 2-4 overlook the adjoining (northern) neighbour's property.

The 'Design Provisions' of 5.4.1 of the R-Codes allows for:

- 1 *Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:*
 - *building layout, location;*
 - *design of major openings;*
 - *landscape screening of outdoor active habitable spaces; and/or*
 - *location of screening devices.*



- 2 *Maximum visual privacy to side and rear boundaries through measures such as:*
- *offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
 - *building to the boundary where appropriate;*
 - *setting back the first floor from the side boundary;*
 - *providing higher or opaque and fixed windows; and/or*
 - *screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).*

A condition is included in the officer's recommendation to require the owner to screen the boundary to a height of 1.6 metres above altered ground level to provide appropriate screening to the northern neighbour's property (Should there be appropriate screening to a height of 1.6 metres at the altered ground level from the boundary fence, no additional screening is required).

The 'Design Provisions' as noted above, are considered to be adequately addressed, through the provision of screening of the lot boundary to a height of 1.6 metres and offsetting the location of windows so that viewing is oblique away from any habitable area. The recommendation for screening is considered to protect the neighbour's amenity and therefore it is considered the overlooking as conditioned can be supported.

Site Fill / Retaining Wall

It is proposed a retaining wall is required on the northern and southern boundaries to a maximum height of approximately 0.88 metres, reducing to 0.55 metres. A maximum excavation of 0.8 metres is also proposed.

The applicant is proposing to retain the rear garden areas to the dwellings and to excavate the driveway.

The maximum fill permitted under the 'Deemed to Comply' provisions of the R-Codes allows for 0.5 metres. There are no criteria with regard to excavation works.

The Performance Criteria of the R-Codes with regard to Element 5.3.7 Site Works states:

- P7.1** *Development that considers and responds to the natural features of the site and requires minimal excavation/fill.*
- P7.2** *Where excavation/fill is necessary, all finished levels respecting the natural ground level at the boundary of the site and the adjoining properties and as viewed from the street.*

It is proposed to fill / grade to approximately a maximum of 0.88 metres to the rear of unit 4, reducing to 0.55 metres to unit 2 and no retaining wall required for unit 1. The proposed fill will establish new finished ground levels to the dwelling enabling a level pad / ground level for the dwelling, with both excavation and fill being proposed at equal heights.

The impact on the subject lot and adjoining lots is considered minimal, as the proposed fill only assists in establishing a suitable finished floor level for the foundations to the proposed dwelling. The proposed fill is staggered / graded and landscaping is proposed. As noted above, a condition has been included in the Officer Recommendation requiring suitable privacy screening to be provided.

It is considered the proposed fill / retaining wall significantly respects the natural ground level at the boundary of the site and the adjoining properties as viewed from the street. The proposed retaining wall is consistent with other retaining walls in the locality. It is considered the proposed fill suitably addresses the overall streetscape and is sympathetic with adjoining dwellings.



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The design of the retaining is considered of a suitable scale and bulk to maintain the streetscape character. The overall height of the proposed dwellings is compliant with Councils Acceptable Development height requirements of the RDG. The proposed retaining wall is considered appropriate can be supported subject to a condition requiring suitable landscaping.

Roof Form and Pitch

The proposed design of the rear grouped dwellings are a mixture of pitches with the primary dwelling pitch being 30° reducing to 20° at the rear of each of the dwellings (single storey).

The Performance Criteria states:

P4 Roof forms of new buildings complement the traditional form of surrounding development in the immediate locality.

The proposed primary roof pitches of the dwellings are 30° pitched roofs, consistent with the development requirements of the RDG. The rear of each of the dwellings has a 20° pitch. The roof form is significantly consistent in form with the surrounding dwellings. The rear single storey element of each of the dwellings is simplistic and reduces the overall scale, height and bulk of the dwelling to the northern properties.

The proposed roof pitches are considered to be sympathetic to the heritage dwelling. Due to the overall front set back to the grouped dwellings, there will not significantly streetscape impact. The proposed roof forms and pitches are considered to be consistent with the area and therefore can be supported.

CONCLUSION

The proposed development ultimately comes down to one significant planning issue, that of density. As assessed above the proposed development significantly complies with the R12.5 development standards, however the proposed four grouped dwellings and retention of the existing heritage dwelling does exceed the permitted density for the area but will conform with the provisions of Amendment 10 which has been approved by Council. Clause 10 (c) of the Scheme enables Council to consider amendments such as Amendment 10 in the orderly and proper planning of the area. Within this context, Council has previously approved a development at a similar density. In essence the proposed development is an amendment to the original approval.

The proposed impacts to adjoining neighbours are considered minimal as the development has been designed to significantly comply with the 'Deemed to Comply' provisions of the R-Codes and the Acceptable Development provisions of the RDG, except where outlined above.

The proposed development is considered consistent with the adjoining R30 density developments to the north and south. The proposal has been designed to Amendment 10 development guidelines for R40 densities.

The proposed development does significantly comply with the proposed future density zoning for the area. However it is necessary that this assessment be made pursuant to the prevailing statutory provisions. Based on the previous Council approval and the proposed amendments to that design, it is considered the proposal can be supported, subject to conditions.



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RECOMMENDATION

That Council grant approval for the retention and restoration of an existing dwelling and the construction of four two storey dwellings situated at 41 (Lot16) Osborne Road, East Fremantle on the following basis and subject to the following conditions in accordance with the application plans date stamp received on 24 August 2015.

(A) Basis for Determination

1. The density, height and setback requirements are varied pursuant with Clause 7.5 of Town Planning Scheme No. 3 because the proposed development will facilitate the conservation of a heritage place.
2. The density provisions of the TPS No. 3 are varied from R12.5 to R30 because they are consistent with the proposed density provisions of Scheme Amendment 10 which has been resolved to be supported by Council and submitted to the Western Australian Planning Commission for final approval.
3. The proposed development recognises the historical nature of the Town, enhances the character and amenity of the Town, promotes the conservation of significant heritage buildings, provides for a diversity of housing and therefore is consistent with Clause 1.6 Aims of the Scheme (a), (b), (c) and (d) and satisfies Clause 4.4 Objectives of the Zones – Residential Zone.
4. The proposed development meets the following relevant provisions of Clause 10.2 (a), (b), (c), (d), (f), (i), (l) & (o) which are 'Matters to Be Considered by Local Government' under TPS No. 3.

(B) Conditions of Approval

- ✓ 1. Prior to the issue of a Building Permit the existing dwelling at 41 (Lot16) Osborne Road is to be included on the Heritage List pursuant with clause 7.1.3 of TPS No. 3.
2. Prior to the issue of a Building Permit the land owner is to enter into a Heritage Agreement pursuant with section 29 of the Heritage of Western Australia Act 1990 in the form of words contained within the attached the draft agreement.
3. Prior to the issue of a Building Permit, a Landscape Plan, prepared by a qualified Landscape Architect, shall be submitted and approved by the Chief Executive Officer. The Landscape Plan shall include details of all plant species to be introduced and retained, a management plan for the installation and maintenance of all landscaped areas inclusive of adjacent street verge.
4. Any new crossover which is constructed under this approval is to be a maximum width of 3.0m, the footpath (where one exists) to continue uninterrupted across the width of the site and the crossover to be constructed in material and design to comply with Council's RDG Policy all to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
5. In cases where there is an existing crossover this is to be removed and the kerb, verge and footpath are to be reinstated at the applicant's expense to the satisfaction of Council, unless on application, Council approval for the crossover to remain is obtained.
6. All parapet walls to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
7. Screening to a height of 1.6 metres above the altered ground level is to be provided on the northern boundary, to ensure appropriate screening to the northern neighbour's property. Screening finish is to be by way of agreement between the affected property owners and at the applicant's expense. (Should there be appropriate screening to a height of 1.6 metres above the

- altered ground level from the boundary fence, no additional screening is required).
8. Details of the materials, colours and finishes of the dwelling are to be provided at building permit application stage and approved by the Chief Executive Officer, in consultation with relevant Council Officers prior to the issue of a Building Permit.
 9. Prior to the installation of externally mounted air-conditioning plant, a development application, which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997, is to be lodged and approved to the satisfaction of the Chief Executive Officer. (refer footnote (i) below)
 10. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
 11. The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
 12. With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
 13. The proposed dwellings are not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
 14. All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
 15. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
 16. where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
 17. this planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (b) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (c) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record*



of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.

- (d) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (e) in regard to the condition relating to the finish of the neighbour's side of the parapet wall it is recommended that the applicant consult with the neighbour to resolve a mutually agreed standard of finish.*
- (f) with regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (g) the 'alfresco' areas may not be enclosed without the prior written consent of Council.*
- (h) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (i) under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

Mr Gauci (owner) addressed the meeting in support of the proposal.

Cr Collinson – Cr McPhail

That Council grant approval for the retention and restoration of an existing dwelling and the construction of four two storey dwellings situated at 41 (Lot16) Osborne Road, East Fremantle on the following basis and subject to the following conditions in accordance with the application plans date stamp received on 24 August 2015.

(A) Basis for Determination

- 1. The density, height and setback requirements are varied pursuant with Clause 7.5 of Town Planning Scheme No. 3 because the proposed development will facilitate the conservation of a heritage place.**
- 2. The density provisions of the TPS No. 3 are varied from R12.5 to R30 because they are consistent with the proposed density provisions of Scheme Amendment 10 which has been resolved to be supported by Council and submitted to the Western Australian Planning Commission for final approval.**
- 3. The proposed development recognises the historical nature of the Town, enhances the character and amenity of the Town, promotes the conservation of significant heritage buildings, provides for a diversity of housing and therefore is consistent with Clause 1.6 Aims of the Scheme (a), (b), (c) and (d) and satisfies Clause 4.4 Objectives of the Zones – Residential Zone.**
- 4. The proposed development meets the following relevant provisions of Clause 10.2 (a), (b), (c), (d), (f), (i), (l) & (o) which are 'Matters to Be Considered by Local Government' under TPS No. 3.**

(B) Conditions of Approval

- 1. Prior to the issue of a Building Permit the existing dwelling at 41 (Lot16) Osborne Road is to be included on the Heritage List pursuant with clause 7.1.3 of TPS No. 3.**



2. Prior to the issue of a Building Permit the land owner is to enter into a Heritage Agreement pursuant with section 29 of the Heritage of Western Australia Act 1990 in the form of words contained within the attached the draft agreement.
3. Prior to the issue of a Building Permit, a Landscape Plan, prepared by a qualified Landscape Architect, shall be submitted and approved by the Chief Executive Officer. The Landscape Plan shall include details of all plant species to be introduced and retained, a management plan for the installation and maintenance of all landscaped areas inclusive of adjacent street verge.
4. Any new crossover which is constructed under this approval is to be a maximum width of 3.0m, the footpath (where one exists) to continue uninterrupted across the width of the site and the crossover to be constructed in material and design to comply with Council's RDG Policy all to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
5. In cases where there is an existing crossover this is to be removed and the kerb, verge and footpath are to be reinstated at the applicant's expense to the satisfaction of Council, unless on application, Council approval for the crossover to remain is obtained.
6. All parapet walls to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
7. Screening to a height of 1.6 metres above the altered ground level is to be provided on the northern boundary, to ensure appropriate screening to the northern neighbour's property. Screening finish is to be by way of agreement between the affected property owners and at the applicant's expense. (Should there be appropriate screening to a height of 1.6 metres above the altered ground level from the boundary fence, no additional screening is required).
8. Details of the materials, colours and finishes of the dwelling are to be provided at building permit application stage and approved by the Chief Executive Officer, in consultation with relevant Council Officers prior to the issue of a Building Permit.
9. Prior to the installation of externally mounted air-conditioning plant, a development application, which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997, is to be lodged and approved to the satisfaction of the Chief Executive Officer. (refer footnote (i) below)
10. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
11. The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
12. With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
13. The proposed dwellings are not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
14. All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction



of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.

15. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
16. where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
17. this planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

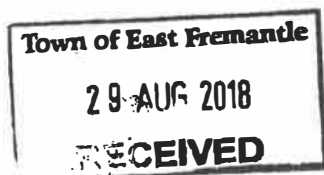
The following are not conditions but notes of advice to the applicant/owner:

- (a) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (b) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (c) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.*
- (d) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (e) *in regard to the condition relating to the finish of the neighbour's side of the parapet wall it is recommended that the applicant consult with the neighbour to resolve a mutually agreed standard of finish.*
- (f) *with regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (g) *the 'alfresco' areas may not be enclosed without the prior written consent of Council.*
- (h) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (i) *under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".*

CARRIED 4:0

Note:

As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 16 June 2015 this application is deemed determined, on behalf of Council, under delegated authority.

**C.E.O**

**Town of East Fremantle.
Canning Highway
EAST FREMANTLE.**

R J Gauci

**41 Osborne Road
East Fremantle 6158
27th/8/18**

**Attention Mr Andrew Malone
Manager Planning Services
Re No. 41 (Lot 16) Osborne Road
East Fremantle.**

Dear Sir,

Further to our recent communications, regarding the development of the dwellings and W.A.P.C. conditional approval (1093-15) for the above property due to expire on 22nd December 2018.

As advised due to some serious health issues, suffered by me over the last 16 months or so, some ongoing I have been unable to concentrate on this development and subdivision.

I am therefore requesting an extension approval of 2 years beyond the date already approved by Council and further request reconsideration of W.A.P.C. Condition 6 to be exempted, as this condition adds time and development constraints to the proposal which are unnecessary and overly complicate the proposal.

My efforts to meet the current approval date are still ongoing as is my commitment to comply with the Heritage agreement.

Your favourable earliest reply would be appreciated.

Yours faithfully**c.c .Kevin Alves (surveyor))**

Town of East Fremantle

**Doc No: ICORR68402
File: P/OSB41
Reg Date: 29 AUG 2018
Officer: GEORGINA**

Attach:

11.6 Munro Street No. 3 (Lot 5059) – Additions and Alterations to Existing Dwelling, Including a Double Carport

Applicant/Owner	G Young and C Terry
File ref	P/MUN3; P057/2018
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Voting requirements	Simple Majority
Documents tabled	Nil
Meeting date	2 October 2018
Attachments	<ol style="list-style-type: none">1. Location Plan2. Place Record Form3. Photographs4. Plans date stamped received 27 June 2018

Purpose

This report considers a development approval application for single storey additions and alterations to the existing dwelling, including a carport at No. 3 Munro Street, East Fremantle.

Executive Summary

The application involves additions and alterations to the existing residence, including the extension of the existing roof line toward the front property boundary to accommodate a double carport and porch in the front setback area.

The existing residence will be retained and modified internally. The roof structure to the rear outdoor living area will be refurbished to provide an undercover outdoor space and the unused carports to either side of the dwelling will provide an additional bathroom, pantry and storeroom. The extension of the existing roof line to the front of the property will provide a double carport, which will allow for the removal of the second crossover on the southern side of the property.

The following issues are relevant to the determination of this application:

- Street front setback;
- Lot boundary setback;
- Building setbacks and orientation; and
- Location of carport.

The variations to the R-Codes and the Residential Design Guidelines can be supported with conditions of approval to ensure the heritage character and amenity of the site and streetscape is maintained. Development conditions in respect to prohibiting enclosure of the carport and patio, front fencing, crossover width, external roof fixtures and pool pump equipment are recommended.

Background

The existing dwelling was constructed c1958.

Consultation

Advertising

The application was advertised to surrounding land owners from 30 July to 7 August 2018. No submissions were received.

Community Design Advisory Committee (CDAC)

This application was referred to the CDAC meeting of 27 August 2018. The Committee made the following comments:

- (a) *The overall built form merits;*
 - The Committee support the development on the basis of:
 - Retention of the existing house;
 - No enclosure of carport / installation of garage door;
 - Retaining heritage – Committee appreciates retention and any enhancements of existing features; and
 - Not setting a precedent for other carports or garages in the front setback.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
 - Architectural design remains sympathetic to original design / character.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
 - The development is consistent with the existing streetscape.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
 - The Committee consider there is no significant change.
 - The Committee commented on the proposal not being disruptive to streetscape.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
 - The Committee believe retention of existing features and dwelling will have a positive contribution in terms of sustainability.
 - Utilisation of the existing footprint of the building is encouraged.
- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention Through Environmental Design performance, protection of important view corridors and lively civic places;*
 - Committee considered carport obstructed passive surveillance.
 - The Committee suggest altering internal layout of store, kitchen and pantry to improve street surveillance.
 - Committee also suggest increasing side setback for rear access purposes. This may assist with storage and allow for effective internal layout.

Applicant response

In relation to item (f) the following information explaining why design choices have been made is provided.

- *Keeping the kitchen orientation the same as the original dwelling ensures passive surveillance and line of sight to pool area which we consider essential given our young family. The removal of*

internal walls allows for much better surveillance from what is the heart of the household, and potentially even from the rear of the property.

- *As the current dwelling has no real eaves, we find this leads to reduced use of the front rooms and our front window blinds being closed to reduce glare and to provide privacy. The extended porch will address this issue.*
- *The reduction of the surveillance from the existing porch due to the relocation of the carport is more than offset by the new porch on the other side of the property as it is more useable and connected to an active/living space rather than a bedroom.*
- *Side setbacks are unchanged from the original dwelling given existing carports. Changes to the side setbacks would alter the roofline, potentially altering the front aspect and add cost to the project.*

Officer response

The applicant's response is considered reasonable in regard to addressing the CDAC comments and no further changes to the plans are considered necessary.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016

Municipal Inventory – Category C - Post-World War II International style (c1958)

Financial Implications

Nil.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices.

3.3.2 Optimal management of assets within resource capabilities.

3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

August 2018

Comment

LPS 3 Zoning: Residential R17.5

Site area: 736m²

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Design Element	Required	Proposed	Status
Street Front Setback (minor incursion)	5.0m	3.0m	D
Lot Boundary Setback	North – 1.0m North (carport) – 1.0m South – 1.5m	983mm 983mm 867mm	D D D
Open Space	50%	67%	A
Outdoor Living	36 ² m	144m ²	A
Car Parking	2	2	A
Site Works	Excavation or fill behind a street setback line ≤ 500mm	Compliant	A
Retaining Walls	Retaining walls set back from lot boundaries – 1.0 Retaining walls up to or within 1.0m of a lot boundary - <0.5m high	Compliant	A
Overshadowing	25%	5.6%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	D
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	A
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	N/A

3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.18.3 Garages, Carports and Outbuildings	D
3.7.15-20 Precinct Requirements	D

Building Height Requirement	Required	Proposed	Status
Building Height (RDG) (top of an external wall concealed roof)	6.5m Roof pitch not greater than 5°	3.356m	A

The applicant has stated the following in support of the application:

“The existing residence will be retained and sympathetically updated and modified to provide a functional dwelling which meets modern needs and future requirements for the occupants. The reconfiguration of internal walls will open the north-facing street-side of the house and provide a second living space adjacent to the rear alfresco area. The roof structure to the rear outdoor living area will be refurbished to provide a quality undercover outdoor living space with strong connection to both these internal living areas.

Portions of the existing non-functional and unused undercover carports to either side of the dwelling will be infilled to provide an additional bathroom, pantry and storeroom. The extension of the existing roof line to the front of the property will provide a double carport, which will allow for the removal of the second crossover to the property. The roof extension will also provide a porch area which is north facing, adjacent to the living areas of the house and in keeping with the architectural character of the existing dwelling.”

The applicant is seeking Council discretion with regard to a number of provisions of the R-Codes and the Town’s Residential Design Guidelines. These matters are discussed below.

Street Front Setback - Minor Incursions (Porch)

The R-Codes allow for minor incursions into the setback for structures such as verandahs, porches, stairs and architectural features but these elements cannot protrude more than 1.0 metre into the setback area without Council approval. The porch will project an additional 2.0 metres into the setback area.

As noted above the CDAC supported the proposal, primarily because the existing dwelling was being maintained and the carport was not being enclosed. There are no objections to the proposed setback given it is not out of character with the design of the existing dwelling (forms an extension of the roof line of the residence) and is considered to comply with the ‘Design Principles’ of the R-Codes in that it is setback an appropriate distance to ensure maintenance of the established character, privacy and open space, accommodates utilities and landscaping and allows for services.

