



# NOTES

December Council Agenda Briefing  
**Held in the Council Chamber**  
**Tuesday 11 December 2007**  
**Commencing at 5.30pm**

Present:

Mayor J Best

Councillors:

G W Gleeson

Civic Ward (from 5.50pm)

I Hasleby

Civic Ward

P Best

Como Beach Ward

B Hearne

Como Beach Ward (from 7.06pm)

L P Ozsdolay

Manning Ward

C Cala

McDougall

R Wells, JP

McDougall

R Grayden

Mill Point Ward

D Smith

Mill Point Ward (from 8.20pm)

S Doherty

Moresby Ward (until 6.16pm)

K R Trent, RFD

Moresby Ward (until 6.22pm) (and from 7.41pm)

Officers:

Mr C Frewing

Chief Executive Officer

Mr G Flood

Director Infrastructure Services

Mr M J Kent

Director Financial and Information Services

Mr S Cope

Director Planning and Community Services

Mrs M Clarke

Manager Collier Park Village (until 7.38pm)

Mr C Buttle

Manager Development Assessment

Ms D Gray

Manager Financial Services

Mr N Kegie

Manager Community, Culture and Recreation (until 7.52pm)

Mr R Bercov

Strategic Urban Planning Adviser (until 7.15pm)

Mr L Anderson

Planning Officer

Mr O Hightower

Planning Officer

Mrs K Russell

Minute Secretary

Apologies

Cr D Smith

Mill Point Ward - anticipated late arrival

Cr T Burrows

Manning Ward

Gallery

16 members of the public present

OPENING

The Mayor opened the Agenda Briefing at 5.30pm, welcomed everyone in attendance and advised on the format of the Briefing stating that Deputations would be heard first followed by any questions on the Deputation items and then the December Council Agenda reports would be presented by the Chief Executive Officer.

DECLARATIONS OF INTEREST

The Mayor reported having received:

- Declarations of Impartiality Interest from:
  - Crs Doherty, Ozsdolay and Trent in relation to Agenda Items 10.0.1;
- Declaration of Interest from Cr Hearne in relation to Agenda Item 10.0.4;
- Declarations of Financial Interest from Cr Doherty in relation to Agenda Items 10.2.2 and 10.3.3; and
- Declarations of Financial Interest from Crs Ozsdolay and Trent in relation to Agenda Item 10.3.3.

OPENING OF DEPUTATIONS

The Mayor opened Deputation 5.40pm

<b>Allan Hullett, 7/12 Forrest Street, South Perth</b>
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<b>Agenda Item 10.0.4</b>
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Mr Hullett spoke against the officer recommendation on the following points:

- currently approved RL is “not exceeding 21.5”
- if RL reverts to 22.15 (as per officer recommendation) retaining wall/fence in Forrest Street adjacent to corner truncation will revert to being too high
- suggest if RL 22.15 is approved, that “garden bed” treatment in this corner section be retained

<b>Clive Deverall, 12 Hopetoun Street, South Perth also representing 32 nearby residents ..... Agenda Item 10.0.4</b>
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Mr Deverall spoke against the officer recommendation on the following topics:

- reluctant objection to St Columba’s revised application
- consultation / insufficient time for residents to consider revised application
- unfair process that favours St Columba’s school
- misleading information provided to Members of Council
- school and City have not engaged the community
- residents request a deferment until first meeting in 2008

**Note:** Cr Gleeson arrived at 5.40pm

DECLARATIONS OF INTEREST :

CRS DOHERTY, OZSDOLAY AND TRENT : ITEM 10.3.3

**Note:** The ‘same’ interest was declared by Crs Doherty, Ozsdolay and Trent

*As I am a Member of the SouthCare Board and SouthCare is the applicant at Item 10.3.3 on the December 2007 Council Agenda relating to a new building at No. 53 Bickley Crescent, Manning, I will leave the Council Chamber for this item and not participate in the decision making.*

**Note:** Crs Doherty, Ozsdolay and Trent left the Council Chamber at 6.00pm

**Graham Hope, 54 Bickley Crescent Manning representing SouthCare.....  
Agenda Item 10.3.3**

Mr Hope spoke for the officer recommendation on the following:

- SouthCare's history / background / structure
- activities / services provided by SouthCare
- background on building proposed
- context for extension of planning approval
- ask Council support request for extension of time

**Note:** Crs Doherty, Ozsdolay and Trent returned to the Council Chamber at 6.08pm

**Bruce Robinson Architect representing applicant Agenda Item 10.3.5**

Mr Robinson spoke against the officer recommendation on the following topics:

- not necessarily objecting to officer recommendation, more about proposing an alternative
- acknowledge proposal has been with Council for some time / want to finalise
- referred reasons for recommended refusal / suggested alternatives to address concerns
- prepared to submit revised drawings / supporting documents addressing concerns raised
- ask Council support a conditional approval

**Note:** Cr Doherty left the Council Chamber at 6.16pm

**Peter Murray, 5 Eric Street, Como (neighbour)..... Agenda Item 10.3.9**

Mr Murray spoke against the officer recommendation on the following:

- insufficient parking provided / parking issues in general
- set precedent for further applications
- affect / impact on local residents
- short consultation process
- proposal to detriment of residents in the area
- request Council defer pending more widespread consultation

**Note:** Cr Trent left the Council Chamber at 6.22pm

**Helen Taylforth representing the applicant Mr Dart ..... Agenda Item 10.3.9**

Ms Taylforth spoke for the officer recommendation on the following:

- support officer recommendation for change of use application
- parking issues - shortfall in parking on site / significant amount of street parking under utilised
- TPS6 states off site parking may be taken into consideration
- parking survey undertaken
- operating hours past / proposed
- no loss to amenity in area
- advertising in accordance with the Scheme
- ask Council support proposal

**Maree Chapman, 28 Jubilee Street, South Perth** (applicant) ...**Agenda Item 10.3.12**

Ms Chapman spoke against the officer recommendation on the following:

- parking at above property is deteriorating / becoming dangerous
- carport proposed to replace existing to be professionally built
- prepared to modify carport to widen / have brick pillars as requested by Council
- need protection for our vehicles
- aesthetically an improvement to streetscape
- colours proposed for carport will blend with new paint work to existing house

**Peter Howat, 2 Boongala Close, Karawara.** (applicant) **Agenda Item 10.3.14**

Mr Howat spoke for the officer recommendation on the following:

- proposed outbuilding addition to existing Single House
- acknowledge special conditions for Karawara area
- believe proposal will not detract from streetscape
- seek support for proposed setback from rear boundary

**Patrick Abernethy, 66 Edgecumbe Street, Como** (applicant) **Agenda Item 10.3.15**

Mr Abernethy spoke against the officer recommendation on the following topics:

- Calculation of FFL in relation to equal cut and fill and streetscape
- believe proposal complies with streetscape / TPS6 in relation to cut and fill
- driveway gradient according to TPS6
- retaining wall heights / boundary
- ask Council support proposal

**Note:** Cr Hearne arrived at 7.06pm

**Note:** Questions were raised by Members following each Deputations and responded to by the presenters / officers.

Close of Deputations

The Mayor closed Deputations at 7.12pm and thanked everyone for their comments.

DECEMBER COUNCIL AGENDA REPORTS

The Chief Executive Officer presented the December Council Reports and provided a brief summary of each, as follows. Questions and points of clarification were raised by Members and responded to by the officers.

IMPARTIALITY INTERESTS : CRS DOHERTY, OZSDOLAY & TRENT : ITEM 10.0.1

**Note:** The 'same' interest was declared by Crs Doherty, Ozsdolay and Trent

*As I am a Board member of Southcare who is auspicing Moorditj Keila in the Community Partnership Agreement with the City at Item 10.0.1 on the Agenda for the December 2007 Ordinary Council Meeting, I wish to declare an 'Impartiality Interest' in accordance with Regulation 11 of the Local Government Act (Rules of Conduct Regulations 2007).*

**10.0.1 Community Partnership (Moorditj Keila )**

This report, which considers a community partnership with an Aboriginal community support group, was deferred at the November Council meeting pending more information in relation to indemnity insurance being provided. The Partnership Agreement has now been modified accordingly.

**10.0.2 Collier Park Hostel Proposed Strategic Plan**

This report progresses the decision made by Council to retain ownership/management of the Collier Park Hostel and implement a Strategic Plan.

**10.0.3 Request for Reconsideration of Condition of Planning Approval - Waterford Plaza, Karawara**

This report considers a request for the validity of planning approval to be extended.

DECLARATION OF INTEREST : CR HEARNE : ITEM 10.0.4

*I wish to declare a Conflict of Interest in Agenda Item 10.0.4 "Request for Reconsideration of Conditions of Planning Approval - Retaining Wall/Fence Addition St Columbas Primary School" on the December 2007 Council Agenda. I own a property on the corner of Forrest and Edinburgh Streets, directly opposite the development site, and in view of this I will leave the Council Chamber and not participate in the debate or vote on this matter.*

**Note:** Cr Hearne left the Council Chamber at 7.28pm

**10.0.4 Request for Reconsideration of Conditions of Planning Approval - Retaining Wall St Columba's Primary School (Deputation)**

This report deals with a request for reconsideration of conditions of planning approval and comes with the submission of a revised design for the retaining wall which proposes a higher finished ground level than originally approved however, it incorporates a number of other changes to minimise the impact of the wall on the surrounding streetscape.

COMMENT ON DEPUTATION

The Mayor requested an officer comment on the Deputation.

The Director Planning and Community Services stated that the initial proposal was advertised at the Director's discretion on 'amenity grounds' although there was no requirement for the proposal to be advertised. Subsequently a Special Electors Meeting was held to discuss the issues of concern. Now a 'counter' proposal has been put forward as identified in the last two paragraphs on page 26 of the December Council Agenda paper which states that the applicants have now lodged an appeal to SAT which has been listed for early 2008. Basically if agreement can be reached between the Council and the applicant, the matter can be determined without the need to go through the formal review process overseen by SAT. However, if agreement can not be reached, the SAT will ultimately become the decision maker in its role of adjudicating between the Council and the proponent.

**Note:** Cr Hearne returned to the Council Chamber at 7.38pm  
Manager Collier Park Village retired from the meeting at 7.38pm

**10.0.5 Outcome of Public Advertising Re Request for Land Purchase**

In August 2007 Council agreed 'in principle' to the sale of land situated between 213 and 215 Mill Point Road conditional upon the Owners of 213 Mill Point Road, South Perth meeting all costs associated with the purchase and the outcome of public advertising. This report details the outcome following the required public advertising.

**10.1.1 Annual Electors Meeting held 19 November 2007**

Council is required to consider any Motions passed at an Annual Electors Meeting. At the meeting held on 19 November 2007 there were no Motions passed that required a determination by Council.

**10.1.2 Minutes Special Electors Meeting 21 November 2007**

The purpose of this report is to note the Minutes from the Special Electors Meeting held on 21 November 2007 and address any Motions passed at the meeting.

**Note:** Cr Trent returned to the Council Chamber at 7.41pm

**10.2.1 Prostitution Amendment Bill (2007)**

This report provides information about the proposed Prostitution Amendment Bill (2007) and highlights the role that Council will play if the Bill is passed.

**10.2.2 Funding Assistance Program**

This report considers applications in the Round 2 Funding Assistance Program

**10.3.1 Proposed Temporary Use**

This application is for the Temporary Use of 54 Manning Road for storage purposes in conjunction with the East Como and Mt Pleasant State Underground Power Program. The subject site is currently vacant, with ground surfaces extensively sealed with bitumen.

**Note:** Manager Community, Culture and Recreation retired from the meeting at 7.52pm

**10.3.2 Proposed Two Storey Single House 19 Darlot Crescent, South Perth**

This report considers an application for a two storey Single House at 19 Darlot Crescent at the corner of Hurlingham Road, South Perth. It is referred to Council due to amenity impact of the area.

**DECLARATION OF FINANCIAL INTEREST : CRS OZSDOLAY AND TRENT**

**Note:** The 'same' interest was declared by Crs Ozsdolay and Trent

*As I am a Member of the SouthCare Board and SouthCare is the applicant at Item 10.3.3 on the December 2007 Council Agenda relating to a new building at No. 53 Bickley Crescent, Manning, I will leave the Council Chamber for this item and not participate in the decision making.*

**Note:** As there were no questions proposed to be raised by Members Crs Ozsdolay and Trent did not leave the Council Chamber.

**10.3.3 Extension of Validity of Planning Approval (Southcare) 53 Bickley Crescent (subject of a Deputation)**

At its February 2006 meeting, Council granted planning approval for a new building at 53 Bickley Crescent to be used for Religious Activities the applicant is now requesting that the length of time for which the approval remains valid be extended.

**10.3.4 Seven Multiple Dwellings 19 South Perth Esplanade, South Perth**

This application is for seven Multiple Dwellings in a four storey building with undercover car parking, communal facilities and a roof terrace.

**10.3.5 Ten Multiple Dwellings 75 Mill Point Road, South Perth (Deputation)**

This report considers an application for planning approval for a proposed eight storey building containing nine Multiple Dwellings.

**10.3.6 Four Multiple Dwellings 27 South Perth Esplanade, South Perth.**

This application is for four Multiple Dwellings in a four storey building with associated undercroft and roof terrace levels.

**10.3.7 Retrospective Planning Approval**

This application relates to approval for a series of unauthorised additions and alterations to the existing dwelling at 20 Landsowne Road, Kensington.

**10.3.8 Patio Addition to Grouped Dwelling 49 Edgecumbe Street, Como.**

This application relates to a patio located forward of the existing front Grouped Dwelling where the proposed material and colour of the patio are inconsistent with the existing building and as such it does not comply with Council's Design Guidelines Policy.

**10.3.9 Change of Use from 'Showroom' and 'Single House' to 'Office' (Deputation)**

This application is for a Change of Use at 123 Melville Parade and 3 Eric Street, Como. The subject property currently houses two buildings, one of which is used as the Como Furniture Mart, and a second which is used as a Single House.

**10.3.10 Ten Multiple Dwellings 52 Mill Point Road, South Perth**

This report considers an application for an eight storey building containing ten Multiple Dwellings, constructed to the maximum allowable 24.5 metre height limit, and 1.25 plot ratio.

**Note:** Cr Smith arrived at 8.20pm  
Cr Gleeson left the Council Chamber at 8.20pm

**10.3.11 Carport Addition to Single House. Lot 78 (No. 36) Campbell Street, Kensington.**

This application is for a carport located within the front setback area of 36 Campbell Street, Kensington. The proposed development conflicts with the provisions of Council Policy P370\_T "General Design Guidelines for Residential Development"

**10.3.12 Carport Addition to Existing Single House 28 Jubilee Street, South Perth (Deputation)**

This report seeks approval for a carport located within the front setback area, forward of the existing dwelling and is intended to replace an existing flat roof carport in a similar location.

**10.3.13 draft Policy 3 "Car Parking Access, Siting and Design"**

The purpose of this report is to establish Council's position on minimum car bay width, where the bays are situated in a garage or undercroft with supporting columns or walls abutting the sides of some bays.

**10.3.14 Outbuilding to Single House 2 Boongala Close, Karawara (Deputation)**

This application is for approval of an outbuilding (shed) addition to an existing Single House on a lot which has a boundary to an open space reserve in Karawara.

**Note:** Cr Gleeson returned to the Council Chamber at 8.25pm

**10.3.15 Three x Storey Single House 152 Lockhart Street, Como (Deputation)**

This report deals with an application for a three storey Single House on a lot which is in the process of being subdivided at 152 Lockhart Street, Como. Although the application has been through a series of revisions the design still does not meet the provisions of TPS6 in relation to maximum finished floor level.

**10.5.1 Applications for Planning Approval Determined Under Delegated Authority**

This report advises Council of applications for planning approval determined under delegated authority during the month of November 2007.

**10.5.2 Use of the Common Seal**

This report details the use of the Common Seal for the Month of October.

**10.6.1 Monthly Financial Management Accounts - November 2007**

This report provides the monthly management account summaries for November 2007.

**10.6.2 Monthly Statement of Funds, Investments and Debtors at 30 November 2007**

This report present a statement summarising treasury management for the month of November.

**10.6.3 Warrant of Payments**

This report lists the accounts paid by the CEO under delegated authority for November 2007.

**10.6.4 Underground Power Project - Additional Billing Information**

This report provide additional information on the proposed pensioner concessions and instalment payment options for the UGP Stage 3 project in Como East .

*Confidential Item*

<p><b>15.1.1 City of South Perth Australia Day Citizen of the Year and Premier's Australia Day Active Citizenship Awards</b> <b><i>CONFIDENTIAL- NOT TO BE DISCLOSED REPORT</i></b></p>
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**Closure**





# NOTES

## Residential Design Policy Manual Policies Held in the Council Chamber Tuesday 5 February 2008 Commencing at 5.30pm

### Present

Mayor J Best

Chairman

### Councillors

I Haselby

Civic Ward

P Best

Como Beach Ward

B Hearne

Como Beach Ward

T Burrows

Manning Ward

L P Ozsdolay

Manning Ward

C A Cala

McDougall Ward

R Grayden

Mill Point Ward (from 5.40pm)

S Doherty

Moresby Ward

K R Trent, RFD

Moresby Ward

### Officers

Mr S Cope

Director Development and Community Services

Mr R Kapur

Acting Manager, Development Assessment

Mr R Bercov

Strategic Urban Planning Adviser

Mrs G Fraser

Senior Strategic Planning Officer

Mrs K Russell

Minutes Secretary

### Apologies

Cr D S Smith

Mill Point Ward

Cr R Wells, JP

McDougall Ward - leave of absence

### OPENING

The Mayor opened the Concept Forum at 5.30pm, welcomed everyone in attendance and briefly outlined the purpose of the Briefing dealing with the on-going process relating to the Residential Design Policy Manual.

#### **1. Residential Design Policy Manual**

The Strategic Urban Planning Adviser commenced the presentation with background of the review process and subsequent modifications to the documents that have taken place since 2005, as follows:

#### **Background**

- draft Policy Manual last considered at May 2005 Council meeting
- Bulletin update in October 2005 explaining why additional work required on Policy Manual
- Periodic updates since October 2005
- Concept Forum held 7 August 2007.
- Copies of each policy provided to Members between 14.9.07 and 7.12.07 via Bulletin

- Policy material streamlined to be more useful – simple, clear presentation for easy reference.
- Manual presented in two parts: Part 1: City-wide policies; Part 2: Precinct-based streetscape policies.
- Further action deferred pending October 2007 Council Elections.
- Revised Policy Manual provided prior to this Concept Forum - no feedback or comments to date
- Part 1 comprises 13 policies, now presented.
- Policies deal with design requirements, largely augmenting TPS6 and R-Codes.
- Policies cover single-issue design elements.
- Part 2 will be presented at a later time and will deal with Precinct-based streetscape issues.
- Preparation will involve detailed local community engagement, and professional assistance.

