

13 February 2007

MINUTES

MINUTES OF A TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN) MEETING, HELD IN THE COMMITTEE MEETING ROOM, ON TUESDAY, 13 FEBRUARY 2007, COMMENCING AT 6.30PM.

T1. OPENING OF MEETING

T1.1 Present

T2. ELECTION OF PRESIDING MEMBER

T3. WELCOME TO GALLERY

T4. APOLOGIES

T5. PRESENTATIONS/DEPUTATIONS/PETITIONS

T6. PUBLIC QUESTION TIME

T7. CONFIRMATION OF MINUTES

T8. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)

T9. REPORTS OF COMMITTEES

T9.1 Town Planning Advisory Panel – 23 January 2007

T10. REPORTS OF OFFICERS

T10.1 Receipt of Reports

T10.2 Order of Business

T10.3 Fortescue Street No. 47 (Lot 4) – Marcus Burt, Landscraft

T10.4 Glyde Street No. 21 (Lot 28) – Brad Cole

T10.5 Allen Street No. 78 (Lot 22 – Belinda & Jonathon Oxlade

T10.6 Fletcher Street No. 4 (Lot 22) – Don Russell Homes

T10.7 View Terrace No. 26 (Lot 272) – Ralph Hoare Architect

T10.8 Preston Point Road No. 19 (Lot 35) – G & J Archer

T10.9 Surbiton Road No. 8 (Lot 31) – A Quagliola

T10.10 Surbiton Road No. 10 (Lot 30) – Ashley Richards Architect

T10.11 Preston Point Road No. 74A (Lot 14) – Ashley Richards Architect

T10.12 Hubble Street No. 42 (Lot 8) – G & S Mooney

T11. ADJOURNMENT

T12. RESUMPTION

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T13. REPORT'S OF OFFICERS (Cont)

T13.1 Pier Street No. 4 (Lot 2) – Outdoor Centre Holdings P/L

T13.2 Alexandra Road No. 12 (Lot 6) – Morag Soley

T13.3 East Street No. 48 (Lot 96) – Bjorn Madsen

T13.4 Petra Street No. 27A (Lot 8) – Ross Griffin Homes

T13.5 Gill Street No. 39 (Lot 17) – J Bird

T14. REFERRED BUSINESS (NOT INCLUDED ELSEWHERE)

T15. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING

T16. CLOSURE OF MEETING

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MINUTES OF A TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN) MEETING, HELD IN THE COMMITTEE MEETING ROOM, ON TUESDAY, 13 FEBRUARY 2007, COMMENCING AT 6.30PM.

T1. OPENING OF MEETING

The Chief Executive Officer declared the meeting open at 6.30pm.

T1.1 Present

Mayor James O'Neill
Cr Stefanie Dobro Presiding Member
Cr Alan Ferris
Cr Jennifer Harrington From 6.33pm
Cr David Martin
Cr Richard Olson
Mr Stuart Wearne Chief Executive Officer to 6.35pm
Ms Beryl Foster Acting Town Planner
Mr Chris Warrener Consultant Town Planner
Mrs Peta Cooper Minute Secretary

T2. ELECTION OF PRESIDING MEMBER

The Chief Executive Officer called for nominations for the position of presiding member following the retirement of Cr Le May.

Cr Martin nominated Cr Dobro who accepted the nomination.

Cr Harrington entered the meeting at 6.33pm.

The Chief Executive Officer declared that in the absence of any further nominations, Cr Dobro has been elected unopposed as Presiding Member for the Town Planning & Building Committee (Private Domain) for a period commencing from the date and time of this declaration, and expiring 19 October 2007.

Cr Dobro assumed the chair.

The Chief Executive Officer left the meeting at 6.35pm.

T3. WELCOME TO GALLERY

There were 18 members of the public in the gallery at the commencement of the meeting.

T4. APOLOGIES

Nil.

T5. PRESENTATIONS/DEPUTATIONS/PETITIONS

Nil.

T6. PUBLIC QUESTION TIME

Nil.

T7. CONFIRMATION OF MINUTES

T7.1 Town Planning & Building Committee (Private Domain) – 12 December 2006

Cr Harrington – Cr Ferris

That the Town Planning & Building Committee (Private Domain) minutes dated 12 December 2006 as adopted at the Council meeting held on 19 December 2006 be confirmed.

CARRIED

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T8. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)

T8.1 T10.4 Glyde Street No. 21 (Lot 28) – Brad Cole

Correspondence from adjoining neighbour at 23 Glyde Street advising of his acceptance of the proposal on the condition that the drying court wall be 2400mm high from his existing concrete driveway and that the existing gate be reinstated by the builder.