The proposal also complies with the Residential Design Guidelines in that additions and alterations are to match the existing front and side setbacks of the immediate locality. The proposed alterations and additions still present as a single storey house so the size and scale of the dwelling is not inappropriate. The CDAC did not consider the alterations to detract from the streetscape. The façade is articulated, is considered to contribute positively to the streetscape and is not contrary to the development context of the area. The porch incursion into the street setback is therefore supported.

Lot Boundary Setbacks

The lot boundary setbacks of the dwelling are not fully compliant with the R-Codes as outlined in the above table. However, the non-compliance is minimal and is a result of the applicant wishing to retain the existing building setback on each side of the dwelling and use this space to extend the house (i.e. the unused carports). This is considered to be the best design outcome in terms of retaining the dwelling's heritage character and resulting in minimal change to the façade.

Building Setbacks and Orientation

Whilst the additions to the 'contributory' building under the Residential Design Guidelines do not meet the 'Acceptable Development Provisions' the 'Performance Criteria' are considered satisfied in that the addition is setback so as to not adversely affect its visual presence to the street, the side setbacks are complementary to the streetscape and the development is oriented to address the street.

The proposed side setback is determined by the existing roofline of the dwelling, with a portion of the existing unusable carports being infilled as outlined above. The proposal has no adverse effect on the amenity of the adjoining lot being only 2.2 metres high, with a floor level approximately 500mm below the adjoining property and under the existing roofline. The proposed wall height reduces the impact of building bulk on the neighbours. For similar reasons it does not impact views or ventilation.

Location of Carport

The application proposes the construction of a double carport to the front of the dwelling 3.0 metres from the front boundary. The Residential Design Guidelines require the carport to be setback 1.2 metres behind the building line. To comply with this provision and accommodate a double carport the existing façade of the house would need to be substantially altered; a change that would impact on the heritage elements of the dwelling and is not considered desirable. Existing single carports are located along each side of the dwelling as an extension of the main roof of the house. The carports are not used and it is intended to extend the residence into this space.

It is also noted that the proposed setback of the carport complies with Clause 5.1.2 of the R-Codes in that the setback of the carport is not further forward of the 50% street setback reduction allowed (i.e. 6.0m front setback required; carport setback 3.0m). It also complies with the other requirements for carports in the front setback in that there will be an unobstructed view between the dwelling and the street. The applicant's argument that the façade of the dwelling remains the dominant element from the street and that the 'framing' of the carport reflects that of the original dwelling as does the pitch of the roof is supported.

The carport will sit well with the original dwelling in that it will be constructed with the same materials and roofing as the dwelling and have the same pitch as the existing roof. Also, the width of the verge at approximately 7.0 metres somewhat compensates for the carport being forward of the main building line as it provides greater 'green' space and increases the distance between the carport and the street. For this reason conditions are recommended which prevent side enclosure, gates or a garage door being installed.

Number of crossovers

The application is proposing one crossover of a compliant width, whereas two crossovers are currently in place. The applicant is proposing to remove the crossover on the southern side. It is therefore considered necessary to impose conditions to ensure the redundant crossover is removed, the verge reinstated and the crossover to be retained to be constructed to the correct width.

Conclusion

The Richmond Hill Precinct comprises dwellings of various scales and built forms. Many are two storey and comprise large homes. Properties in the area are characterised by the dwellings oriented to obtain river and city views. The application in regard to the subject site does not follow this pattern but is to be retained as a single storey. In doing so it complies with most of the R-Code and Town's Residential Design Guidelines provisions with the exception of the porch and carport being closer to the street front boundary and the side boundary setbacks than permitted.

Extending the living space on the ground level toward the side boundaries has required that the carport be constructed within the front setback area. This same area is already used to park vehicles on a section of hardstand. The design of the porch and carport is in keeping with the roof line of the existing dwelling and neither is enclosed. This maintains an open façade which is considered to not have a negative effect on the amenity of the neighbouring properties or result in a detrimental impact on the streetscape. However, it will make a positive contribution to the streetscape character by the removal of an additional crossover. The activation of the front facade with additional street facing windows and an additional undercover outdoor porch area to the front of the property is also of benefit. All other additions and alterations are to the rear and not visible from the street.

The variations can be supported with conditions of approval to ensure the heritage character and amenity of the site and area is maintained. Development conditions in respect to prohibiting enclosure of the carport, garage door, roof installations, front fencing, crossover width, external fixtures and pool pump equipment are recommended to ensure the proposal complies with the requirements of the R-Codes and the Residential Design Guidelines.

11.6 OFFICER RECOMMENDATION

That Council grant development approval and exercise its discretion in regard to the following:

- (i) Clause 5.1.2 – Street Setback of the Residential Design Codes of WA to permit a street setback of less than 6.0 metres and a minor incursion of less than 5.0 metres;**
- (ii) Clause 5.1.3 - Lot Boundary Setback of the Residential Design Codes of WA to permit a lot boundary setback of less than 1.0 metre for the northern boundary and 1.5 metres for the southern boundary;**
- (iii) Clause 3.7.7.3 – Building Setback and Orientation of the Residential Design Guidelines to permit an addition to a contributory building to be less than the front setback of the immediate locality and have a setback less than 100mm from the primary frontage of the existing building; and**
- (iv) Clause 3.7.17.3 – Garages, Carports and Outbuildings of the Residential Design Guidelines to allow a carport to be setback less than 1.2m behind the building line,**

for additions and alterations to the existing dwelling, including a double carport at No. 3 (Lot 5059) Munro Street, East Fremantle, in accordance with the plans date stamped received on 27 June 2018, subject to the following conditions:

- (1) No enclosure of the carport on any side and no installation of a garage door or gate to the front or side of the carport.**

- (2) No enclosure of the porch on any side with permanent or temporary devices.
- (3) No external fixtures, fittings, satellite dishes, telecommunication devices, solar collectors, solar hot water systems or appliances, or the like to be installed on the roof of the dwelling or carport without further Council approval.
- (4) The crossover width not to exceed 5.0 metres and to be in accordance with Council's crossover policy as set out in the Residential Design Guidelines 2016 (as amended).
- (5) The redundant crossover on the southern side of the lot to be removed. Refer to condition 6.
- (6) In cases where there is an existing crossover which is redundant the kerb, verge and footpath are to be reinstated at the applicant's expense to the satisfaction of Council.
- (7) If requested by Council within the first two years following installation, the Colorbond metal roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (8) If pool filter and pump equipment is to be relocated it is to be located a minimum distance of 1.0 metre away from all other boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.
- (9) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (10) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (11) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (12) All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (13) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (14) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (15) This planning approval to remain valid for a period of 24 months from date of this approval.

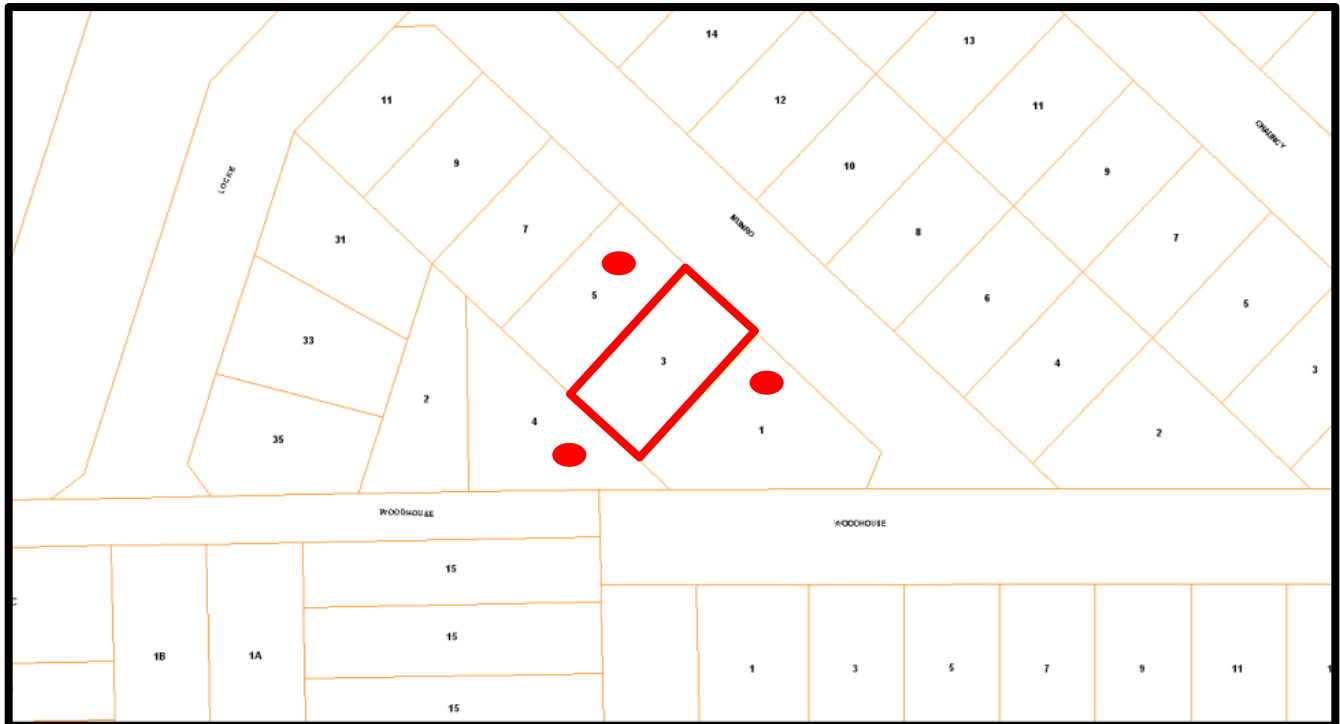
Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *If front fencing is proposed a fresh development application is to be submitted for Council's consideration.*
- (ii) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (iii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*

- (iv) It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (v) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (vi) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vii) Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

NO. 3 (LOT 5059) MUNRO STREET – P057/18- ALTERATIONS AND ADDITIONS – CATEGORY C





PLACE RECORD FORM

PRECINCT	Richmond Hill
ADDRESS	3 Munro Street
PROPERTY NAME	N/A
LOT NO	Lot 5059
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1958
ARCHITECTURAL STYLE	Post-World War II International style
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	<p>No 3 Munro Street is a single storey house constructed in stone, brick and rendered brick with a low pitched metal roof. The metal roof is likely a replacement of an asbestos cement roof. It is an expression of the Post-World War II International style. The house is planned in a series of flat planes. The front facade features brick piers, brick panels, a feature granite stone wall panel and timber joinery in International style geometry. The whole of the house is covered with an unequal pitched low gable roof with thin barges. Eaves extend over carports on both sides of the house. There is a recessed porch area to the west side of the house. The porch is supported on piers. The main entrance is located under the porch and</p>

is flanked by set of windows. Windows are full height.

The place retains its form and most of its details. There are additions to the rear. The front walls have been rendered in the 21st Century.

The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

The Richmond Hill Precinct was originally Location 333-336 Swan District which was acquired by John Clayton in 1861-64. As subdivisions occurred throughout East Fremantle new land names were taken from original names and adapted. The Richmond Hill Precinct was once a part of the Richmond Precinct. The Richmond name originated from the town of Richmond in England. Walter Easton, the owner of the Richmond Precinct, had lived in Richmond prior to arriving in Western Australia.

In 1891 the precinct was sold to David Symon and David William Harwood. Symon was an ironmonger, shipping merchant, a senior partner in a firm of merchants and a member of the Legislative Assembly for South Fremantle. Harwood was a prominent businessman, the founder of Harwood Brewery and was known as an avid horse racer. Subdivided lots to the precinct began to sell between 1897 and 1898 following the completion of land surveys. Due to the requirement for the provision of costly services such as water and electricity to the subdivided lots, Symon and Harwood decided to sell the estate in its entirety.

The 'Brighton Estate' is identified on a 1903 property map as the area between Preston Point Road and David Street (now Petra Street) including View Terrace and Pier Street. A water tank was located on a site between Pier Street and View Terrace (Lot 43) which was largely chosen for its elevated position. The tank, however, was later replaced in 1977 by a multi-storey water tower which is still present today. Development in the estate progressed very slowly and by 1945 there were only 10 residences in Pier Street.

A small adjoining portion of land from View Terrace to Fraser Street and west of Petra Street was developed in 1919. The development was around the site of the old Bicton Racecourse and was named the 'Riverside Bicton Estate'. Subdivision of the remaining land in East Fremantle was complete by the 1930s. By this time the land had been significantly developed. During this period developments commenced in Petra Street and a group of Inter-War California Bungalows were built between View Terrace and Preston Point Road. This development period presents a collection of buildings which were constructed within a similar time frame while demonstrating a variety of styles. Developments were of timber and masonry construction with face brick finishes, weatherboard and asbestos cladding. A shortage of building materials following the Depression and WWII led to a more simplified building style and the emergence of the Post-War austerity houses in Richmond Hill.

A later era of development in Richmond Hill occurred around Locke Crescent between the 1950's and 1960's.

Many new developments have occurred in the Richmond Hill Precinct in the last 30 years.

OWNERS

Unknown

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Brick, rendered brick and stone

Roof – Metal deck

PHYSICAL SETTING

The residence is situated on a slightly sloping site with a lawned garden that extends down to the lot boundary.

Town of East Fremantle - MHI Review 2015

STATEMENT OF
SIGNIFICANCE

No 3 Munro Street is a single storey house constructed in brick, rendered brick and stone with a metal deck roof. It has historic and aesthetic value for its contribution to Richmond Hill's residential building stock. The place contributes to the local community's sense of place.

The place has some aesthetic value as a Post-World War II International style house. The place retains a moderate to high degree of authenticity and a high degree of integrity.

The additions have no significance.

AESTHETIC
SIGNIFICANCE

No 3 Munro Street has some aesthetic value as a Post-World War II International style house. It retains most of the characteristic features of a dwelling of the type and period.

HISTORIC
SIGNIFICANCE

No 3 Munro Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Walter Easton's Estate from 1901. It is a good example of development from the Post-World War II era.

SCIENTIFIC
SIGNIFICANCE

N/A

SOCIAL
SIGNIFICANCE

No 3 Munro Street has some social value and contributes to the community's sense of place

RARITY

No 3 Munro Street is one of a small number of houses in East Fremantle to have been built in this style. It has survived the late twentieth and early twenty first century wave of renewal.

CONDITION

No 3 Munro Street is in good condition.

INTEGRITY

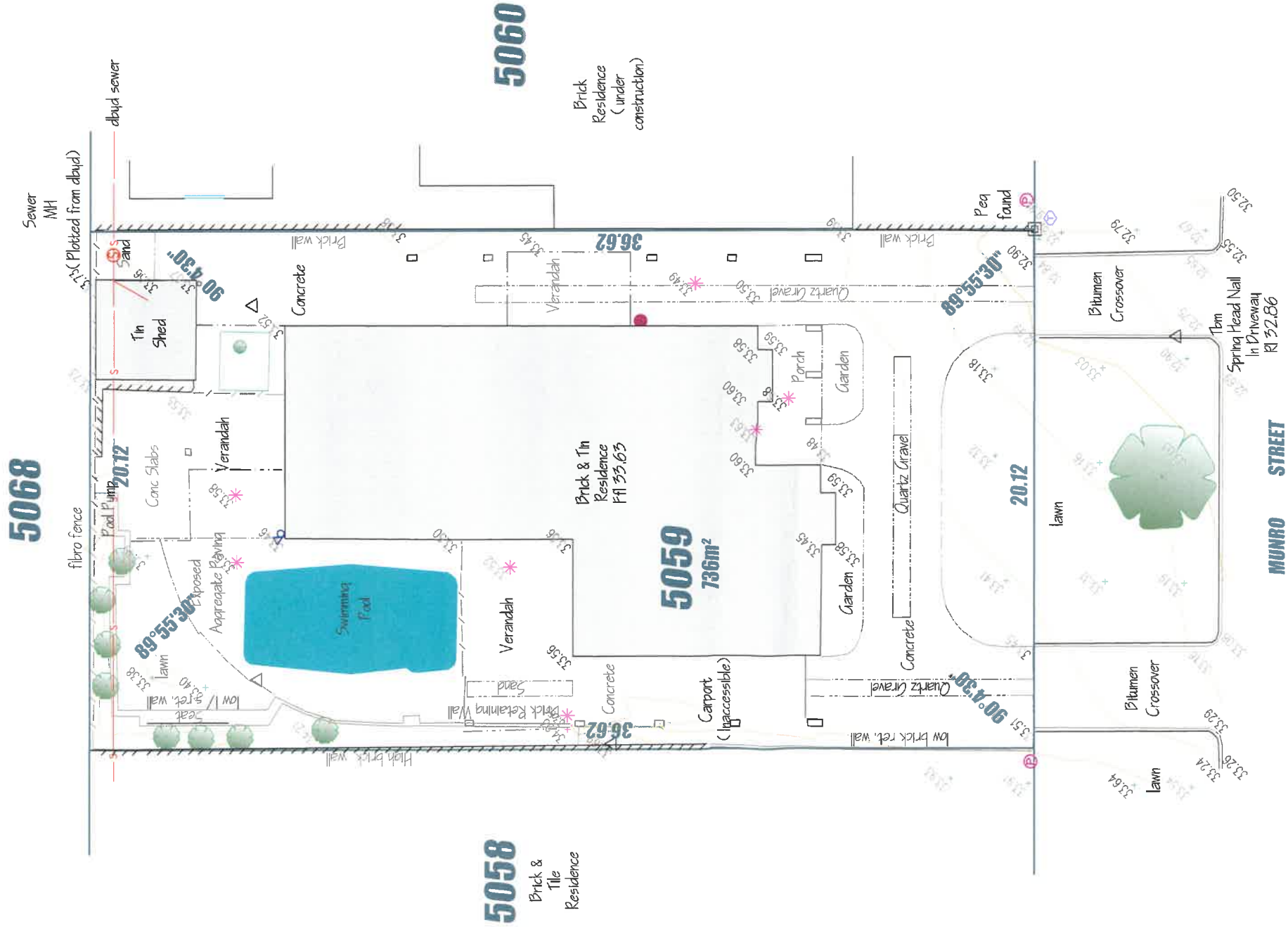
No 3 Munro Street retains a high degree of integrity.

AUTHENTICITY

No 3 Munro Street retains a moderate to high degree of authenticity.

