

12 June 2007

MINUTES

MINUTES OF A TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN) MEETING, HELD IN THE COMMITTEE MEETING ROOM, ON TUESDAY, 12 JUNE 2007, COMMENCING AT 6.35PM.

PART III

Discussion

The current store-room for the Lacrosse Club's equipment is big enough for its needs however access to this store room is very inconvenient in terms of manoeuvring the club's trailer (on which the goal nets are transported to the playing fields) in and out of it.

On Friday 25 May 2007 the Chief Executive Officer, Acting Works Supervisor and Consultant Town Planner examined the constraints which prevent convenient access to the store room.

The Works Supervisor subsequently prepared a cost estimate to implement works including ramp access and bollard removal to provide better access to the store room.

The total cost to supply materials, labour and undertake works to improve access to the store room is \$1,732.78, and is to be born by the Lacrosse Club in lieu of a separate storage shed.

RECOMMENDATION

That Council advise the Swan River Trust that it does not support the erection of a storage shed on the east side of the cricket nets on Reserve 7800 Jerrat Drive in accordance with the plans and information date stamp received on 13 March 2007 by the East Fremantle Lacrosse Club for the following reasons:

1. the shed will be a prominent feature on a presently attractive parkland landscape having a negative impact on its amenity; and
2. the shed is likely to attract graffiti attacks and vandalism to the detriment of the landscape and incurring costs for ratepayers.

Council further advises the Swan River Trust that subject to costs being met by the Lacrosse Club it is prepared to undertake works including ramp access and bollard removal to provide more convenient access to the existing storeroom.

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Olson

That Council:

1. **advise the Swan River Trust that it does not support the erection of a storage shed on the east side of the cricket nets on Reserve 7800 Jerrat Drive in accordance with the plans and information date stamp received on 13 March 2007 by the East Fremantle Lacrosse Club for the following reasons:**
 - (a) **the shed will be a prominent feature on a presently attractive parkland landscape having a negative impact on its amenity; and**
 - (b) **the shed is likely to attract graffiti attacks and vandalism to the detriment of the landscape and incurring costs for ratepayers.**
2. **contribute half of the \$1,735 quoted for various works including ramp access and bollard removal to provide a more convenient access to the existing storeroom in an endeavour to encourage the Lacrosse Club to go down the path of utilising the existing storeroom.** CARRIED

T62.2

Duke Street No. 84 (Lot 493)

Applicant: Stephen F Chandler

Owner: Maria H Chandler

Application No. P84/2007

By Chris Warrener, Consultant Town Planner on 24 May 2007

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BACKGROUND

Description of Proposal

An Application for Planning Approval for two 1.4m long X 0.5m wide colonial style windows installed in the south side wall of the single storey house at 84 Duke Street.

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Statutory Requirements

Town Planning Scheme No. 3 (TPS 3) – Residential R20
Local Planning Strategy - Plympton Precinct (LPS)
Residential Design Codes (RDC)

Relevant Council Policies

Local Planning Policy No. 142 – Residential Development (LPP 142)

Draft Residential Design Guidelines (Draft RDG)

Documentation

Plans and relevant forms date stamp received on 17 April 2007

Date Application Received

17 April 2007

Advertising

Adjoining land owners only

Date Advertised

9 May 2007

Close of Comment Period

22 May 2007

No. of Days Elapsed between Lodgement & Meeting Date

56 days

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

15 January 1982	Building Licence issued for brick & steel additions to the rear;
15 July 2003	Council conditionally approves a single garage;
28 August 2003	Building Licence issued for garage.

CONSULTATION

Public Submissions

At the close of the comment period no submissions were received.

Site Inspection

By Consultant Town Planner on 16 May 2007

REPORT

Issues

Boundary Setbacks The proposed windows will be installed in the timber/weatherboard wall set back 0.9m from the south side boundary common with 86 Duke Street.

The RDC recommend a 1.5m setback for walls with major openings.

Heritage

The house at 84 Duke Street is not on the Heritage List under TPS 3 however it is on the Draft MI given a category B- rating.

The Draft MI states the following with respect to B-rated property:

*“Category B
Places of considerable local heritage significance*

Considerable heritage significance at a local level; places

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generally considered worthy of high level of protection, to be retained and appropriately conserved; provide strong encouragement to owners under the Town of East Fremantle Planning Scheme to conserve the significance of the place. A Heritage Assessment / Impact Statement to be required as corollary to any development application. Incentives to promote heritage conservation may be considered where desirable conservation outcomes may be otherwise difficult to achieve."

Discussion

The proposed windows will be situated near the driveway access for 86 Duke Street.

The applicant states in a cover letter that the purpose of the application is to provide natural light for her son's bedroom, and in addition erect an internal wall with door "*thus enclosing and separating his room from the hallway.*"

The potentially affected property owner has not objected to the application.