Cr Martin Cr Ferris

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref T10.4). CARRIED

T9. REPORTS OF COMMITTEES

T9.1 Town Planning Advisory Panel – 23 January 2007

Cr Olson – Cr Martin

That the minutes of the Town Planning Advisory Panel meeting held on 23 January 2007 be received and each item considered when the relevant development application is being discussed. CARRIED

T10. REPORTS OF OFFICERS

T10.1 Receipt of Reports

Cr Ferris – Cr Harrington

That the Reports of Officers be received. CARRIED

T10.2 Order of Business

Cr Ferris – Cr Harrington

The order of business be altered to allow members of the public to speak to relevant agenda items. CARRIED

**T10.3 Fortescue Street No. 47 (Lot 4) – Marcus Burt, Landscraft
(Application No. P252/2006)**

By Chris Warrener, Consultant Town Planner on 6 February 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for a 5m X 4.5m double carport forward of the main building line of the house at 47 Fortescue Street

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)

Documentation

Plans and relevant forms date stamp received on 22 December 2006

Date Application Received

22 December 2006

Advertising

Adjoining land owners only

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Date Advertised

15 January 2007

Close of Comment Period

29 January 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

- | | |
|------------------|---|
| 13 December 1982 | Council decides to advise the Town Planning Board that it conditionally supports the subdivision of Lot 124 corner Fortescue/Fletcher Streets; |
| 26 January 1983 | Town Planning Board grants conditional approval to subdivide 47 Fortescue Street into 2 lots, creating 8 Fletcher Street & 47 Fortescue Street; |
| 20 July 1990 | Building Licence issued for internal alterations to 47 Fortescue Street. |

CONSULTATION

Development Control Unit

9 January 2007

Town Planning Advisory Panel Comments

This application was considered by the Town Planning Advisory Panel at its meeting held on 23 January 2007 and the following comments were made:

The Panel had a range of opinions including:

- recognise attempt to integrate carport design – but lightweight structure preferred
- lack of support for add on carport – if required preference for lightweight, less visible structure
- impacts upon symmetry of house – prefer unattached carport

Public Submissions

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

Site Inspection

By Consultant Town Planner on 4 January 2007

REPORT

Issues

Boundary Setbacks

The proposed double carport is set back 4.5m from the front boundary.

The RDC recommend a 7.5m front setback for R12.5 coded property, and LPP 142 states:

“Part 2 – Streetscape

- (i) Buildings are to be set back such a distance as is generally consistent with the building set back on adjoining land and in the immediate locality.*
- (ii) Notwithstanding (i) above, garages and carports located at or behind the main building line for primary and secondary streets and in accordance with Table 1 – Minimum Setbacks of the Residential Design Codes.”*

Discussion

Of the 75 houses in Fortescue Street, 5 have garages and/or carports located forward of the main building line (at numbers 14, 15, 45, 51 & 68).

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Many properties have sufficient area/frontage to permit the garage and/or carport to be at the side or rear of the house. Where no space is available vehicles including boats and trailers are parked in the street, on the verge or in the front setback. These objects/vehicles of themselves are considered to detract from the appearance of property in East Fremantle.

The subject land is a corner lot which resulted from a subdivision approved in 1983, and contains a single storey house, which does not allow for a carport or garage to be built behind its main building line.

Investigation of available space for undercover parking behind the main building line (shown on the submitted plans) indicates there is an area adjacent to the north side boundary however a chimney encroaches this space, and prevents it from being used to park a motor vehicle.

The space adjacent to the east side next to Fletcher Street is used as the outdoor living area for the home.

The carport is not considered to be a dominant feature of the property because it will be built close to the north side boundary, and will allow the appearance of the house to remain largely unchanged from Fortescue Street, and relatively unchanged viewed from Fletcher Street.

In addition the application proposes that the structure incorporate concrete piers/columns identical to those used on the front verandah, and roof pitch and tiles identical to the main house. In this way the application intends that the carport is complimentary to the appearance of the house.

TPAP Comments An examination of the appearance of every property in East Fremantle containing a garage or carport forward of the main building line indicates that the more attractive option is to build a structure which matches the house.

Examples where simple structures are erected look like "cheap add-ons" which detract from the appearance of the property.

The proposed carport structure is unattached not otherwise, which TPAP states.

Conclusion(s)

In the discussion under Element 2 – Streetscape the RDC state:

"Because so many houses in established suburbs were built without provision for private motor vehicles, street-side parking and parking within street setback areas have become essential, especially where rear access to the property is not available. With increasing affluence, car ownership rates have increased, as has the desire to provide a roof over the vehicles.

Consequently it is accepted that, where no feasible alternative exists, the street setback area may be utilised for carports and unroofed parking spaces. Carports are acceptable, because they allow a clear view between a public street and a private dwelling."