MAIN SOURCES

boundary line	contour	kerbline
edge of bitumen	edge of concrete	
brick wall	fence	
edge of garden/lawn	sewer main	overhead power
swimming pool	canopy line	building
	standard survey mark	contra point
	cadastral peg found	
power dome		
telstra pit	sewer manhole	
		tree
		natural surface pt
		column
bollard		floor level

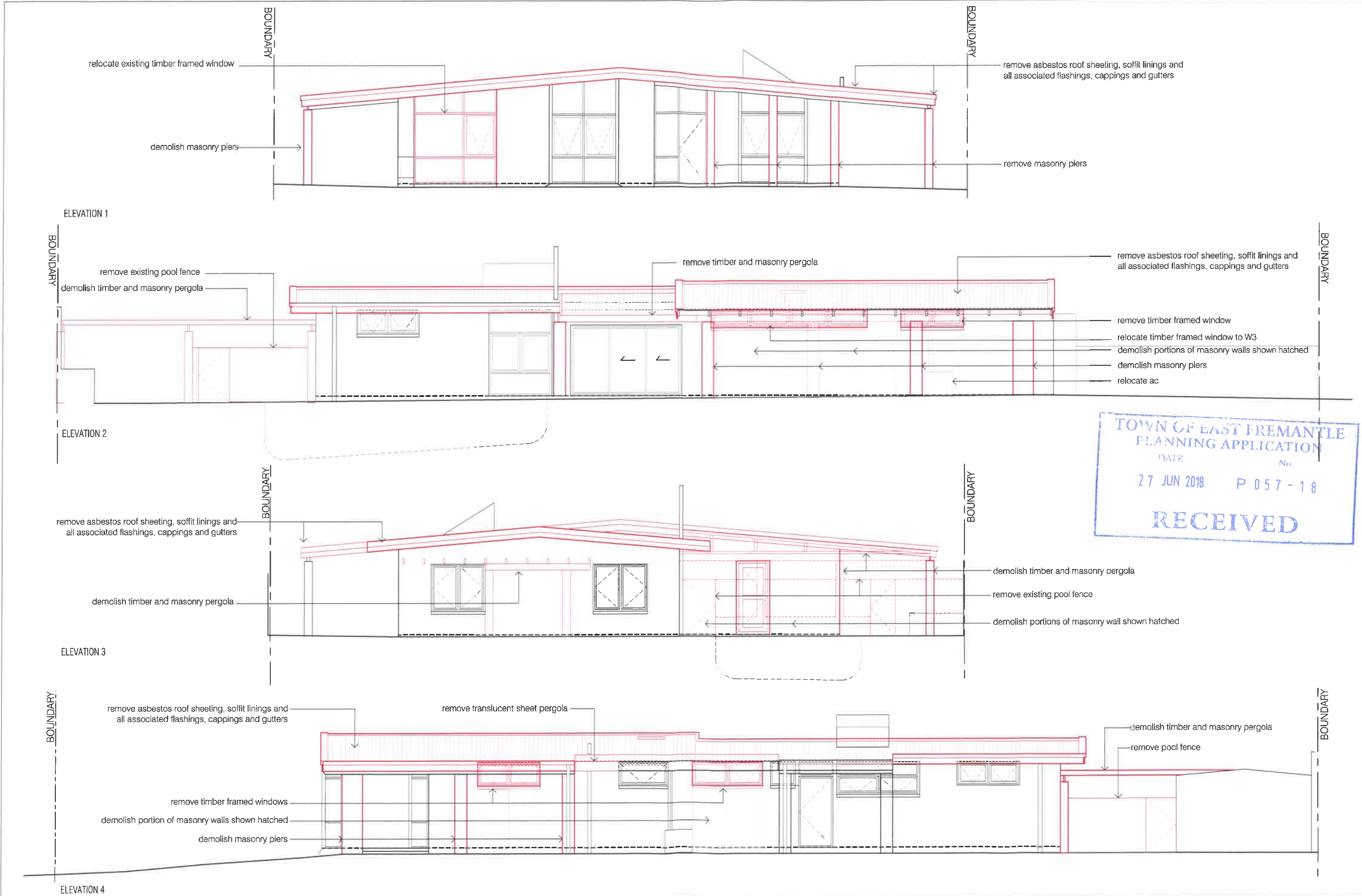


TOWN OF EAST FREMANTLE
PLANNING APPLICATION
DATE 27 JUN 2018 P 057-18
Nu.
RECEIVED

△ 11m
Spring Head Nail
In Kerb
R1 33.22

This plan may only be used for contour and feature survey purposes.
The title boundaries shown hereon were not marked at the time of survey and have been determined by plan dimensions positioned over evidence of occupation.
Vertical datum is AHD adopted from SSM Melville 5.
Only visible neighbouring house and window locations are shown on this survey and are for indicative purposes only.
Underground services did not part of this survey, prior to any demolition, excavation or construction the relevant authorities should be contacted and the certificate of title checked for easements or encumbrances.

Client: OFFICER WOODS ARCHITECTS	Scale: 1:200	Date Drawn: 21/08/2017	Job No: 17052
	Vt Datum: AHD	Drawn by: DJ	Plan No: 17052-01
	Ht Datum: ARBITRARY	Checked by: DJ	Revision: A
	Survey Date: 18/08/2017	Surveyor: KM	Orig. Size: A3



TOWN OF EAST FREMANTLE
PLANNING APPLICATION
DATE 27 JUN 2018 No. P 057 - 18
RECEIVED

Revision	Issued	Date
C	Issued for DEVELOPMENT APPLICATION	30.04.18
B	Issued for Information QS	18.10.17
A	Issued for Information QS	06.10.17

lines in red indicate extent of demolition/relocation

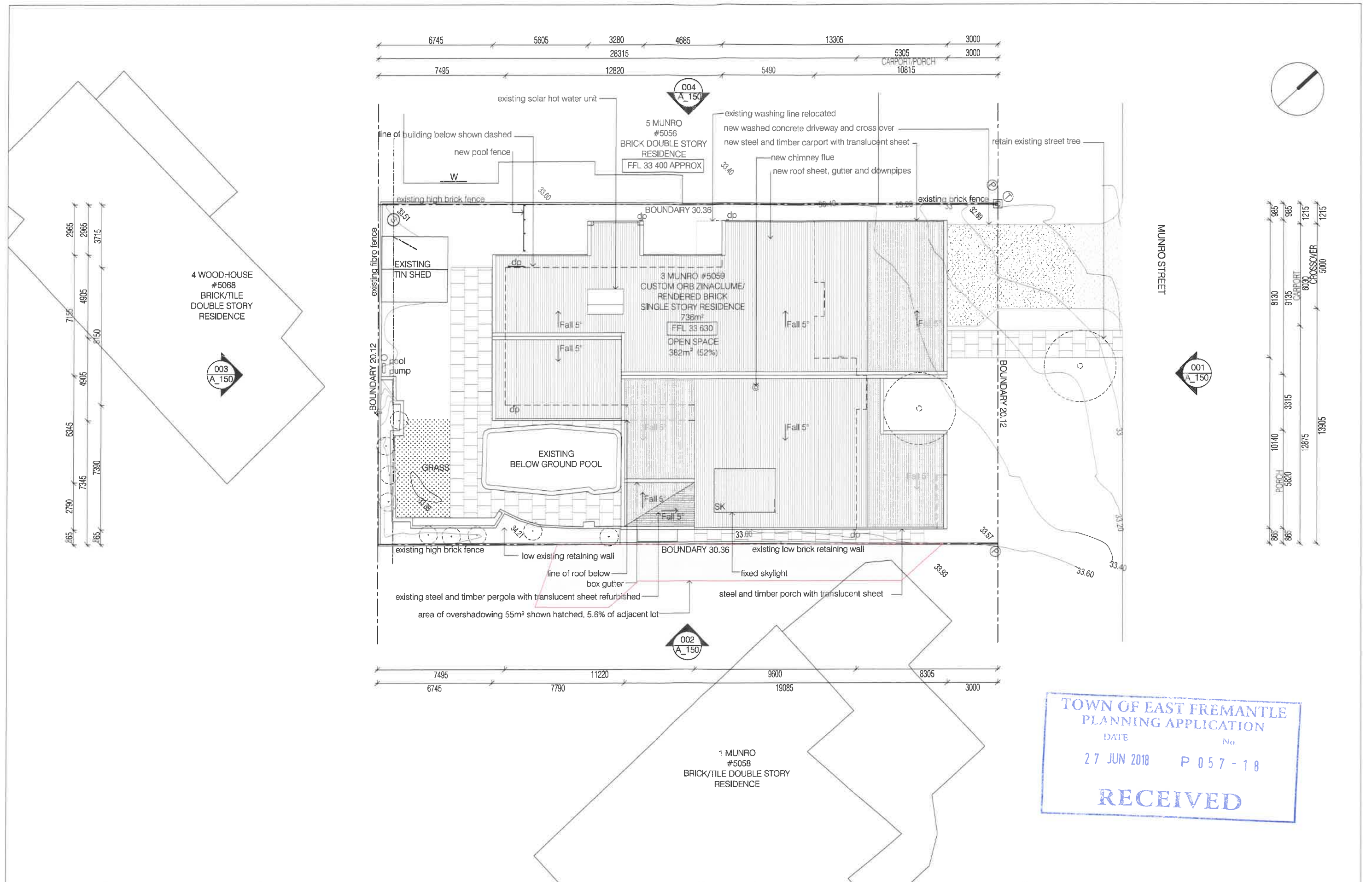
Use figured dimensions at all times. Do not scale or measure off drawings. All dimensions and levels to be checked on site by the Contractor prior to commencing. If discrepancies are found notify the Architect and seek direction prior to proceeding.

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PROJECT	3 MUNRO STREET
DRAWING	DEMOLITION ELEVATIONS
PROJECT NUMBER	OW_178
SCALE	1 : 100 AT A3
DATE	30.04.18
DRAWING STATUS	DEVELOPMENT APPLICATION
REVISION	A 023 C



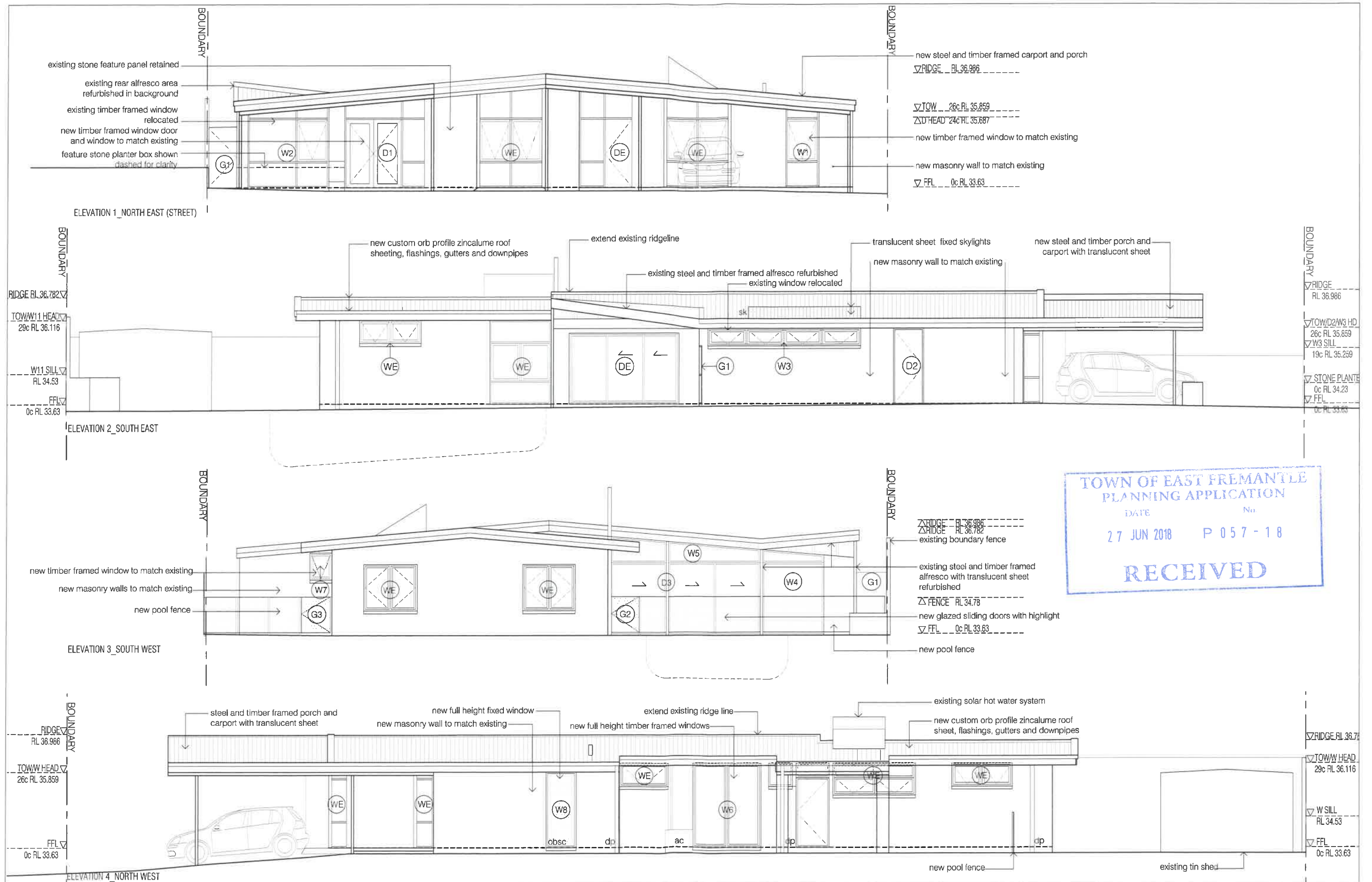
Revision	Issued	Date
B	Issued for DEVELOPMENT APPLICATION	01.06.18
A	Issued for DEVELOPMENT APPLICATION	30.04.18

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PROJECT	3 MUNRO STREET
DRAWING	SITE PLAN
PROJECT NUMBER	OW_178
SCALE	1 : 200 AT A3
DRAWING STATUS	DEVELOPMENT APPLICATION
DATE	01.06.18
REVISION	A 1024 B



Revision	Issued	Date
E	Issued for DEVELOPMENT APPLICATION	01.06.18
D	Issued for DEVELOPMENT APPLICATION	30.04.18
C	Issued for Information OS	18.10.17
B	Issued for Information OS	06.10.17
A	Issued for Information Client	05.10.17

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OW
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PROJECT	3 MUNRO STREET		
DRAWING	ELEVATIONS		
PROJECT NUMBER	OW_178	SCALE	1 : 100 AT A3
DRAWING STATUS	DEVELOPMENT APPROVAL	DATE	01.06.18
REVISION	A	1426	E



STREET ELEVATION

Revision	Issued	Date
A	Issued for DEVELOPMENT APPLICATION	30.04.18

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PROJECT	3 MUNRO STREET		
DRAWING	STREETSCAPE ELEVATION		
PROJECT NUMBER	OW_178	SCALE	1 : 200 AT A3
DRAWING STATUS	DEVELOPMENT APPLICATION	DRAWING NUMBER	A_127
		DATE	30.04.18

11.7 Previously Canning Highway No. 209 (Lot 49) (Lot 263 Allen Street) – Proposed Additions and Alterations

Owner / Applicant	C Parsons/ SIDI Construction
File ref	P059/2018; P/CAN209
Prepared by	Andrew Malone, Executive Manager Regulatory Services
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting date	2 October 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Photographs3. Place Record Form4. Plans date stamped 27 June 2018

Purpose

This report considers an application for planning approval for proposed additions and alterations including second storey addition and sunken garage to an existing heritage dwelling at No. 209 Canning Highway (Lot 263 Allen Street), East Fremantle.

Executive Summary

The proposed additions and alterations are for a second story addition, a ground floor extension and a new sunken garage on the newly subdivided Lot 263 Allen Street. The lot has a split R12.5/ 40 zoning and is 503m² in area with an existing single story heritage building currently located on the site. It is proposed to undertake restoration of the existing building in addition to proposed extensions and additions. This application is considered to be significantly compliant with the Residential Design Codes and the Residential Design Guidelines, with the exception of the following issues which are relevant to the determination of this application:

- Heritage considerations;
- Setback;
- Garage forward of the building line;
- Retaining wall/ front fence; and
- Boundary wall

The proposal is not considered to negatively impact on the heritage character of the building or the streetscape. The proposal is recommended for approval subject to conditions.

Background

Zoning: Residential R12.5/40
Site area: 503m²

Consultation

Advertising

The application was not advertised to surrounding properties. The lot is located within a parent lot that is owned by Mr Parsons and therefore there is no impact to adjoining landowners. The proposed impact to the streetscape is also considered limited.

Community Design Advisory Committee (CDAC)

This application was considered by the CDAC at a meeting held on 30 July 2018. The second storey additions are proposed to the rear of the property (a garage is located within the front setback however

is excavated into the lot) and has no significant impact to the streetscape or heritage character of the property.

Alterations and Additions to Existing Dwelling, Including Second Storey Extension.

(a) *The overall built form merits;*

- Committee recommend reducing the external roof height of the rear upper floor addition to delineate the old roof to the new roof.
- The Committee is supportive of the development as proposed.

(b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development;*

- Committee recommends the use of a consistent external cladding material. Shadow clad to be utilised throughout the whole upper rear floor addition.

(c) *The relationship with and impact on the broader public realm and streetscape;*

- No comment.

(d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*

- No comment.

(e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*

- No comments.

(f) *The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places.*

- No comments.

The applicant has provided the following response:

The current roof finished height for the extension has been designed this way for structural purposes and with the intent of creating clean architectural intersections into the existing structure. The chosen cladding material, colour and geometry of the proposed addition will create good contrast with the existing building and will be sufficient contrast to delineate the old and new architectural elements.

We are happy that the committee is supportive of the design.

Officer comment:

Whilst the CDAC comments are acknowledged, it is considered the applicant's response has merit. The proposed second storey addition will not have any significant prominent views from Allen Street due to its elevated and setback location on the building. The proposed addition is located behind the existing ridge line of the roof. It is proposed that there will be limited views of the dwelling and second storey because of existing and proposed vegetation screening to Allen Street. The side elevation to the south will be obscured by an existing building (currently under construction). The impact of the addition is considered minimal. No condition will be included in the Officer's recommendation regarding the roof. A

condition will be added however to ensure the use of a consistent external cladding material on the upper storey. Shadow clad is notated on the plans and a condition requiring the material to be utilised throughout the whole upper rear floor addition is included.

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

LPS No. 3 Heritage List

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Municipal Heritage Inventory - 'B' Category

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management practices.

3.3.2 Optimal management of assets within resource capabilities.

3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 Conserve, maintain and enhance the Town's open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.

4.1.2 Plan for improved streetscapes parks and reserves.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices.

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Site Inspection
September 2018

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	4.0m	4.0m	A
Lot boundary setbacks			
Northern	1.0m	Nil	D
Southern	1.5m	Nil	D
Southern (Garage)	1.0m	Nil	D
Eastern	1.0m	Nil	D
Eastern (Dwelling)	1.5m	1.1m	D
Open Space	45%	>45%	A
Outdoor Living	20m ²	61m ²	A
Car Parking	2	2	A
Site Works	Less than 500mm	Greater than 500mm	D
Overshadowing	≤25%	≤25%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	D
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	D
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	D
3.7.12 Pergolas	A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.18.3 Garages and Carports	D
3.7.15-20 Precinct Requirements	A

The applicant has worked with the Town to achieve an appropriate design for the dwelling. Two other designs were presented to the CDAC and the applicant has on each occasion addressed the concerns

raised. Consultation with the planning department and the CDAC has resulted in a design outcome being reached with the intention of retaining as much of the existing form and character of the existing heritage building as it presents to Allen Street.

Consideration has been given to existing established vegetation. The applicant has indicated all efforts will be made to retain existing mature vegetation as well as the planned introduction for new vegetation in deep root planting zones. This planting will screen the proposed garage and will also assist in softening any impact the proposed first floor addition may cause.

The proposed garage is sunken into the lot and utilises access via a shared vehicular access leg therefore eliminating the requirement for a new crossover. Whilst the garage has been set in front of the existing building the proposed garage does not significantly conceal the existing fabric of the heritage dwelling. The proposed garage roof is only 530mm above the existing floor level of the exist house, therefore the garage will have minimal visual impact.

Heritage

The dwelling is categorised as Category 'B' on the Heritage List of the Planning Scheme. Overall the proposal is considered to acknowledge the significant heritage value of the dwelling. The proposed second story addition utilises space mostly within the existing building envelope and respects the scale, bulk and proportions of the existing dwelling. The addition to the first floor utilises contrasting materials where visible to clearly delineate from the original structure.

Consideration has been given to the design of the front fence and retaining wall. The applicant has attempted to reduce the bulk and scale of the fence and retaining to compliment the design of the proposed dwelling. The fence does not impede sight lines to the existing heritage building but does provide a minimum height for safety. A condition has been included in the Officer's recommendation to require all fencing to be visually permeable.

The dwelling will still maintain a similar street presence and appearance. A condition has been include to retain the existing chimneys to ensure street character is maintained. Whilst the addition can be viewed from the street, the simplicity of the design of the additions integrates with the heritage character. The proposed addition is not considered intrusive as far as the streetscape or fabric of the building is concerned. The addition is recommended for approval subject to conditions.

Lot boundary setback

The lot boundary setbacks to the first floor are not compliant with the 'Deemed to Comply' provisions of the R-Codes. The proposed side boundaries to the development/ existing dwelling are also not compliant with the 'Deemed to Comply' provisions of the R-Codes as the dwelling is located on three of the boundaries of the subject lot.