Draft RDG Given the nature of this proposed development it is considered unaffected by the Draft RDG.

Conclusion

This application is for modifications to a weatherboard and iron "workers' cottage", which will improve its amenity for the occupants.

The works, which will result in a change to the external appearance of the property are considered to be minor.

They (the windows) are proposed to be in keeping with the character and style of the existing house therefore not detracting from its considered heritage value. On this basis it was not considered necessary to require a Heritage Assessment/Impact Statement recommended for category B rated property in the Draft MI.

RECOMMENDATION

That Council exercise its discretion in granting approval a variation to the south side boundary setback for a bedroom pursuant to the Residential Design Codes from 1.5m to 0.9m for the installation of two 1.4m long X 0.5m wide colonial style windows installed in the south side wall of the single storey house at No. 84 (Lot 493) Duke Street in accordance with the plans date stamp received on 17 April 2007 subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed windows are not to be used until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. 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 of Council does not include acknowledgement or approval of any unauthorised development which may be on the site.*

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- (b) 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.
- (c) 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).

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Ferris

That Council exercise its discretion in granting approval a variation to the south side boundary setback for a bedroom pursuant to the Residential Design Codes from 1.5m to 0.9m for the installation of two 1.4m long X 0.5m wide colonial style windows installed in the south side wall of the single storey house at No. 84 (Lot 493) Duke Street in accordance with the plans date stamp received on 17 April 2007 subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed windows are not to be used until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

CARRIED

T62.3

Windsor Road No. 44 (Lot 9)

Applicant: Leisl Gaye Stone

Owner: Ernest John Males

Application No. P59/2007

By Chris Warrener, Consultant Town Planner on 6 June 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for a Family Day Care for 4 children at 44 Windsor Road.

Statutory Requirements

Town Planning Scheme No. 3 (TPS 3) – Residential R12.5

Local Planning Strategy - Richmond Precinct (LPS)

Residential Design Codes (RDC)

Documentation

Plans and relevant forms date stamp received on 26 March 2007

Submission X 1

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Date Application Received

26 March 2007

Advertising

Surrounding land owners (see attached map), & sign on site

Date Advertised

9 May 2007

Close of Comment Period

22 May 2007

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

17 April 2007

Council resolved: *"That Council pursuant to Clause 9.4 of Town Planning Scheme No 3 require that the proposal for a Family Day Care at No. 44 (Lot 9) Windsor Road, be advertised in the following manner:*

- *notice of the proposed use being served on nearby owners and occupiers who, are likely to be affected by the granting of planning approval, stating that submissions may be made not less than 14 days from the day the notice is served;*
- *a sign displaying notice of the proposed use to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.*

Footnote:

- (a) *The applicant is advised that following the advertising period and consideration of any submissions received Council will determine the application for Planning Approval.*
- (b) *The applicant is required to pay all advertising costs and in this regard to liaise with Council's Town Planning Administration Officer, Mrs Peta Cooper."*

CONSULTATION

Public Submissions

At the close of the comment period 1 submission was received.

35 Gill Street

The owners of 35 Gill Street have expressed concerns for their rear yard privacy, which is overlooked by 44 Windsor Road.

They state that they have an autistic son whose *"unusual behaviour often draws negative attention from other people particularly children and we feel very strongly that he has a right to have an area outdoors where he is safe and he is free to be himself."*

They ask if it be possible *"to consider approving the application subject to a more suitable fence being erected on top of the existing retaining wall"* at the rear of 44 Windsor Road, and to have guidelines in place to protect them from noise if this becomes a problem.

Site Inspection

By Consultant Town Planner on 23 January 2007

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REPORT

Issues

Submission

The concerns expressed in the submission are not considered warranted under the circumstances.

The application is for a family day care use of 44 Windsor Road where the children in care are under 5 years of age. It is most unlikely that children of this age would have the inclination or ability to intimidate or unduly harass the autistic child resident at 35 Windsor Road.

The existing limestone block wall with picket fence atop at the rear of 44 Windsor Road is approximately 1.6m high, too high for a child under 5 to peer over.

Conclusion

Family Day Care is a use that is increasingly needed in today's society, where both parents need to work to support their family and their mortgage.

It is a use that is considered to be a community benefit, is appropriate in a residential area, and is therefore supported.

RECOMMENDATION

That Council pursuant to sub-clause 4.3.2 of Town Planning Scheme No 3 grant Planning Approval for a Family Day Care looking after 4 children at No. 44 (Lot 9) Windsor Road, East Fremantle subject to the hours of operation being from 7.30am to 6.00pm.