#### **Modifications undertaken since 2005**

- Examined as a ‘working document’ and substantially modified.
- Reformatted to reflect City’s corporate policy style and image.
- Policies re-ordered and re-named.
- Extensive superfluous text and images deleted.
- New policy added re *Sustainable Design*.
- New content added to better reflect Council’s position on each matter.
- Generic statements on streetscape have been removed – will be covered at ‘Precinct’ level in Part 2 of the Policy Manual where appropriate.
- Additional provisions inserted from various sources, including City’s Standard Conditions, and other City Departments.
- Right-of-way and subdivision policies removed until WAPC position is clarified.
- **Introduction Page** - Reduced from 13 to 2 pages – superfluous administrative and procedural material removed.

## **2. Policies**

The Strategic Urban Planning Adviser continued his presentation by going through each of the 13 policies, comprising Part 1 of the Manual being “City-Wide Policies”. He identified the rationale, in the case of the new sustainability policy and the modifications made to the existing policies. Following each policy presentation Members asked questions and provided input including suggestions for further modifications to various policies. It was requested by Members that changes made be clearly identified in the document presented to Council.

### **Policy 1 ‘Sustainable Design’ (New policy)**

- Position in Policy Manual reflects importance.
- Provisions on solar access to augment R-Codes.
- New provisions to reflect Council position adopted in August 2007 sustainability report.
- Strongly recommends use of listed solar design elements.

### **Policy 2 ‘Residential Boundary Walls’**

- Largely includes provisions from previous policies and to augment R-Codes.
- Policy contains specifications and provisions for boundary walls.
- Amenity is the dominant consideration, not compliance with specified dimensions.

### **Policy 3 ‘Car Parking Access, Siting and Design’**

- Contains a wide range of technical compliance matters.
- Supplements TPS6 and R-Codes by introducing minimum dimensions for manoeuvre into and out of car bays.
- Introduces minor car bay size variation under TPS6 clause 7.8, modelled on widely applied AS 2890 dealing with car bay dimensions, as endorsed by Council in December 2007.

**Policy 4 ‘Additions to Existing Dwellings’**

- Relates to additional dwellings, additions to existing dwellings, and heritage listed dwellings.
- Incorporates provisions of P397 - no need for matching materials in ‘battle-axe’ developments.

**Policy 5 ‘Trees on Development Sites and Street Verges’**

- Emphasises that trees 3.0m high or higher should be kept, or new trees planted.
- Where tree is removed from a site, applicant is to:  
pay a fee for Council to replace tree on the verge; OR  
demonstrate why not feasible to keep tree; OR  
demonstrate poor health of tree; OR  
replace the tree elsewhere on site.
- New provisions re trees on street verges.
- Where tree is removed from street verge, applicant is to pay a fee for Council to replace tree on the verge. Fee includes amenity value of tree and maintenance for 2 years.
- Strong support and input from City Environment Department.

**Policy 6 ‘Safety and Security’**

- Augments R-Codes provisions.
- Requires habitable room (ie. viewing) windows to face communal or public streets.

**Policy 7 ‘Fences and Retaining Walls’**

- Includes provisions relating to truncations at corners of streets, rights-of-way and driveways.
- Contains provisions for boundary and internal fences, and retaining walls.
- Predominantly provisions already in use.

**Policy 8 ‘Visual Privacy’**

- Augments R-Codes requirements.
- Deals with effective screening, including louvres, awnings, lattice.
- Applicants to demonstrate compliance.

**Policy 9 ‘Significant Views’**

- ‘Significant view’ is defined as:  
*“... a valued panorama or a narrower vista seen from a given vantage point, not obtainable from the majority of residential properties within the City. Examples of a ‘significant view’ include views of the Perth City skyline, a river, suburban townscape, parkland or treescape*
- City may restrict roof height, or require plans to be otherwise modified, so as to preserve neighbours’ views where practicable, without depriving applicant of normal entitlements.

**Policy 10 ‘Ancillary Accommodation’**

- Augments existing R-Codes provisions.
- Occupancy restriction is to be noted on the Certificate of Title.
- Floor area could be larger than 60 sq.m, subject to amenity considerations being met.
- Should match the house and not have the appearance of a second dwelling.

**Policy 11 ‘Aged or Dependent Persons’ Dwellings’**

- Augments existing R-Codes requirements.
- May comprise the whole or part of a development.
- Occupancy restriction is to be noted on the Certificate of Title.
- Density bonus not supported for -
- Multiple Dwellings larger than 80 sq. metres; or
- Grouped Dwellings larger than 100 sq. metres.
- Numerous design provisions.

**Policy 12 'Single Bedroom Dwellings'**

- Augments existing R-Codes requirements.
- Density bonus not supported for dwellings larger than 60 sq. metres.

**Policy 13 'Strata Titling of Dwellings Constructed prior to TPS6'**

- Dwellings approved prior to TPS6 and not complying with TPS6, may still be strata titled.
- Requirements for open space, car parking, store rooms, laundry facilities, bin store areas.
- Requirements for upgrading of buildings, parking areas, fencing, open space, street verge.

**Where to from here ?**

- February Agenda Briefing 19 February – presentation of report presenting modified policies
- February Council meeting 26 February – endorsement of policies for public advertising.
- Community consultation 28 days minimum
- Consideration of submissions, if any, and final report to Council to adopt policies which is anticipated to be to the May 2008 Council meeting.

**Commendation**

On behalf of the Councillors the Mayor commended the Strategic Urban Planning Adviser, Rod Bercov and Senior Strategic Planning Officer, Gina Fraser, on all their hard work in preparing the Residential Design Policy Manual policy document which he stated was a great effort.

**3. Closure**

The Mayor thanked everyone for their attendance and closed the Concept Forum 8.20pm.



## NOTES

Collier Park Village Presentations by:

- **MeathCare**
  - **Settlers Lifestyle Villages**
- Held at the Collier Park Community Centre**  
**Wednesday 6 February 2008**  
**Commencing at 5.30pm**

Present

Mayor J Best

Chairman

Councillors

I Haselby

Civic Ward

P Best

Como Beach Ward

B Hearne

Como Beach Ward

T Burrows

Manning Ward

L P Ozsdolay

Manning Ward

C A Cala

McDougall Ward

R Grayden

Mill Point Ward

D S Smith

Mill Point Ward

S Doherty

Moresby Ward

K R Trent, RFD

Moresby Ward

Officers

Mr C Frewing

Chief Executive Officer

Mrs M Clarke

Manager Collier Park Village

Presenters

Mr Trevor Poustie

Director, Meath Care from 6.00pm - 6.45pm

Ms Joan Varian

Chief Executive Officer from 6.00pm - 6.45pm

Mr Ian Ball

Settlers Lifestyle Villages from 6.45pm - 7.25pm

Mr Ian Phelps

Settlers Lifestyle Villages from 6.45pm - 7.25pm

Collier Park Village

Ms June Davis

Residents' Committee representatives

Mr Ron Millman

Residents' Committee representatives

Apologies

Cr R Wells, JP

McDougall Ward - leave of absence

## OPENING

Following a tour of the Collier Park Village Hostel facility, commencing at 5.30pm, the Mayor opened the Concept Forum at 6.00pm, welcomed everyone in attendance and then requested the Chief Executive Officer, Mr Frewing to provide background on the evening's proceedings.

The CEO advised that presentations would be heard from representative from Meath Care and Settlers Lifestyle Villages on their aged care facilities, followed by question time and discussion on 'where to from here' in relation to the Collier Park Hostel facility. He then introduced the presenters.

### **1. Presentation from Meath Care**

Mr Poustie, Director Meath Care, commenced his presentation and covered the following topics:

#### **Background**

- Meath Care operates a number of centres, one of which is in nearby Henley Street
- The Vision / Mission Statement / Values of Meath Care were presented as follows:

#### **Mission:**

*To achieve our vision by the systematic development and implementation of strategies that have challenging, responsible and achievable objectives. The quality of life and service, the duty of care and accountability and the changing social and economic environment.*

#### **Values**

*Understanding/responsiveness/balance/challenge/collaboration/inclusiveness/integrity/learning*

#### **Facilities operated by Meath Care**

- Meath Care Trigg - built early 1970's  
70 hostel rooms; 39 ILU's (140 residents involved). Facilities include pool and club house
- Meath Care Como built for TPI in early 1990's. Purchased by Meath Care in 2002  
Upgraded all existing 42 hostel rooms and added 22 more - all with private facilities.  
81 ILV's with Meath added Clubhouse, hydrotherapy pool and atrium lodge (200 residents)
- Meath Care Kingsley currently under construction to provide 125 hostel rooms and 48 ILV's. 25 ILV's already occupied with further 5 read and 23 ILV's completed by February 2009(Greenfield site). Extensive community consultation prior to construction of facility re desired services and facilities.

A purpose built 'state of the art' ageing in place facility built to latest trends/ideas. Facility includes, theatre; Chapel; Consulting room, Short-stay accommodation, dementia walk, hydrotherapy pool, clubhouse and bowling green..

#### **Resident Services**

Meath Care employ our own physiotherapists, occupational therapists and offer natural therapies such as aromatherapy, raki and other therapies in-house.

Podiatry and hairdressing services are offered to our residents on site and dispensing of prescribed medication by a senior supervisor.

Other services include: walks, crosswords, bingo, jigsaws, guest speakers, concerts, religious services, in-house and local library loans, Happy Hour, visits from local groups and organised outings.

**Meals** - all cooked and prepared on site.

**Accreditation** - Registered TAFE training authority; has full accreditation

### **Where to from Here**

During the presentation Members the representatives from Meath Care suggested:

1. A visit to Meath Care Kingsley would be beneficial to view possible future opportunities
  2. A Working Party be established; and
  3. An Aged Care Plan be developed.
- to assist Council in advancing the proposal.

Following the presentation Members and the representatives from the Collier Park Village Residents' Committee raised questions and points of clarification. A discussion followed on possible outcomes.

**Note:** The representatives from Meath Care left the meeting at 6.45pm

## **2. Presentation from Settlers Lifestyle Villages**

Mr Ian Ball, of Settlers Lifestyle Villages gave a presentation on Settlers' facilities and covered the following topics:

### **Background**

Current owner / operator of four independent living retirement village  
Head Office in South Perth  
Experienced, qualified staff  
Owned by ING Independent Living Fund an ASX Top 200 entity

### **Mission**

*"Settlers Lifestyle Villages is committed to providing a safe, secure and enriching environment for our residents, maximising their independence and enjoyment of life through the provision of quality homes and the provision and support of quality services provided by professional, dedicated and well trained staff."*

### **Vision**

*"To aspire to be the pre-eminent provider of residential and lifestyle opportunities for the over 55's in Western Australia".*

### **Values**

- Commitment to quality of life for all our residents
- Professional integrity
- Willingness and dedication to achieving the highest possible standards
- To promote and implement continuous improvement at all levels of the organisation
- Teamwork
- Success for all our stakeholders
- A rewarding and fulfilling environment for our employees

### **Operational Capabilities**

Comprehensive induction and training programs  
Comprehensive policies and procedures manuals  
Continuous Improvement Policies  
Fully Qualified and trained staff on site 24/7  
RVA Accreditation programs  
Liaison with Development and Construction Group for major maintenance projects or programs

### **Independent Living Units - Case Studies**

Meadow Springs - modified units to suit 58 - 60  
Noyea Riverside - relocated to hospital / units still available 147 - 240 when completed  
Ridgewood Rise = modified emergency call system  
Lakeside - 243

**Business Model**

Owner of aged care assets / take long term view ensuring residents are happy

**Hostel Type Accommodation**

No experience in WA but access to domain knowledge of hostel interstate and overseas.

**Our Philosophy Towards Aged Care and Independent Living**

Aged Care: Our philosophy is to support the healthy in place ageing of older Australians by way of provision of quality and cost effective accommodation, services, lifestyle options and care.

**Note:** The representatives from Settles Lifestyle Villages left the meeting at 7.25pm

**Outcome - Where to from here**

Following the presentation questions were raised and comments / input provided by Members and representatives from the Residents' Committee.

Following the discussion the following outcomes were decided upon:

The CEO would review and summarise the subject matter and present an 'Options Paper' to Councillors for further consideration as soon as possible.

**3. Closure**

The Mayor thanked everyone for their attendance and closed the Concept Forum 8.15pm.





# NOTES

## Strategic Financial Plan & Annual Budget Briefing

### Capital Projects Workshop

**Held in the Council Chamber**

**Tuesday 12 February 2008**

**Commencing at 5.37pm**

#### Present

Mayor J Best

Chairman

#### Councillors

I Hasleby

Civic Ward

P Best

Como Beach Ward

L P Ozsdolay

Manning Ward (from 7.42pm)

C A Cala

McDougall Ward

#### Officers

Mr C Frewing

Chief Executive Officer

Mr M Kent

Director Financial & Information Services

Ms D Gray

Manager Financial Services

Mr M Taylor

Manager City Environment

#### Apologies

Cr B Hearne

Como Beach Ward

Cr R Wells, JP

McDougall Ward

Cr T Burrows

Manning Ward

Cr R Grayden

Mill Point Ward

Cr S Doherty

Moresby Ward (approved leave of absence)

Cr K R Trent, RFD

Moresby Ward

#### OPENING

The Mayor opened the Concept Forum at 5.37pm and welcomed everyone in attendance.

#### **1. Strategic Financial Plan (SFP) and Annual Budget**

The Director Financial and Information Services commenced his presentation on the Introduction to the Strategic Financial Plan/ Annual Budget Process. The material covered included:

- Council's responsibility for Financial Management
- The Financial Planning Process
- Industry Perspectives
- Financial Sustainability
- Economic Considerations in Financial Planning - Costs and Funding
- Philosophical Considerations in Financial Planning
- Inputs to the Strategic Financial Plan (SFP)
- Creating the SFP & Budget (Detailed hand-out provided)
- COSP Financial Trends - Operating Revenue and Expense
- COSP Financial Trends - Staff Costs

- COSP Financial Trends - Capital Program
- COSP Financial Trends - Reserves
- Strategies informing the SFP / Budget
- Consultation informing SFP & Budget
- Creating the SFP & Budget
- Key Dates in SFP / Budget Process

Discussion on particular topics occurred and questions and points of clarification were raised and answered by officers. These included:

- Which particular Consumer Price Index (CPI) the City is utilising
- Spreading of capital projects over longer periods
- Impact of the change of government on the value of federal grants
- Local government amalgamations
- Local government resource sharing opportunities
- Staffing levels

This Concept Forum concluded at 6.50pm.

## 2. **Capital Projects Workshop (Commenced at 7.42pm)**

The Director Financial and Information Services commenced his second presentation which formed the basis for the Capital Projects Workshop. The presentation content introduced a number of important strategic topics that will be the subject of detailed officer reports in the February Council Agenda. The material covered included:

- Purpose of Capital Projects Session
- A typical local government Capital Program in context
- Capital Program - Funding v Delivery
- Capital Program - Financial Trends (over 5 years)
- 2007/2008 Program – progress to date
- Critical Review of Capital Program
- New Proposal to Manage the Capital Program (Item 10.6.7 of Feb Agenda)
- Advantages of the Capital Program Management Proposal
- The Future Fund - Cash Reserves
- Civic Library Project
- Community Facility - Civic Hub
- Manning Community Hub
- GBLC Leisure Centre
- Waste Management
- Underground Power Projects
- Building Projects – Sustainability Initiatives
- CPV & CPH
- Next Steps in the process

Discussion on particular topics occurred and questions and points of clarification were raised and answered by officers. These included:

- Managing community perceptions
- Capacity to fund and deliver the program
- Future flexibility and responsiveness
- Major projects including:
  - Civic Library
  - Civic Triangle
  - South Perth Railway Precinct Review
- Sustainability of Red Bull, Skyworks and Fiesta events.

Outcome:

The Director Financial and Information Services thanked Council Members for their valuable input to the workshop. He explained that this would be incorporated into what had been presented in the forum. The director was to continue to progress the SFP / Budget project in accordance with the agreed program. As outlined in the presentation handout provided to those Council Members present, the next briefing on the Strategic Financial Plan and Annual Budget was scheduled for 19 March 2008.

**3. Closure**

The Mayor acknowledged the efforts of the Director Financial and Information Services and his team and commended the presentations for their professionalism, strategic thought and thoroughness. He thanked all those present for their attendance/contribution and closed the Workshop at 9.30pm.

Your Ref: 11.2007.451.1  
Our Ref: JT1 2002 01127 V01  
Enquiries: Kevin Purcher  
Phone: 08 9420 2385 (Facsimile 08 9420 3193)



23 November 2007

Chief Executive Officer  
City of South Perth  
Civic Centre  
Cnr Sandgate Street and South Terrace  
SOUTH PERTH, WA 6151

Attention of: Matt Stuart

**Re: Notice of Application for Planning Approval -  
Lot 8 (No. 52) Mill Point Road, South Perth**

Thank you for your email received 23 November 2007. The Corporation offers the following comments in regard the revised proposal shown on Hart Architects plan No 0738SK01 – Revision G dated 22 November 2007.

**Water**

The subject area can be served from the Kewdale - South Perth water scheme. Reticulated water is currently available to the subject area.

**Wastewater**

The subject area can be served from the South Perth wastewater scheme. Reticulated wastewater is currently available to the subject area.

The subject site is located adjacent to the southern boundary of a Wastewater Pump Station site.

In this circumstance an easement shown on the above plan placed on the title to prevent any communal area being located in the buffer for this development and any future modifications is considered acceptable.

An alternative to the 70A notice on the title is that the body corporate shall establish a procedure whereby any odour issues experienced by the residents are dealt with in the first instance by the body corporate. The body corporate can thus determine whether the issue requires referral to the Water Corporation and coordinate this liaison. This requirement should be formalised in the corporate body constitution and the Water Corporation provided with contact details to communicate any maintenance activities which may affect the residents.

**General Comments**

The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water and Sewerage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of those works. Any temporary works needed are required to be fully funded by the developer. The Corporation may also require land being ceded free of cost for works.

The information provided above is subject to review and may change depending on the timing. If the development has not proceeded within the next 6 months, the developer is required to contact the Corporation in writing to confirm if the information is still valid.