Based on the higher density coding of R40, the proposed garage is required to be setback 4 metres from the front boundary. The garage setback is compliant with the 'Deemed to Comply' provisions of the R-Codes. The proposed garage is also sunken and therefore has minimal street impact and has no significant impact on the heritage dwelling.

The non-compliance with respect to the first floor (rear boundary) and the building on the boundaries is considered relatively minor and is a result of the applicant's subdivision and wishing to minimise built form impact to the existing heritage building. The proposed setbacks on each side boundary and the rear boundary attempt to utilise the full extent of the lot without structures being constructed forward of the heritage building or constructing a larger second storey than that proposed. The proposed design is

considered to be the best design outcome in terms of retaining the dwelling, its heritage character and results in protecting the streetscape and façade of the dwelling.

Three of the proposed side setbacks are nil (northern, southern and eastern). These boundary walls adjoin other newly created lots (subdivided from the parent lot) and have no impact to adjoining land owners. The setback requirements for the first floor and ground floor to the eastern boundary do not comply with the “Deemed to Comply” provisions either. The lot boundary to the south and east adjoins an internal driveway, whilst the northern boundary adjoins a larger lot, which will be subdivided in the future. The proposed built form make practical use of the existing lot area, without significantly compromising the heritage dwelling.

The proposal is considered to comply with the ‘Design Principles’ of Clause 5.1.3 Lot boundary setback P3.2 and overall the building design contributes to the retention of the heritage dwelling, therefore positively contributing the streetscape and overall street character.

Retaining walls and site works

The existing limestone wall on the front boundary (Allen Street) is not sufficient and requires replacement. The existing retaining wall will be realigned and replaced on the boundary. The height of the retaining wall will also be increased in height to 1.2 metres (currently the retaining wall is 0.4 to 0.9 metres above the footpath). The proposed fill (ranges from 0.8 metres to 1.2 metres above the footpath) on the western side of the lot is considered to provide a level front garden removing existing grade falls to the street. The proposed garage is also sunken into the front garden.

The applicant is filling the front of the property to enable a consistent and usable space is created in the front of the lot (maximising space and providing usable open space as there is no rear garden). The proposed level of 1.2 metres complies with the overall front fence height (solid) requirements. The proposed fence on top of the retaining is 1.0 metre permeable above the retaining wall, therefore the retaining and fence have a maximum height of 1.8 metres to 2.2 metres above the footpath.

The proposed retaining/ fence and development as a whole is considered to improve the amenity of the site and improves the visual appearance of the dwelling. The proposed fill also minimises the impact of the garage on the streetscape. The depth of fill will assist in minimising building bulk and height and a ‘deep planting zone’ will also be created in the front garden to ensure planting and established vegetation can be accommodated.

The Design Principles are considered satisfied in that the fill will not substantially change the natural ground level at the lot boundary of the site as viewed from the street and replacement of the retaining wall is considered necessary. The proposed retaining wall and fence on top are considered to adhere to the required Design Principles and therefore can be supported.

Side boundary wall

A wall is proposed on the northern boundary which exceed the requirements of the ‘Dividing Fences Act’ height of 1.8 metres above natural ground level. The proposed wall has a maximum height of 2.234 metres and therefore requires planning approval. The proposed wall has been increased in height above natural ground level because of the proposed fill and to increase the privacy (to the verandah and deck) of the site. The wall also provides a noise buffer from Canning Highway. The solid wall abuts a larger lot subdivision, which will be re-subdivided at a later stage. The proposed wall does not impact on any adjoining lot or the street frontage which is Allen Street.

Conclusion

Given the above comments of the CDAC and the modifications to the design by the application, the proposed design is recommended for approval subject to conditions. The overall design is sympathetic to the dwelling and protects the character of the heritage dwelling.

The redevelopment of the lot is a permitted use of the land under the density bonus R40 code (as approved under the subdivision) applicable to the area and LPS 3 provisions. The proposed development is not considered to detrimentally impact the amenity of the surrounding area or the streetscape. The reduced setbacks primarily adjoin a vehicular access leg and therefore there is no direct impact to adjoining lots or habitable areas.

Conditions in regard to building material, the chimneys, retaining and roof fixtures and front fencing are recommended to be applied to the development application. The proposed development is recommended for support subject to conditions.

11.7 OFFICER RECOMMENDATION

That Council grant development approval and exercise discretion in regard to the following:

- (i) Clause 5.3.1 of the Residential Design Codes – Lot boundary setback for the northern, eastern and western boundaries;**
- (ii) Clause 5.3.7 – Site works and Clause 5.3.8 – Retaining walls of the Residential Design Codes – Front retaining wall and proposed fill;**
- (iii) Clause 3.7.11 – Front Fence of the Residential Design Guidelines – Front fence;**

for planning approval for proposed additions and alterations including second storey addition and sunken garage to an existing heritage dwelling at No. 209 Canning Highway (Lot 263 Allen Street), East Fremantle, in accordance with the plans date stamped received 27 June 2018, subject to the following conditions:

- (1) The details of construction materials, colours and finishes to be used for the alterations and additions the subject of this application to the satisfaction of the Chief Executive Officer and to be submitted at Building Permit application stage.**
- (2) ‘Shadowclad Ultragroove’ as notated on the plans is to be utilised throughout the whole upper floor addition.**
- (3) The two (2) existing chimney stacks are not to be altered or removed and are to be protected, to the satisfaction of the Chief Executive Officer, during the construction phase.**
- (4) Front fencing is to comply with Local Planning Policy 3.1.1 for visual permeability. All front fencing is to be 60% visually permeable.**
- (5) The proposed alterations and additions are not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.**
- (6) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council’s further approval.**
- (7) The proposed works are not to be commenced until Council has received an application for a Demolition Permit and a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (8) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council’s attention.**

- (9) All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (10) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (11) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (12) This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *The Community Design Advisory Committee requested that the cladding of first floor be 'shadowclad'.*
- (ii) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (iii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iv) *It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (v) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (vi) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vii) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

NO. 209 (LOT 49) CANNING HIGHWAY – P059/18- ALTERATIONS & ADDITIONS INCLUDING SECOND STOREY (CATEGORY B)









PLACE RECORD FORM



PRECINCT	Woodside
ADDRESS	209 Canning Highway
PROPERTY NAME	N/A
LOT NO	Lot 49
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1913
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 209 Canning Highway is a single storey house constructed in tuck-pointed and rendered brick with a hipped and gable corrugated iron roof. It is a fine expression of the Federation Bungalow style. The front elevation is asymmetrically planned with a thrust gable bay and a full width return skillion roofed verandah. The verandah is set on turned timber posts with brackets. The gable bay features a doorway and hopper light flanked by sidelights. The front door is located on the west elevation in an elaborately arched recess. It has sets of casement windows including a corner window suite. The roofscape features rendered chimneys. Render bands run across the facades.</p> <p>The place retains its form and some of its details. There are framed additions and the west verandah has been enclosed and extended.</p>

	<p>The place is consistent with the building pattern in the Precinct.</p> <p>The place plays an important role in the pattern of development of a middle class suburb.</p>
HISTORICAL NOTES	<p>Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Bungalow style residence is also represented in Woodside.</p> <p>The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.</p> <p>The place was built for Lieutenant Colonel John Henry (Jack) Foxworthy.</p>
OWNERS	<p>Owned and occupied by Lieutenant Colonel John Henry (Jack) Foxworthy, Commanding Officer of the 44th Battalion, and secretary of the Fremantle Building Society from 1913 until his death in 1936.</p>
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	<p>Walls – Tuck pointed brick and rendered brick</p> <p>Roof – Corrugated iron sheeting</p>
PHYSICAL SETTING	<p>The residence is situated on a raised site with a limestone retaining wall at the lot boundary.</p>
STATEMENT OF SIGNIFICANCE	<p>No 209 Canning Highway is a single storey house constructed in brick and rendered brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.</p> <p>The place has considerable heritage value for its intrinsic aesthetic value as a Federation Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.</p> <p>The additions have no significance. The infills to the verandah are intrusive.</p>
AESTHETIC SIGNIFICANCE	<p>No 209 Canning Highway has considerable aesthetic value as a Federation Bungalow. It retains many of the characteristic features of a dwelling of the type and period.</p>
HISTORIC SIGNIFICANCE	<p>No 209 Canning Highway has considerable historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.</p>
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	<p>No 209 Canning Highway has some social value. It is associated with a significant area of middle class Federation and Inter-War period development, which contributes to the community's sense of place.</p>
RARITY	<p>No 209 Canning Highway is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.</p>
CONDITION	<p>No 209 Canning Highway is in poor to good condition.</p>

INTEGRITY

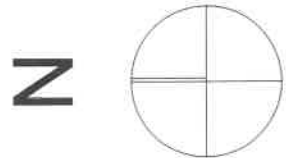
No 209 Canning Highway retains a high degree of integrity.

AUTHENTICITY

No 209 Canning Highway retains a moderate degree of authenticity.

MAIN SOURCES

20.73



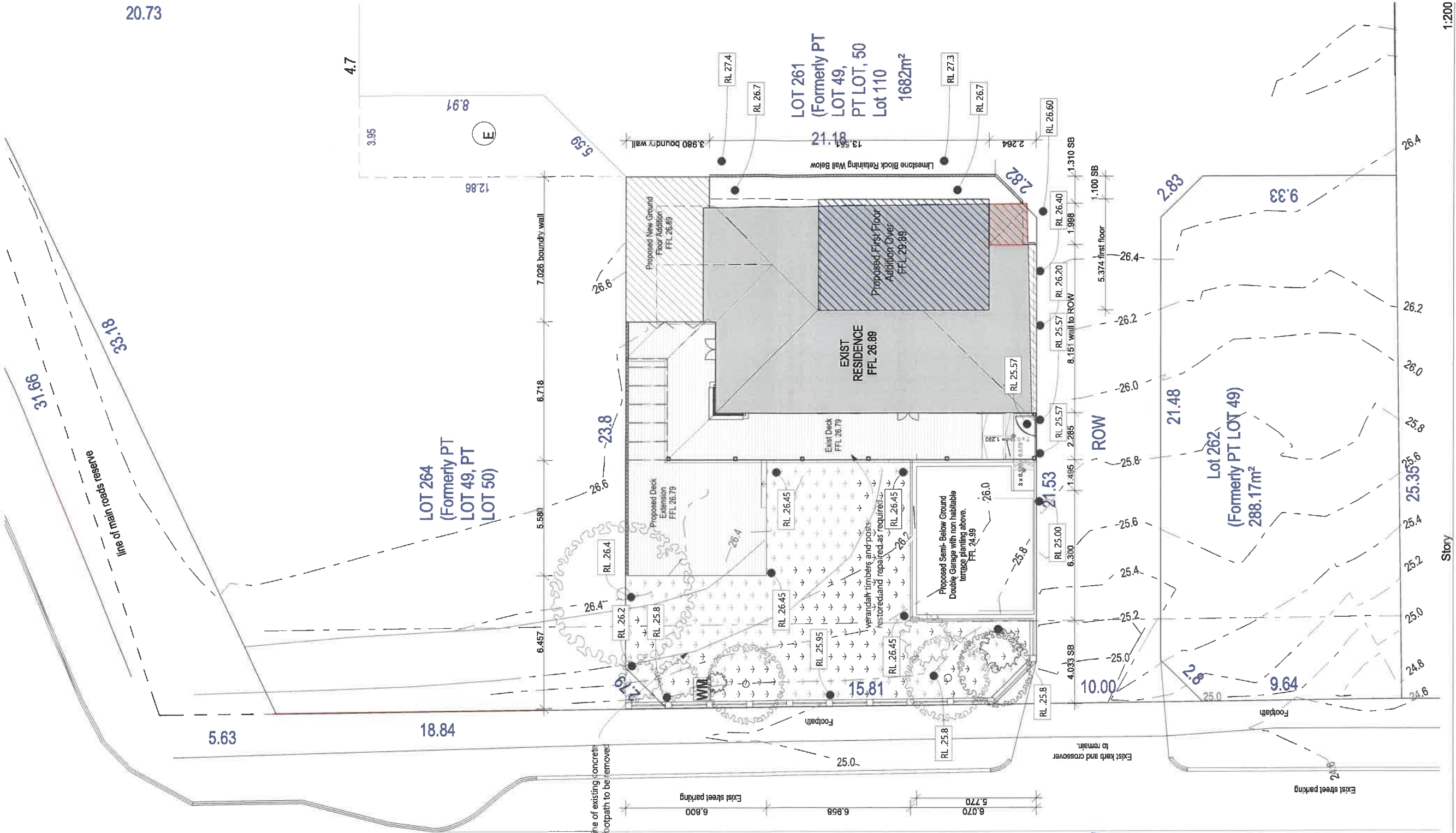
Key

- Proposed Spot Levels
- Exist. Site Contours
- Site Boundary Dimensions
- Proposed Ground Floor Addition
- Proposed Upper Floor Addition
- Proposed Demolition

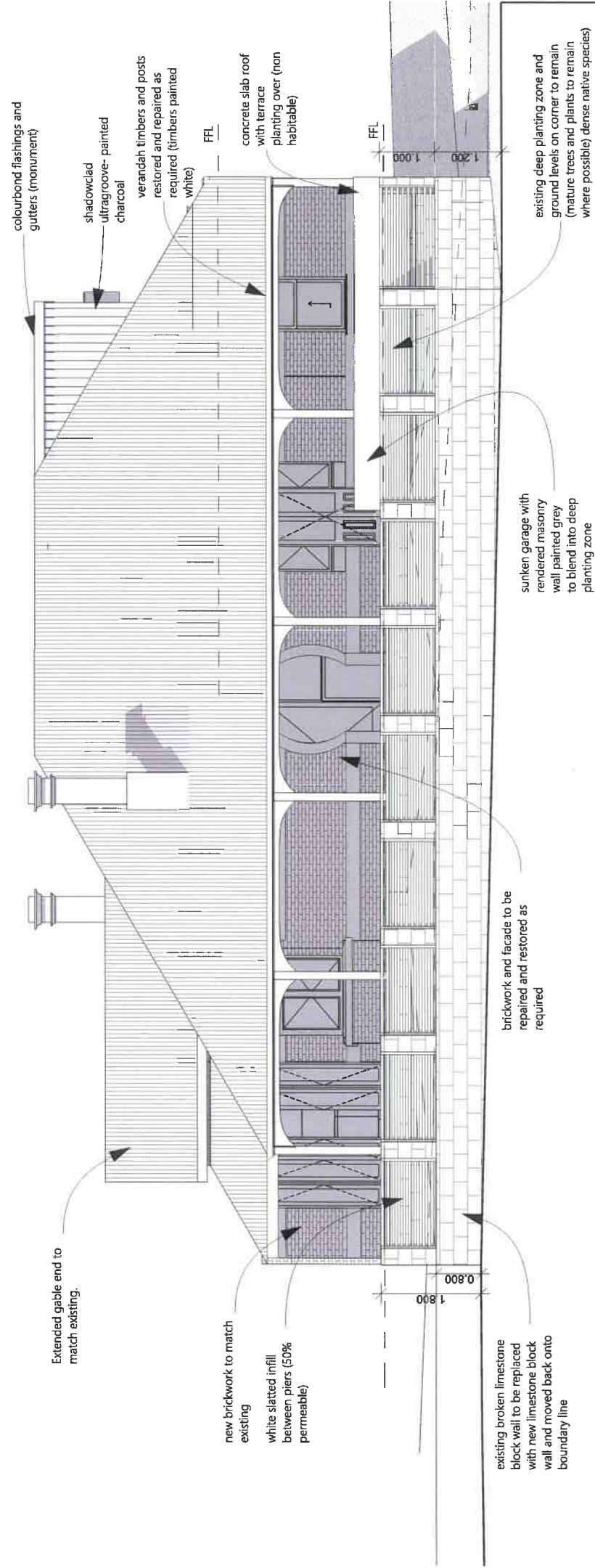
Areas

Total Lot Size	503m ²
House Ground Floor	181m ²
House Upper Floor	44.3m ²
Total Floor Area	225.3m ²
Garage and Store	45.7m ²
Open Space	276m ² (54.87%)

STREET ALLEN



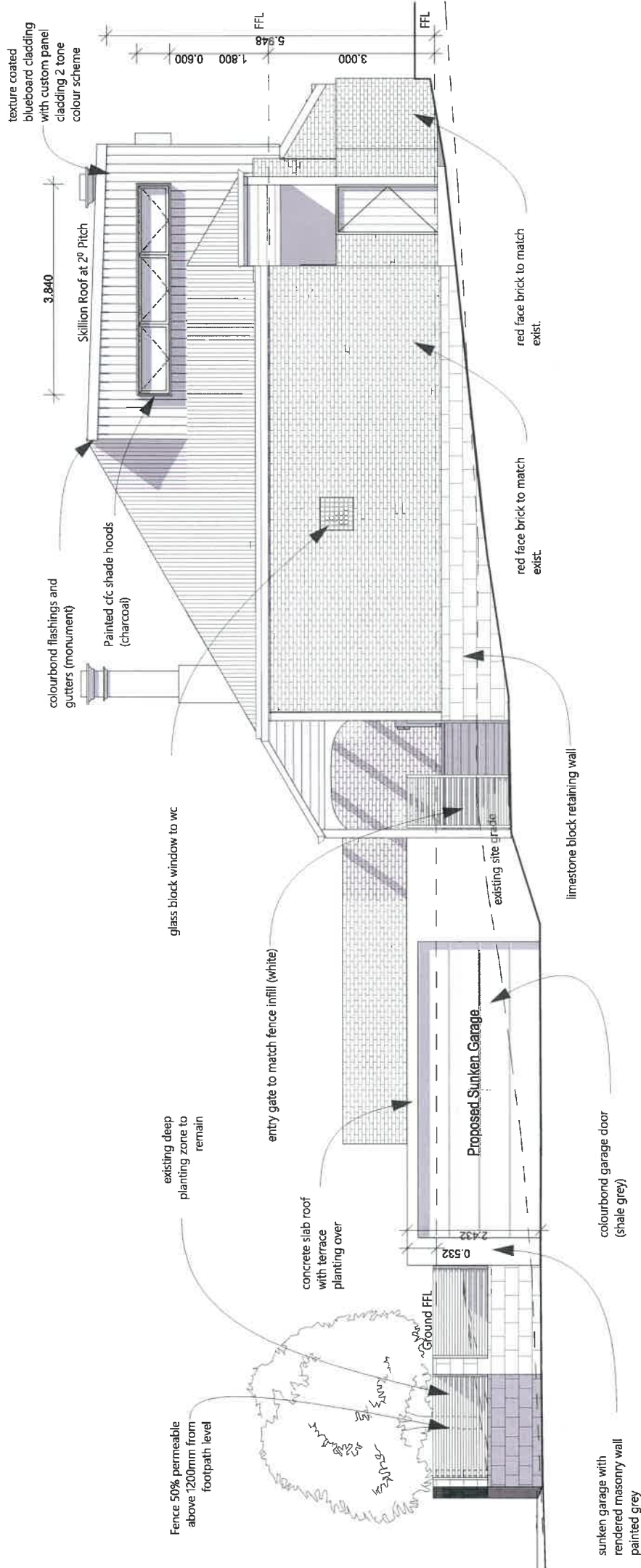
0. 1:200



E-04

West Elevation (Street Elevation)