RECOMMENDATION TO COUNCIL

Cr Dobro – Cr Ferris

That this application be deferred to the June meeting of Council pending the applicant's response to concerns raised by the adjoining neighbour to the rear, clarification on the number and ages of children who will use the Family Day Care facility and safety concerns relating to the design/height of the rear fence.

CARRIED

T62.4

Oakover Street No. 67 (Lot 297)

***Applicant/Owner: K Hardwick & N Teissier
(Application No. P81/2007)***

By Beryl Foster, Acting Town Planner on 24 May 2007

BACKGROUND

Description of Proposal

Proposed single storey additions at rear of existing dwelling involving a freestanding studio with store and workshop/garage.

Statutory Requirements

Town Planning Scheme No. 3 – R12.5
Residential Design Codes

Relevant Council Policies

Local Planning Policy No. 142 – Residential Development
Council Policy No. 023 – Use of Reflective Metal Roofing Material

Documentation

Plans received 13 April 2007 and relevant forms

Date Application Received

13 April 2007

12 June 2007

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Additional Information Received

Nil

Advertising

Adjoining land owners

Date Advertised

4 May 2007

Close of Comment Period

21 May 2007

No. of Days Elapsed between Lodgement & Meeting Date

59 days

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

Nil

CONSULTATION

Development Control Unit

27 April 2007

Town Planning Advisory Panel Comments

Not referred

Public Submissions

Written comment of support was received from the adjoining neighbours to the rear.

Site Inspection

16 May 2007

STATISTICS

Land Area

Required

Proposed

1012m²

Existing

Open Space

55% (557m²)

67% (674m²)

Acceptable

Zoning

R12.5

Heritage Listing

Not Listed

Setbacks:

Rear (west)

6.00

4.00 & 1.50

Discretion Required

Side (north)

1.00

1.00

Acceptable

Side (south)

1.50

1.50

Acceptable

Height:

Site Datum

Single Storey

Privacy/Overlooking:

Acceptable

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Policies:

Roof	Acceptable
Solar Access & Shade	Acceptable
Drainage	Standard Condition
Views	Acceptable
Crossover	Existing

REPORT

Issues

Setbacks

Discussion

Approval is sought for the construction of a freestanding studio with store and workshop/garage to the rear of the site, and is in accordance with open space and privacy provisions.

Discretion is sought for the rear setback be reduced from 6m to 4m and 1.5m.

Applicant Justification The main applicant justification is summarised as follows:

- An existing retaining wall separates the rear of the garden.
- The rear of the site has been cleared of vegetation by previous owners for the construction of a pool house resulting in an area suitable for this proposal.

Comment The proposed setback is considered to make effective use of garden space and will not have an undue adverse impact on the amenity of the adjoining property to the rear and accords with Performance Criteria of the R Codes, as such is supportable.

Option(s)

1. Conditional approval; or
2. Approve subject to compliance with Scheme requirements.

Conclusion(s)

The proposal is considered acceptable, and can be supported subject to standard and appropriate conditions to reflect the above.

RECOMMENDATION

That Council exercise its discretion in granting approval for a reduced rear setback from 6m to 4m and 1.5m for the construction of a freestanding studio with store and garage/workshop on Lot 297 (No. 67) Oakover Street, East Fremantle, in accordance with plans received 13 April 2007, subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed 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.
5. all stormwater to be disposed of on site.
6. compliance with all relevant engineering, building and health requirements.
7. that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.
8. this planning approval to remain valid for a period of 24 months from date of this

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approval.

9. Any commercial use associated with the garage/workshop and studio is subject to a separate planning approval.

Footnote:

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

- (a) *this decision of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Olson

That Council exercise its discretion in granting approval for a reduced rear setback from 6m to 4m and 1.5m for the construction of a freestanding studio with store and garage/workshop on Lot 297 (No. 67) Oakover Street, East Fremantle, in accordance with plans received 13 April 2007, subject to the following conditions:

1. **the works 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.**
2. **the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
3. **the proposed 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.**
5. **all stormwater to be disposed of on site.**
6. **compliance with all relevant engineering, building and health requirements.**
7. **that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.**
8. **this planning approval to remain valid for a period of 24 months from date of this approval.**
9. **Any commercial use associated with the garage/workshop and studio is subject to a separate planning approval.**

Footnote:

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

- (a) *this decision of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

CARRIED

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T62.5 **Angwin Street No. 17 (Lot 103)**
Applicant: Tom Roberts Architect
Owner: Susan Gale
(Application No. P93/07)
By Beryl Foster, Acting Town Planner on 23 May 2007

BACKGROUND

Description of Proposal

Proposed demolition of structures partially constructed on the subject site and reinstate and make good south and western facades to existing dwelling.