The Water Corporation will provide further comments at the building approval stage.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Peter Howard  
Land Planning Coordinator  
Development Services

ID No. 11.2007.451.1  
 File Ref: M13/52  
 Planning Officer: Matt Stuart

City of  
**SouthPerth**



TOWN PLANNING SCHEME NO. 6  
 Schedule 8

Refer to Clause 7.9

## Notice of Determination of Application for Planning Approval

**Owner:** METRO ON CANNING PTY LTD

**Applicant:** HART ARCHITECTS

**Address for correspondence:** LEVEL 2, No. 132 MURRAY STREET  
 PERTH WA 6000

**Planning application for proposed:** 8 MULTIPLE DWELLINGS AND 2 SINGLE  
 BEDROOM DWELLINGS WITHIN AN  
 8 STOREY BUILDING

**Property address:** LOT 8 (No. 52) MILL POINT ROAD  
 SOUTH PERTH WA 6151

**Date of application for planning approval:** 4 SEPTEMBER 2007

**Date of determination of application:** 18 DECEMBER 2007

Pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, Planning Approval, in accordance with the application for Planning Approval, and attached plans, is **granted**, subject to the following conditions:

- (1) The surface of the boundary wall on the south side of the lot shall be finished to the satisfaction of the adjoining neighbour or in the case of a dispute, to the satisfaction of the City.
- (2) The car parking bays shall be marked on site as indicated on the approved site plan, in order to comply with the requirements of clause 6.3(10)(c) of Town Planning Scheme No. 6 and such marking shall be subsequently maintained so that the delineation of parking bays remains clearly visible at all times.
- (3) The designated visitor parking bays shall be clearly identified on site by means of a sign bearing the words "**Visitors' Parking Only**" in accordance with the requirements of clause 6.3 (11) of Town Planning Scheme No. 6.
- (4) Hard standing areas approved for the purpose of car parking or vehicle access shall be maintained in good condition at all times, free of potholes and dust and shall be adequately drained in accordance with the requirements of clause 6.3 (10) of Town Planning Scheme No. 6.
- (5) A clothes dryer shall be provided within the laundry of each dwelling.

Planning approval - Lot 8 (No. 52) Mill Point Road, South Perth

CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6	
SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)	
Application date: 04/09/2007	ID No.: 11.2007.451.1
(6)	External clothes drying facilities shall be screened from view from the street or any other public place.
(7)	The applicant shall construct a crossover between the road and the property boundary. The crossover shall be constructed in accordance with the approved drawings, associated conditions and the requirements contained within specification SP30 attached to this approval. The existing verge levels at the front property boundary shall not be altered.
(8)	The existing crossover shall be removed and the verge and kerbing shall be reinstated to the satisfaction of the Director, Infrastructure Services.
(9)	No street trees shall be removed, pruned or disturbed in any way.
(10)	Any new or extended crossover shall be located a minimum of 3.0 metres from an existing street tree unless a lesser distance is approved by the Director, Infrastructure Services.
(11)	Details of the proposed colours of the external materials shall be submitted for approval by the City, prior to the issuing of a building licence. The selected colours shall demonstrate compatibility with neighbouring buildings.
(12)	Unless otherwise approved, fences of brick, timber, capped manufactured pre-coloured metal sheet, capped corrugated fibre-cement sheet or brushwood construction, 1.8 metres in height, shall be provided along the side and rear of the site. Any fencing forward of the building line shall not be of fibre-cement sheet construction, and shall not exceed 1.2 metres in height unless otherwise required or approved by the City. The fence height at any point shall be measured from the level of the ground adjacent to the fence. If the ground levels on each side of the fence are not the same at any point along the lot boundary, the fence height at that point shall be measured from the higher side.
(13)	The existing boundary fencing shall not be removed, until such time as the required new fencing is to be erected.
(14)	The footings of the building shall be constructed in accordance with a design prepared by a practising structural engineer after consideration of a geophysical survey of the foundation material to ensure satisfactory performance of the building structure. Details of the geotechnical report shall be included with the working drawings submitted in support of a building licence application.
(15)	Any required filling or excavation of the site shall be retained by embankments or walls, details of which are to be incorporated in the working drawings submitted in support of a building licence application.
(16)	Any required retaining walls along lot boundaries shall be constructed immediately after excavation or filling has been carried out.
(17)	The site shall be filled in order to provide minimum floor and ground levels in accordance with the requirements of clause 6.9 of Town Planning Scheme No. 6.
(18)	In accordance with the requirements of clause 3.4.5 (A5) of the Residential Design Codes, a landscaping plan shall be submitted for approval by the City. No person shall occupy or use the land or any building the subject of this approval for the purpose for which this approval is given unless and until:

CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6	
SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)	
Application date: 04/09/2007	ID No.: 11.2007.451.1
	<ul style="list-style-type: none"> <li>(i) the City has approved a landscaping plan; and</li> <li>(ii) the landscaping has been completed in accordance with the plan approved by the City.</li> </ul>
(19)	All plumbing fittings on external walls shall be concealed from external view as required by clause 7.5 (k) of Town Planning Scheme No. 6.
(20)	A rubbish storage area shall be provided, located and screened from view from all units and the street to the satisfaction of the City, and such area shall be provided with a gate.
(21)	All obscure glass panels to Active Habitable Spaces shown on the approved drawings shall be installed and shall remain in place permanently, in order to comply with the Visual Privacy requirements of the Residential Design Codes, unless otherwise approved by the City.
(22)	The height of any letterbox, electricity installation, bin enclosure, or other structure, fence, wall or hedge within 1.5 metres of any vehicle driveway where it meets a street alignment shall not exceed the 0.75 metre limit imposed under the provisions of clause 3.2.6 (A6) of the Residential Design Codes.
(24)	The new units shall not be occupied until an inspection has been carried out by a Council officer and the City is satisfied the development has been completed in accordance with the approved drawings and conditions of planning approval.
(24)	<p>Prior to the issue of a building licence, a notification in the following terms shall be registered on the Certificate of Title for lot 8 under section 70A of the Transfer of Land Act 1893 at the expense of the developer:</p> <p><i>"The portion of the ground level of lot 8 which falls within a 10 metre buffer area adjacent to the Water Corporations Wastewater Pump Station site on Lot 1 (No. 48) Mill Point Road may be affected by odour associated with this facility."</i></p>
(25)	<p>Revised drawings shall be submitted, and such drawings shall incorporate the following:</p> <ul style="list-style-type: none"> <li>(i) Storerooms in accordance with Acceptable Development standard 3.10.3 A3.1 of the Residential Design Codes of Western Australia;</li> <li>(ii) The arrangement of bays 11 and 23 shall be modified in such a way as to provide a 1.0 metre blind aisle adjacent to these bays and an aisle width which demonstrates compliance with the provisions of the City of South Perth Town Planning Scheme No. 6, while maintaining compliance with required minimum bay widths.</li> </ul>
(26)	The landscaping in the front pool area shall not include species or volumes of vegetation likely to grow greater than 0.75 metres above the ground level of the footpath.
(27)	All laundry(ies) and bin enclosure(s) shall be subject to, and comply with conditions contained within the City of South Perth <i>Health Local Laws 2002</i> .
(28)	Prior to the issuing of a Certificate of Occupancy or Classification for the completed development, the City requires a signed compliance certificate from a registered Building Surveyor or other appropriate professional on behalf of the Building Owner or Owners certifying that the building has been constructed in



CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6	
SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)	
Application date: 04/09/2007	ID No.: 11.2007.451.1
<p>accordance with the approved drawings with respect to plot ratio floor area, setbacks from all boundaries of the site and overall building height.</p> <p>(29) The height of the building shall be lowered by 100mm in order to comply with the maximum permissible building height, measured above an RL of 1.7 metres AHD.</p> <p>(30) The validity of this approval shall cease if construction is not substantially commenced within 24 months of the date of planning approval.</p>	
<b>IMPORTANT NOTES</b>	
<p>(1) The landscaping plan referred to in Condition (18) is required to be submitted prior to, or in conjunction with, the building licence application. The building licence will not be issued until the landscaping plan has been approved by the City.</p> <p>(2) The owner is encouraged to landscape the property to a high standard.</p> <p>(3) Where any fencing is proposed to be constructed from brick or masonry, it will be necessary for the applicant to include full construction details in conjunction with the application for a building licence.</p> <p>(4) It is necessary for revised drawings to be submitted prior to, or in conjunction with the building licence application as identified in Conditions (25) and (29) prior to the assessment of the working drawings.</p> <p>(5) This planning approval is <b>not</b> an authorisation to commence construction. A <b>building licence must be obtained</b> from Council's Building Services Department prior to commencing any work of a structural nature.</p> <p>(6) Where minor variations are sought at the Building Licence stage from an approved set of plans, a formal request for a variation to the planning approval is to be sought by the applicant. If supported, the variation(s) should be granted subject to all the previous terms and conditions. If not supported, either the Building Plans must be amended for a Building Licence to be issued, or a new application for planning approval should be lodged for consideration by Council.</p> <p>(7) It is the applicant's responsibility to liaise with the City's Environmental Health Department to ensure satisfaction of all of the relevant requirements.</p> <p>(8) It is the applicant's responsibility to liaise with the City's Parks and Environment Department prior to designing a landscaping plan for the street verge areas as required.</p> <p>(9) If you are aggrieved by aspects of the decision where discretion has been exercised, you may lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.</p> <p>There are no rights of appeal in relation to aspects of the decision where the Council cannot exercise discretion.</p>	
<p>SIGNED: <u><i>Christian Buttle</i></u>            CHRISTIAN BUTTLE            MANAGER, DEVELOPMENT ASSESSMENT            for and on behalf of the City of South Perth</p>	<p>DETERMINATION DATED: 18 DECEMBER 2007</p>

Enquiries: Matt Stuart on phone 9474 0732  
or email: matts@southperth.wa.gov.au  
Our Ref: M13/52  
11.2007.451.MNS

14 January 2008

Water Corporation  
PO Box 100  
LEEDERVILLE WA 6902

ATTN: Kevin Purcher

Dear Sir

**MULTI-STOREY MULTIPLE DWELLINGS- Lot 8 (No. 52) Mill Point Road, South Perth  
APPLICATION NO. 11.2007.451**

In reference to our phone conversation today regarding the above matter, further to your request, the City hereby formally requests a review of your letter dated 23 November 2007.

In particular, it is suggested that the word 'communal' within the section titled 'Wastewater', be reconsidered due to the potentially unintended meaning of that word.

In addition, please note that legal advice gained by the City suggests that an easement on any Certificate of Title would be an inappropriate method to ensure particular areas were not used in particular ways. It has been suggested that the use of easements is a means to ensure that particular areas are able to be used in particular ways. A more suitable method in this circumstance is a Notice on the Title.

Due to our phone conversation, I suggest that a more appropriate statement would be as words to the following effect:

*In this circumstance a s. 70a Notice should be placed on the Certificate of Title to ensure that future property Owners are made aware of the potential odour problems affecting their property. Alternatively, amendments to the proposals could be made, in such a way that areas within the said buffer is not used for habitable purposes, nor is considered by the City to be used frequently or for extended periods.*

Thankyou for your assistance in this application, the advice from WaterCorp is well received.

If you have any queries or wish to discuss this matter further, please do not hesitate to contact me on 9474-0732.

Regards



Matt Stuart  
Planning Officer  
Strategic & Regulatory Services

City's advice to WaterCorp - Lot 8 (No. 52) Mill Point Road, South Perth

Your Ref: M13/52 11.2007.451.MNS  
 Our Ref : JT1 2002 01127 V01  
 Enquiries: Kevin Purcher  
 Telephone: 9420 2385

SCANNED



25 January 2008

Chief Executive Officer  
 City of South Perth  
 Civic Centre  
 Cnr Sandgate Street and South Terrace  
 SOUTH PERTH, WA 6151

Attention of: Matt Stuart

CITY OF SOUTH PERTH	
30 JAN 2008	
Doc ID No: .....	
File No: <u>M13/52</u>	
Original To: <u>PS</u>	
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/> File <input type="checkbox"/>

629 Newcastle Street  
 Leederville 6007  
 Western Australia

PO Box 100  
 Leederville 6902  
 Perth Western Australia

Tel (+61 8) 9420 2420

www.watercorporation.co

ABN 28 003 434 917

**Multi – Storey Multiple Dwellings - Lot 8 (No. 52) Mill Point Road, South Perth - Application No 11.2007.451**

Thank you for your letter dated 14 January 2008. The Corporation appreciates the clarification of word 'communal' which was used in our letter dated 23 November 2007. The Corporation also appreciates the clarification of the use of an easement which was initially suggested by the City of South Perth as a means of controlling the design of the development.

Your suggested wording regarding the alternative to the s70a Notice on title is supported. The intent of preventing the buffer from being occupied by people in areas such as the Swimming pool and its surrounds is consistent with our original advice.

Also as previously recommended, in addition to the design modifications the body corporate shall establish a procedure whereby any odour issues experienced by the residents are dealt with in the first instance by the body corporate. The body corporate can thus determine whether the issue requires referral to the Water Corporation and coordinate this liaison. This requirement should be formalised in the corporate body constitution and the Water Corporation provided with contact details to communicate any maintenance activities which may affect the residents.

In the event that an alternative design isn't adopted the s.70 Notice should read, "This property is located adjacent to the site of a wastewater pumping station. During the normal operation of the pumping station odours may be emitted on occasion and in sufficient quantity to be detectable from inhabitants of the property. This notice serves to alert all owners in succession of this matter."

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Peter Howard  
 Land Planning Coordinator  
 Development Services



# POLICY P350 RESIDENTIAL DESIGN POLICY MANUAL

## Contents

### Introduction

### Part 1: City-Wide Residential Design Policies

Policy 1	Sustainable Design
Policy 2	Residential Boundary Walls
Policy 3	Car Parking Access, Siting, and Design
Policy 4	Additions to Existing Dwellings
Policy 5	Trees on Development Sites and Street Verges
Policy 6	Safety and Security
Policy 7	Fencing and Retaining Walls
Policy 8	Visual Privacy
Policy 9	Significant Views
Policy 10	Ancillary Accommodation
Policy 11	Aged or Dependent Persons' Dwellings
Policy 12	Single Bedroom Dwellings
Policy 13	Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6

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**Policy 14**      ***Use or Closure of Rights-of-Way***  
- *to be presented at a later date.*

## Part 2: Precinct-Based Streetscape Policies

- *to be presented at a later date.*

DRAFT



## **INTRODUCTION**

### **Relevant Management Practice**

Nil

### **Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**  
Environmental Management

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## **Introduction**

### **1. Short Title**

This Residential Design Policy Manual, is referred to throughout the document as the '*Policy Manual*'.

### **2. Status of Policy Manual**

The policies within the Policy Manual augment the provisions of TPS6 and the Residential Design Codes (R-Codes). The three instruments are complementary to one another.

#### **(a) Town Planning Scheme No. 6**

The Policy Manual is a planning policy prepared, advertised and adopted pursuant to the provisions of clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

#### **(b) R-Codes**

Clause 2.6 "Local Planning Policies" of the R-Codes allows the preparation of Local Planning Policies that contain provisions which differ from those contained in the R-Codes in respect of:

- Streetscape (Element 2, A1 – A6);
- Building Design (Element 2 A7 – A9); and
- Boundary Walls (Element 7 A1)

This Policy Manual contains such provisions. All other provisions within the Policy Manual relate to aspects of residential development upon which the R-Codes are silent.

### **3. Relationship between parts of the Policy Manual**

Each Policy within the Policy Manual includes a Rationale, Objectives and other explanatory text, and Policy Provisions.

Part 1 of the Policy Manual contains City-wide policies dealing with particular aspects of residential site planning and design. Part 2 of the Policy Manual contains precinct-specific policies relating to a number of the identified geographic planning precincts within the City. Only those precincts with a particular character that the City seeks to preserve or enhance will have precinct-specific policies. In such cases, the relevant precinct policy must be read in conjunction with the City-wide policies. Whether or not the Policy Manual contains a streetscape policy for a particular precinct, it is necessary to have regard to the City-wide policies in addition to any other requirements prescribed elsewhere.

#### **4. Scope of the Policy Manual**

The Policy Manual contains provisions relating to various aspects of design of all forms of residential development including ancillary carports, garages, front boundary walls and fences. Policies within the Policy Manual also contain provisions relating to upgrading of existing dwellings, tree preservation, and strata titling of existing dwellings. The Policies are divided into two parts, namely Part 1: City-wide policies and Part 2: Precinct-based streetscape policies.

#### **5. Purpose of the Policy Manual**

The City of South Perth is an appealing inner suburban municipality. A significant part of the attraction of the City of South Perth lies in its visual character. The qualities that contribute to this character include large amounts of original building stock, and 'leafy', well established garden neighbourhoods. The attraction of the City is also attributable to its close proximity to the Perth Central Business District and the Swan and Canning Rivers, and ease of access to other parts of the metropolitan area.

Due to the considerable attraction of living within the City of South Perth, the Council recognises that development activity will continue. The purpose of this Policy Manual, in conjunction with TPS6 and the R-Codes, is to guide development in a manner which will protect the attractive character of the City.

#### **6. Objectives of the Policy Manual**

- (a) To preserve the amenity of neighbouring residents and to contribute positively to the amenity of the occupants of proposed dwellings.
- (b) To promote strong design compatibility between existing and proposed residential buildings.
- (c) To preserve and enhance established streetscape character consistent with the Council's expectations as identified in Part 2 of the Policy Manual containing precinct-based streetscape policies.

### **Other relevant documents**

The following documents should be examined in conjunction with this Policy Manual:

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes
- Other Council Policies
- City of South Perth Information Sheets
- Municipal Heritage Inventory and Heritage List
- Council's adopted Fee Schedule
- Planning approval application form
- Application check lists
- Other documents or relevant information listed in each Policy

In addition to the Policy Manual, all of the above material is available for access on the City's web site at [www.southperth.wa.gov.au](http://www.southperth.wa.gov.au) .

# Part 1

## City-Wide Residential Design Policies

**DRAFT**



**POLICY 1**

Sustainable Design

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**  
Environmental Management**Rationale**

The need for sustainable practices in development of all kinds is universally acknowledged.

The City is committed to actively pursuing sustainable practices, recognising that this leads to enhanced quality of life for the community. This commitment is reflected in the City's participation in Federal and State programs aimed at achieving environmental sustainability, together with a number of the City's own initiatives, including the Sustainability Strategy, Environmental Management Plans, Green Plan and other related documents. Some of these strategies and actions focus on promoting sustainable urban design.

Inappropriately designed buildings may not be environmentally sustainable. In considering development applications, the City is required by clause 7.5 of Town Planning Scheme No. 6 (TPS6) to have due regard to any relevant 'Planning' considerations. Environmentally sustainable design is a relevant consideration. Aspects of design which are particularly important to sustainability include the extent of overshadowing of adjoining lots, orientation of buildings on the site, the solar orientation of outdoor living areas and the placement of windows.

In pursuance of its commitment to sustainability, the City seeks to promote buildings which are environmentally sustainable and strongly encourages a sustainable approach to residential design. This Policy identifies elements of good design being promoted by the City in this regard.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:

- (i) address building design; and
- (ii) augment the R-Codes by providing for aspects of residential development not provided for in the R-Codes.

**2. Objectives**

- (a) To ensure that the soil foundation beneath any proposed development is structurally stable and free of acid sulphate contaminants.