1:100

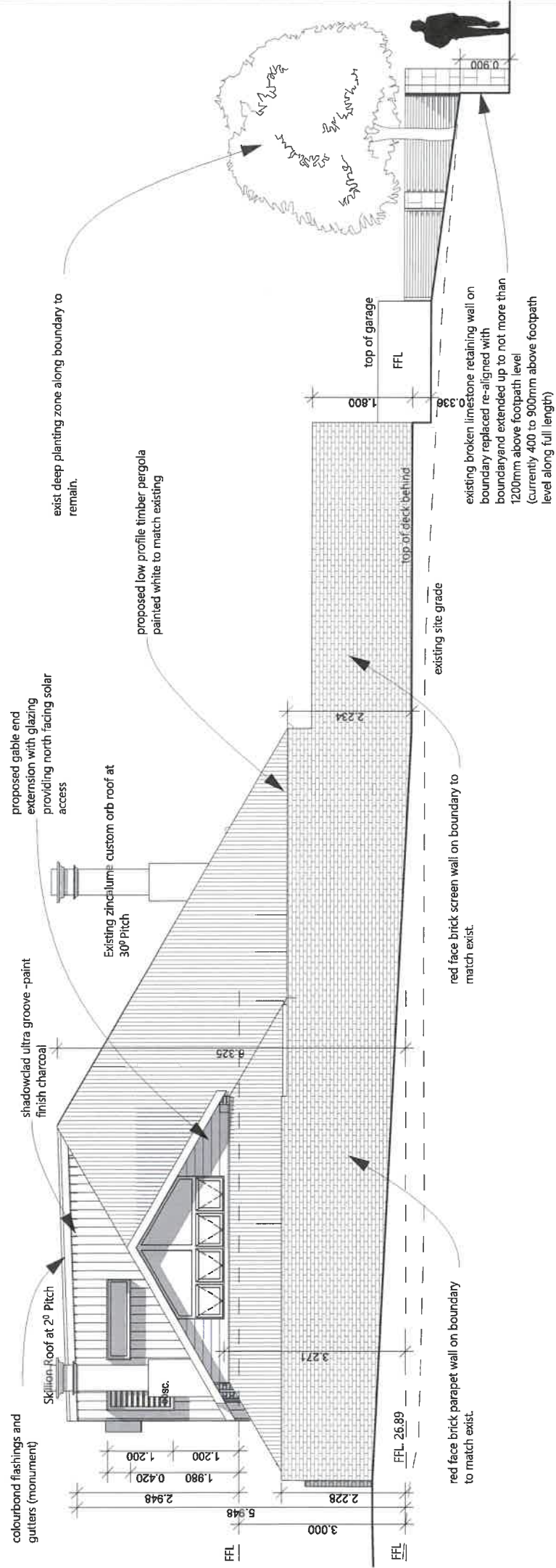


E-04

South Elevation

1:100

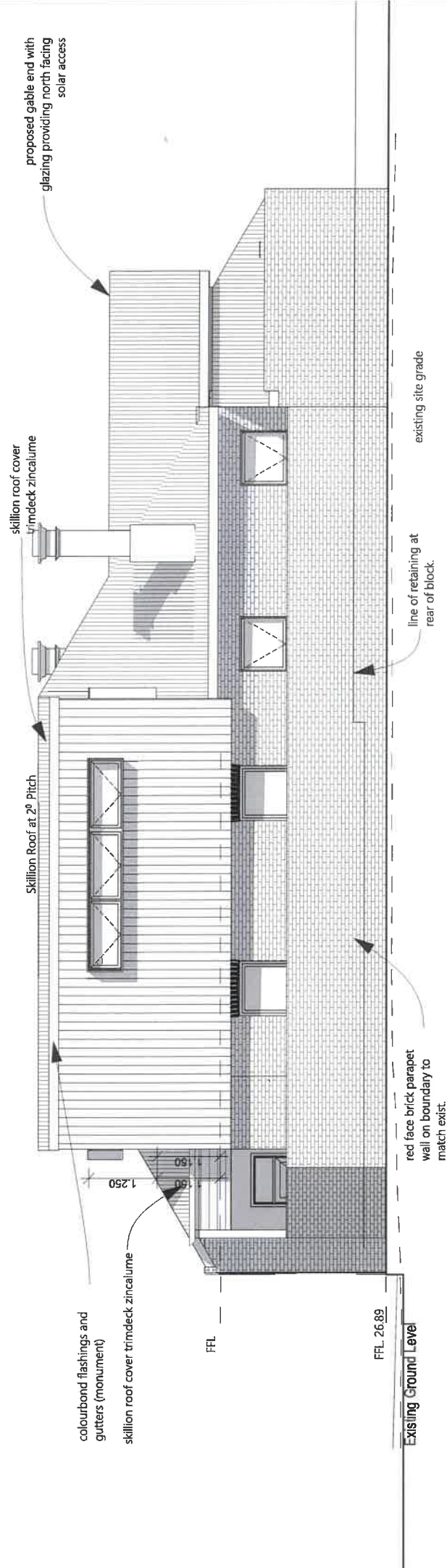
CLIENT/PROJECT: Renovation for Corey Parsons at Lot 263 Allen St Canning Hwy (Formerly PT No. 209 - PT Lot 49)	DRAWING TITLE Elevations	PROJECT STATUS: Planning Application	DESIGNER: A 1	SCALE: 1:100	PROJECT NO: 0140	DWG NO: 04
			DRAWN: ARIFIN IRIKS	Revision Date 27/06/2018	REVISION 0004	



E-01

North Elevation

1:100



E-02

East Elevation (1)

1:100







Front corner with deep planting zone and retaining



Current street view with trees and bushes to be retained where possible



11.8 Petra Street, No. 161 (Lot 1) – Request for Widening of Crossover to View Terrace

Applicant	D Gogan
Owner	C Robinson
File ref	P/PET151
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Voting requirements	Simple Majority
Meeting date	2 October 2018
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location Plan2. Place Record Form3. Aerial photograph4. Site photographs

Purpose

This report considers a request for widening of an existing crossover at No. 161 (Lot 1) Petra Street, East Fremantle. The subject site is a corner lot and the crossover is situated on View Terrace.

Executive Summary

The following issues are relevant to the determination of this request for widening of the existing crossover:

- Widening of crossover to create double crossover;
- Pedestrian priority over vehicular access;
- Pedestrian, cyclist and driver safety; and
- Streetscape and residential amenity.

Taking into consideration proximity of the lot to the intersection of View Terrace and Petra Street, parking in the street setback area and other circumstances specific to this site, a widened crossover (effectively more than a double crossover) is considered undesirable. It will be to the detriment of pedestrian, cyclist and motorist safety, as well as the overall appearance of the streetscape and therefore should not be supported. The application is therefore recommended for refusal on the grounds that it does not comply with the provisions of the Residential Design Guidelines, the aims of the Planning Scheme, the objectives of the Residential Zone and is contrary to the orderly and proper planning of the area. A repositioned crossover of no greater than 5 metres in width would be supported. Removal of the portion of the crossover that was installed without approval and reinstatement of the verge is also recommended.

Background

In 2017 this corner site was the subject of an application for subdivision under the corner lot density bonus provision of the Planning Scheme. The dwelling which remained on the corner is on the Scheme's Heritage List with a category B rating. The subdivision approval was subject to a number of conditions which stated:

"1. Suitable arrangements being made with the Local Government for the provision of vehicle crossover(s) to service the lot shown on the approved plan of subdivision."

The subdivision plan indicated retention of the garage on Lot 1 which was accessed from a crossover from View Terrace. This was supported by the Town and the subdivision applicant. The garage has been retained and immediately adjacent to the garage, in the secondary street setback area, a raised hardstand

area wide enough to accommodate another vehicle has been constructed. Council approval was not sought for this structure and the applicant has been advised that a retrospective development (planning) approval should be sought for this structure.

The applicant in a letter in support of the crossover widening application states that the garage is not large enough to accommodate a modern vehicle so vehicles are being parked on the verge and kerb. A request was therefore made to widen the crossover. This application was received on 26 July and the applicant advised that the matter would be considered at the Council meeting in October. In the meantime, however, the applicant has proceeded to undertake the work and has completed the widening and paving of a double crossover, approximately 9.0 metres (excluding splays) in width, extending the full width of the verge (i.e. 6.0 metres). An area of paving of approximately 54m² has been installed.

On 31 August it was brought to the Town's attention that the double crossover had been installed. The Town immediately advised the applicant that:

- the works were unauthorised and that approval had not been granted;
- a section of Council's footpath had been removed from the verge;
- a further section of the footpath had been removed and replaced; and
- an existing crossover had been removed and a new double crossover installed.

The applicant was requested to stop all works and remove all building materials and the skip bin from the verge immediately and reinstate the grass that had been removed.

The applicant was also advised that a retrospective development (planning) approval and a building permit for the hardstand (retaining wall greater than 500mm) was also required. The relevant forms and information was provided to the applicant.

DETAILS

The existing crossover on the subject site provides access to the freestanding garage on the western boundary of the lot. The applicant's plan proposed to replace both the existing Council footpath leading across the verge from the road to the letterbox and the existing crossover and spanned 8 metres (not including splays). This left an 800mm setback from the western boundary of the lot.

It is also noted the applicant has paved over an easement protecting an underground electricity cable. It is not clear whether authority to do this was obtained from Western Power. The Town is in the process of consulting Western Power and seeking advice in regard to whether this has been authorised.

LPS 3 Zoning: Residential R12.5
Site area: 560m² (Strata Lot 1)

Consultation

Advertising

Advertising was not required as the crossover and widened section is wholly within the road reserve.

Community Design Advisory Panel (CDAC)

The application was not referred to the CDAC as it will have no impact on the heritage aspects of the Municipal Inventory listed dwelling. However, if the request was approved by Council the streetscape would be detrimentally impacted and it is considered impacted from the point of view of the amount of increased paving of the verge that has occurred. Furthermore, as the applicant has stated the garage is

not being used for the purpose of parking vehicles it is highly likely that vehicles will be parked in the hardstand area and on the crossover (Council verge).

Statutory Environment

Local Government (Uniform Local Provisions) Regulations 1996
Planning and Development Act, 2005
Town of East Fremantle Local Planning Scheme No. 3 (LPS 3)
Easement – Western Power

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (RDG)
Municipal Inventory – Category ‘B’

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town’s character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town’s existing built form.*
- 3.3 *Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town’s open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

September 2018

Comment

The preference for some land owners to pave verge areas and accommodate vehicles in the road reserve has the potential to result in streetscapes becoming dominated by larger crossovers and driveways at the expense of pedestrian and road safety, landscaping, streetscape amenity, street trees and on-street parking. The Town's Residential Design Guidelines (RDG) specifically addresses these issues under the following clauses:

3.7.17.2 – Access, Parking and Rights of Way

3.7.17.2.2 - Desired Development Outcomes

- (i) *Parking areas of lots and development sites shall reflect the existing streetscape where possible;*
- (ii) *Where possible, parking to multiple dwelling to occur at the rear or side of the lot; and,*
- (iii) *Number of crossovers is to be minimized.*

Performance Criteria

Access and parking for the building is to be adequately provided for within the boundaries of the lot/development site, and does not negatively impact on:

- (i) *The streetscape character and amenity; and,*
- (ii) *The availability of on-street parking in the locality.*

3.7.14 – Footpaths and Crossovers

3.7.14.2 Desired Outcomes

- (i) *i. New footpaths and crossovers to match existing streetscapes;*
- (ii) *ii. Maintenance of existing footpaths and crossovers;*
- (iii) *iii. Maximum of one crossover per lot or subdivided lot; and*
- (iv) *iv. Street trees to be conserved or replaced where a new crossover requires their removal.*

3.7.14.3 Performance Criteria

- *Pedestrian walk ways will take priority over vehicular access.*

Widened crossover

The impact of the widened crossover on the streetscape is very clear when comparing the aerial photograph in Attachment 3 to the photographs taken after installation of the widened crossover in Attachment 4. The negative visual impact of a large area of paving as opposed to grass verge is specifically what the Town is trying to prevent from occurring. Requests for double and extended crossovers since the adoption of the Residential Design Guidelines are rarely granted approval. This is because the Council is trying to minimise the impacts of crossovers on the streetscape. If properties were installed with crossovers of this width the impact on the streetscape would be extensive and to the detriment of the Town's 'green' streetscapes and front gardens because wide crossovers result in wide driveways.

The photographs in Attachment 4 clearly demonstrate that the crossover now forms effectively a double crossover, being the width and equivalent of two crossovers and providing access for two vehicles.

Keeping in mind that development on the vacant portion of the subdivided lot fronting View Terrace has not occurred, there is potential for that crossover to be located on the eastern rather than the western side of the lot, where it is currently positioned. This would effectively result in a crossover of up to 14 – 15 metres in width and ~90m² of paving.

The addition of a wider crossover so close to the Petra Street roundabout (i.e. ~20 metres) and directly opposite another crossover and a bus stop (south side of View Terrace) is not supportable as it reduces safety for pedestrians, cyclists and motorists. While it is permissible to park cars, boats or trailers on the crossover it is not ideal, particularly in these circumstances. The crossover is set back from the intersection more than the required 15 metres, but this is marginal and although sight lines are clear once the roundabout is reached they would be impeded on approach to the roundabout if cars or other vehicles were parked on the crossover. This is considered to reduce traffic and pedestrian safety in general. Also adding to the road safety issue is the location of a bus stop on the north side of View Terrace just before the crossover. The Town's Operations Manager has indicated he is not in favour of a widened crossover but would be supportive of a crossover which provided access to the hardstand and which included the width of the footpath that previously existed from the letterbox to the footpath.

In addition to the above the additional paving (i.e. ~54m²) of the verge is considered to detract from the streetscape and adds to the hardstand along this stretch of the street. The construction of what is effectively another crossover so close to the roundabout is not considered to be orderly and proper planning, particularly so if it is considered to result in reduced safety and streetscape amenity.

Hardstand parking area

The hardstand parking area, also previously installed, was also subject to development (planning) approval (refer to Attachment 4 photographs). If the applicant had submitted an application for this proposal the issue of crossover width and compliance with the Residential Design Guidelines would have been raised with the applicant at the time the application was being assessed. Had this occurred it would have been recommended that Council support the repositioning of the crossover so the hardstand could be accessed (crossover no greater than 5 metres in width) and that the redundant crossover (i.e. the existing) be removed and the verge reinstated. This would still enable access to the existing garage if required, particularly as the applicant has reconfigured the kerbing to much lower profile during the relaying of the footpath. The recommended option is for the crossover not to exceed 5.0 metres and that the remaining crossover to the garage be removed and the verge and footpath be reinstated.

Taking into consideration the existing parking situation on the site and the fact that the applicant has indicated the garage will not be used for vehicle parking, widening of the crossover is considered unnecessary and will be to the detriment of cyclist, pedestrian and motorist safety, as well as the overall appearance of the streetscape and should not be supported. It is also considered very likely that if widening of the crossover to effectively a double crossover is supported it will most likely lead to a development application for replacement of the existing garage with a double garage. Whilst Council Officers would not necessarily disallow a freestanding double garage in this location it would need to be setback from the secondary street at least 1.5 metres and be serviced by a crossover no greater than 5 metres in width at the intersection of the road reserve.

It is therefore recommended that the applicant be advised that the request to widen the crossover is not supported and that the crossover to the hardstand, if supported by Council, is not to exceed the width of the hardstand. This will allow for the footpath that previously extended across the Council verge to be included in the width of the crossover. The remaining area of the crossover is to be removed and the verge reinstated, wherever it has been damaged, to the satisfaction of the Chief Executive Officer.

Conclusion

The request for widening of the crossover is not supported on the basis that the application does not comply with:

1. The *Acceptable Development Criteria* or the *Performance Criteria* of the Local Planning Policy Residential Design Guidelines 2016 with regard to Clause 3.7.14 Footpaths and Crossovers and Clause 3.7.17.2 – Access, Parking and Rights of Way in that a maximum of one crossover per lot is permitted, pedestrian walk ways will take priority over vehicular access and maintenance of existing footpaths and crossovers occurs.
2. Aims (b) and (f) of the Planning Scheme for a Residential zone, specifically:
 - to enhance the character and amenity of the Town, and to promote a sense of place and community identity within each of the precincts of the Town;
 - to ensure the safe and convenient movement of people throughout the Town, including pedestrians, cyclists, public transport users and motorists.
3. Also, as the proposed development conflicts with Clause 4.2 Objectives of the Zones - Residential Zone which, amongst other things, are to:
 - to recognise the importance of design elements such as the 'front yard' and the 'back yard' to the character, amenity and historical development of the Town and to the community.
4. The proposed development also conflicts with the provisions of the Local Planning Scheme under clause 67 (Deemed Provisions) because it is incompatible with:
 - any local planning policy for the Scheme area (i.e. the Residential Design Guidelines);
 - the built heritage conservation of any place that is of cultural significance;
 - the amenity of the locality including the (ii) the character of the locality; and
 - the proposed means of access to and egress from the site.

As such the application is recommended for refusal on the grounds that it does not comply with the provisions of the Residential Design Guidelines, the aims of the Planning Scheme, the objectives of the Residential Zone and is contrary to the orderly and proper planning of the area.

It is also recommended the Council advise the applicant that:

- The Council only supports the repositioning of the crossover to provide access to the hardstand area provided the crossover is no greater than the width of the hardstand;
- Support for repositioning of the crossover is subject to the applicant seeking development approval and a Building Approval Certificate for the parking hardstand area;
- Removal of the widened crossover as installed is required to be undertaken for the portion that provides access to the garage; and

All of the unapproved works not forming part of the repositioned crossover being removed and the verge and footpath being reinstated to the satisfaction of the Chief Executive Officer.

11.8 OFFICER RECOMMENDATION

That Council:

- (1) Refuse the application for widening of the crossover at No. 161 (Lot 1) Petra Street, East Fremantle for the following reasons:**
 - (A) The proposed development does not comply with the requirements of the 'Acceptable Development Criteria' or the 'Performance Criteria' of the Local Planning Policy Residential Design Guidelines 2016 with regard to:**
 - (i) Clause 3.7.14 Footpaths and Crossovers; and**
 - (ii) Clause 3.7.17.2 – Access, Parking and Rights of Way;**
 - (B) The proposed development does not comply with the following requirements of Local Planning Scheme No. 3:**
 - (i) The proposed development conflicts with Clause 1.6 - Aims of the Scheme;**
 - (ii) The proposed development conflicts with Clause 4.2 - Objectives of the Zones: Residential Zone; and**
 - (iii) The proposed development conflicts with the provisions of the Town of East Fremantle Local Planning Scheme No. 3 – Deemed Provisions Clause 67 (g), (k), (n) and (s) because it would detrimentally impact on the amenity of the area.**
 - (C) The proposed crossover does not comply with the orderly and proper planning of the area.**
- (2) Advise the applicant that:**
 - (A) The Council supports the repositioning of the crossover to provide access to the hardstand area provided the crossover is no greater than the width of the hardstand.**
 - (B) Support for repositioning of the crossover is subject to the applicant seeking development approval and a Building Approval Certificate for the hardstand parking area.**
 - (C) Removal of the widened crossover as installed is required to be undertaken for the portion that provides access to the garage.**
 - (D) All of the unapproved works not forming part of the repositioned crossover being removed and the verge and footpath being reinstated to the satisfaction of the Chief Executive Officer.**

NO. 161 (LOT 1) PETRA STREET – CROSSOVER WIDENING (CATEGORY B)



PLACE RECORD FORM



PRECINCT	Richmond Hill
ADDRESS	161 Petra Street
PROPERTY NAME	N/A
LOT NO	Lot 27
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1925
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residential
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 161 Petra Street is a single storey house constructed in limestone, painted brick and rendered brick with a hipped and gable tiled roof. It is a fine expression of the Inter-War Bungalow style. The place is located on a corner lot and addresses both Petra Street and View Terrace. The front elevation is asymmetrically planned with a thrust gable bay and a part width return broken back roofed verandah. The verandah terminates at thrust bays at each end and is supported on paired timber posts. A timber balustrade spans between the posts. The half-timbered gable bays feature aluminium framed windows. The entry door is located on the south elevation under the return verandah. The windows are sets of</p>

casements except where they have been replaced with aluminium framed windows. The place sits on limestone foundations. The roofscape features a render capped chimney.

The place retains its form and most of its details. There are additions and a garage to the rear of the house. The access to the garage is via View Terrace.

The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

The Richmond Hill Precinct was originally Location 333-336 Swan District which was acquired by John Clayton in 1861-64. As subdivisions occurred throughout East Fremantle new land names were taken from original names and adapted. The Richmond Hill Precinct was once a part of the Richmond Precinct. The Richmond name originated from the town of Richmond in England. Walter Easton, the owner of the Richmond Precinct, had lived in Richmond prior to arriving in Western Australia.