Under Acceptable Development the RDC state:

"A3.4 Carports within the street setback area, provided that the width of carport does not exceed 50 per cent of the frontage at the building line and the construction allows an unobstructed view between the dwelling and street, right-of-way or equivalent."

Based on the above Acceptable Development statement the application complies with the RDC.

While the application is at variance with LPP 142 it is considered that the particular circumstances, it being a subdivided corner property, the proposed design and location of the carport will not negatively impact on streetscape or the appearance of the property.

For these reasons this particular application is supported.

RECOMMENDATION

That Council exercise its discretion in granting approval for a variation to Local Planning Policy 142 for a carport to be located forward of the main building line for the construction of a 5m X 4.5m double carport at No. 47 (Lot 4) Fortescue Street, East Fremantle in accordance with the plans date stamp received on 22 December 2006 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 carport is 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.*
- (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).*

Mr Peter Gadeke (applicant) addressed the meeting advising he was satisfied with the officer's recommendation.

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Martin

That Council exercise its discretion in granting approval for a variation to Local Planning Policy 142 for a carport to be located forward of the main building line for the construction of a 5m X 4.5m double carport at No. 47 (Lot 4) Fortescue Street, East Fremantle in accordance with the plans date stamp received on 22 December 2006 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 carport is 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:

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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).*

CARRIED

T10.4 **Glyde Street No. 21 (Lot 28) – Brad Cole**
(Application No. P249/2006)
By Chris Warrener, Consultant Town Planner on 31 January 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for additions to the rear of the house at 21 Glyde Street comprising a new ground level laundry and bathroom, and upper level study.

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)
Council Policy 143 - Fencing

Documentation

Plans and relevant forms date stamp received on 20 December 2006

Date Application Received

20 December 2006

Additional Information Received

5 February 2007 Applicant's submission response

Advertising

Adjoining land owners only

Date Advertised

15 January 2007

Close of Comment Period

29 January 2007

13 February 2007

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No. of Days Elapsed between Lodgement & Meeting Date

55 days

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

- 13 May 1988 Building Licence issued for a 2-storey brick extension at the rear;
- 20 November 2001 Council conditionally approves the removal of 2 Jacaranda trees from the front verge.

CONSULTATION

Development Control Unit

9 January 2007

Public Submissions

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

23 Glyde Street

- Negative impact on amenity
 - .. impact on outlook from our dining room and rear deck
 - .. mass of wall extreme
 - .. concern regarding west facing window in 1st floor study;
- Request addition of a fin to the window to mitigate against overlooking and that new screening plants are planted along the south boundary of 21 Glyde Street to ensure privacy from the Study window and the 1st floor balcony;
- Concerned for privacy with regard to the open service/drying area, and request that the boundary wall adjacent to this area be built to a height of 3m to provide visual and aural privacy;
- Ask for assurance that the air-conditioner is re sited to the ground.

Site Inspection

By Consultant Town Planner on 30 October 2006

REPORT

Issues

Boundary Wall

The proposed additions incorporate a 5.6m high X 3.8m long parapet wall on the south side boundary common with 23 Glyde Street.

LPP 142 allows a wall no higher than 3m X 9m long along one side boundary.

Discussion

The applicant advises in a covering letter that the parapet wall for the study has been *“designed so that this section of wall would abut the neighbour’s existing boundary parapet wall and not adversely affect the direct sunlight to their outdoor living areas.”*

The extent of overshadow constitutes 2.8% of the adjoining property at 23 Glyde Street (note, that the RDC recommend a 25% overshadow limit).

The area overshadowed comprises a portion of the roof for an outdoor room/cabana, which Council approved on 20 March 2001.

The proposed parapet/boundary wall will result in increased privacy between the two properties because it will screen a verandah which is currently exposed to views from the outdoor living, and dining rooms at 23 Glyde Street.

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The variation for the boundary wall is considered minor, and not considered to significantly impact on the amenity of the adjoining property at 23 Glyde Street.

Submission

The concern raised in the submission regarding the impact on outlook, and the wall mass is not considered reasonable given that only a very small area of the northern view through the trees in the subject site is obscured by the additions (see photos).

The additions will enhance privacy for both properties because the proposed parapet wall and study will screen an existing upper floor verandah at the rear of the house at 21 Glyde Street.

In regard to overlooking a small portion of the cone of vision for the proposed study window falls onto the roof of the cabana at 19 Glyde Street therefore overlooking is not considered to be a concern.

The boundary wall adjacent to the 'drying area' is currently 2.3m high which is higher than permitted under CP 143 ("The maximum height of any part of the fence is to be 1.8m").

The request for increased wall height adjacent to this area is not considered reasonable because it will reduce the air and light necessary to make this area a practical clothes drying space.