Statutory Requirements

Town Planning Scheme No. 3 – R12.5
Residential Design Codes

Relevant Council Policies

Local Planning Policy No. 142 – Residential Development

Documentation

Plans received 26 April 2007 and relevant forms

Date Application Received

26 April 2007

Additional Information Received

17 May 2007

Advertising

Adjoining land owners

Date Advertised

4 May 2007

Close of Comment Period

21 May 2007

No. of Days Elapsed between Lodgement & Meeting Date

47 days

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

Council at its meeting on 19 March 2002 approved two storey additions to the existing dwelling. An extension to this planning consent was granted in April 2004 until 24 April 2007.

11 May 2004 under delegated authority approval was granted for a pool house on the subject site.

3 April 2006 the Builder advised the Town of a dispute with the owner and the intention to terminate the contract for additions and pool house.

CONSULTATION

Development Control Unit

27 April 2007

Town Planning Advisory Panel Comments

Not referred

Public Submissions

At the close of the comment period no written submissions were received.

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Site Inspection

16 May 2007

Discussion

Approval is sought for the demolition of unfinished structures on the subject site including a two storey structure on the southern side of the existing dwelling and pool house to the west. Reinstate the portion of the west facing verandah and roof eave and make good the south and western facades.

The proposal is considered not to have an undue adverse impact on the amenity of the immediate area, and is supported.

Option(s)

Conditional approval

Conclusion(s)

The proposal is considered acceptable, and can be supported subject to standard and appropriate conditions to reflect the above.

RECOMMENDATION

That Council approve the demolition of unfinished structures and reinstatement of associated facades to existing dwelling on Lot 105 (No. 17) Angwin Street, East Fremantle, in accordance with plans received 26 April 2007 and 17 May 2007, subject to the following conditions:

1. the works to be 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.
2. the proposed works are not to be commenced until Council has received appropriate applications for demolition and building licences and these licences issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Wilson

That Council approve the demolition of unfinished structures and reinstatement of associated facades to existing dwelling on Lot 105 (No. 17) Angwin Street, East Fremantle, in accordance with plans received 26 April 2007 and 17 May 2007, subject to the following conditions:

- 1. the works to be 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.**
- 2. the proposed works are not to be commenced until Council has received appropriate applications for demolition and building licences and these licences issued in compliance with the conditions of this planning approval**

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unless otherwise amended by Council.

3. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

CARRIED

T62.6

Duke Street No. 25 (Lot 481)

Applicant/Owner: A Karanikis

(Application No. P92/07)

By Beryl Foster, Acting Town Planner on 31 May 2007

BACKGROUND

Description of Proposal

Proposed single storey alterations and additions to the rear of an existing dwelling.

Statutory Requirements

Town Planning Scheme No. 3 – R20

Residential Design Codes

Relevant Council Policies

Local Planning Policy No. 142 – Residential Development

Council Policy No. 066 – Roofing

Council Policy No. 023 – Use of Reflective Metal Roofing Material

Documentation

Plans received 24 April 2007 and relevant forms

Application Received

24 April 2007

Additional Information Received

Nil

Advertising

Adjoining land owners

Date Advertised

4 May 2007

Close of Comment Period

21 May 2007

No. of Days Elapsed between Lodgement & Meeting Date

49 days

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

Nil

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CONSULTATION

Development Control Unit

27 April 2007

Town Planning Advisory Panel Comments

This application was considered by the Town Planning Advisory Panel at its meeting held on 22 May 2007 and the following comments were made:

- structure on boundary and patio could impact upon neighbours
- query whether rear structure can be constructed as shown given BCA requirements
- connection between new and existing appears "clumsy" – could be articulated
- liked positive solar access, solar panels and rainwater tanks
- interesting addition

Public Submissions

At the close of the comment period one written submission was received and privacy concern was raised regarding the rear patio.

The right of carriageway mentioned in the submission is noted however it is not considered in this assessment as it is a private matter between owners.

Site Inspection

11 May 2007

STATISTICS	Required	Proposed
Land Area		508m ² Existing
Open Space	50% (254m ²)	60% (307m ²) Acceptable
Zoning		R20
Heritage Listing		Draft MI
<u>Setbacks:</u>		
Rear (west)	1.50	Nil Discretion Required
Side (north)	1.50	1.50 Acceptable
<i>Patio</i>	1.50	Nil Discretion Required
Side (south)	1.50	2.20 Acceptable
<i>Patio</i>	1.50	Nil Discretion Required
<u>Height:</u>		
Parapet Wall		
<i>Height</i>	3.00	4.16 Discretion Required
<i>Length</i>	9.00	12.18 Discretion Required
<u>Privacy/Overlooking:</u>	Acceptable	

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Policies:

Roof	As Discussed
Solar Access & Shade	Acceptable
Drainage	Standard Condition
Views	Acceptable
Crossover	To Comply

REPORT

Issues

Patio – height, length and setback
Comment from the Town Planning Advisory Panel.