In 1891 the precinct was sold to David Symon and David William Harwood. Symon was an ironmonger, shipping merchant, a senior partner in a firm of merchants and a member of the Legislative Assembly for South Fremantle. Harwood was a prominent businessman, the founder of Harwood Brewery and was known as an avid horse racer. Subdivided lots to the precinct began to sell between 1897 and 1898 following the completion of land surveys. Due to the requirement for the provision of costly services such as water and electricity to the subdivided lots, Symon and Harwood decided to sell the estate in its entirety.

The 'Brighton Estate' is identified on a 1903 property map as the area between Preston Point Road and David Street (now Petra Street) including View Terrace and Pier Street. A water tank was located on a site between Pier Street and View Terrace (Lot 43) which was largely chosen for its elevated position. The tank, however, was later replaced in 1977 by a multi-storey water tower which is still present today. Development in the estate progressed very slowly and by 1945 there were only 10 residences in Pier Street.

A small adjoining portion of land from View Terrace to Fraser Street and west of Petra Street was developed in 1919. The development was around the site of the old Bicton Racecourse and was named the 'Riverside Bicton Estate'. Subdivision of the remaining land in East Fremantle was complete by the 1930s. By this time the land had been significantly developed. During this period developments commenced in Petra Street and a group of Inter-War California Bungalows were built between View Terrace and Preston Point Road. This development period presents a collection of buildings which were constructed within a similar time frame while demonstrating a variety of styles. Developments were of timber and masonry construction with face brick finishes, weatherboard and asbestos cladding. A shortage of building materials following the Depression and WWII led to a more simplified building style and the emergence of the Post-War austerity houses in Richmond Hill.

A later era of development in Richmond Hill occurred around Locke Crescent between the 1950's and 1960's.

Many new developments have occurred in the Richmond Hill Precinct in the last 30 years.

OWNERS

Unknown

HISTORIC THEME

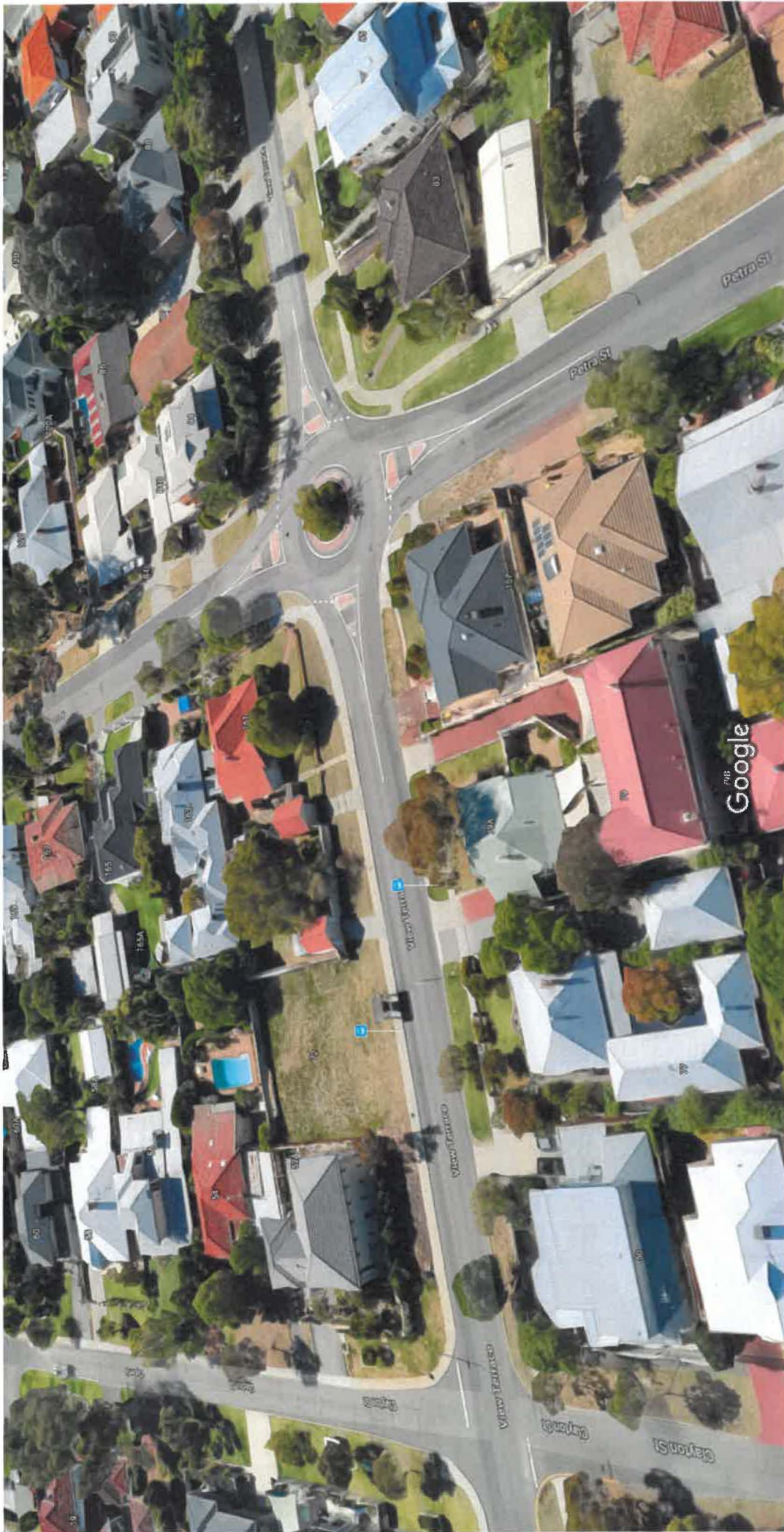
Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Limestone, brick and rendered brick

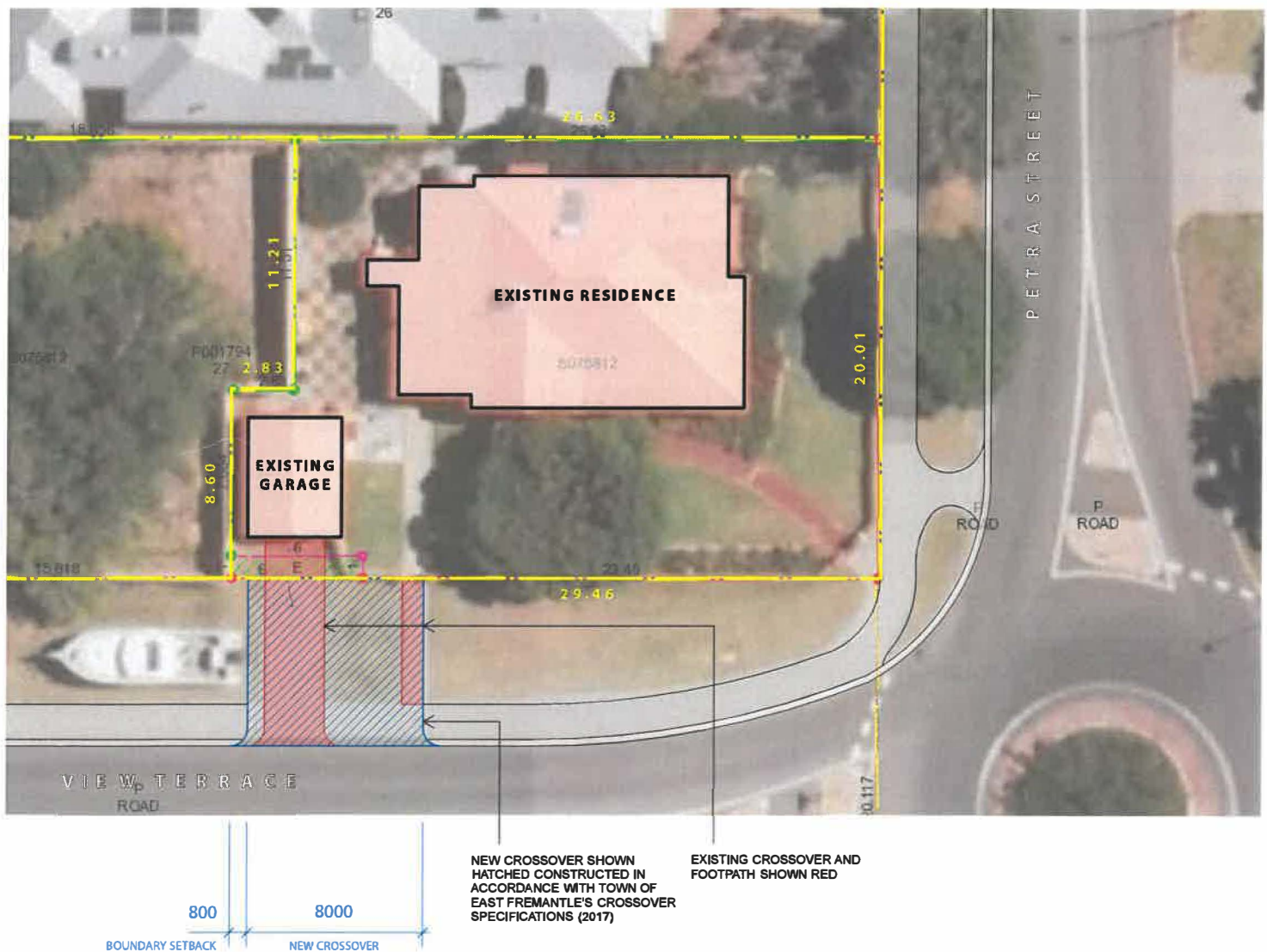
	Roof – Corrugated iron sheeting
PHYSICAL SETTING	The residence is situated on a sloping site with a low limestone and brick wall on the lot boundary. There is a steel and wire gate which is most likely authentic.
STATEMENT OF SIGNIFICANCE	<p>No 161 Petra Street is a single storey house constructed in limestone, brick and rendered brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Richmond Hill's residential building stock. The place contributes to the local community's sense of place.</p> <p>The place has considerable aesthetic value as an Inter-War Bungalow. The place retains a moderate to high degree of authenticity and a high degree of integrity.</p> <p>The garage and additions have no significance.</p>
AESTHETIC SIGNIFICANCE	No 161 Petra Street has considerable aesthetic value as an Inter-War Bungalow. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 161 Petra Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Walter Easton's Estate from 1901.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 161 Petra Street has some social value and contributes to the community's sense of place.
RARITY	No 161 Petra Street does not have qualities associated with the corresponding category.
CONDITION	No 161 Petra Street is in good condition.
INTEGRITY	No 161 Petra Street retains a high degree of integrity.
AUTHENTICITY	No 161 Petra Street retains a moderate to high degree of authenticity.
MAIN SOURCES	

Google Maps 161 Petra St



Imagery ©2018 Google, Map data ©2018 Google

10 m



PROPOSED CROSSOVER 161 Petra Street East Fremantle WA 6158		SITE PLAN	drawn: WC	
		scale: 1:200 @ A3	date: 25.07.18	



Image capture: Apr 2014 © 2018 Google

East Fremantle, Western Australia



Google, Inc.

Street View - Apr 2014







11.9 Petra Street, No. 55 (Lot 1) – Second Storey Additions and Alterations to a Grouped Dwelling

Owner	D & L Hackett
Applicant	John Chisholm Design
File Ref	P/PET55; P070/2018
Prepared by	Christine Catchpole, Senior Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	2 October 2018
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Place Record Form2. Photographs3. Plans date stamped 7 August and 4 September 2018

Purpose

This report considers a development application for second storey additions and alterations to a grouped dwelling which is a heritage listed property.

Executive Summary

The development application proposes additions and alterations to the existing grouped dwelling which is a category B heritage listed property under the Planning Scheme.

The following issues are relevant to the determination of this application:

- Wall height; and
- Second storey setback.

The second storey addition comprises a master bedroom and ensuite and is positioned to the rear of the dwelling. The non-compliance with the Residential Design Guidelines is considered supportable as the additions and alterations are not considered to contribute to undue scale and bulk in respect to the impact on adjoining residences and the streetscape. The heritage elements and character of the existing dwelling are also considered to be maintained and the proposal is not considered to have a detrimental impact on residential amenity. The proposal is therefore recommended for approval subject to conditions relating to construction materials, colours and details and the retention and protection of the existing chimneys.

Background

Zoning LPS No. 3: Residential R12.5

Site area: 455m² (street front strata lot)

Previous Decisions of Council and/or History of an Issue on Site

Nil in respect to this application.

Consultation

Advertising

The proposed application was advertised to impacted land owners from 30 August to 14 September 2018. Two submissions were received and commented as follows:

Submission 1

- Object to the alterations as they are not in keeping with the streetscape of the area.

- Alterations will exclude winter sun.

Officer response

Second storey additions are permitted under the provisions of the R-Codes and the variations to the Town's Residential Design Guidelines in regard to the second storey are considered supportable. This application complies with the overshadowing provisions of the R-Codes with only 1.8% of the adjoining lot being overshadowed at the winter solstice.

Submission 2

- 1600mm sill height window on western elevation installed with obscure glazing to prevent overlooking into front setback of property.

Officer response

This is not required under the provisions of the R-Codes as the window has a sill height of 1600mm above the floor level. No further changes to the plans or conditions of planning approval in relation to window treatments are considered necessary.

Community Design Advisory Committee

This application was referred to the CDAC meeting of 27 August 2018. Members of the Committee made the following comments.

(g) The overall built form merits;

- Committee commented that the proposal does not take into account the significance and character of the existing building.
- Committee is not supportive of the proposed change to the roofline.
- The Committee do not support the development as a whole as it was deemed not to contribute to the existing architecture and does not comply with the Residential Design Guidelines in respect to position of bulk and scale of upper storey.

(h) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development;

- Committee commented that there is no separation of the heritage dwelling and addition. Additions should contrast visually with the existing dwelling.

(i) The relationship with and impact on the broader public realm and streetscape;

- The Committee did not believe the proposal would ensure the building's contribution to the streetscape is maintained.
- The existing dwelling will not remain the dominant element when viewed from the street.

(j) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;

- The Committee determined that the proposal was not respectful of the heritage elements and characteristics listed in the Place Record Form (Municipal Inventory).

(k) The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;

- No comment.

-
- (l) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places.*
- No comment.

Applicant response

The significance of the existing building has been paramount in the design of this proposal. From the outset and at all times throughout the design process, it has been reinforced to the owners that the proposal must stay behind the existing ridge line and not be allowed to encroach, alter or interfere with the existing ridge.

It is clear from the street photomontage images provided that the proposal:

- (a) *Does not interfere with the existing ridge;*
- (b) *Does not encroach on the existing roof form; and*
- (c) *Respects the existing character home by not interfering with any element forward of the existing ridgeline and protects and maintains the existing chimneys. The existing home stands in its own right with regards to street presentation.*

The proposal appears to sit well in the street scape, indeed it is not highly visible from the south east street view. It is completely hidden from view from the east and sits in a similar scale to the northern adjoining property when viewed from the north east.

With respect to compliance with the R-Codes, I believe this does comply with respect to bulk and scale.

The proposal is physically separated from the existing building by maintaining a respectful distance behind the existing ridge and uses timber weatherboards as a cladding material, incomplete contrast to the existing tuck pointed brickwork.

Statutory Environment

*Planning and Development Act 2005
Residential Design Codes of WA
Town of East Fremantle Local Planning Scheme No. 3 (LPS 3)
LPS 3 Heritage List – Category B*

Policy Implications

*Town of East Fremantle Residential Design Guidelines 2016
Municipal Inventory – Federation Bungalow c1915*

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

- 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
- 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 *Plan for improved streetscapes parks and reserves.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
 - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 4.3 *Acknowledge the change in our climate and understand the impact of those changes.*
 - 4.3.1 *Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

Site Inspection

September 2018

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies. A summary of the assessment is provided in the following tables.

Legend <i>(refer to tables below)</i>	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	As existing	A
Lot Boundary Setback	North – 1.2m	North – 4.6m	A
	South – 3.5m	South – 7.8m	A
	East - 1.2m	East – 4.6m	A
Open Space	55%	No change to existing	A
Outdoor Living	30m ²	As existing	A
Car Parking	2	As existing	A
Site Works	Less than 500mm	As existing	A
Overshadowing	≤25%	1.8%	A
Drainage	On-site	To be conditioned	A

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	N/A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	N/A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.18.3 Garages and Carports	N/A
3.7.15.4.1 Building Height Form Scale and Bulk – wall height and second storey setback	D
3.7.15-20 Precinct Requirements	A

There are two variations from the Residential Design Guidelines which are discussed below.

Wall height

The non-compliance with wall height is required so upper and lower floor to ceiling heights are complementary (required: 6.0m and provided: 6.4m). This is considered not to be a substantial variation and does not contribute to the scale and bulk of the dwelling. This variation is therefore supported.

Second storey setback

The variation from the Residential Design Guidelines provision which states that the second storey is to be setback so that the roof line is below the line of sight of a person on the opposite side of the primary street is considered supportable given the site circumstances. The second storey will be partly visible from the opposite side of the street due to the hipped and gabled roof of the original cottage. Part of the second storey is visible toward the northern end of the roof beyond the gable end. However, this is considered supportable on the basis that the second storey is setback as far as is possible in keeping with the ground floor layout and does not encroach on the primary roof ridgeline or interfere with the two existing chimneys. The building is also well within the maximum building height limits for the Precinct. The Performance Criteria is considered to be achieved in that the bulk and scale is considered compatible with traditional development in the Woodside Precinct.

Heritage

The site is classified category B under the Municipal Inventory. The Town's assessment of the proposal supports the applicant's response that the proposal (as outlined in the amended plans) does not interfere with the existing ridge, roof form nor the chimneys. The second storey element is forward of the existing ridgeline and protects and maintains the existing chimneys. The existing dwelling retains its presence with regard to street presentation.

The proposal appears to 'sit' well in the streetscape, as it is not highly visible from the opposite side of the street and is considered to be similar in scale to the remainder of the street and to the northern adjoining property when viewed from the north east. It is considered to comply with the R-Codes and the Residential Design Guidelines with respect to bulk and scale.

As the applicant states, *“the proposal is physically separated from the existing building by maintaining a respectful distance behind the existing ridge line and uses timber weatherboards as a cladding material, in complete contrast to the existing tuck pointed brickwork”*.

Conclusion

The application is supported, notwithstanding the variations, on the basis that the applicant has retained the cottage and minimised the impact of the second storey addition. The cottage will still maintain a low scale presence in the streetscape and the addition is considered to respect the heritage character of the Woodside Precinct. The application is therefore recommended for approval subject to conditions relating to construction materials and retention and protection of the chimneys.