RECOMENDATION

That Council exercise its discretion in granting approval for a variation to the south side for a parapet wall for a study on the boundary pursuant to Local Planning Policy 142 from 3m to 5.7m above natural ground level for the construction of additions to the rear of the house at No. 21 Glyde Street (Lot 28), East Fremantle comprising a new ground level laundry and bathroom, and upper level study in accordance with the plans date stamp received on 20 December 2006 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.
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. 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. 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) 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.

Correspondence referred from MB Ref. T8.1 was tabled.

Mr Brad Cole (architect) addressed the meeting.

RECOMMENDATION TO COUNCIL

Cr Martin – Cr Ferris

That Council exercise its discretion in granting approval for a variation to the south side for a parapet wall for a study on the boundary pursuant to Local Planning Policy 142 from 3m to 5.7m above natural ground level for the construction of additions to the rear of the house at No. 21 Glyde Street (Lot 28), East Fremantle comprising a new ground level laundry and bathroom, and upper level study in accordance with the plans date stamp received on 20 December 2006 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.
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. 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. 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 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 gate as requested by the neighbour at 23 Glyde Street to be reinstated.*

CARRIED

T10.5 *Allen Street No. 78 (Lot 22 – Belinda & Jonathon Oxlade
(Application No. P250/2006)
By Chris Warrener, Consultant Town Planner on 6 February 2007*

BACKGROUND

Description of Proposal

An Application for Planning Approval for additions to the rear of the single house at 78 Allen Street comprising:

Ground Floor	new carport; convert garage to a gymnasium; add deck (<0.5m above natural ground level) to the rear; new bathroom, laundry, kitchen and dining rooms;
Upper Level	new balcony to front; new family area, bedroom and en-suite.

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)
Council Policy No. 023 – Use of Reflective Metal Roofing Material (CP 023)
Council Policy No. 066 – Roofing (CP 066)

Documentation

Plans and relevant forms date stamp received on 21 December 2006

Date Application Received

21 December 2006

Additional Information Received

Open Space and Overshadow calculations emailed from architect on 3 January 2007

Advertising

Adjoining land owners only

Date Advertised

15 January 2007

Close of Comment Period

29 January 2007

No. of Days Elapsed between Lodgement & Meeting Date

54 days

13 February 2007

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CONSULTATION

Development Control Unit

9 January 2007

Town Planning Advisory Panel Comments

This application was considered by the Town Planning Advisory Panel at its meeting held on 23 January 2007 and the following comments were made:

- overlooking to north (No. 76)
- reasonable design solution
- concern on removal of chimneys in drawings – must be retained
- try and maintain existing character of front façade (verandah)

Public Submissions

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

Site Inspection

By Consultant Town Planner on 6 November 2006

STATISTICS	Required	Proposed
Land Area		1083m ²
Zoning		R12.5
Open space		> 55%
Setbacks:		
Front (west)	<i>Ground</i>	
	<i>Carport</i>	7.50
		12.316 Acceptable
	<i>Upper</i>	
	<i>Balcony</i>	7.50
		23.00 Acceptable
Rear (east)	<i>Ground</i>	
	<i>Dining/Living/ Deck</i>	6.00
		18.38 Acceptable
	<i>Upper</i>	
	<i>Family/Ensuite/ Bedroom</i>	6.00
		24.63 Acceptable
Side (north)	<i>Ground</i>	
	<i>Deck/Gym</i>	1.50
		0.915 Discretion Required
	<i>Carport</i>	1.00
		0.915 Discretion Required
	<i>Upper</i>	
	<i>Balcony</i>	1.20
		0.915 Discretion Required
Side (south)	<i>Ground</i>	
	<i>Laundry/Kitchen/ Dining</i>	1.50
		2.00 Acceptable
	<i>Upper</i>	
	<i>Family Area</i>	1.50
		2.00 Acceptable

**REPORT
Issues**

Boundary Setbacks

A carport, a new ground floor deck, and an upper floor balcony will be set back 0.915m from the north side boundary common with 76 Allen Street.

The RDC recommend a 1m setback for the carport, a 1.5m setback for the deck and a 1.2m setback for the balcony (the balcony is proposed to be screened, there are no overlooking issues).

Roof Pitch

The additions propose a roof pitched at 5°.

CP 066 states:

“dominant elements to be greater than 28°.”

Zincalume Roof

The proposed additions incorporate a zincalume roof.

CP 023 states:

“That it be Council's Policy that all building permits for projects which seek to use zincalume sheeting contain a special condition that the zincalume will be painted upon a request by Council within a period of two years after construction.”

Discussion

The additions are proposed to a flat-roofed extension comprising a double garage with living area, bathroom and balcony above, to the rear of the existing single storey house at 78 Allen Street.