- (b) To clarify the City's expectations concerning the R-Codes Performance Criteria clause 3.9.1 relating to overshadowing of an adjoining lot.
- (c) To achieve sustainable outcomes in terms of environmental, economic and community benefits.

### **3. Scope**

This Policy applies to any proposed new dwelling or additions to an existing dwelling.

### **4. Definition**

#### **sustainable design**

Design of residential development which enhances the quality of life of the occupants of the proposed dwellings, while minimising adverse environmental, social or economic impact on those occupants, the neighbourhood and the wider community. Sustainable design reflects strategies for optimising solar access, maximising energy efficiency and conserving water.

### **5. Geotechnical report relating to soil foundation**

- (a) In some parts of the City, acid sulfate soils are present. Therefore, prior to preparing drawings of proposed development, applicants should consult the Western Australian Planning Commission's November 2003 Planning Bulletin No. 64 relating to 'Acid Sulfate Soils'. The associated maps identifying affected areas can be accessed on the Commission's web site at <http://www.wapc.wa.gov.au/Publications/213.aspx>.
- (b) Due to the presence of unstable material or acid sulfate soils in certain locations, the soil foundation of a development site may be unsuitable for a proposed building. In such cases, to ensure satisfactory performance of the building structure, the applicant is to:
  - (i) arrange for the preparation of a geotechnical survey of the foundation material; and
  - (ii) engage a practising structural engineer to design the footings, floor slab and any other potentially affected parts of the building, having due regard to the findings of the geotechnical survey.

The geotechnical survey report is to be submitted with the structural engineer's drawings when an application for a building licence is lodged.

### **6. Solar access for adjoining lots**

- (a) The objective of Clause 3.9.1 of the R-Codes is to prevent excessive overshadowing of an adjoining lot. The Performance Criteria of the R-Codes state that the design of a proposed development must have regard for solar access to the adjoining lot, taking into account the potential to overshadow an outdoor living area, a major opening to a habitable room, a solar heating device, a balcony or a verandah. In order to demonstrate compliance with either the Acceptable Development provisions or the Performance Criteria in clause 3.9.1 of the R-Codes, every applicant seeking approval for residential development shall submit shadow diagrams.

- (b) Where an applicant seeks approval via the Performance Criteria path in clause 3.8.1 P1 of the R-Codes, the City will deem the criteria to have been satisfied if the proposed buildings do not cast any shadow over an outdoor living area, major opening to a habitable room, a solar heating device, a balcony or a verandah on a lot adjoining the development site.
  - (c) In calculating:
    - (i) the percentage of the adjoining lot which is overshadowed by a proposed development; and
    - (ii) whether the proposed development casts any shadow over an outdoor living area, major opening to a habitable room, a solar heating device, a balcony or a verandah on an adjoining lot;
- the calculations will be based upon the shadow cast by all proposed buildings. The shadow cast by any dividing fence on the common boundary line will not be taken into account in these calculations.
- (d) Where the City has determined that a proposed development does not comply with the Performance Criteria prescribed by the R-Codes, the applicant's submission of a letter from the owners of the adjoining lot stating that they have no objection to the proposal, is not an acceptable substitute for compliance with those criteria.

## **7. Sustainable design provisions**

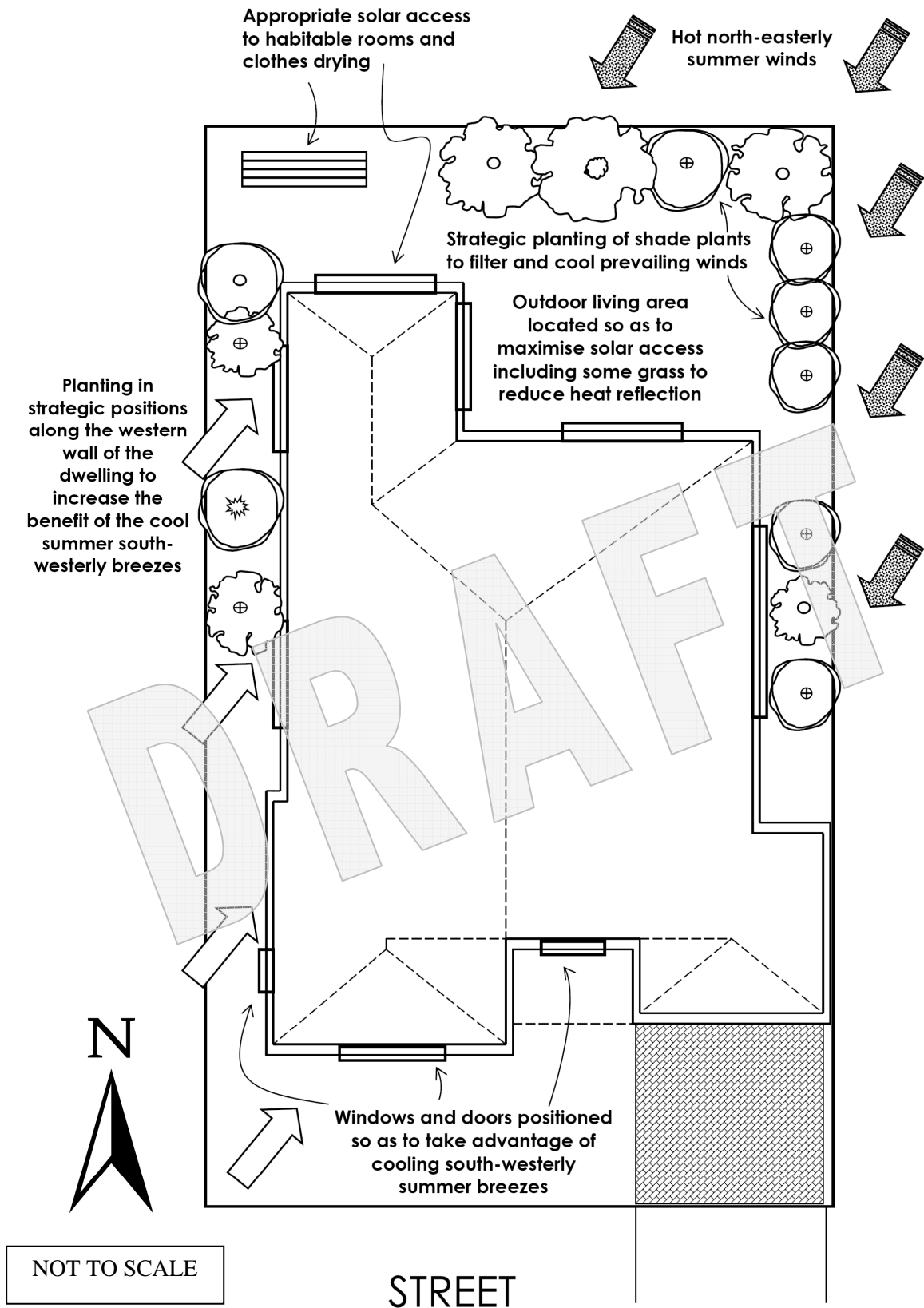
With the object of achieving sustainable design, applicants are strongly encouraged to employ design solutions that will optimize solar access, maximise energy efficiency and conserve water. Any measures that will achieve these objectives will be considered on merit. Wherever practicable, the site planning and design of proposed residential development should employ the following sustainable design elements, among others:

- (a) Outdoor living areas located so as to optimise solar access.
- (b) Subject to compliance with the visual privacy requirements of the R-Codes and relevant provisions within Policy 8 of this Policy Manual, windows and doors positioned so as to take advantage of cooling summer breezes and appropriate solar access.
- (c) Water-sensitive design techniques including, but not limited to:
  - (i) installation of on-site water storage facilities using a sustainable water source harvested from stormwater and rainfall;
  - (ii) landscaping designed for low water use; and
  - (iii) minimal reliance on potable (high quality drinking) water for landscaping.
- (d) Strategic planting of shade trees.
- (e) With the object of minimizing energy consumption, provision of 'open air' clothes drying facilities in order to discourage use of mechanical dryers or the like

Figure 1 to this Policy illustrates the sustainable design elements described in this clause.

Figure 1  
Recommended sustainable design elements

(Refer to clause 7)



**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)
- City of South Perth Sustainability Strategy
- Building Code of Australia references:
  - Volume 1: Section J Subsection 1-8 for Class 2-9 construction
  - Volume 2: Part 3.12 Subsection 1-5 for Class 1 and 10 construction

**Other related Policies**

- Other Policies within Policy P350 'Residential Design Policy Manual'

**Other relevant Information**

- Sustainable Energy Development Office information relating to Landscaping, located at <http://www1.sedo.energy.wa.gov.au/pages/landscap.asp>
- Western Australian Planning Commission Planning Bulletin No. 64 and related maps, located at <http://www.wapc.wa.gov.au/Publications/213.aspx>
- Australian Standards: AS 2712- 2002; AS 4234- 1994; AS 4552- 2005 relating to reduction of greenhouse emissions from hot water solar systems and heating appliances
- Australian Building Codes Board (ABCB) 'Energy' web page, located at <http://www.abcb.gov.au/index.cfm?fuseaction=DocumentView&DocumentID=171>
- Green Building Council of Australia, located at [www.gbcaus.org](http://www.gbcaus.org)
- "Energy Efficient Housing", booklet available to download from the Office of Energy website [www.sedo.energy.wa.gov.au](http://www.sedo.energy.wa.gov.au) (under 'Publications').
- Office of Energy website [www.sedo.energy.wa.gov.au](http://www.sedo.energy.wa.gov.au) (under 'Energy Smart Homes'); or call the Home Energy Line 1300 658 158 for general advice.

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>



**POLICY 2**

Residential Boundary Walls

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**  
Environmental Management

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**Rationale**

The setback of dwellings from the side and rear property boundary is a key factor in ameliorating the sense of building bulk. Therefore, when considering development proposals incorporating boundary walls, the amenity impact of such walls requires careful consideration. This Policy contains provisions which balance the proper consideration of amenity factors against the reasonable expectations of applicants.

**Policy**

**1. Status**

**(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which address local requirements for boundary walls. This Policy replaces the provisions of the R-Codes relating to boundary walls.

**2. Objective**

To achieve built outcomes that demonstrate appropriate consideration of the impact of the design of a proposed dwelling on the streetscape and amenity of the adjoining residents.

**3. Definition**

**boundary wall**

A wall of a dwelling, or of an attached or detached outbuilding, located on a side or rear boundary of a lot or survey strata lot. The term includes a wall set back not more than 0.1 metres from a lot boundary where the wall cannot be located on the boundary due to the existence of a physical obstruction.

#### 4. Scope

- (a) This Policy applies to all boundary walls forming part of a residential development.
- (b) This Policy does not apply to the following:
  - (i) In the case of Grouped Dwellings to be constructed prior to the creation of 'built strata' lots, a wall on an 'internal' boundary between dwellings comprising the development.
  - (ii) Patio or carport columns abutting a boundary fence, where the roof is set back at least 0.45 metres from the boundary and the boundary fence does not exceed a height of 1.8 metres measured above the adjacent ground level of the lot adjoining the development site.

#### 5. Amenity factors

- (a) The approval of any boundary wall involves a variation from the setbacks requirements prescribed by the R-Codes. A proposed boundary wall will not be approved where the City considers that such wall would adversely affect the amenity of an adjoining property or the streetscape in relation to the following amenity factors:
  - (i) the streetscape character;
  - (ii) the outlook from:
    - (A) the front of an adjoining dwelling or its front garden, if the proposed boundary wall is located forward of that adjoining dwelling; or
    - (B) any habitable room window of an adjoining dwelling;
  - (iii) the visual impact of building bulk where the proposed boundary wall is situated alongside an outdoor living area on an adjoining lot;
  - (iv) the amount of overshadowing of a habitable room window on an adjoining lot. The amenity impact of the boundary wall will be deemed to be acceptable where the portion of the proposed dwelling which conforms to the R-Codes Acceptable Development setback will overshadow this window to an equivalent or greater extent than would the proposed boundary wall; and
  - (v) the amount of overshadowing of an outdoor living area on an adjoining lot, unless the portion of the proposed dwelling which conforms to the R-Codes Acceptable Development setback will overshadow this outdoor living area to an equivalent or greater extent than would the proposed boundary wall.
- (b) In deciding whether or not to approve a boundary wall, the amenity factors referred to in clause 5(a) will always be the City's dominant consideration, and not compliance with the dimensions specified in Table 1 below.
- (c) In every case where a boundary wall is proposed, the applicant is to submit written justification and shadow diagrams demonstrating that the proposal will not adversely affect amenity in terms of the amenity factors referred to in clause 5(a).

## 6. Maximum permissible dimensions

- (a) Where a proposed boundary wall is situated adjacent to an outdoor living area on an adjoining lot, in addition to meeting the provisions of clause 5 of this Policy, such wall shall be no higher than 2.3 metres measured above the finished ground level on the adjoining lot.
- (b) The amenity factors referred to in clause 5 will be the dominant considerations in determining the permissible length and height of a boundary wall. However, a boundary wall would not normally be approved if it exceeds the dimensions prescribed in Table 1 below:

Table 1

(Refer to clause 6)

Maximum Height (metres: measured above existing ground level on adjoining lot)	Wall Length (metres)	
	R25 or below	R30 or above
3.0 with an average of 2.7	9.0	2/3 of length of boundary
3.5 with an average of 3.0	Not permitted	2/3 of length of boundary
4.0 with an average of 3.5	Not permitted	1/4 of length of boundary

- (c) The term 'boundary' in Table 1 refers to the total length of the relevant development site boundary.

## 7. Setback from the street alignment of a wall on a side boundary

- (a) Subject to clauses 6 and 8(b) of this Policy, approval will not normally be granted for a boundary wall, including any 'nib' projection, to be set back less than 6.0 metres from the street alignment, or less than the setbacks prescribed by Table 2 of Town Planning Scheme No. 6, whichever is the greater.
- (b) Subject to compliance with the setbacks from specified streets prescribed in Table 2 of Town Planning Scheme No. 6, a setback of less than 6.0 metres, but in any case not less than 4.5 metres, may be approved where:
  - (i) specified in a Precinct-based policy; or
  - (ii) the proposed boundary wall will abut an existing boundary wall on the adjoining lot, and the proposed wall will not project beyond the adjoining boundary wall either vertically or horizontally.

## 8. Walls limited to one side boundary

Boundary walls will normally be permitted to abut only one side boundary of a lot. However, the City may approve walls on both side boundaries in the following circumstances:

- (a) where the development site is 12.0 metres wide or less and the siting of a wall on both side boundaries would ameliorate the visual dominance of a garage as a component of the front elevation of a dwelling, provided that one of the boundary walls is set back at least 3.0 metres further from the street alignment than the other boundary wall; or
- (b) where the development site is wider than 12.0 metres, in the interest of maintaining streetscape compatibility, and avoiding the visual impact of unrelieved building bulk, walls will only be permitted to abut both side boundaries where one of the boundary walls is set back at least 6.0 metres further from the street alignment than the other boundary wall.



**9. Walls on rear boundary**

The siting of a wall on one or both side boundaries does not preclude the siting of another wall on the rear boundary of the same lot.

**10. Surface finish**

Where the surface of a proposed boundary wall on a development site is visible from the adjoining property, the applicant is to obtain the adjoining owner's agreement as to the surface finish of the wall. If the adjoining owner's agreement is not obtained, the surface finish is to be compatible with the external walls of the neighbour's dwelling. Details in this respect are to be included on the plans submitted with a building licence application.

**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

**Other related Policies**

- Policy P350 (3) 'Car Parking Access, Siting, and Design'
- Other Policies within Policy P350 'Residential Design Policy Manual'

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 3**

Car Parking Access, Siting, and Design

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

As an instrument supporting the City's Town Planning Scheme No. 6 (TPS6) and the Residential Design Codes (R-Codes), this Policy provides further guidance as to the City's expectations with respect to access, siting and design of garages, carports and parking bays. The Policy contains provisions which balance applicants' reasonable expectations regarding security and weather protection for vehicles, with the need to maintain desired streetscape character.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:

- (i) address streetscape or building design;
- (ii) augment the Codes by providing for aspects of residential development not provided for in the R-Codes;
- (iii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objectives**

- (a) To provide for parking and associated structures in a manner which contributes positively to the streetscape, is compatible with dwelling design and materials.
- (b) To have regard for the safety and welfare of pedestrians walking along public footpaths and other road users when designing vehicle access and parking.

**3. Scope****(a) This Policy applies to:**

- (i) any proposed garage or carport associated with any existing or proposed dwelling; and
- (ii) any proposed unroofed car parking bay associated with any existing or proposed dwelling.

- (b) This Policy augments and is to be read in conjunction with the provisions of Town Planning Scheme No. 6 (TPS6) and the Residential Design Codes (R-Codes) relating to car parking.

#### **4. Definitions**

##### **focus area**

As defined in Town Planning Scheme No. 6 (TPS6), 'focus area' means:

*"the section of a street extending from one cross intersection to the next cross intersection, together with the residential properties fronting onto both sides of that section of the street."*

##### **front setback area**

The portion of a lot situated between the primary street boundary and the front of the closest dwelling.

#### **5. Access to on-site parking**

##### **(a) Minimising vehicular access from a public street**

Acceptable Development clause 3.5.4 A4.1 of the R-Codes requires vehicular access to a development site to be provided solely from a right-of-way where available. Alternatively, under Performance Criteria clause 3.5.4 P4, vehicular access may be provided solely from a public street, subject to the number of crossovers being minimised, and the vehicular access being safe in use and not detracting from the streetscape. Having regard to clause 3.5.4 P4, where the development site adjoins an essential right-of-way, the City would approve residential development relying on primary vehicular access from a public street to one or more of the required car bays, subject to:

- (i) there being only one crossover from the public street; and
- (ii) in the case of a site 12.0 metres wide or less, the crossover being not wider than 4.0 metres.

##### **(b) Street entry in forward gear**

Where, pursuant to clause 6.6(2)(b) of TPS6 or clause 3.5.4 A4.4 of the R-Codes, vehicular access is to be designed to facilitate entry onto a public street in forward gear, the applicant is to provide a drawing at a scale of 1:100 demonstrating that vehicles are able to enter or leave the site in a forward gear with no more than two turning movements without relying on any other parking bay to facilitate such movements.

*Note: Under clause 3.5.4 A4.4 of the R-Codes, on-site turning space is required where the development site obtains access from a 'Primary Distributor' or a 'District Distributor' road, among other reasons. The City of South Perth Functional Road Hierarchy lists Canning Highway as a Primary Distributor road. The following roads are classified as District Distributors:*

*Douglas Avenue, George Street, Hayman Road, Kent Street, Labouchere Road (Mill Point Road to Thelma Street), Manning Road, Mill Point Road (Labouchere Road to Canning Highway), South Terrace, Thelma Street (Labouchere Road to Canning Highway), and Way Road.*

**6. Vehicle crossovers****(a) Crossovers and development design to retain street trees**

- (i) When preparing design drawings, applicants proposing residential development must be mindful that the City normally expects existing street trees to remain undisturbed. Therefore, subject to clause 6(c), vehicle crossovers and internal driveways need to be located so as not to disturb street trees.