11.9 OFFICER RECOMMENDATION

That Council grant development approval and exercise its discretion in regard to the following:

- (i) Clause 3.7.15.4.1.3 (A1.3) of the Residential Design Guidelines to allow the second storey setback to be greater than the line of sight of a person on the opposite side of the primary street; and
- (ii) Clause 3.7.15.4.1.3 (A1.4) of the Residential Design Guidelines to permit a wall height greater than 6.0 metres,

for second storey additions and alterations to a grouped dwelling at No. 55 (Lot 1) Petra Street, East Fremantle, in accordance with the plans date stamped received 7 August and 4 September 2018, subject to the following conditions:

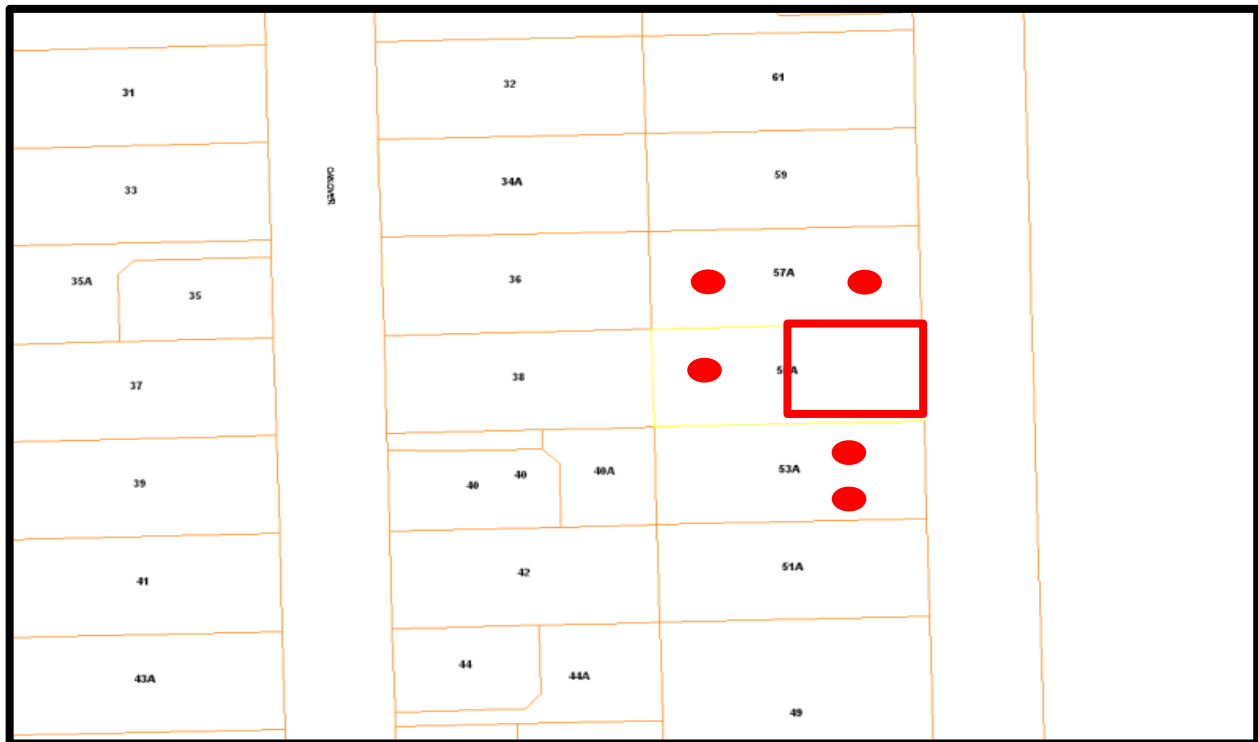
- (1) The existing chimneys are not to be altered or removed and are to be protected, to the satisfaction of the Chief Executive Officer, during the construction phase.
- (2) Details of construction materials, colours and finishes to the satisfaction of the Chief Executive Officer to be submitted at Building Permit application stage.
- (3) If requested by Council within the first two years following installation, the Colourbond roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (4) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (5) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
- (6) All storm water is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (7) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (9) Prior to the commencement of any works on site, the applicant to notify affected adjoining landowners of intended commencement date.

- (10) This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *This decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *A copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *It is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (vi) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document – "An Installers Guide to Air Conditioner Noise".*

**NO. 55 (LOT 1) PETRA STREET – P070/18 – ALTERATIONS & ADDITIONS INCLUDING SECOND STOREY
EXTENSION**



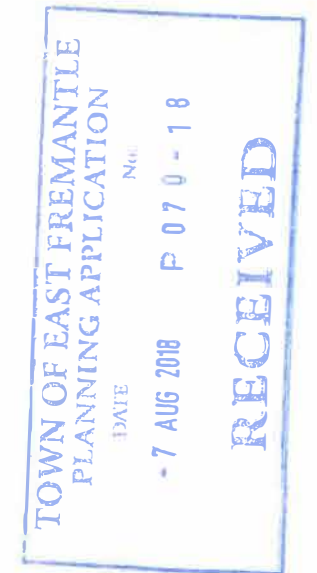
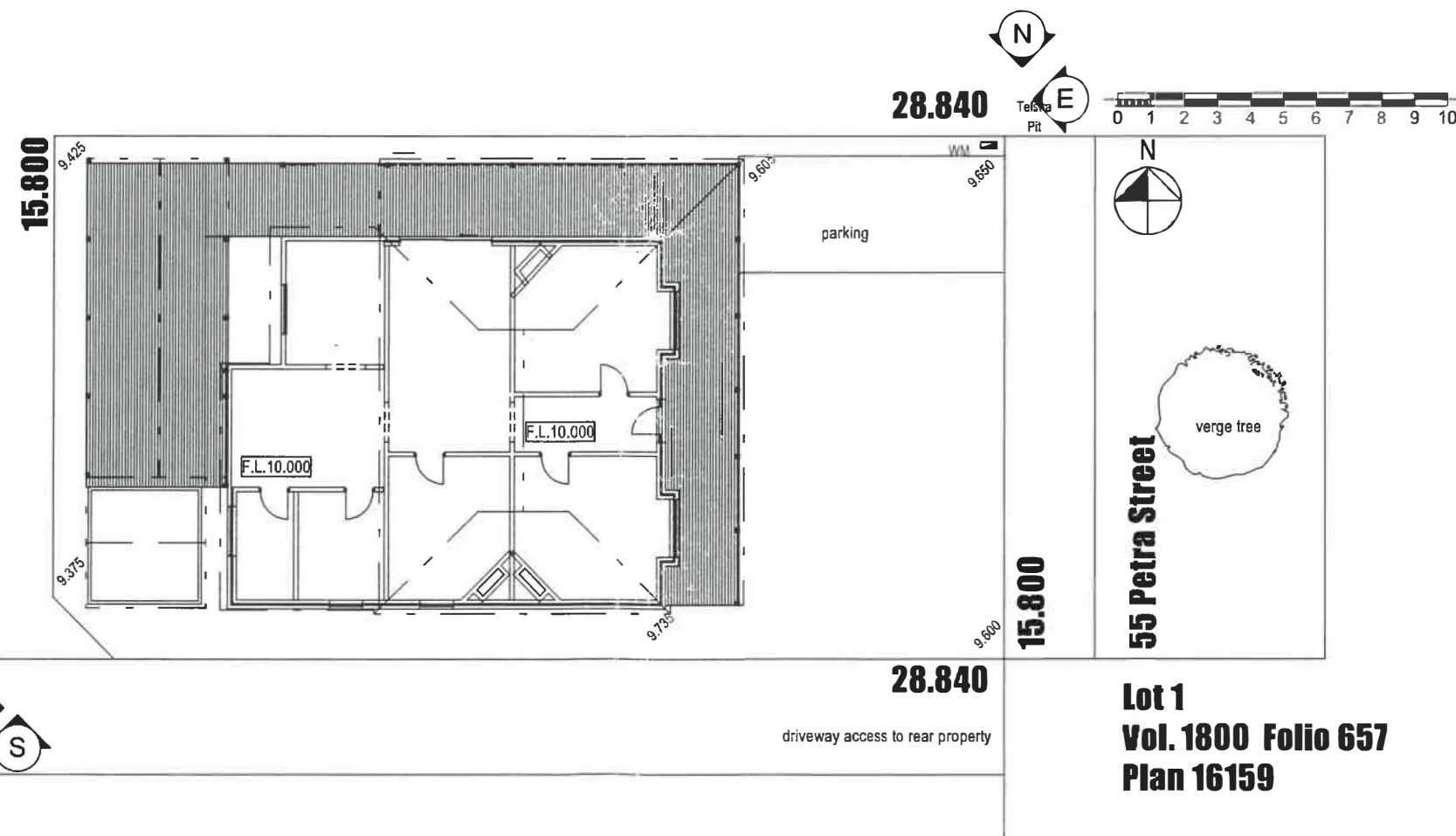
PLACE RECORD FORM



PRECINCT	Woodside
ADDRESS	55 Petra Street
PROPERTY NAME	N/A
LOT NO	Lot 1
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1915
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 55 Petra Street is a single storey house constructed in brick and rendered brick with a hipped and gable corrugated iron roof. It is a fine expression of the Federation Bungalow style. It is asymmetrically composed with a full width return skillion roofed verandah. The verandah is supported on timber posts with post brackets. The verandah has been extended north to act as a carport. There is a central door and hopper light flanked by sidelights and sets of casement windows with hopper lights. The roofscape features a pair of tall rendered chimneys.</p> <p>The place retains its form and most of its details. There are additions to the rear and side of the house. The lot has been subdivided and a</p>

	residence built to the rear.
	The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.
HISTORICAL NOTES	<p>Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Californian Bungalow style residence is also represented in Woodside.</p> <p>The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.</p> <p>The lot has been subdivided and a second house built to the rear.</p>
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	<p>Walls – Brick and rendered brick</p> <p>Roof – Corrugated iron sheeting</p>
PHYSICAL SETTING	The residence is situated on a flat site with a gothic picket fence on the lot boundary.
STATEMENT OF SIGNIFICANCE	<p>No 55 Petra Street is a single storey house constructed in brick and rendered brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.</p> <p>The place has considerable aesthetic value as a Federation Bungalow. The place retains a moderate to high degree of authenticity and a high degree of integrity.</p> <p>The additions and house to the rear have no significance.</p>
AESTHETIC SIGNIFICANCE	No 55 Petra Street has considerable aesthetic value as a Federation Bungalow. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 55 Petra Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 55 Petra Street has some social value. It is associated with a significant area of middle class Federation and Inter-War period development which contributes to the community's sense of place.
RARITY	No 55 Petra Street is not rare in the immediate context but Woodside has rarity value as a cohesive middle class suburb.
CONDITION	No 55 Petra Street is in good condition.
INTEGRITY	No 55 Petra Street retains a high degree of integrity.
AUTHENTICITY	No 55 Petra Street retains a moderate to high degree of authenticity.
MAIN SOURCES	

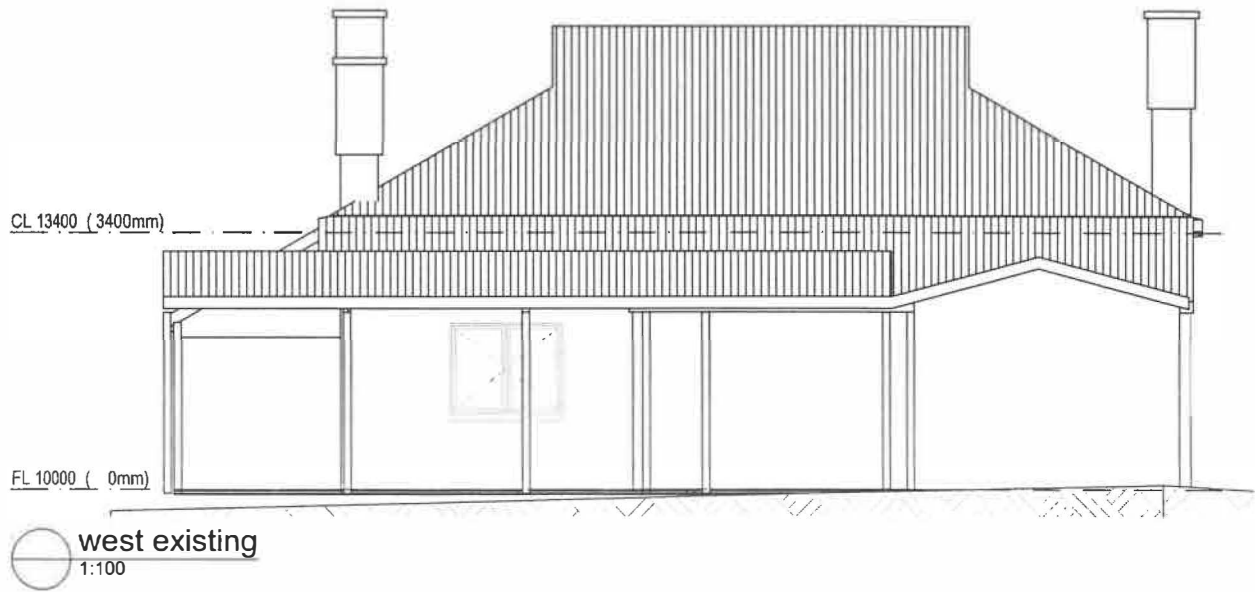
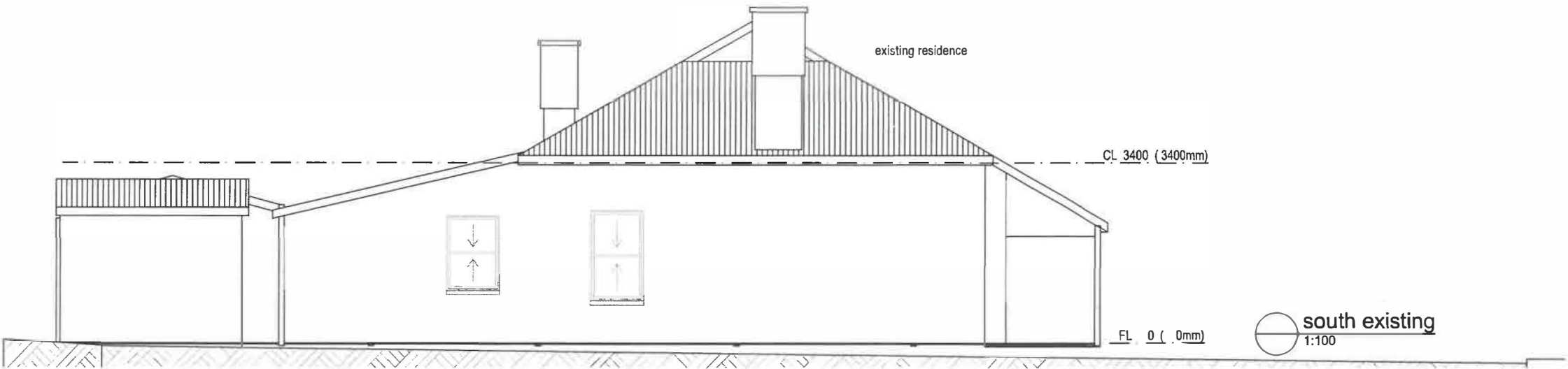
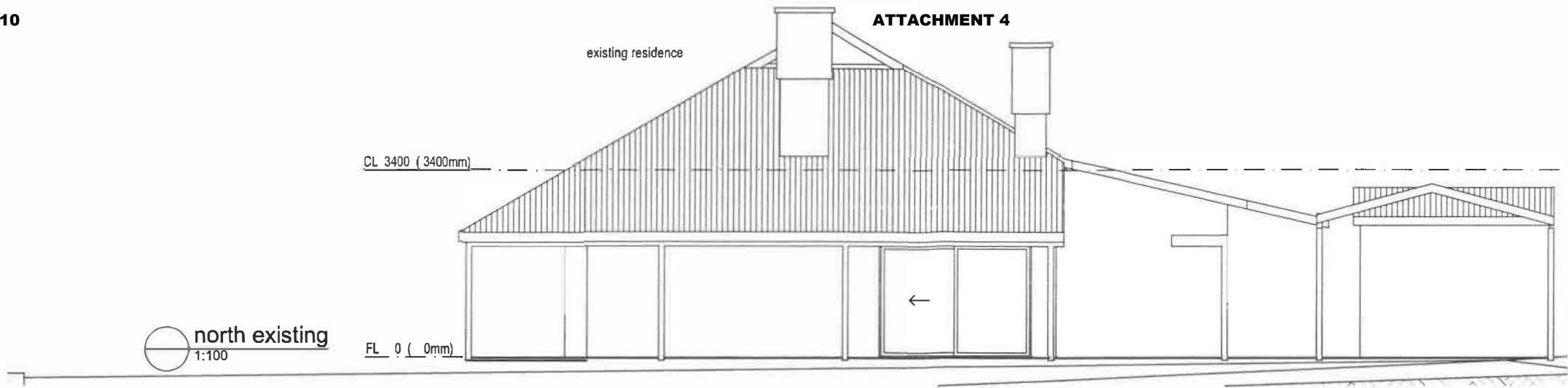
planning

7/08/2018



 BUILDING DESIGN & VISUALISATION t. 9339 2224 m. 0408 833 399 jc@jonchisholm.com www.jonchisholm.com		 NATIONAL ASSOCIATION OF BUILDING DESIGNERS OF WESTERN AUSTRALIA INC.	Project: Alterations and Additions 55 Petra St. East Fremantle	Drawing: Site Plan	<table><tr><td></td><td></td><td>Date:</td><td>7/08/2018</td><td>Drwn:</td><td>JC</td></tr><tr><td></td><td></td><td>Job No:</td><td>1817</td><td>Dwg No.:</td><td>EX100</td></tr><tr><td></td><td></td><td colspan="4">The builder must verify all dimensions on site before commencing any work or shop drawings.</td></tr></table>			Date:	7/08/2018	Drwn:	JC			Job No:	1817	Dwg No.:	EX100			The builder must verify all dimensions on site before commencing any work or shop drawings.			
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© Copyright				<table><tr><td>1</td><td>issued for planning</td><td>7/8/2018</td></tr><tr><td>REV.</td><td>AMENDMENT</td><td>DATE</td></tr></table>	1	issued for planning	7/8/2018	REV.	AMENDMENT	DATE	181												
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planning



<p>john chisholm design</p> <p>BUILDING DESIGN & VISUALISATION</p> <p>t. 9339 2224 m. 0408 833 399</p> <p>jc@jonchisholm.com www.jonchisholm.com</p>		<p>Project: Alterations and Additions 55 Petra St. East Fremantle</p>		<p>Drawing: Existing Elevations</p>		<p>Date: 7/08/2018</p>		<p>Drwn: JC</p>	
<p>GOAWA BUILDING DESIGNERS ASSOCIATION OF WESTERN AUSTRALIA INC.</p>		<p>NATIONAL ASSOCIATION OF BUILDING DESIGNERS</p>		<p>1 issued for planning 7/8/2018</p>		<p>Job No: 1817</p>		<p>Dwg No: EX301</p>	
<p>© Copyright</p>		<p>REV. AMENDMENT</p>		<p>DATE</p>		<p>The builder must verify all dimensions on site before commencing any work or shop drawings</p>		<p>183</p>	

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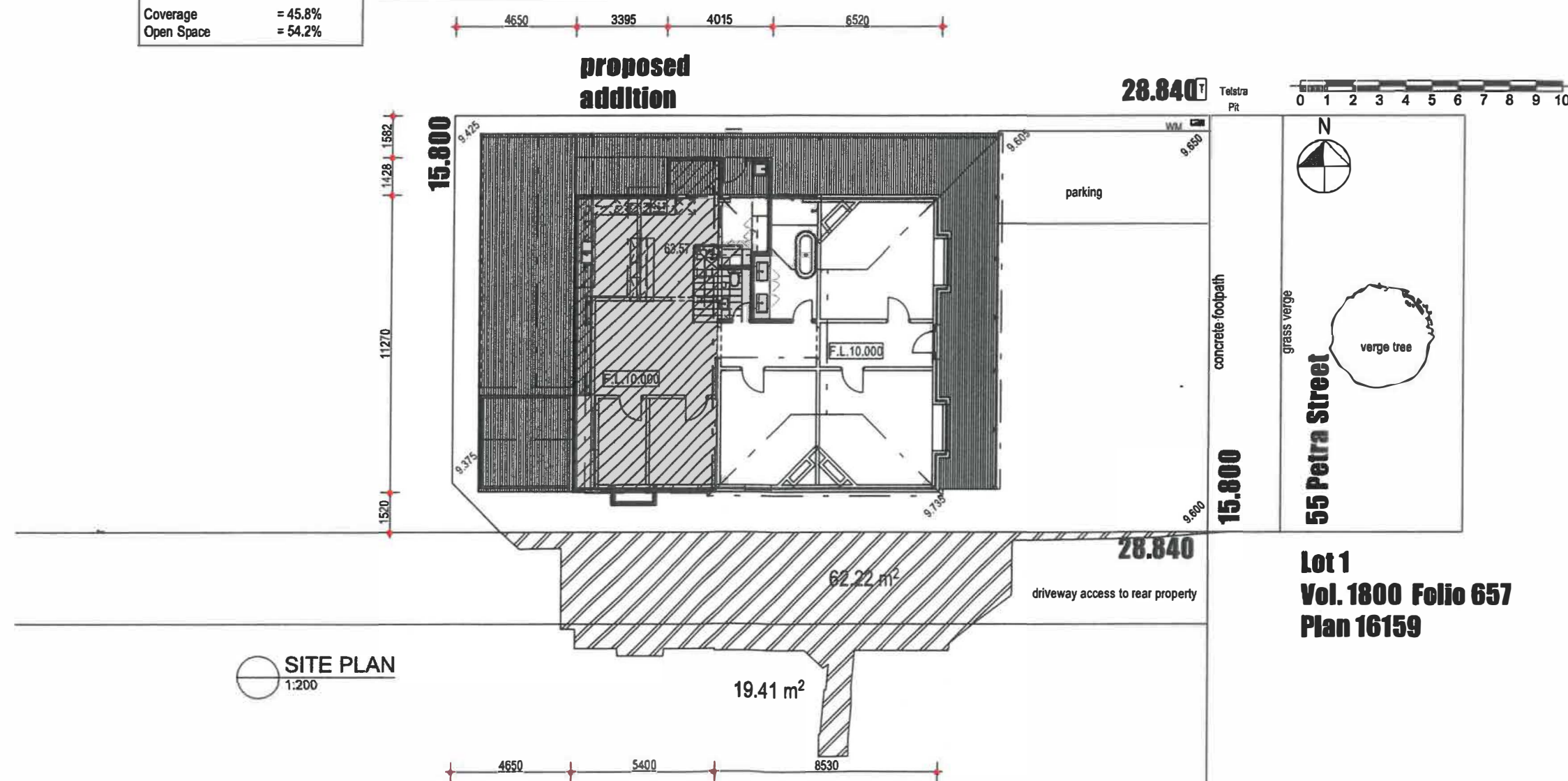
Town of East Fremantle

4 SEP 2018

RECEIVED

Site Coverage	
Lot size	= 455 sq.m.
Existing	= 145 sq.m.
Proposed Addition	= 63.6 sq.m.
Total Coverage	= 208.6 sq.m.
Coverage	= 45.8%
Open Space	= 54.2%

Overshadowing Calculations	
Adjoining Lot size	= 1088 sq.m.
Overshadowing	= 19.41 sq.m.
Overshadowing percentage=	1.8%
Permitted	= 25%

SITE PLAN
1:200Lot 1
Vol. 1800 Folio 657
Plan 16159

john chisholm design

BUILDING DESIGN & VISUALISATION

t. 9339 2999 m. 0408 833 399



Project:

Alterations and Additions
55 Petra St.
East Fremantle

Drawing:

Site Plan

REV.	AMENDMENT	DATE
2	issued for planning	3/9/2018
1	issued for planning	7/8/2018

Date:

3/09/2018

Drwn:

JC

Job No:

1817

Dwg No.:

A101

Rev

2

The builder must verify all dimensions on site
before commencing any work or shop drawings.