The additions are purpose designed to match the extension, which is set back 0.915m from the north side boundary.

The proposed front balcony combined with the carport, which is designed and will be built in materials to match the existing heritage house at the front, are considered to enhance the appearance of the property viewed from Allen Street.

The boundary setback variations are minor, do not negatively impact on the amenity of the adjoining property, and the owner/s of this property have not objected to the application.

While the proposed roof pitch over the extension additions varies from that recommended in CP 066, the roof over the existing extension is flat. It is not the dominant element as viewed from Allen Street, and is supported.

Proposed Condition 5 of the recommendation addresses CP 023.

TPAP Comments

The overlooking of the property to the north is from an existing balcony, which is proposed to be fitted with new aluminium louvers, fixed, and sliding panels. It does not overlook an outdoor living area or habitable room rather it overlooks the roof of the house at 76 Allen Street, and a side access to the rear.

The applicant was contacted regarding the chimneys, and advised that the application does not propose any works to

the heritage house at the front – the chimneys are not proposed to be removed.

RECOMMENDATION

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

- (a) variation to the north side boundary setback for a carport pursuant to the Residential Design Codes from 1m to 0.915m;
 - (b) variation to the north side boundary setback for a deck pursuant to the Residential Design Codes from 1.5m to 0.915m;
 - (c) variation to the north side boundary setback for an upper level balcony pursuant to the Residential Design Codes from 1.2m to 0.915m;
 - (d) variation to roof pitch pursuant to Council Policy 066 from 28° to 5°;
- for additions to the rear of the single house at No. 78 (Lot 22) Allen Street, East Fremantle comprising:

Ground Floor *new carport;*
 convert garage to a gymnasium;
 add deck (<0.5m above natural ground level) to the rear;
 new bathroom, laundry, kitchen and dining rooms;

Upper Level *new balcony to front;*
 new family area, bedroom and en-suite;

in accordance with the plans date stamp received on 21 December 2006 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 extensions 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, 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. that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.
- 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) *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).*

Mr Jonathan Oxlade (applicant) addressed the meeting advising he was satisfied with the officer's recommendation.

RECOMMENDATION TO COUNCIL

Mayor O'Neill – Cr Olson

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

- (a) variation to the north side boundary setback for a carport pursuant to the Residential Design Codes from 1m to 0.915m;**
 - (b) variation to the north side boundary setback for a deck pursuant to the Residential Design Codes from 1.5m to 0.915m;**
 - (c) variation to the north side boundary setback for an upper level balcony pursuant to the Residential Design Codes from 1.2m to 0.915m;**
 - (d) variation to roof pitch pursuant to Council Policy 066 from 28° to 5°;**
- for additions to the rear of the single house at No. 78 (Lot 22) Allen Street, East Fremantle comprising:**

Ground Floor **new carport;**
 convert garage to a gymnasium;
 add deck (<0.5m above natural ground level) to the rear;
 new bathroom, laundry, kitchen and dining rooms;

Upper Level **new balcony to front;**
 new family area, bedroom and en-suite;

in accordance with the plans date stamp received on 21 December 2006 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 extensions 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, 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. that within two years of construction Council may request that the zincalume roofing be treated to reduce reflectivity, at the applicant/s expense.**
- 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) 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).***

CARRIED

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- T10.6** **Fletcher Street No. 4 (Lot 22) – Don Russell Homes**
(Application No. P244/2006)
By Chris Warrener, Consultant Town Planner on 6 February 2007

BACKGROUND

Description of Proposal

An Application for Planning Approval for a 2-storey house at 4 Fletcher Street (on proposed new lot) comprising:

Ground floor Master bedroom, bathroom, kitchen, dining, family and living rooms, a cellar, laundry, alfresco, double garage and store;

Upper floor 2 bedrooms, a guest suite, bathroom, sitting room, and balcony.

The garage door occupies 23.8% of the property width.

Statutory Requirements

Town Planning Scheme No. 3 (TPS 3) – Residential R12.5, application assessed pursuant to sub-Clause 5.3.1 Density Bonus for Corner Lots;
Local Planning Strategy - Woodside Precinct (LPS)
Residential Design Codes (RDC)

Relevant Council Policies

Council Policy 066 – Roofing (CP 066);
Local Planning Policy No. 142 – Residential Development (LPP 142)

Documentation

Plans and relevant forms date stamp received on 14 December 2006

Date Application Received

14 December 2006

Additional Information Received

18 December 2006 Amended plans received extending the front upper floor balcony and setting the garage back to 6m from the front boundary;
5 February 2007 Applicant's response to the submissions;
7 February 2007 Owner's response to submissions.