Discussion

Approval is sought for alterations and additions to an existing single storey dwelling and is in accordance shadow and open space.

*Boundary Setback,
Wall Height & Length*

Discretion is sought for the setback to the patio be reduced from 1.5m to nil along the rear (west) and side (north and southern) boundaries.

Discretion is sought for the boundary wall height to the patio be increased from 3m to 4.15m.

Discretion is sought for the boundary wall length to the patio be increased from 9m to 12.2m.

Given that there is an existing boundary wall on the adjoining rear property and the side setbacks are a reduced length and to the rear of affected properties, it is considered that the patio built up to the rear boundaries will not have an undue adverse impact on the amenity of adjoining properties with regard to dimensions and location, and can be supported.

The patio is required to meet Building Code of Australia (BCA) provisions with respect to structures built up to the boundary.

Privacy

The adjoining neighbour to the north raised concern over potential overlooking from the patio. The proposed patio meets the privacy provisions of the Residential Design Codes and is considered to provide reasonable privacy.

Draft RDG

The discretions sought are identified under the Acceptable Development standard of the Guidelines and have been assessed in accordance with Performance Criteria and is considered acceptable.

Option(s)

1. Conditional approval; or
2. Approve subject to compliance with Scheme requirements.

Conclusion(s)

The proposal is considered acceptable, and can be supported subject to standard and appropriate conditions to reflect the above.

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RECOMMENDATION

That Council exercise its discretion in granting approval for the following:

- (a) the setback to the patio be reduced from 1.5m to nil to the north, south and western boundaries;
- (b) the boundary wall height to the patio be increased from 3m to 4.15m;
- (c) the boundary wall length to the patio be increased from 9m to 12.2m;

for the construction of alterations and additions to an existing dwelling on Lot 481 (No. 25) Duke Street, East Fremantle in accordance with plans received 24 April 2007 subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. 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.
4. all stormwater to be disposed of on site.
5. if applicable, 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.
6. 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. If Council refuses to approve such works, then this condition cannot be satisfied and this planning approval is not valid.
7. any new crossovers which are constructed under this approval 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 Policy on Footpaths & Crossovers.
8. 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.
9. compliance with all relevant engineering, building and health requirements.
10. at the time of submitting an application for building licence the plans must accord with and be accompanied by appropriate documentation to satisfy the Energy Efficiency Provisions of the Building Code of Australia.
11. that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.
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:

- (a) *this decision of Council 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 licence 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 property.*
- (d) *all noise levels produced by the construction of the development are to comply with*

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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) the applicant/owner is advised to give regard to the Town Planning Advisory Panel comment with respect to dwelling design at the connection of existing and new structures.*

RECOMMENDATION TO COUNCIL

Cr Martin – Cr Ferris

That Council exercise its discretion in granting approval for the following:

- (a) the setback to the patio be reduced from 1.5m to nil to the north, south and western boundaries;**
 - (b) the boundary wall height to the patio be increased from 3m to 4.15m;**
 - (c) the boundary wall length to the patio be increased from 9m to 12.2m;**
- for the construction of alterations and additions to an existing dwelling on Lot 481 (No. 25) Duke Street, East Fremantle in accordance with plans received 24 April 2007 subject to the following conditions:**

- 1. the works 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.**
- 2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- 3. 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.**
- 4. all stormwater to be disposed of on site.**
- 5. if applicable, 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.**
- 6. 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. If Council refuses to approve such works, then this condition cannot be satisfied and this planning approval is not valid.**
- 7. any new crossovers which are constructed under this approval 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 Policy on Footpaths & Crossovers.**
- 8. 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.**
- 9. compliance with all relevant engineering, building and health requirements.**
- 10. at the time of submitting an application for building licence the plans must accord with and be accompanied by appropriate documentation to satisfy the Energy Efficiency Provisions of the Building Code of Australia.**
- 11. that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.**
- 12. this planning approval to remain valid for a period of 24 months from date of this approval.**

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Footnote:

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

- (a) this decision of Council 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 licence 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 property.*
- (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) the applicant/owner is advised to give regard to the Town Planning Advisory Panel comment with respect to dwelling design at the connection of existing and new structures.*

CARRIED

T62.7 *Riverside Road No. 15 (Lot 1) The Left Bank*
Applicant: Left Bank Holdings Pty Ltd
Owner: Western Australian Planning Commission
(Application No. P94/2007)
By Beryl Foster, Acting Town Planner on 24 May 2007

BACKGROUND

Description of Proposal

Proposed coolroom addition above existing toilets to the rear of the Left Bank Bar and Café building.