The minimum acceptable separation distance between an existing street tree and any new or extended crossover is determined after properly considering all relevant factors relating to the tree, the crossover and ease of vehicular entry and egress. The minimum distance is normally 3.0 metres, measured from the centre of the tree trunk, however, in some instances a lesser distance will be approved, while in other instances a greater distance may be required. The actual required distance will be determined by the Council's City Environment Department.

- (ii) If a development proposal indicates the removal of a street tree to accommodate a vehicle crossover and driveway, but the City requires the tree to be retained, where relocation of the crossover causes access difficulties, modifications to the site plan or building design or both, will be required.

**(b) Crossover design and associated remedial works**

- (i) Having regard to the provisions of clause 3.5.4 A4.2 of the R-Codes, vehicle crossovers providing access from a public street to a development site are to be a minimum width of 3.0 metres and a maximum width of 6.0 metres. All crossovers are to be designed and constructed in accordance with the City's related specifications and guidelines and as detailed on the City's Plans SP30 and SP30(A) relating to crossover design.

- (ii) The required vehicle crossover may be either newly constructed or an existing crossover widened to the required minimum width.

- (iii) Where a proposed new or extended crossover would interfere with any existing services maintained by the City, a service authority or private company, the applicant is to arrange for the relocation of the affected infrastructure. Prior to the City issuing a building licence, the applicant is to submit the affected service provider's written agreement to the intended relocation of the infrastructure. All relocation costs are to be met by the applicant.

**(c) Street tree removal, replacement, relocation or pruning**

Notwithstanding clause 6(a)(i), the City may approve the removal, replacement, relocation or pruning of a street tree in conjunction with a proposed development, in accordance with clauses 8(b), 8(c) and 8(d) of Policy 5 'Trees on Development Sites and Street Verges'. In such cases, the applicant is to pay all of the associated costs identified in clause 8(g) of Policy 5.

**(d) Removal of redundant crossovers**

The site plan for any proposed residential development is to show the intended removal of any redundant crossover and the reinstatement of the verge and kerbing. These remedial works are to be completed at the applicant's cost prior to occupation of any dwelling.

**7. Driveway gradient****(a) Verge levels not to be modified**

The City does not permit verge levels to be modified to facilitate vehicular access as this creates potential difficulties for pedestrian movement along the road verge.

**(b) Indemnity for steep gradients**

Clause 6.10(2) of TPS6 prescribes a maximum driveway gradient of 1:12 within 3.6 metres of the street alignment and 1:8 for the remainder of the driveway. However, where topography creates difficulties in adhering to these maximum gradients, the City may allow a steeper gradient subject to the applicant complying with the following:

- (i) Where the driveway gradient at any point is steeper than the maximum prescribed in Clause 6.10(2) of TPS6 but not steeper than 1:6, the applicant is to submit a letter which acknowledges responsibility for any access difficulties that may arise, without any future recourse to the City of South Perth.
- (ii) Where the driveway gradient at any point is steeper than 1:6 but not steeper than 1:4, the applicant is to submit:
  - (A) a letter which acknowledges responsibility for any access difficulties that may arise, without any future recourse to the City of South Perth; and
  - (B) certification from a consulting traffic engineer that the design of the vehicular access from the street to all parking bays complies with the provisions of *Australian/New Zealand Standard AS/NZ 2890.1:2004 - Parking Facilities - Part 1: Off-Street Car Parking*. The consulting engineer is to also certify the actual finished driveway gradient, which in no case is to be steeper than 1:4.

The required letter and certification are to be provided prior to the issuing of a building licence.

- (iii) Approval will not be granted for any driveway with a gradient steeper than 1:4.

**8. Setbacks of garages and carports**

Clause 2.6.2 of the R-Codes provides for the making of Local Planning Policies addressing local streetscape requirements. Further, in relation to streetscape, element 3.2 of the R-Codes states that the provisions a Local Planning Policy prevail in the event of inconsistency with the R-Codes. Accordingly, in relation to setbacks of garages and carports, the following provisions apply:

**(a) Setback of garages****(i) Vehicles parked at 90 degrees to the street**

Acceptable Development clause 3.2.3 of the R-Codes prescribes a minimum setback of 4.5 metres from a primary street, and 1.5 metres from a secondary street for garages, where vehicles are parked at 90 degrees to the street. However, the City may require a greater setback having regard to the provisions of Policy 2 'Residential Boundary Walls' and any policy relating to streetscape.

**(ii) Vehicles parked parallel to the street**

(A) Acceptable Development clause 3.2.3 of the R-Codes prescribes a minimum setback of 3.0 metres from a primary street and 1.5 metres from a secondary street for garages where vehicles are parked parallel to the street. However, the City may require a greater setback having regard to the provisions of Policy 2 'Residential Boundary Walls' and any policy relating to streetscape.

(B) Any garage within the front setback area, where vehicles are parked parallel to the street, is to incorporate windows in the wall facing the street. The area between the front wall of the garage and the street boundary is to contain shrubs or bushes at least 1.2 metres in height at the time of planting.

**(b) Setback of carports**

A carport is permitted to be located within the front setback area subject to the following:

(i) In accordance with Acceptable Development clause 3.2.3 A3.4 of the R-Codes, the width of any such carport is not permitted to exceed 50% of the lot frontage.

(ii) The proposal is to demonstrate compliance with relevant provisions of Policy 2 'Residential Boundary Walls' and any policy relating to streetscape.

(iii) Where a carport is proposed to be added to an existing dwelling, and there is no practical location behind a 4.5 metre setback from the street alignment for two roof-covered parking bays complying with the minimum dimensions prescribed in TPS6, a carport will be permitted within the front setback area.

(iv) Where a carport is proposed to be sited within the front setback area of an existing dwelling and two existing roof-covered parking bays complying with the minimum dimensions prescribed in TPS6 are already located behind a 4.5 metre street setback, or there is a practical location to provide such bays behind the 4.5 metre street setback;

(A) neither of those existing parking bays is permitted to be converted to another use; and

(B) a setback of less than 4.5 metres will not be permitted for the proposed carport, unless the focus area is characterised by at least one-third of the lots already having carports in the front setback area.

(v) In order to avoid potential obstruction of a street verge or footpath by a vehicle parked on an internal driveway, any carport forward of a 4.5 metre setback line shall be set back not more than 1.5 metres from the street alignment measured to the edge of the car bay.

(vi) Where a carport column is set back less than 1.5 metres from the street alignment, its dimensions shall not exceed 360 mm x 360 mm.

(vii) Any carport forward of a 4.5 metre setback line shall be set back at least 1.0 metre from the street alignment measured to the face of any support column.

**(c) Conversion of carports to garages**

Where an existing carport is set back less than 4.5 metres from the street, the City will not approve conversion of that carport to a garage unless it would comply with the R-Codes setback requirements for garages.

**9. Setbacks of garages, carports and car bays from a right-of-way**

The setback of any proposed garage, carport or car bay from a right-of-way is to be not less than 1.5 metres, and is to be calculated to achieve a 6.5 metre reversing depth providing access to the parking facility. The reversing depth may comprise a combination of the width of the right-of-way and a setback from the lot boundary.

**10. Driveway dimensions for vehicles turning in and out of car bays****(a) Minimum driveway width**

Acceptable Development clause 3.5.4 A4.2 of the R-Codes prescribes a minimum driveway width of 3.0 metres at the street frontage. In accordance with this Policy, driveways are to maintain a minimum width of 3.0 metres throughout their entire length.

**(b) Accessway dimensions for vehicles turning in and out of car bays**

Clause 6.3(8) and Schedule 5 of TPS6 prescribe minimum dimensions for vehicular accessways leading to car parking bays. In addition to those requirements of TPS6, this Policy requires any vehicular accessway used for turning manoeuvres into and out of a car bay to comply with the minimum dimensions shown in Figures 1 to 6 of this Policy.

**11. Variation from prescribed car bay dimensions**

Clause 6.3(8) and Schedule 5 of TPS6 prescribe minimum dimensions for car parking bays. Wherever possible, every proposed car bay should comply with these dimensions. However, clause 7.8 of TPS6 provides discretionary power for approval of variations.

Figure 7 of this Policy depicts a car bay 'design envelope' representing a minor variation from the dimensions prescribed by TPS6. Under the power conferred by clause 7.8, in order to facilitate ease of vehicle manoeuvre and door opening, while also accommodating a degree of design flexibility, the City will permit car bays which comply with the dimensions shown in Figure 7.

**12. Roof cover to occupiers' car bays**

Under clause 6.3(6)(d) of TPS6, the City may require some or all of the car parking bays on a development site to be provided with roof cover. Pursuant to that clause, at least one occupiers' car bay for each Grouped Dwelling and Multiple Dwelling is to be provided with roof cover.

**13. Design of garages and carports****(a) Minimum Opening Width**

Clause 6.3(8) and Schedule 5 of TPS6 prescribe minimum dimensions for car parking bays. Having regard to these requirements, the minimum opening width shall be 2.5 metres for a single-width garage or carport, and 5.0 metres for a double-width garage or carport. The opening width shall be measured clear of the face of any column or pier.

Garages with a triple-width opening facing the street would have an excessively dominant visual impact on the associated dwelling and would not be compatible with the streetscape. Therefore, such garages will generally not be permitted.

**(b) Garages and carports within front setback area**

- (i) Where a garage or carport is proposed to be located wholly or partly within the front setback area, the design, materials and colour are to match those of the dwelling to which the structure is appurtenant.
- (ii) A carport situated within the front setback area is not permitted to have an entry door or gate unless such door or gate is 'visually permeable' as defined in the R-Codes.

**(c) Garages and carports not within front setback area**

- (i) Where an attached garage is proposed to be located to the side of a dwelling and not within the front setback area, the materials and colour are to match those of the dwelling to which the garage is appurtenant.
- (ii) Where a carport is proposed to be located to the side of a dwelling and not within the front setback area, the colour of the components visible from any street are to match the colour of the dwelling to which the carport is appurtenant.
- (iii) In the case of a development comprising two or more Grouped Dwellings or Single Houses in 'battle-axe' configuration, the colour of any appurtenant garage or carport shall match that of the dwelling to which it is appurtenant, whether or not the garage or carport is visible from any street.

**(d) Garages and carports accessed from a secondary street**

Where a garage or carport is accessed from a secondary street, the colours of the components visible from any street are to match the colours of the dwelling to which the garage or carport is appurtenant.

**14. Visitor car parking**

- (a) In addition to the requirements of clauses 3.5.1 and 3.5.3 of the R-Codes, visitors' bays for Grouped Dwellings shall be unroofed.
- (b) Where the R-Codes require the provision of visitors' parking bays, such bays are not to be situated in tandem with a dwelling occupier's parking bay, except where:
  - (i) visitors to the other dwellings have shared access to at least one other conveniently located visitors' bay;
  - (ii) two bays arranged side by side are provided for the exclusive use of the occupier of the dwelling in addition to the visitors' bay; and
  - (iii) the dwelling occupier's parking bay obstructed by the visitors' bay is set back at least 4.5 metres from the street alignment, and the visitors' bay does not obstruct access to any other bay.
- (c) All visitors' bays, other than those situated in tandem with a dwelling occupier's bay, shall be:
  - (i) retained permanently for the exclusive use of visitors; and
  - (ii) identified as common property on any strata plan relating to the development.



- (d) Clause 3.5.3 A3.1 of the R-Codes requires visitors' parking bays to be located close to, or visible from, the point of entry to a development site and outside any security barrier. However, the City will consider the alternative Performance Criteria in clause 3.5.3 P3 to have been met subject to compliance with the following:
  - (i) Visitors' bays may be located elsewhere on the development site if the City considers that the proposed location of those bays would better serve visitors' convenience; and
  - (ii) Where visitors' bays are situated inside a security barrier:
    - (A) visitors shall have convenient access outside the security barrier to an electronic communication system linked to each dwelling;
    - (B) a dedicated embayed standing area shall be provided exclusively for use in conjunction with the electronic communications system;
    - (C) the electronic communications system embayment shall be located wholly on the development site in a position where it will not obstruct the communal driveway; and
    - (D) two additional visitors' bays are to be provided outside the security barrier in the case of Multiple Dwellings, and one additional bay for Grouped Dwellings.

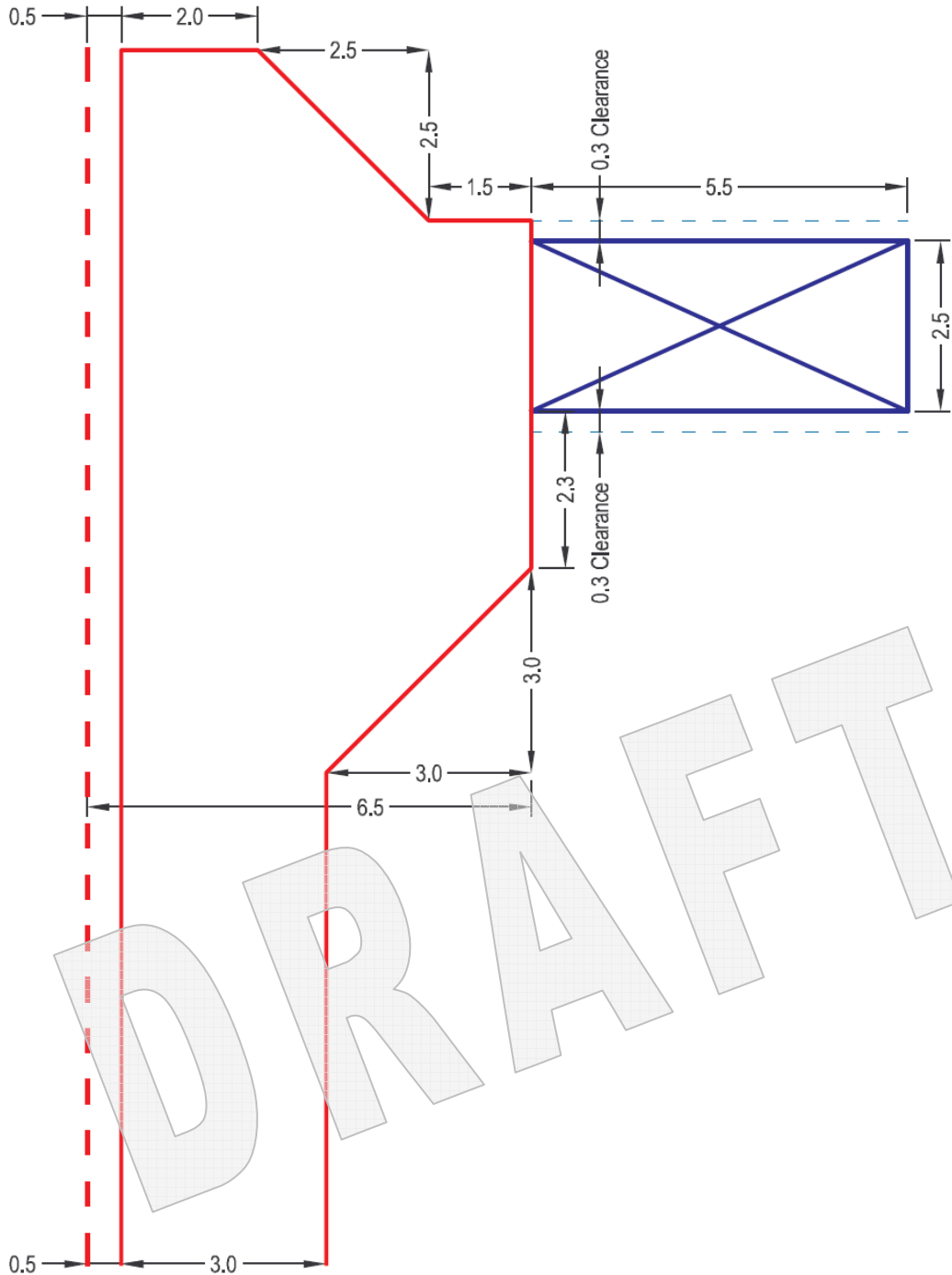
## **15. Identification of car parking bays for different uses**

In the case of Mixed Development:

- (a) under clause 6.3(3) of TPS6, the required total number of car parking bays to be provided on the development site is the sum of the required numbers calculated separately for each use. The development site plan is to independently identify the allocation of car parking bays to the residential and non-residential occupancies;
- (b) where strata subdivision is proposed, the registered strata plan is to independently identify the allocation of car parking bays to the residential and non-residential occupancies, as shown on the approved site plan.