Advertising

Adjoining land owners & sign on site

Date Advertised

15 January 2007

Close of Comment Period

29 January 2007

No. of Days Elapsed between Lodgement & Meeting Date

61 days

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

21 August 2001 Council decides to advise the WAPC that it refuses an application to subdivide 4 Fletcher Street into 2 lots, 1 X 450m², 1 X 639m²;
21 November 2001 WAPC conditionally approves the subdivision;
18 May 2004 Council decides to advise the WAPC that it does not support the green title subdivision of 4 Fletcher Street into 2 lots, 1 X 422², 1 X 667²;
17 July 2004 WAPC conditionally approves the subdivision;

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- | | |
|-------------------|--|
| 22 May 2006 | WAPC approves a revised plan for 2 lots, 1 X 450 ² and 1 X 639 ² . |
| 19 September 2006 | Council decides to defer making a decision on a double carport on the lot at the corner of Fletcher and Dalgety Streets; |
| 19 December 2006 | Council decides to advise SAT that it conditionally approves the double carport. |

CONSULTATION

Development Control Unit

9 January 2007

Town Planning Advisory Panel Comments

This application was considered by the Town Planning Advisory Panel at its meeting held on 23 January 2007 and the following comments were made:

- gable end to east to match west
- garage dominant feature and projects forward resulting in unbalanced front and diminutive entry

Public Submissions

At the close of the comment period 2 submissions were received.

- | | |
|--------------------------|--|
| <i>55 Dalgety Street</i> | <ul style="list-style-type: none">- Concern regarding overlooking and privacy, and size of window openings on south side;- Design not in keeping with architectural style of the neighbourhood. |
| <i>2 Fletcher Street</i> | <ul style="list-style-type: none">- As a result of this development there will now be 5 adjoining neighbours, with noise problems and overlooking as a result;- Privacy impact: our major living area and outside living space will be affected, our kitchen area, and it allows direct overlooking into our daughter and son's bedrooms;- Elevation of development will mean that the effective fence height will be 0.8m only, and will cause privacy problems and noise problems due to the elevated entertaining and recreation area;- To address these problems the submission suggests that a 1.8m high masonry wall should be constructed on top of the retaining wall.- Upper floor windows to bedrooms 2 and 3 overlook our living areas, kitchen, and daughter and son's bedrooms.- To address this problem the submission suggests that the upper floor windows be frosted and of limited opening. |

Site Inspection

By Consultant Town Planner on 15 December 2006

STATISTICS

Land Area

Required

Proposed

544.85m²

Zoning

R12.5

Open space

62.55%

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Setbacks:				
Front (east)	<i>Ground</i>			
	<i>Living</i>	6.00	Cl.5.3.1	8.207 Acceptable
	<i>Foyer</i>	6.00	Cl.5.3.1	8.60 Acceptable
	<i>Garage</i>	6.00	Cl.5.3.1	6.00 Acceptable
	<i>Store</i>	6.00	Cl.5.3.1	6.20 Acceptable
	<i>Upper</i>			
	<i>Balcony</i>	6.00	Cl.5.3.1	5.90 Discretion Required
	<i>Guest</i>	6.00		7.00 Acceptable
Rear (west)	<i>Ground</i>			
	<i>Alfresco</i>	1.50		1.00 Discretion Required
	<i>Family</i>	1.00	LPP142	0.00 Discretion Required
	<i>Upper</i>			
	<i>Bed 3 & Bed 2</i>	2.50		9.20 Acceptable
Side (north)	<i>Ground</i>			
	<i>Store</i>	1.00		5.287 Acceptable
	<i>Master</i>	1.50		8.40 Acceptable
	<i>Dining</i>	1.50		9.00 Acceptable
	<i>Alfresco</i>	1.50		9.00 Acceptable
	<i>Upper</i>			
	<i>Guest & Bed 3</i>	1.50		8.40 Acceptable
Side (south)	<i>Ground</i>			
	<i>Family</i>	1.00		1.02 Acceptable
	<i>Kitchen/ Laundry</i>	1.50		1.50 Acceptable
	<i>Living</i>	1.00		1.02 Acceptable
	<i>Upper</i>			
	<i>Bed 2 & Sitting</i>	1.50		1.02 Discretion Required
	<i>Balcony</i>	7.50		1.50 Discretion Required
Height:				
Wall		6.00		5.00 Acceptable
Ridge		9.00		8.67 Acceptable

Overshadowing: 10%

Garage Door: The garage door width occupies 23.8% of the property frontage.

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REPORT

Issues

Application Assessment

The subject land is part of a corner lot subdivision approval therefore assessment of this development application is based on sub-Clause 5.3.1 to TPS 3, which states:

“5.3.1 Density Bonus for Corner Lots: In areas with a density coding of R12.5, the local government may approve development up to a density of R20 on corner lots where the dwellings are designed to face each of the two street frontages, and in the opinion of local government, there will be an improvement in the overall amenity of the streets as a result of the development.”