Statutory Requirements

Town Planning Scheme No. 3 – Parks and Recreation

Relevant Council Policies

Policy No. 079 – Foreshore Policy, Policy Plan and Design Guidelines

Documentation

Plans received 3 May 2007 and relevant forms

Date Application Received

30 April 2007

Additional Information Received

Nil

Advertising

Adjoining land owners

Date Advertised

4 May 2007

Close of Comment Period

21 May 2007

12 June 2007

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No. of Days Elapsed between Lodgement & Meeting Date

43 days

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

Nil

CONSULTATION

Development Control Unit

Not referred

Town Planning Advisory Panel Comments

This application was referred the Town Planning Advisory Panel at its meeting held on 22 May 2007 and no comment was made on the proposal.

Referral to Other Authorities

Heritage Council of WA

The Heritage Council WA made the following comment in support of the proposal: *The proposed addition is to existing toilets which are a recent addition. The addition does not dramatically impact on the aesthetics of the original building.*

Swan River Trust

The site is within the Swan River Trust Management Area and will require their approval.

Public Submissions

At the close of the comment period no written submissions were received.

Site Inspection

18 May 2007

REPORT

Issues

None

Discussion

Approval is sought for a coolroom constructed above existing toilets to the rear of the existing buildings on the subject site.

Applicant Justification

The main applicant justification is summarised as follows:

- the Bar, Café and Restaurant on the subject site often operate at full capacity at peak periods to cater for demand the venue hires temporary coolrooms and storage facilities.
- the temporary facilities are considered unsightly and create logistical issues for staff.
- the proposed storage provides sufficient storage as close to the kitchen as possible.
- the structure is in keeping with existing buildings.
- the structure will have minimal impact on neighbours and venue and leaves the main building untouched.
- the hillside remains unaltered.
- the proposed structure is lower than the main building
- the design and materials are consistent with existing buildings.

Comment

Given the proposed coolroom is located on an existing structure to the rear of the site and the hillside remains intact, it is considered that the proposal will not have an undue adverse impact on the amenity of the immediate area and existing main building with respect to scale, bulk and design, and can be supported.

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Option(s)

Conditional approval

Conclusion(s)

The proposal is considered acceptable, and can be supported subject to standard and appropriate conditions to reflect the above.

RECOMMENDATION

That the Swan River Trust be advised that Council supports the construction of a coolroom on Lot 1 (No. 15) Riverside Road (The Left Bank), East Fremantle, in accordance with plans received 3 May 2007, subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed structure is not to be utilised until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. all stormwater to be disposed of on site.
5. compliance with all relevant engineering, building and health requirements.
6. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Olson

That the Swan River Trust be advised that Council supports the construction of a coolroom on Lot 1 (No. 15) Riverside Road (The Left Bank), East Fremantle, in accordance with plans received 3 May 2007, subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed structure is not to be utilised until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. all stormwater to be disposed of on site.
5. compliance with all relevant engineering, building and health requirements.
6. this planning approval to remain valid for a period of 24 months from date of this approval.

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Footnote:

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

- (a) this decision of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.***
- (c) 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).***

CARRIED

T62.8

Reynolds Street No. 1 (Lot 2)

Applicant & Owner: Barnard Clarkson & Kandy James

Application No. P81/2006

By Chris Warrener, Consultant Town Planner on 29 May 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for renovations & additions to the 2-storey house at 1 Reynolds Street comprising:

Ground Floor

Inside: Remove a partition wall between the kitchen & dining room, and relocate the kitchen to the west, remove laundry steps and brick up the doorway, replace the windows to the dining room with doors similar to the existing adjoining doors;

Outside: Construct a 10.8m long X 5.5m wide solar patio incorporating a vergola adjacent to the north wall of the house;

Statutory Requirements

Town Planning Scheme No. 3 (TPS 3) – Residential R12.5

Local Planning Strategy - Riverside Precinct (LPS)

Residential Design Codes (RDC)

Relevant Council Policies/Guidelines

Local Planning Policy No. 142 – Residential Development (LPP 142)

Draft Residential Design Guidelines (Draft RDG)

Documentation

Plans and relevant forms date stamp received on 20 April 2007

Date Application Received

20 April 2007

Advertising

Adjoining land owners only

Date Advertised

4 May 2007

Close of Comment Period

21 May 2007

No. of Days Elapsed between Lodgement & Meeting Date

53 days

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

11 March 2003

CEO grants approval under delegated authority for a shed abutting the south side boundary.

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CONSULTATION

Development Control Unit

27 April 2007

Town Planning Advisory Panel Comments

This application was considered by the Town Planning Advisory Panel at its meeting held on 22 May 2007 and the following comment was made:

- will upset proportions of the house

Public Submissions

At the close of the comment period 1 submission was received.

3 Reynolds Street Concerned that extension of bay window on west side will obstruct a portion of the river view from the upper floor dining and living room areas.

Site Inspection

By Consultant Town Planner on 18 May & 21 December 2006.