**Figure 1**  
**Parking bay manoeuvre 90° single - 6.5 metre reverse**

(Refer to clause 10)



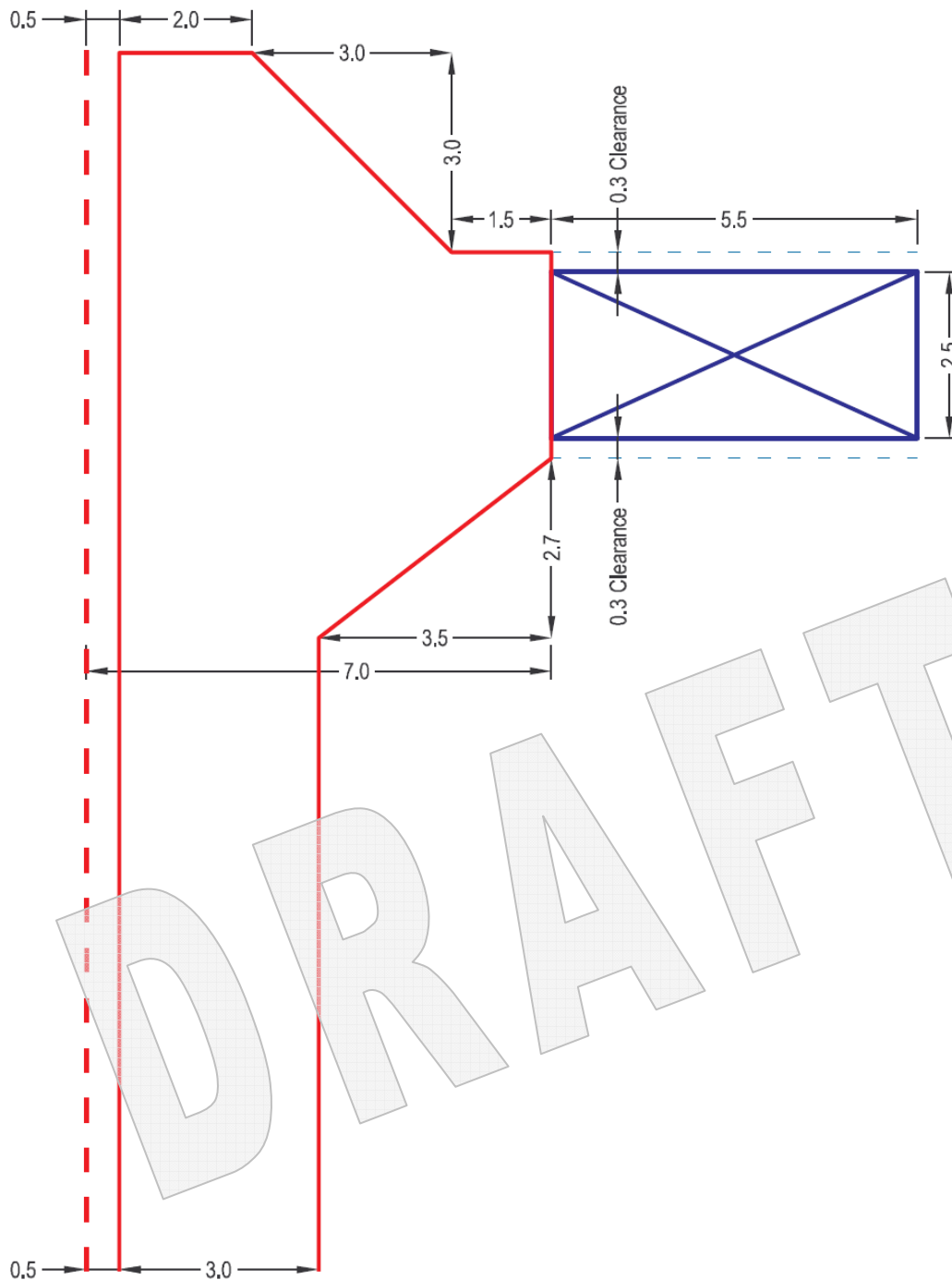
**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 1 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

Figure 2

Parking bay manoeuvre 90° single - 7.0 metre reverse

(Refer to clause 10)

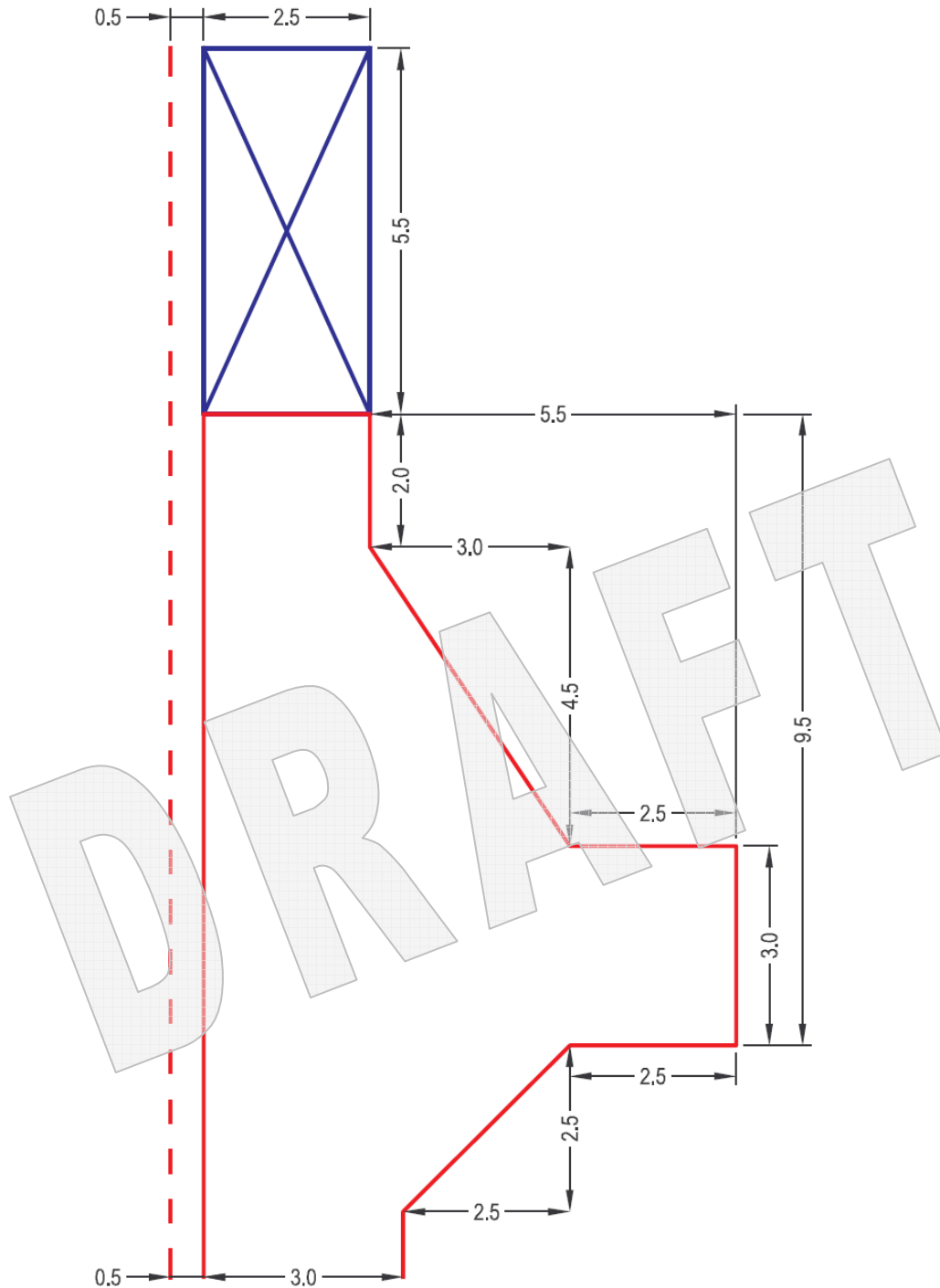


**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 2 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

**Figure 3**  
**Parking bay manoeuvre 180° single**

(Refer to clause 10)

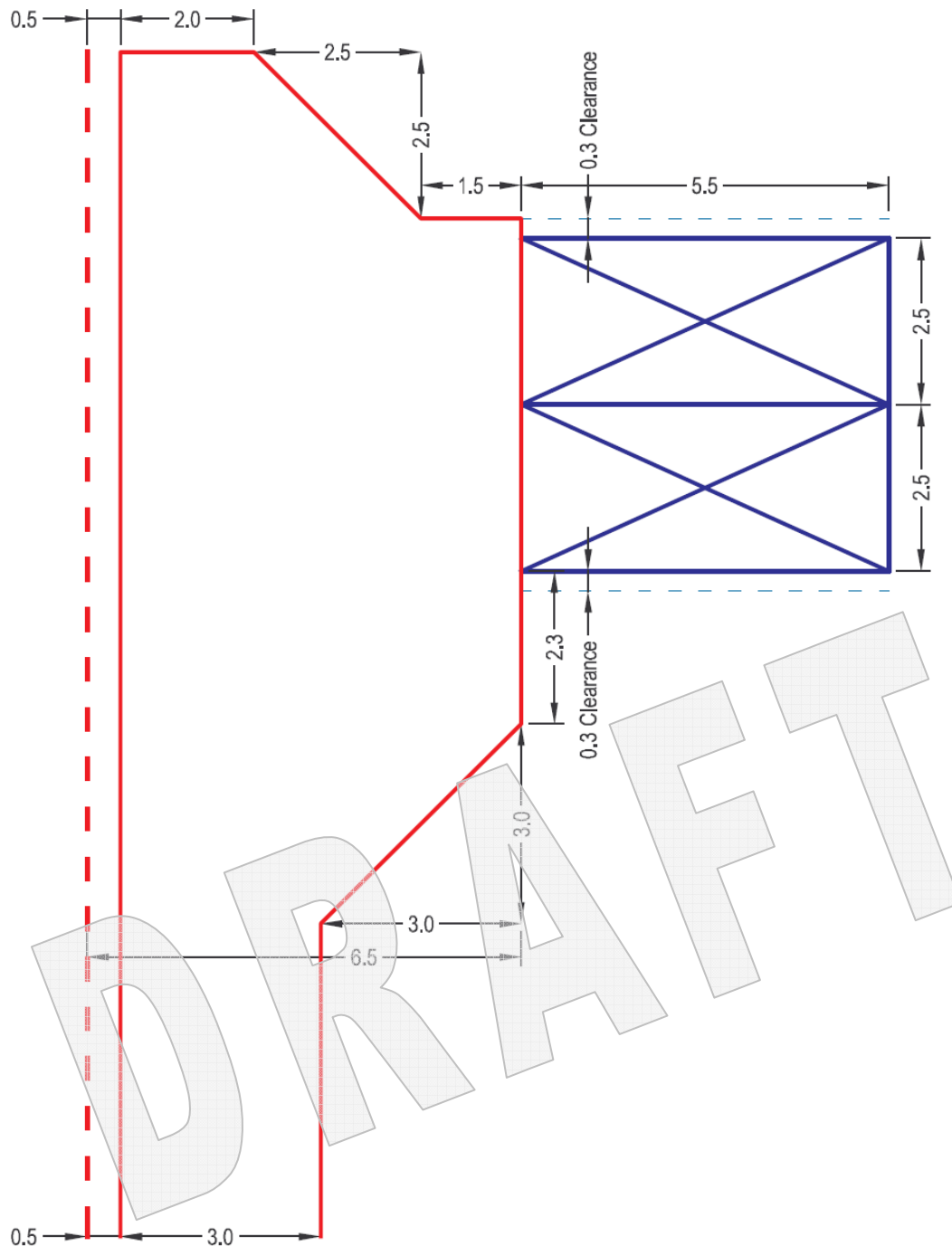


**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 3 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

**Figure 4**  
**Parking bay manoeuvre 90° double - 6.5 metre reverse**

(Refer to clause 10)



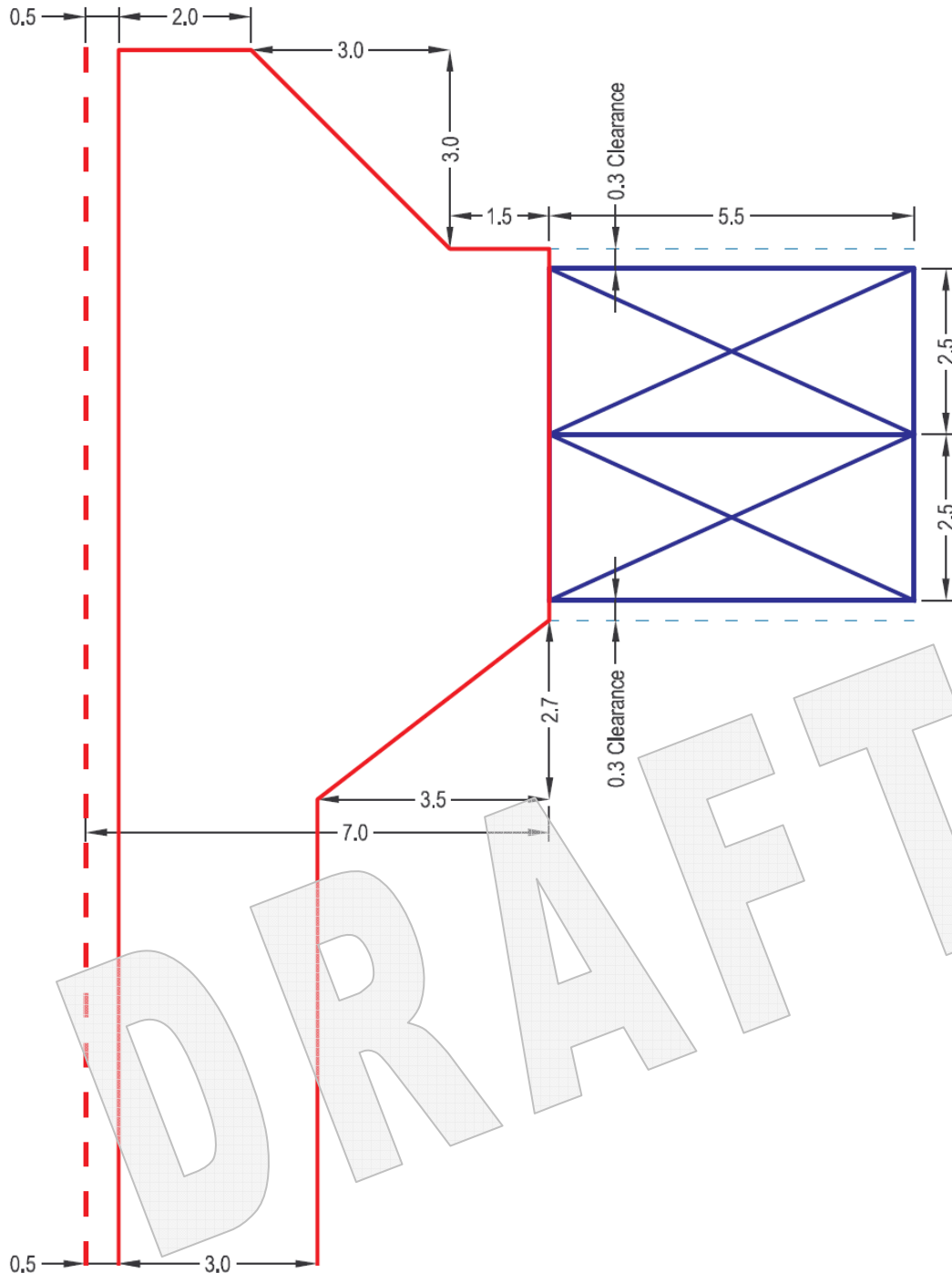
**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 4 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

Figure 5

Parking bay manoeuvre 90° double - 7.0 metre reverse

(Refer to clause 10)

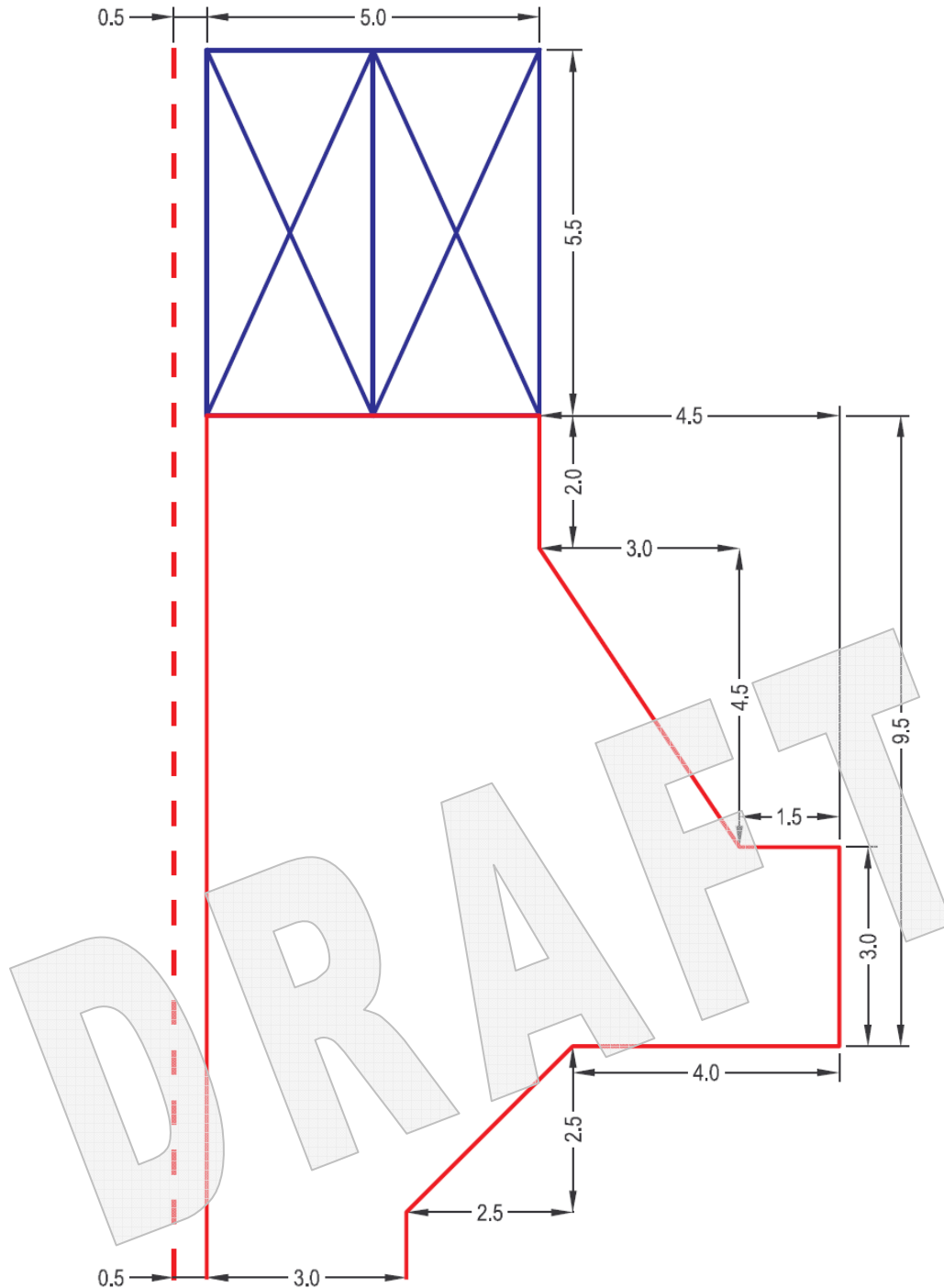


**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 5 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

**Figure 6**  
**Parking bay manoeuvre 180° double**

(Refer to clause 10)

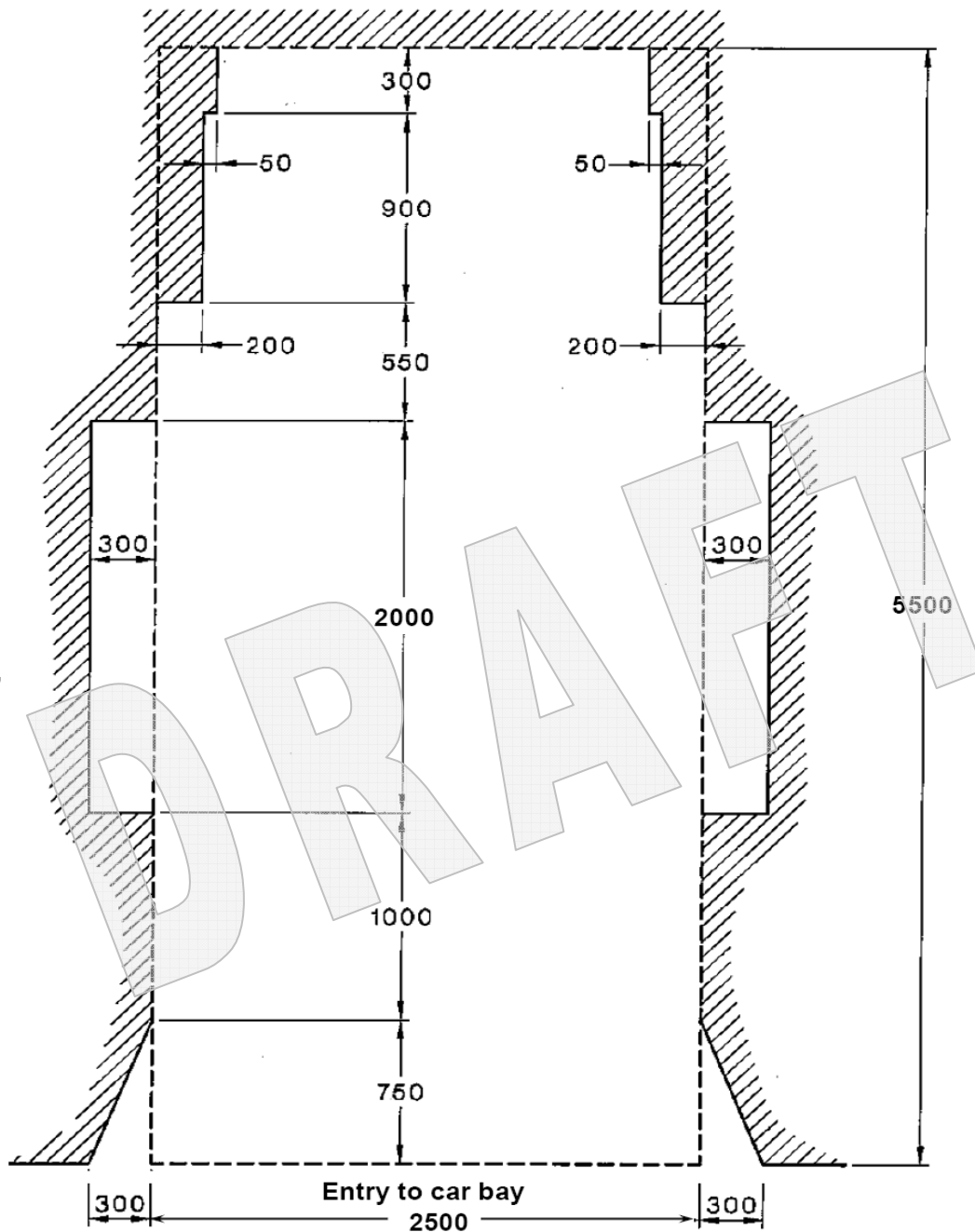


**NOTES:**

1. Not to scale.
2. All measurements are in metres.
3. Figure 6 is based on there being no wall, column, pier or fence within 0.3 metres of the sides of the car bay.
4. Nominated shape and dimensions of reversing area rely on driveway being set back 0.5 metres from boundary fence.