Setbacks for the proposed development have been assessed based on an R20 density code.

Front (east) Boundary

Common with Dalgety Street

Garage

A proposed double garage is forward of the main building line.

LPP 142 states:

“Part 2 – Streetscape

- (i) Buildings are to be set back such a distance as is generally consistent with the building set back on adjoining land and in the immediate locality.*
- (ii) Notwithstanding (i) above, garages and carports located at or behind the main building line for primary and secondary streets and in accordance with Table 1 – Minimum Setbacks of the Residential Design Codes.”*

Balcony

A proposed upper floor balcony is set back 5.9m from the front boundary.

The RDC recommend a 6m setback for R20 coded property.

Side (south) Boundary

Common with 55 Dalgety Street

An upper floor bedroom (Bed 2) and sitting room wall is set back 1.02m from the south side boundary.

The RDC recommend a 1.5m setback.

The application proposes an upper floor balcony set back 1.5m from the south side boundary.

The RDC recommend a 7.5m setback for balconies.

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Site Works/Retaining Walls

The application proposes the construction of retaining walls along the north (9.6m long), west/rear (13.5m long), and south (4.3m long) side boundaries varying in height between 0.5m and 1m above natural ground level.

The RDC state:

"3.6.2 Setback of Retaining Walls

P2 Retaining walls designed or set back to minimise the impact on adjoining property.

A2 Retaining walls set back from common boundaries in accordance with the setback provisions of Table 1, Table 2 and Figure 3."

Based on the setbacks recommended in Table 2 and Figure 3 the retaining walls should be set back 1m from the boundaries.

Roof Pitch

The roof of the 2-storey element of the house, which fronts Dalgety Street is pitched at 30°7'.

The roof of the single storey element at the rear is pitched at 26°34'.

CP 066 states:

"dominant elements to be greater than 28°."

Discussion

This application is for a 2-storey house on a lot which is yet to be created as a result of a subdivision approved by the WAPC in May 2006.

The subdivision is of a corner lot therefore assessment of the application is based on TPS 3, sub-clause 5.3.1.

Boundary Setbacks

The variation proposed for the south side boundary setback for the balcony does not negatively impact on the amenity of the adjoining property because any overlooking will be of the public domain and the front setback, which comprises a driveway.

The variation proposed for the front boundary setback for the upper floor balcony is considered minor – 0.1m; this variation does not impact negatively on the local streetscape because there are other properties nearby which contain structures that encroach the recommended front setback.

Streetscape – Garage

The garage door occupies 23% of the width of the property frontage therefore it is not the dominant built element.

However, it is forward of the main building line.

An upper floor balcony is extended across the house frontage protruding beyond the garage (9.35m long, cantilevered out 1.18m). In this way the impact of the

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garage is significantly reduced, and the variation (if there is considered to be one) to LPP 142 is not significant.

It could be considered that the upper floor balcony constitutes the main building line because it protrudes beyond the house and garage and occupies 47% of the width of the property frontage therefore the application complies with LPP 142.

In any event the appearance of the double garage is significantly "softened" by the balcony.

Site Works, Retaining Walls

The subject land slopes down from south to north and from west to east.

Retaining works are required along the north and west side boundaries, and a small portion of the south side boundary so the site is brought level with the property to the south at 55 Dalgety Street.

A 1.8m high boundary fence on top of the retaining walls along the west and south side boundaries will ensure that there is no overlooking between properties.

Roof Pitch

Given that the pitch of the roof facing Dalgety Street complies with CP 066 it is considered that the application satisfies the intent of the policy, and Council's discretion is not required to be exercised in regard to the variation to roof pitch at the rear.

Submissions

55 Dalgety Street

The overlooking of the south side is of the public domain, a driveway, and the front setback of 55 Dalgety Street.

The only open-able window is on the ground floor for the kitchen, the window to the stairwell is fixed (non-open-able), and according to the RDC is not subject to the setback requirements for habitable rooms.

The architectural style of the neighbourhood is quite variable.

Of the 74 properties in Dalgety Street 22 were built in the 'modern' era, and comprise a number of "70's" style, and "imitation" heritage houses. A few of the houses were built in the Federation period, and the remainder were built either in the 1920's, 1930's, 1940's and 1950's.

The only common built element would appear to be that the houses all have pitched roofs and similar front boundary setbacks.

Nearby the subject property at the corner of Dalgety Street and Fletcher Street are 4 completely different buildings constructed in different periods.

2 Fletcher Street

The concerns raised by the submission from 2 Fletcher Street were discussed with the author on site.