REPORT

Issues

Boundary Setbacks The application originally proposed to extend an upper floor bay window on the west side wall of the house a further 2.2m.

This extension brings it to within 6.2m of the front boundary (Reynolds Street) therefore it encroaches the recommended front setback by 1.3m.

However, the applicant has since withdrawn this part of the application.

Draft RDG The minutes of a Briefing Meeting held in the Council Chamber on Tuesday 24 April 2007 state:

"It was agreed that the Residential Design Guidelines would be 'tested out' in the June round of Council meetings."

This application has been further assessed having regard to the Acceptable Development Standard (ADS) and Performance Criteria (PC) proposed in the Draft RDG for property in the Riverside precinct.

Being additions to the existing house this application was assessed against the following criteria under the Draft RDG:

A1 Additions & Extensions

A1.1

In a predominantly single storey streetscape, new development is to be single storey at street frontage.

If the extension involves an upper floor addition to the existing single storey house where the streetscape is predominantly single storey, the addition should be contained within the existing roof space, with light and ventilation being provided by the insertion of roof lights and/or dormer windows. Dormer windows are not to be visible from the street.

For any upper storey addition relating to a dwelling recognised as being worthy of retention, which cannot be contained within the

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existing roof space, it shall be in the form a two storey addition built at the rear of the existing house, that is, a minimum of 4 metres behind the ridge line, such that its visual streetscape impact is minimised.

Discussion

A number of the renovations are internal modifications not requiring Planning Approval and would normally be handled through a Building Licence. The pergola requires Planning Approval.

RECOMMENDATION

That Council grant approval for the construction of renovations & additions to the 2-storey house at No. 1(Lot 2) Reynolds Street comprising:

Ground Floor

Inside: Remove a partition wall between the kitchen & dining room, and relocate the kitchen to the west, remove laundry steps and brick up the doorway, replace the windows to the dining room with doors similar to the existing adjoining doors;

Outside: Construct a 10.8m long X 5.5m wide solar patio incorporating a vergola adjacent to the north wall of the house;

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed extensions are not to be utilised until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. all stormwater 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 licence.
5. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *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).*

RECOMMENDATION TO COUNCIL

Cr Martin – Cr Olson

That Council grant approval for the construction of renovations & additions to the 2-storey house at No. 1(Lot 2) Reynolds Street comprising:

Ground Floor

Inside: Remove a partition wall between the kitchen & dining room, and relocate the kitchen to the west, remove laundry steps and brick up the doorway, replace the windows to the dining room with doors similar to the existing adjoining doors;

Outside: Construct a 10.8m long X 5.5m wide solar patio incorporating a vergola adjacent to the north wall of the house;

- 1. the works to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than**

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- where varied in compliance with the conditions of this planning approval or with Council's further approval.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
 3. the proposed extensions are not to be utilised until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
 4. all stormwater 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 licence.
 5. 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 of Council 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 licence is to conform with the approved plans unless otherwise approved by Council.*
 - (c) *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).*
- CARRIED

T62.9

Oakover Street No. 81A (Lot 2)

Applicant: Newforms

Owner: H Huxtable & C Barbour

(Application No. P83/07)

By Chris Warrener, Consultant Town Planner on 25 May 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for additions at 81A Oakover Street comprising:

- a 16.45m long X 2.2m high limestone boundary wall;
- a 5.5m long X 4m wide X 3.2m high cream colourbond shed with a roller door;
- extend house roof to form a carport
- landscaping incorporating a 7.4m long X 4.5m wide limestone garden bed raised 0.45m above natural ground level (NGL)

The percentage of open space left on the property after the proposed additions have been built comprises 64%.

Statutory Requirements

Town Planning Scheme No. 3 (TPS 3) – Residential R12.5

Local Planning Strategy - Woodside Precinct (LPS)

Residential Design Codes (RDC)

Relevant Council Policies

Local Planning Policy No. 142 – Residential Development (LPP 142)

Local Planning Policy 143 – Fencing (LPP 143)

Draft Residential Design Guidelines (Draft RDG)

Documentation

Plans and relevant forms date stamp received on 16 April 2007

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Date Application Received

16 April 2007

No. of Days Elapsed between Lodgement & Meeting Date

57 days

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

18 October 1982	Council decides to advise the Town Planning Board that it recommends refusal to a battle-axe subdivision of 81 Oakover Street;
9 November 1982	Town Planning Board refuses the battle-axe subdivision application;
13 December 1982	Council approves a duplex development at 81 Oakover Street;
7 January 1983	Building Permit issued for brick & tile duplex unit at 81 Oakover Street;
8 January 1984	Building Permit for duplex unit lapses, and is cancelled;
17 June 1987	Council approves an application to erect an additional dwelling unit at 81 Oakover Street;
17 August 1987	Building Permit issued for additional unit/duplex conversion;
30 November 1987	Town Clerk endorses Strata Plan for 2 single storey residential units one being brick & tile the other brick tile & galvanised iron at 81 Oakover Street;
15 August 1994	Council grants approval for a small addition to the rear of the unit at 81 Oakover Street;
20 September 1994	Building Permit issued for small addition.