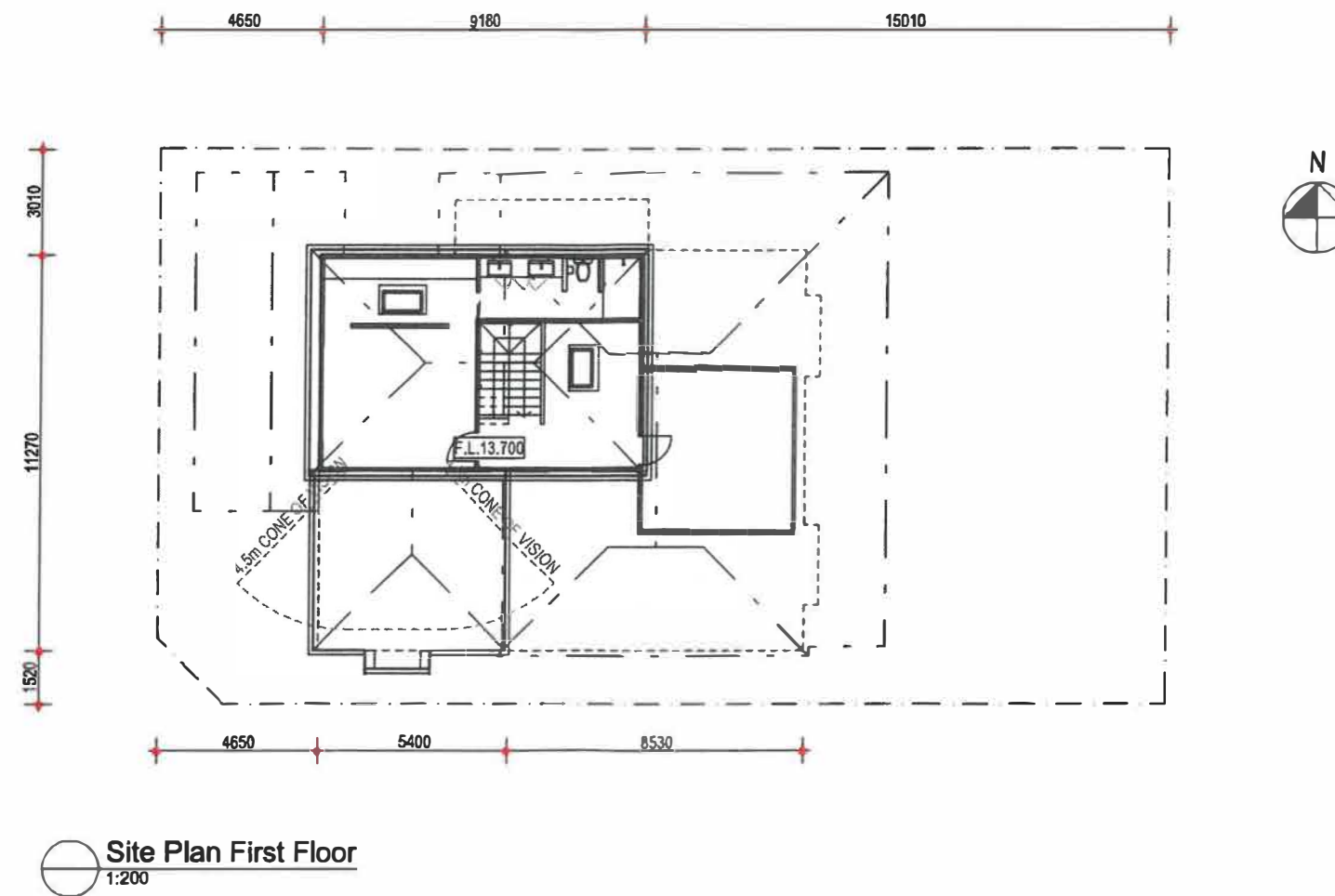
planning

3/09/2018

Town of East Fremantle

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BUILDING DESIGN & VISUALISATION

t. 9339 2999 m. 0408 833 399

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Project:

Alterations and Additions
55 Petra St.
East Fremantle

Drawing:

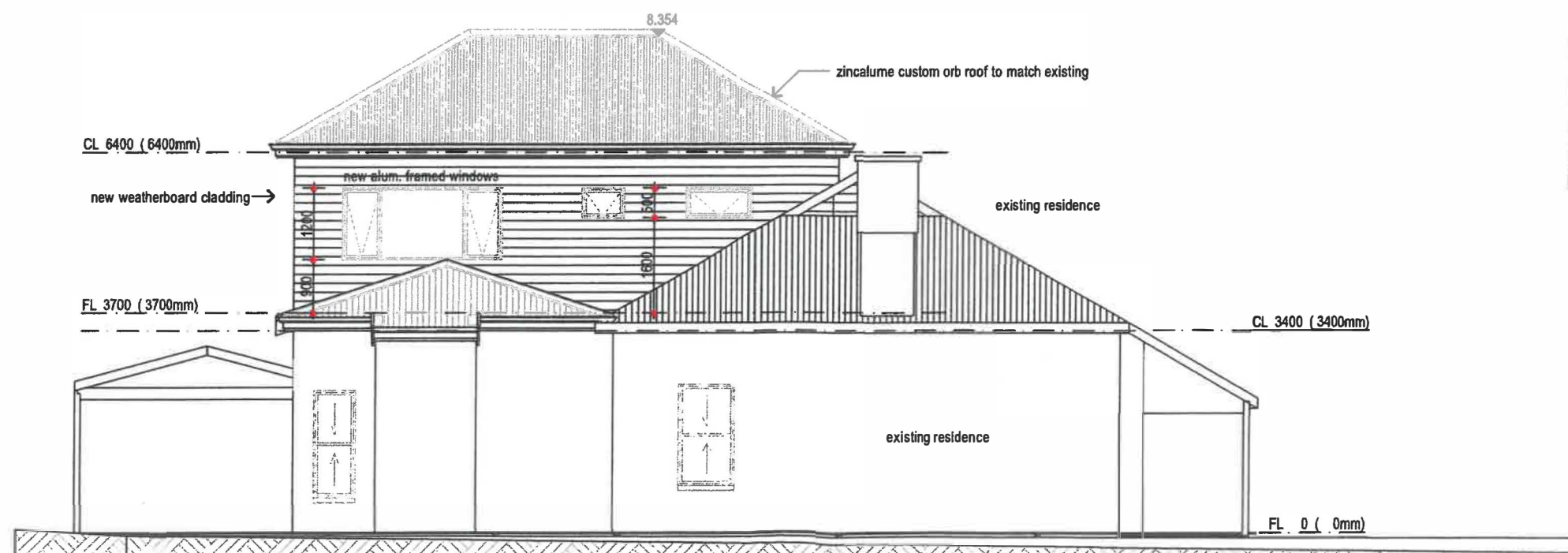
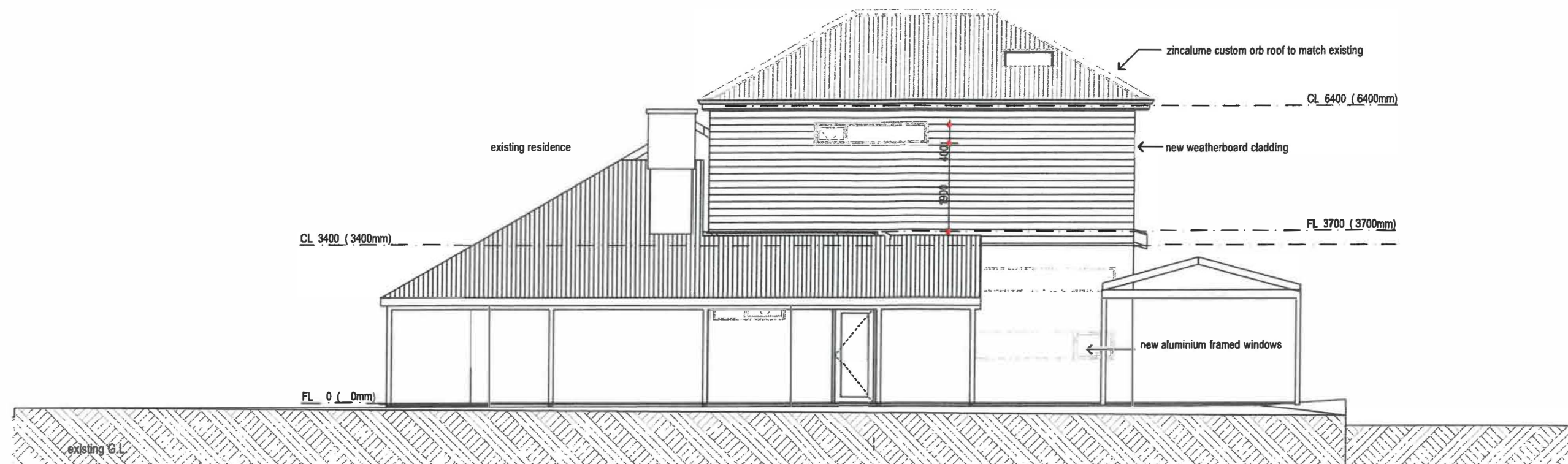
Site Plan First Floor

2	issued for planning	3/9/2018	Date:	3/09/2018	Drawn:	JC
1	issued for planning	7/8/2018	Job No:	1817	Dwg No.:	A102
REV.	AMENDMENT	DATE			Rev	2

The builder must verify all dimensions on site before commencing any work or shop dwgs.

planning

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Project:
**Alterations and Additions
55 Petra St.
East Fremantle**

Drawing:
Elevations

REV.	AMENDMENT	DATE
2	issued for planning	3/9/2018
1	issued for planning	7/8/2018

Date:
3/09/2018

Drwn:
JC

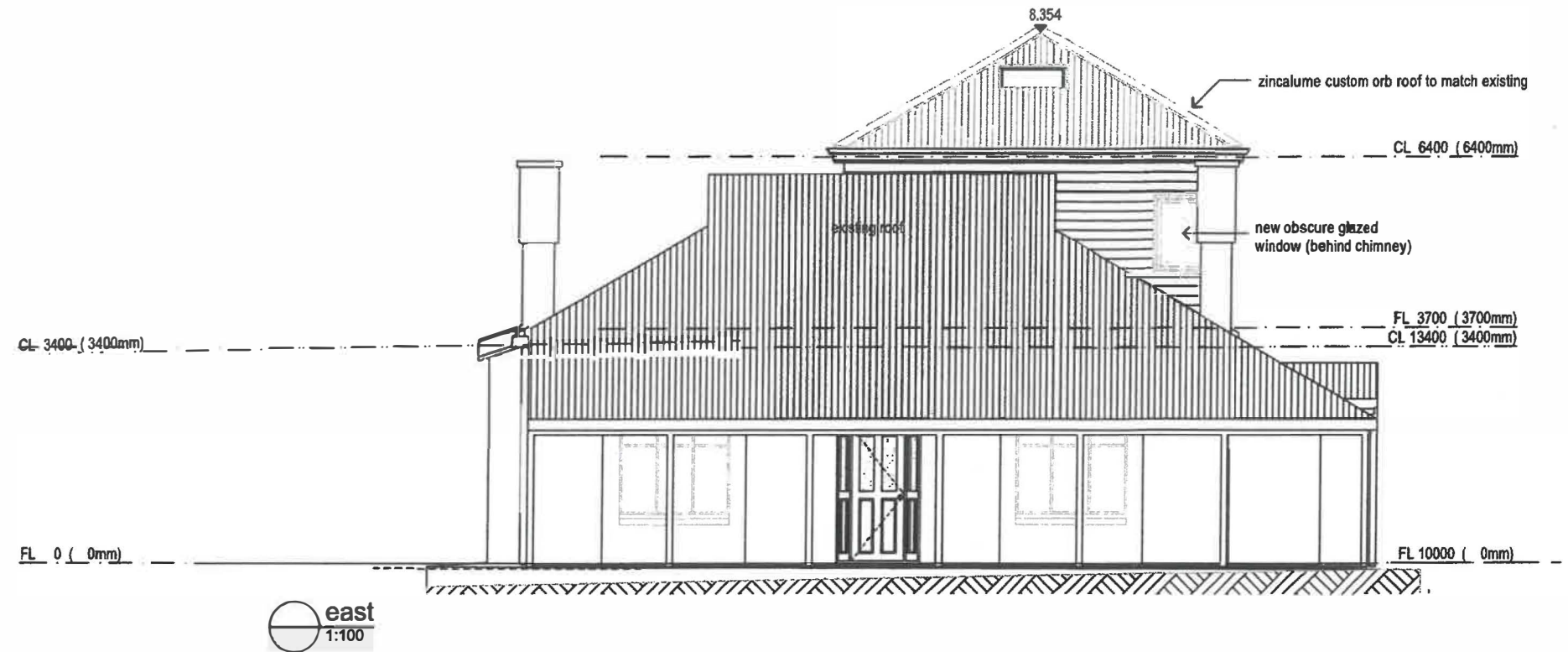
Job No:
1817

Dwg No.:
A301
Rev
2

The builder must verify all dimensions on site before commencing any work or shop dwgs.

planning

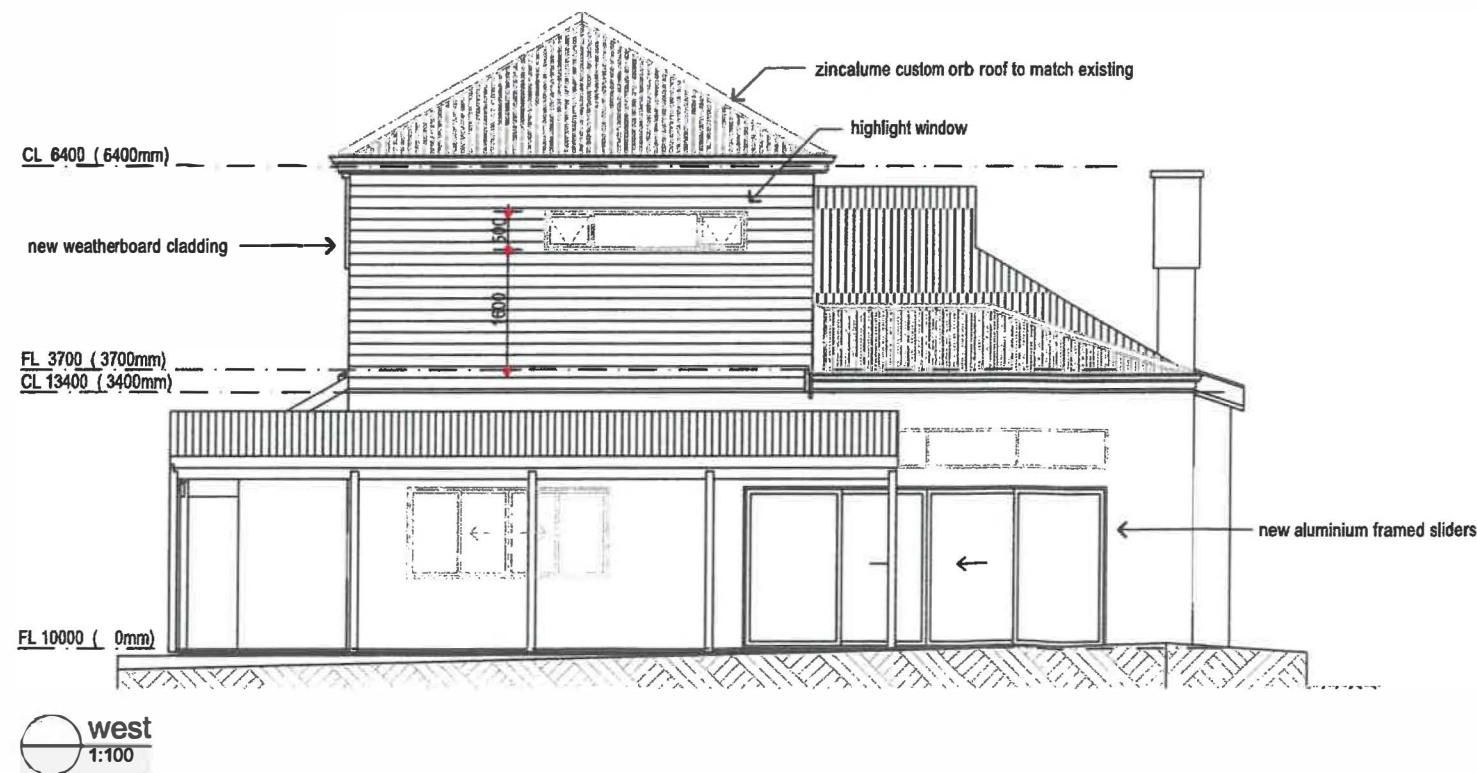
3/09/2018



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Project:

Alterations and Additions
55 Petra St.
East Fremantle

Drawing:

Elevations

		Date:	3/09/2018	Drawn:	JC
		Job No:	1817	Dwg No.:	A302
				Rev	2
2	issued for planning	3/9/2018			
1	issued for planning	7/8/2018			
REV.	AMENDMENT	DATE			

The builder must verify all dimensions on site before commencing any work or shop drawings.

12. REPORTS OF OFFICERS (COUNCIL DECISION)

Nil.

13. MATTERS BEHIND CLOSED DOORS

Nil.

14. CLOSURE OF MEETING