In regard to the overlooking/privacy concern the Consultant Town Planner advised that there would be a 1.8m high fence erected on top of the retaining wall, therefore obviating this concern. The submission author asked if the fence on top of this retaining wall could be masonry/brick to further enhance privacy and minimise noise.

The application proposes an alfresco area behind the retaining wall, and the submission property contains a brick-paved outdoor living area on the opposite side of the boundary therefore it is considered reasonable to require that the two areas be separated by a more 'solid' fence to minimise noise impacts.

In regard to the bedroom windows the author of the submission was advised that these windows will be set back 9.28m from the boundary. The RDC recommend a 4.5m setback therefore the windows are set back more than the RDC recommend and should not be a cause for concern.

TPAP Comments

There are many heritage and contemporary homes in East Fremantle which do not have matching gable ends, and a large number of house roofs are not visible obstructed by mature trees in the verge and in the front setback area.

Roof symmetry is considered to be an important visual element however the gable end on the west side of the proposed house will not be visible from the public domain.

The garage door is not the dominant element because it comprises less than 25% of the property frontage, and an upper floor balcony which is proposed to protrude over the garage is considered to "soften" the appearance of the garage.

RECOMMENDATION

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

- (a) variation to the north, west and south side boundary setbacks for retaining walls varying in height between 0.5m and 1m pursuant to the Residential Design Codes from 1m to 0m;
- (b) variation to the east side (front) boundary setback for a double garage pursuant to Local Planning Policy 142 to be forward of the main building line;
- (c) variation to the east side (front) boundary setback for an upper floor balcony pursuant to the Residential Design Codes from 6m to 5.9m;
- (d) variation to the south side boundary setback for the upper floor wall for Bedroom 2 and a Sitting Room pursuant to the Residential Design Codes from 1.5m to 1.02m;
- (d) variation to the south side boundary setback for an upper floor balcony pursuant to the Residential Design Codes from 7.5m to 1.02m;

for a 2-storey house at No. 4 (Lot 22) Fletcher Street (on proposed new lot) comprising:

Ground floor Master bedroom, bathroom, kitchen, dining, family and living rooms, a cellar, laundry, alfresco, double garage and store;

Upper floor 2 bedrooms, a guest suite, bathroom, sitting room, and balcony;

in accordance with the plans date stamp received on 18 December 2006 subject to the following conditions:

1. the 1.8m high fence on top of the retaining wall along the west side boundary is to be of masonry construction.
2. 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.
3. 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.
4. the proposed dwelling is 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, 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.
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. 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.
8. 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.
9. 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.
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:

- (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) *in regard to the crossover the developer is required to contact Council's Work's Supervisor.*

Mr Martin Senzio (applicant) addressed the meeting advising he was satisfied with the officer's recommendation.

Mr Marcus & Mrs Janet Beilby (adjoining neighbours at 2 Fletcher Street) addressed the meeting and sought the retention of the timber fence between the two properties and asked that the masonry wall be built up against it and that the wall be constructed prior to any other development on the site in order to minimise the impact upon his amenity.

RECOMMENDATION TO COUNCIL

Cr Martin – Cr Ferris

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

- (a) variation to the north, west and south side boundary setbacks for retaining walls varying in height between 0.5m and 1m pursuant to the Residential Design Codes from 1m to 0m;**
- (b) variation to the east side (front) boundary setback for a double garage pursuant to Local Planning Policy 142 to be forward of the main building line;**
- (c) variation to the east side (front) boundary setback for an upper floor balcony pursuant to the Residential Design Codes from 6m to 5.9m;**
- (d) variation to the south side boundary setback for the upper floor wall for Bedroom 2 and a Sitting Room pursuant to the Residential Design Codes from 1.5m to 1.02m;**
- (d) variation to the south side boundary setback for an upper floor balcony pursuant to the Residential Design Codes from 7.5m to 1.02m;**

for a 2-storey house at No. 4 (Lot 22) Fletcher Street (on proposed new lot) comprising:

Ground floor Master bedroom, bathroom, kitchen, dining, family and living rooms, a cellar, laundry, alfresco, double garage and store;

Upper floor 2 bedrooms, a guest suite, bathroom, sitting room, and balcony;

in accordance with the plans date stamp received on 18 December 2006 subject to the following conditions:

- 1. the 1.8m high fence on top of the retaining wall along the west side boundary is to be of masonry construction and to run parallel with the existing timber fence between the two properties which is to be retained. The masonry wall / retaining walls to be constructed prior to the commencement of any other development on site.**
- 2. 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.**
- 3. 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.**
- 4. the proposed dwelling is 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, 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.**
- 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. 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.**

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8. 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.
9. 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.
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- (f) *in regard to the crossover the developer is required to contact Council's*
Work's Supervisor.

CARRIED