**Figure 7**  
**Design envelope for car bay with side obstructions**

(Refer to clause 11)



**NOTES:**

1. Not to scale.
2. All measurements are in millimetres.
3. Figure 7 is based on Figure 5.2 of Australian Standard AS 2890.1.2004.
4. Broken line denotes a car bay of 2500mm width and 5500mm length as prescribed in Town Planning Scheme No. 6.



**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

**Other related Policies**

- Policy P350 (2) 'Residential Boundary Walls'
- Policy P350 (5) 'Tree Preservation'
- Policy P350 (7) 'Fencing and Retaining Walls'
- Policy P350 (13) 'Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6'
- Policy P350 (14) 'Use or Closure of Rights-of-Way'
- Other Policies within Policy P350 'Residential Design Policy Manual'

**Other relevant Information**

- City of South Perth 'Street Tree Management Plan'
- *Australian/New Zealand Standard AS/NZ 2890.1:2004 - Parking Facilities - Part 1: Off-Street Car Parking.*

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 4**

Additions to Existing Dwellings

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

This Policy seeks to enhance residential amenity standards. The promotion of compatibility between existing dwellings and any additions to those dwellings contributes to this objective. To achieve compatibility, the City considers that, in the case of additions or alterations which would form part of an existing dwelling, the design, materials and external colours of the additions should match that dwelling.

In the case of development proposals involving the addition of detached dwellings behind an existing dwelling, the City considers that only the design needs to match in order to achieve a sufficient degree of compatibility. In this circumstance, it is not considered necessary for the dwellings to match one another in terms of external colours and materials.

This Policy contains provisions reflecting the City's expectations regarding compatibility where additions of various kinds are proposed.

**Policy****1. Status**

- (a) This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.
- (b) This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:
  - (i) address building design; and
  - (ii) augment the Codes by providing for aspects of residential development not provided for in the R-Codes.

**2. Objectives**

- (a) To ensure that the design, materials and colours of additions to an existing dwelling match, or are compatible with, the existing dwelling.
- (b) To achieve a sufficient degree of compatibility between an existing dwelling and any proposed dwelling situated at the rear of the existing dwelling.

### 3. Scope

- (a) This Policy applies to development proposals involving:
  - (i) any addition or alteration to any existing dwelling; and
  - (ii) any existing dwelling and any new dwelling where the new dwelling is to be constructed behind the existing dwelling and each dwelling gains access from the same street.
- (b) This Policy does not apply to proposals involving:
  - (i) garages and carports whether attached to, or detached from, a dwelling. Provisions relating to garages and carports are contained in Policy 3 'Car Parking: Access, Siting, and Design';
  - (ii) any other detached outbuilding.

### 4. Definitions

**patio**

As defined in the R-Codes, the term 'patio' means "*a water-impermeable roofed open-sided area*". For the purpose of this Policy, the term is deemed to include any alfresco area with roof cover irrespective of the design form or the materials of construction.

**heritage-listed dwelling**

A dwelling listed in the City of South Perth Municipal Heritage Inventory, Heritage List, or the State Register of Heritage Places of the Heritage Council of Western Australia.

### 5. Additions forming part of an existing dwelling

- (a) **Additional rooms under main roof**

Subject to clause 5(b), any proposed additions and alterations forming part of an existing dwelling are to match the existing dwelling with respect to design, materials and external colours.
- (b) **Additions involving skillion roofs**

Subject to clause 7(a)(ii), where a proposed addition forming part of an existing dwelling has a skillion or flat roof:

  - (i) the depth of the addition shall not exceed 4.0 metres;
  - (ii) the addition shall be set back at least 18.0 metres from the street boundary;
  - (iii) the external materials and colours of the walls of the addition are to match those of the existing dwelling;
  - (iv) the roofing material of the addition is not required to match that of the existing dwelling.
- (c) **Patio addition to a Single House**
  - (i) **Where patios are required to match dwelling**

A patio is required to match the design, materials and external colours of the Single House to which it is attached, where the patio is visible from a public street and is set back less than 18.0 metres from the street boundary.

**(ii) Where patios are not required to match dwelling**

A patio is not required to match the design, materials and external colours of the Single House to which it is attached, where the patio is set back at least 18.0 metres from the street boundary.

**(d) Patio addition to a Grouped Dwelling****(i) Where patios are required to match dwelling**

A patio is required to match the design, materials and external colours of the Grouped Dwelling to which it is attached in the following situations:

- (A) in the case of a dwelling facing directly onto a public street, where the patio is attached to the side of the dwelling and is set back less than 18.0 metres from the street boundary;
- (B) in the case of a dwelling facing directly onto a public street, where the patio is situated between the dwelling and an internal driveway serving any other dwelling in the same group;
- (C) in the case of a dwelling facing directly onto an internal driveway, where the patio is situated between the dwelling and the internal driveway, or is visible from the internal driveway.

**(ii) Where patios are not required to match dwelling**

A patio is not required to match the design, materials and external colours of the Grouped Dwelling to which it is attached in the following situations:

- (A) where the patio is set back at least 18.0 metres from the street boundary; and
- (B) where the patio is not visible from the internal driveway.

**6. Addition of new dwelling to an existing dwelling**

- (a) Where a dwelling is proposed to be added behind an existing dwelling and each is accessed from the same street:
  - (i) the design of any proposed dwelling is to be compatible with the existing dwelling; however
  - (ii) the dwellings are not required to match one another in terms of their external colours and materials.
- (b) Where a proposed additional dwelling fronts directly onto a public street, that dwelling is to comply with any applicable Precinct Streetscape Policy.
- (c) Clause 3.2.9 A9 of the R-Codes requires any existing dwelling retained as part of a Grouped Dwelling development to be upgraded externally to a maintenance standard equivalent to that of the proposed additional dwelling or dwellings. This form of development is referred to as a 'built strata' proposal. In the case of a 'built strata' proposal, the City will determine the extent of required upgrading in order to comply with clause 3.2.9 A9 of the R-Codes. Among other works, the required upgrading could include any or all of the following:
  - (i) Bagging or rendering and painting of the brickwork.
  - (ii) Repair of mortar joints.
  - (iii) Where the roof tiles are discoloured, replacement of all roof cladding with new tiles or metal sheeting, or the professional re-coating of the existing roof tiles subject to a 15 year guarantee against discolouration.

- (iv) Repair or replacement of gutters and downpipes.
  - (v) Where flat-roofed, skillion-roofed or non-masonry portions of an existing dwelling are set back less than 18.0 metres from the street boundary, those portions of the dwelling are to be demolished.
  - (vi) Where flat-roofed, skillion-roofed or non-masonry portions of an existing dwelling are set back at least 18.0 metres from the street boundary, those portions of the dwelling are to be upgraded to a standard equivalent to the rest of the dwelling.
  - (vii) Concealment of plumbing fittings attached to the side wall of the existing dwelling alongside the driveway serving any proposed dwelling.
  - (viii) Substitution of glass blocks in place of glass panes for any toilet window where situated in the side wall of the existing dwelling alongside the driveway serving any proposed dwelling.
  - (ix) Other exterior repainting where necessary.
  - (x) Removal of any asbestos wall or roof sheeting.
- (d) Where a dwelling is proposed to be added behind an existing dwelling and each is accessed from the same street, the existing landscaping is to be upgraded.
- (e) Where an existing dwelling retained as part of a Grouped Dwelling development, or the existing landscaping, is required to be upgraded, the specified upgrading works are to be completed prior to either occupation of any new dwelling, or the issuing of Strata Titles, whichever occurs first.

## **7. Heritage-listed dwellings**

### **(a) Additions forming part of an existing heritage-listed dwelling**

In the case of any proposed additions and alterations forming part of an existing heritage-listed dwelling in Management Categories A or B in the Municipal Heritage Inventory or Heritage List;

- (i) the provisions of clause 5(a), and 5(c) apply;
- (ii) the roof of the additions is to form an extension of the main roof of the existing dwelling. Skillion roofs are not permitted for additions to heritage-listed dwellings.

### **(b) Addition of new dwelling to an existing heritage-listed dwelling**

Clause 6.11 of TPS6 contains provisions designed to preserve and enhance heritage-listed places in Management Categories A or B in the Heritage List. In addition to those provisions, in the case of a dwelling proposed to be added behind an existing heritage-listed dwelling where each is accessed from the same street:

- (i) the provisions of clause 6 apply;
- (ii) any additional dwelling is to be designed and sited in a manner that will adequately safeguard the integrity, and complement the character of, the heritage-listed dwelling.

## **8. Application drawings to identify external materials and colours**

Where proposed additions forming part of an existing dwelling or additional dwellings are required to match the existing dwelling in relation to external materials and colours, the application drawings relating to any such proposal are to identify the external materials and colours of both the existing dwelling and the proposed additions.

**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)
- *Heritage of Western Australia Act 1990*

**Other related Policies**

- Policy P350 (13) 'Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6'
- Precinct Streetscape Policies
- Other Policies within Policy P350 'Residential Design Policy Manual'
- City of South Perth Heritage List

**Other relevant Information**

- City of South Perth Municipal Heritage Inventory

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 5**

Trees on Development Sites and Street Verges

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

Trees provide environmental, health and amenity benefits in relation to solar screening, microclimate, carbon absorption, bird and animal habitat, air quality and visual attractiveness. Due to these benefits, trees can also enhance the monetary value of individual properties and the enjoyment of residing in a green, leafy neighbourhood.

Town Planning Scheme No. 6 (TPS6) promotes urban infill which contributes to the City's sustainability commitment. However, while the City of South Perth is presently characterised by mature trees, an inevitable consequence of urban infill development is that only a very limited number of trees can be retained on development sites. While sharing the community concern about the loss of trees as a result of development, the City takes a balanced approach to both urban infill development and tree preservation, as reflected in this Policy. The Policy requires every development site with a sufficient street frontage to have at least one mature tree, being either a 'retained' tree or a newly planted tree.

Trees in road reserves are an essential part of the streetscape providing aesthetic appeal as well as the environmental benefits. Street trees are a valuable community and City asset. The amenity value of these trees is progressively increasing as the number of mature trees on development sites declines. The City therefore seeks to preserve most existing street trees. The City's 'Street Tree Management Plan' provides more detailed provisions relating to street trees.

**Policy****1. Status**

- (a) This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.
- (b) This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:
  - (i) address building design;
  - (ii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objectives**

- (a) To promote the designing of residential development in a manner that enables trees to be retained.

- (b) To ensure that new trees are planted to preserve or enhance the City's desirable 'green' character.
- (c) To preserve street trees.

### **3. Scope**

This Policy applies to any site where new dwellings or additions to an existing dwelling are proposed.

### **4. Definitions**

#### **existing tree**

A tree situated on a development site at the time of submission of a development application.

#### **street tree**

A tree located within any part of a road reserve.

### **5. Method of measurement of distance from a tree**

For the purpose of this Policy, a specified distance from a tree is to be measured from the centre of the tree trunk at ground level.

### **6. Development site plan to show all trees**

The site plan submitted as part of a development application is to accurately show:

- (a) any existing tree 3.0 metres or more in height;
- (b) which existing trees 3.0 metres or more in height the applicant intends to retain and which are proposed to be removed;
- (c) any trees to be planted on the development site; and
- (d) all trees on the street verge adjoining the development site.

### **7. Trees on development sites**

#### **(a) Existing trees to be retained wherever possible**

Unless the applicant satisfies the City under clause 7(c) that certain trees should be removed, all existing trees 3.0 metres or more in height are to be retained, provided that the trees are situated at least 3.0 metres from a side or rear boundary of a survey strata lot or a 'green title' lot. Trees situated less than 3.0 metres from such a boundary are not required to be retained.

#### **(b) Development design is to accommodate existing trees**

##### **(i) Distance between buildings and existing trees within communal open space**

Acceptable Development clause 3.4.5 A5(vi) of the R-Codes requires any existing tree 3.0 metres or more in height to be retained if it is situated within communal open space for Grouped or Multiple Dwellings. Having regard to this requirement, any proposed building is to be situated not less than 3.0 metres from a tree being retained within a communal open space.



**(ii) Design to retain existing trees not within communal open space**

On any part of a development site that is not proposed to be communal open space, where an existing tree is to be retained, any proposed building is to be situated at least 3.0 metres from the tree.

**(c) Requirements where applicant seeks approval to remove an existing tree**

In the case of an existing tree 3.0 metres or more in height which is situated 3.0 metres or more from a side or rear boundary of a survey strata lot or a 'green title' lot, where the site plan indicates the proposed removal of the tree:

- (i) in respect of each such tree, the applicant is to pay a fee, calculated in accordance with the City's Schedule of Fees and Charges, for the cost of a replacement tree which is to be planted within a road reserve or recreation reserve. The fee includes the cost of the supply, planting and maintenance of a suitable tree. The maintenance period is to be two years. (Note: Where the applicant pays a fee for a replacement tree, the City will plant a tree in a location and of a species to be determined by the City. The replacement tree will be planted as close to the development site as the City considers practicable.)

or

- (ii) the applicant is to submit one of the following for consideration by the City:

- (A) documentation demonstrating why it is not feasible to redesign the development in a manner that would ensure that the tree can flourish to maturity without detriment to the tree or structural damage to any adjacent building; or
- (B) an arboriculturalist's report justifying why the tree ought to be removed having regard to its health, life expectancy, or structural stability; or
- (C) a plan detailing the location, type and height of another tree to be planted in a designated position elsewhere on the development site. Only one replacement tree would be required, irrespective of the number of trees being removed.

**(d) City to decide which trees are to be retained**

When assessing the development application, after having considered the proposed design and any submission made by the applicant under clause 7(c), the City will decide which trees are required to be retained. Where the City does not support the applicant's request for removal of any tree, the development proposal is to be redesigned to preserve that tree.

**(e) Planting of trees on development site**

- (i) In the case of a development site:
- (A) having a frontage of at least 10.0 metres onto a public street; and
- (B) not containing any trees at the time of submission of the development application or where no existing trees are to be retained;
- at least one tree is to be planted within the street setback area or elsewhere on the site.
- (ii) Local species trees with broad canopies providing maximum shade and bird habitat are encouraged. Palms are not suitable for new planting on development sites.

**(f) Dwelling density entitlement preserved**

Subject to clause 7(g), the City does not seek to reduce the number of dwellings on a development site below the normal entitlement, and will permit the removal of trees which would prevent the construction of a dwelling which could otherwise be built.

**(g) Registered trees not to be removed**

Notwithstanding clause 7(f), where a development site contains a tree which is included in the City's Register of Tree Preservation Orders pursuant to clause 6.13 of TPS6, any proposed development is to be designed to ensure that the tree will be preserved without detriment to the tree or structural damage to any adjacent building.

**8. Street trees****(a) Retention of street trees**

The City requires the retention of all street trees unless:

- (i) the tree is dead;
- (ii) the tree is diseased and remedial treatment would not be effective;
- (iii) the tree is hazardous or is causing damage to public or private property where repair and specific treatment options are not appropriate;
- (iv) the tree has a limited life expectancy;
- (v) the City considers the tree to be of an unsuitable species;
- (vi) retention of the tree would:
  - (A) restrict the number of dwellings on the development site to less than the permissible number;
  - (B) result in a visually unacceptable development; or
  - (C) unreasonably restrict vehicular access to the development site.

**(b) Street tree removal or replacement**

The City will replace any removed street tree with another tree on the street verge adjoining the development site, where there is sufficient space to do so. The replacement species will be selected in accordance with the City's 'Street Tree Management Plan'.

**(c) Street tree relocation**

If a street tree would adversely affect a proposed development in relation to the matters referred to in clause 8(a)(vi), the City may decide to relocate that tree.

**(d) Street tree pruning**

Where a crossover is proposed to be within 3.0 metres of a street tree, the City will determine the impact on the tree. The City may decide to approve the proposed location of the crossover, subject to the tree being pruned to avoid damage to either the tree or vehicles using the crossover.

**(e) New or Extended Crossovers**

The distance between an existing street tree which is to be retained and a new or extended crossover, is to comply with the provisions of clause 6(a) of Policy 3 : Car Parking: Access, Siting, and Design.