CONSULTATION

Development Control Unit

27 April 2007

Site Inspection

By Consultant Town Planner on 3 May 2007

REPORT

Issues

Boundary Setbacks

South Side

Common with 83 Oakover Street

The proposed colourbond shed is set back 0.3m from the south side boundary.

The RDC recommend a 1m setback.

East Side

Common with 81 Oakover Street

The proposed colourbond shed and the carport are set back 0.3m from the east side boundary.

The RDC recommend a 1m setback.

Fencing

The proposed limestone wall along the south side boundary is 2.2m high.

Council's fence policy (LPP 143) states:

"3.1 Maximum Height

The maximum height of any part of the fence is to be 1.8m."

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Draft RDG

The minutes of a Briefing Meeting held in the Council Chamber on Tuesday 24 April 2007 state:

"It was agreed that the Residential Design Guidelines would be 'tested out' in the June round of Council meetings."

This application has been further assessed having regard to the Acceptable Development Standard (ADS) and Performance Criteria (PC) proposed in the Draft RDG for property in the Woodside precinct.

This application does not propose any development which is affected by the PC and ADS in the Draft RDG.

Discussion

The plans submitted with the application have been endorsed by the property owners potentially affected by the proposed boundary setbacks, and fence height variations.

These variations are considered minor they will improve the amenity of the subject property, and are considered not to negatively impact on the amenity of the potentially affected adjoining properties.

RECOMMENDATION

That Council exercise its discretion in granting approval for the following:

- (a) variation to the south side boundary setback for a shed pursuant to the Residential Design Codes from 1m to 0.3m;
- (b) variation to the east side boundary setback for a shed and carport pursuant to the Residential Design Codes from 1m to 0.3m;
- (c) variation to fence height for a limestone wall along the south side boundary pursuant to Council Policy 143 from 1.8m to 2.2m;

for the construction of additions at No. 81A (Lot 2) Oakover Street comprising:

- a 16.45m long X 2.2m high limestone boundary wall;
- a 5.5m long X 4m wide X 3.2m high cream colourbond shed with a roller door;
- extend house roof to form a carport
- landscaping incorporating a 7.4m long X 4.5m wide limestone garden bed raised 0.45m above natural ground level (NGL)

in accordance with the plans date stamp received on 16 April 2007 subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed shed, and carport are not to be used until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. all stormwater 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 licence.
5. 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 of Council does not include acknowledgement or approval of any unauthorised development which may be on the site.*

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- (b) 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.
- (c) 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).

RECOMMENDATION TO COUNCIL

Mr Ferris – Cr Martin

That Council exercise its discretion in granting approval for the following:

- (a) variation to the south side boundary setback for a shed pursuant to the Residential Design Codes from 1m to 0.3m;
- (b) variation to the east side boundary setback for a shed and carport pursuant to the Residential Design Codes from 1m to 0.3m;
- (c) variation to fence height for a limestone wall along the south side boundary pursuant to Council Policy 143 from 1.8m to 2.2m;

for the construction of additions at No. 81A (Lot 2) Oakover Street comprising:

- a 16.45m long X 2.2m high limestone boundary wall;
- a 5.5m long X 4m wide X 3.2m high cream colourbond shed with a roller door;
- extend house roof to form a carport
- landscaping incorporating a 7.4m long X 4.5m wide limestone garden bed raised 0.45m above natural ground level (NGL)

in accordance with the plans date stamp received on 16 April 2007 subject to the following conditions:

1. the works 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.
2. the proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed shed, and carport are not to be used until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
4. all stormwater 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 licence.
5. 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 of Council does not include acknowledgement or approval of any unauthorised development which may be on the site.*
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- (c) *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).*

CARRIED

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T63. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING

T63.1 Town Planning Principles – Decreased Roof Pitch & Increased Wall Height

Mayor O’Neill – Cr Dobro

That the Chief Executive Officer in consultation with relevant officers prepare a report based on town planning principles that address the increasing number of applications that have a decreased roof pitch and an increased wall height so as to not exceed the overall ridge/building height. CARRIED

T64. CLOSURE OF MEETING

There being no further business the meeting closed at 9.50pm.

*I hereby certify that the Minutes of the meeting of the **Town Planning & Building Committee (Private Domain)** of the Town of East Fremantle, held on **12 June 2007**, Minute Book reference **T53. to T64.** were confirmed at the meeting of the Committee on*

.....

Presiding Member