**(f) Development design to retain existing street trees**

Where a proposed crossover is required to be relocated in order to retain a tree, the City may require modifications to the site plan or building design or both, in accordance with the provisions of clause 6(a)(ii) of Policy 3 : Car Parking: Access, Siting, and Design.

**(g) Applicant to meet costs associated with disturbance of a street tree**

Where a street tree is to be removed, replaced, relocated or pruned as a result of a development, the applicant is to pay a fee, calculated in accordance with the City's Schedule of Fees and Charges. The fee includes the following:

- (i) the amenity value of the tree calculated according to the City of South Perth Amenity Valuation Method;
- (ii) the cost of removal and stump grinding;
- (iii) the cost of pruning;
- (iv) the cost of supply and planting of a replacement '100 litre container' sized tree;
- (v) cost of maintenance for a period of two years; and
- (vi) administration costs.

## 10. Protection of trees which are to be retained

During construction of a development, every tree which is to be retained on a development site or within a road reserve must be protected from root, trunk and canopy damage.

### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

### Other related Policies

- Policy P305 'Tree Preservation Orders'
- Policy P308 'Street Trees'
- Policy P350 (3) : 'Car Parking Access, Siting, and Design'
- Other Policies within Policy P350 'Residential Design Policy Manual'

### Other relevant Information

- City of South Perth 'Street Tree Management Plan'
- City of South Perth Information Sheet: 'Encroaching Roots and Branches'  
([www.southperth.wa.gov.au/docs/infosheets/EncroachingRootsAndBranchesRef145.doc](http://www.southperth.wa.gov.au/docs/infosheets/EncroachingRootsAndBranchesRef145.doc))

### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>



**POLICY 6**

Safety and Security

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

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**Rationale**

Appropriate building design can facilitate opportunities for casual surveillance of public streets and communal spaces on development sites. This is an important element contributing to on-site and neighbourhood safety and security. This Policy promotes such opportunities and contains provisions reflecting the City's expectations in this respect.

**Policy**

**1. Status**

- (a) This Policy is a planning policy prepared, advertised and adopted pursuant to the provisions of clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.
- (b) This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:
  - (i) address building design; and
  - (ii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objective**

To promote casual surveillance of the public and private realm through appropriate dwelling design, in order to increase on-site and neighbourhood safety and security.

**3. Scope**

- (a) This Policy applies to any proposed dwelling facing a public street or communal street (shared internal driveway).
- (b) This Policy augments and is to be read in conjunction with the provisions Elements 2 and 5 of part 3 of the Residential Design Codes (R-Codes) relating to streetscape and access and car parking.
- (c) This Policy is to be read in conjunction with Policy 7 'Fences'.

#### 4. Dwellings facing directly onto a public street

A dwelling facing directly onto a public street is to have at least one major habitable room window providing a clear view of the public street and of the approach to the dwelling.

#### 5. Dwellings facing onto a shared internal driveway

A dwelling facing and having direct access solely from a shared internal driveway is to have at least one major habitable room window providing a clear view of the driveway and of the approach to the dwelling.

#### 6. Rear dwellings facing towards a public street

- (a) For the purpose of this clause, a dwelling facing towards a public street and situated at the end of a shared internal driveway is referred to as the 'rear dwelling'.
- (b) The rear dwelling is to have at least one major habitable room window providing a clear view of the shared internal driveway and of the approach to the dwelling.
- (c) The garage or carport for the rear dwelling is to be positioned so as to accommodate vehicles parked at 90 degrees to the shared internal driveway, unless the dwelling has two storeys and the upper storey has at least one major habitable room window providing a clear view of the driveway and the approach to the dwelling from the public street.

#### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

#### Other related Policies

- Other Policies within Policy P350 'Residential Design Policy Manual'

#### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Adoption for community consultation</b>	<b>2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 7**

Fencing and Retaining Walls

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

Boundary fencing and fencing within development sites are significant elements of any development which raise issues concerning streetscape, traffic safety, personal security, visual privacy and the impact of building bulk. High, solid fences on street boundaries are sometimes favoured in the belief that they enhance personal and property security. This is not necessarily the case and, in fact, security can be compromised by high front fences, as they isolate a dwelling from public surveillance. This Policy has been prepared with the object of addressing all of these issues by way of appropriate provisions relating to fencing in various locations.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme. The Policy augments and is to be read in conjunction with the provisions of Town Planning Scheme No. 6 (TPS6) relating to fence heights.

**(b) Relationship to Residential Design Codes**

This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:

- (i) address local requirements for streetscape;
- (ii) augment the R-Codes by providing for aspects of residential development not provided for in the R-Codes.
- (iii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**(c) Relationship to State by-laws**

This Policy is complementary to the State Government's *Town Planning (Height of Obstructions at Corners) General By-laws 1975* (the State by-laws), continued under the *Planning and Development Act 2005*. Pursuant to sub-by-law (3) of By-law 1A of those By-laws, this Policy prevails as a substitute for sub-by-laws (1) and (2) of By-law 1A, as it deals with street corners with angles other than a right-angle which are not addressed by that By-law.

**2. Objectives**

- (a) To regulate the height of obstructions adjacent to driveways and at the corners of streets and rights-of-way in the interest of pedestrian and vehicular safety.

- (b) To preserve or re-establish a desired 'open front garden' streetscape character.
- (c) To promote casual surveillance of the public and private realm through appropriate fencing design, in order to increase on-site and neighbourhood safety and security.
- (d) To regulate the height of side and rear boundary dividing fences in the interest of maintaining visual privacy.
- (e) To generally restrict the height of side and rear boundary dividing fences to 1.8 metres because higher fences can often adversely affect the amenity of an adjoining property by reason of dominant bulk, overshadowing or restriction of views.
- (f) To regulate the height of retaining walls in the interests of maintaining streetscape compatibility and protecting neighbours' amenity.

### 3. Scope

- (a) This Policy applies to any fencing and retaining walls on the street, side or rear boundary of the site of any residential development.
- (b) In relation to corner truncation areas adjacent to driveways and at the intersection of streets and rights-of-way, the Policy also applies to other obstructions which could obscure the sight-lines of motorists.

### 4. Definitions

#### **corner truncation area**

A triangular area that is required to be kept clear of obstructions for the purpose of pedestrian and vehicular safety, situated:

- (i) at the point where a driveway on a development site intersects with a public street;
- (ii) at the corner of two streets; or
- (iii) at the corner of a right-of-way and a public street or another right-of-way.

#### **fence**

As defined in Town Planning Scheme No. 6 (TPS6), 'fence' means :

*"a structure or hedge situated on the common boundary between adjoining lands in different occupancies or within 3.0 metres of that common boundary, forming a barrier between those lands. The term includes:*

- (a) subsequent extensions which increase the effective height of the original barrier, whether attached to or detached from the structure or hedge; and*
- (b) a structure or hedge forming a barrier between a lot and a thoroughfare or reserve; but does not include any structural part of a building."*

#### **front setback area**

The portion of a lot situated between the primary street boundary and the front of the closest dwelling.

#### **obstruction**

A fence, free-standing wall, letter box, electricity installation, bin enclosure, planting or other object within a corner truncation area which could obscure the sight-line of motorists.

**5. Fences within front setback area**

In relation to a fence and any other obstruction to motorists' sight-lines within the front setback area, the following provisions apply:

**(a) Obstruction adjacent to driveway****(i) Method of measuring height of obstructions**

Clause 3.2.6 A6 of the R-Codes restricts the height of obstructions to a maximum of 0.75 metres within a 1.5 metre x 1.5 metre triangular corner truncation area adjacent to the intersection of a driveway and the boundary of a public street.

Within the corner truncation area adjacent to a driveway, the height of any obstruction is measured as follows:

- (A) In the case of an obstruction on the street boundary of the lot, the height is measured from any point along the street footpath or verge adjacent to the obstruction.
- (B) In the case of an obstruction situated in any position other than on the street boundary of the lot, the height is measured from any point along the edge of the driveway closest to the obstruction.

**(ii) Masonry pier within corner truncation area**

Where the corner truncation area contains no more than one masonry pier with dimensions conforming to those specified in Table 1 of clause 5(c) of this Policy, the City will consider the alternative Performance Criteria prescribed in clause 3.2.6 P6 of the R-Codes to have been met.

**(b) Obstruction at corner of street or right-of-way****(i) Method of measuring corner truncation areas**

- (A) In the case of two intersecting streets, the corner truncation area is delineated by:
  - (1) equal length portions of the street boundaries, or the prolongation of those boundaries, extending from the actual or notional point of intersection, to the truncation line referred to in sub-paragraph (A)(2); and
  - (2) a straight line 8.5 metres in length which intersects both of the boundaries referred to in sub-paragraph (A)(1), thus forming a triangular area.
- (B) In the case of a right-of-way intersecting with a street or another right-of-way, the corner truncation area is delineated by:
  - (1) equal length portions of the street or right-of-way boundaries, or the prolongation of those boundaries, extending from the actual or notional point of intersection, to the truncation line referred to in sub-paragraph (B)(2); and
  - (2) a straight line 4.2 metres in length which intersects both of the boundaries referred to in sub-paragraph (B)(1), thus forming a triangular area.

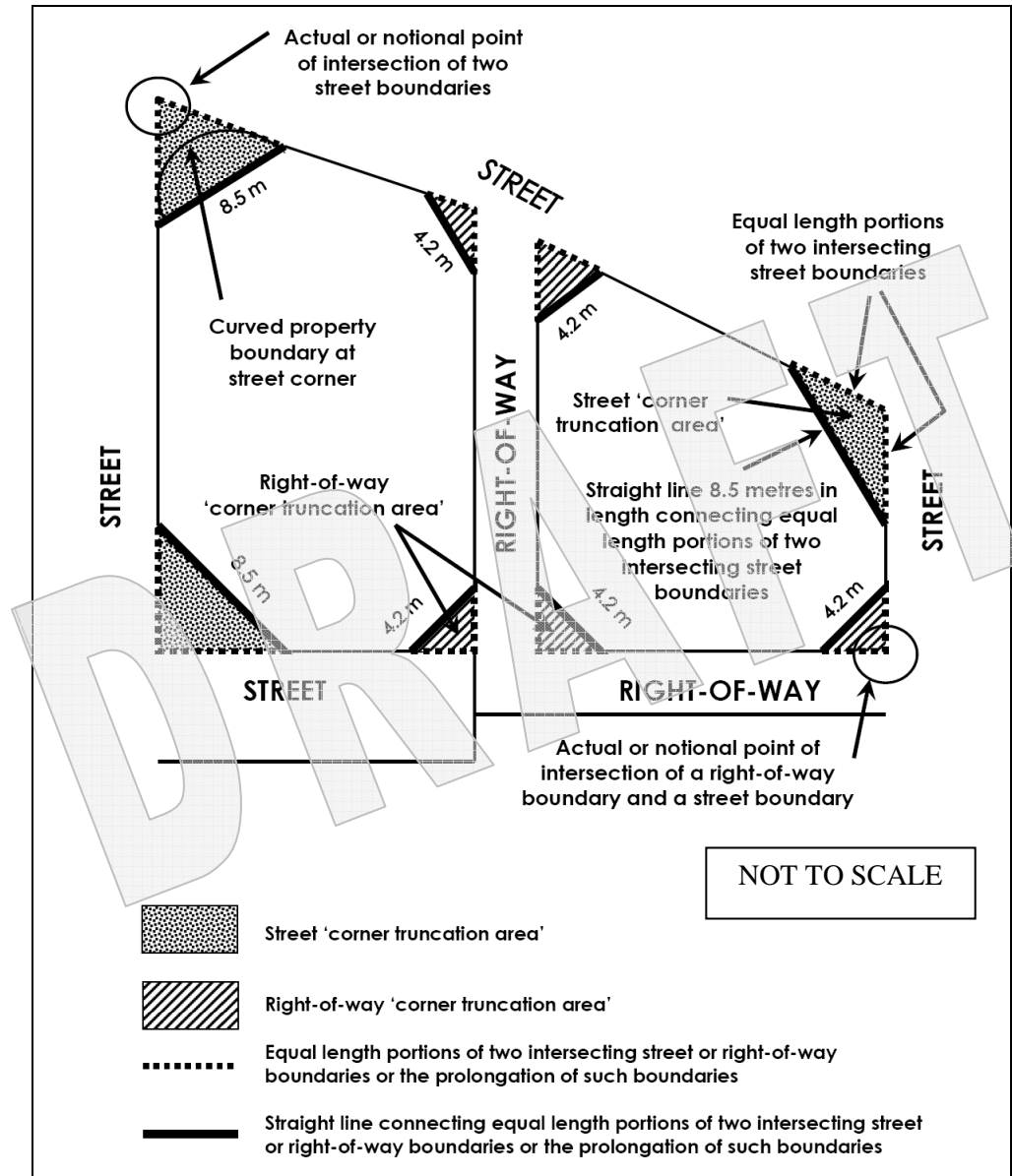
The corner truncation area is measured in the manner described, irrespective of the angle of intersection of the two boundaries.

Figure 1 below depicts the 'corner truncation areas' described in clause 5(b)(i).



**Figure 1**  
**Street and right-of-way corner truncation areas**

(Refer to clause 5(b)(i))



**(ii) Method of measuring height of obstructions**

Within street and right-of-way corner truncation areas, the height of any obstruction is not to exceed 0.75 metres, measured from any point along the street footpath or verge adjacent to the obstruction.

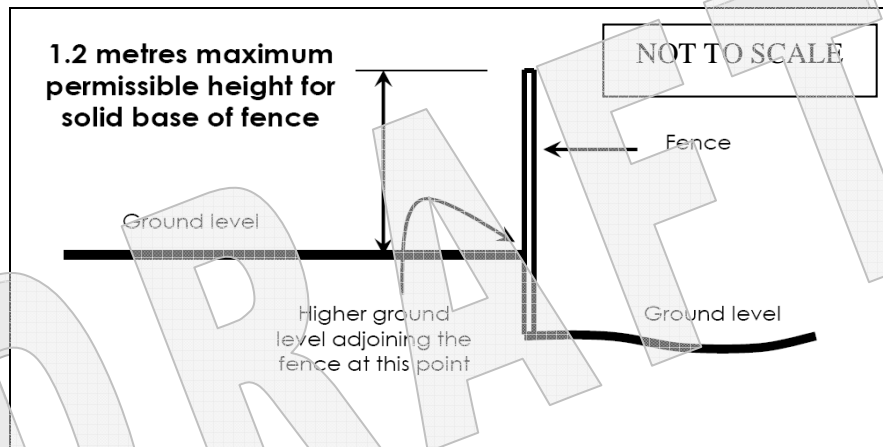
**(c) Other fences within front setback area**

**(i) Method of measuring fence height**

Within the front setback area, other than the portion comprising a corner truncation area where greater restrictions apply, clause 3.2.5 A5 of the R-Codes restricts the height of visually impermeable (solid) fences to a maximum of 1.2 metres. The fence height is measured as follows:

- (A) The height of a fence on a primary street boundary, is measured from any point along the street footpath or verge adjacent to the fence.
- (B) The height of a fence on the portion of a side boundary within the front setback area other than within a corner truncation area, is measured from the level of the ground adjacent to the fence at any point. Where the ground level is higher on one side of the fence than on the other, the fence height is measured from the higher side. Figure 2 depicts the method of measuring fence height.

**Figure 2** *(Refer to clause 5(c)(i)(B))*  
**Fence height measured above the higher ground level adjoining the fence**



**(ii) Requirements for fencing design**

Fences situated on either the primary street boundary or the portions of the side boundaries within the front setback area, are to comply with the requirements set out in Table 1 below:

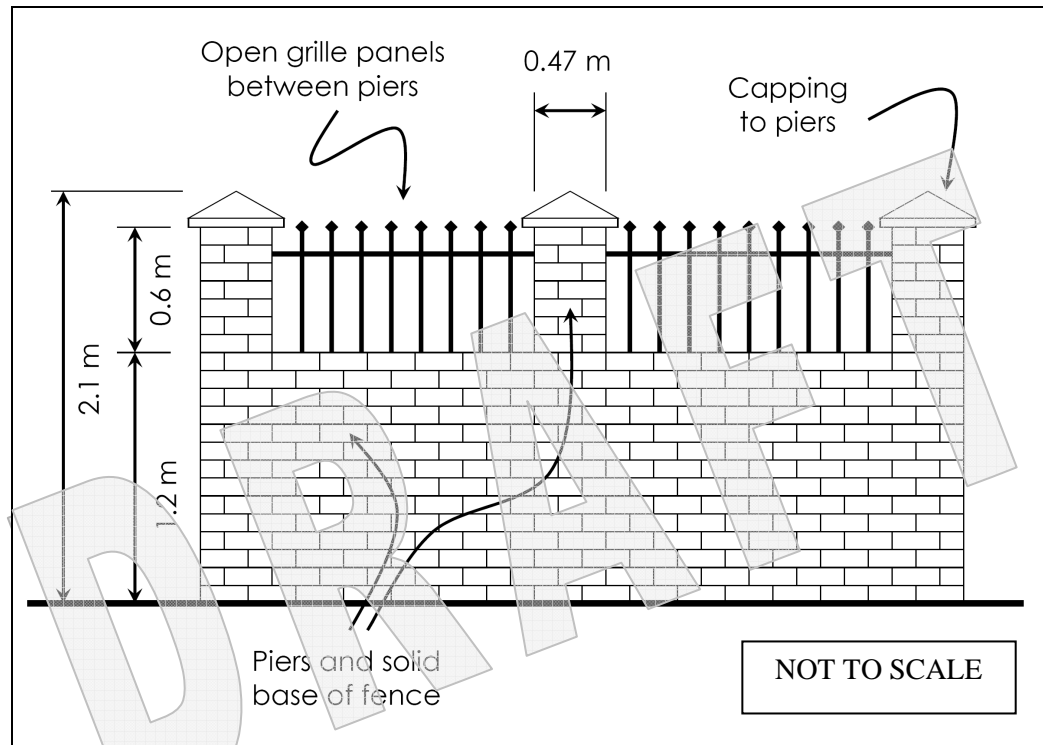
**Table 1** *(Refer to clause 5(c)(ii))*  
**Requirements for fencing design**

Design Element	Requirements
Timber pickets	Maximum height: 1.2 metres.
Fibre cement or metal sheeting	Not permitted.
Solid base of fence	Maximum height: 1.2 metres. Materials: Face brickwork, rendered brick, limestone blocks, or similar masonry.
Piers	Maximum height: 1.8 metres to underside of capping; 2.1 metres to top of capping. Maximum width: 0.470 metres. Materials: Face brickwork, rendered brick, limestone blocks, or similar masonry.
Open grille panels between piers	Maximum height: 1.8 metres. Percentage open: 80% minimum. Percentage solid: 20% maximum.
Retaining walls	Maximum height: 0.5 metres. Materials: Design and finish to match solid base of fence.

Figure 3 below depicts the requirements relating to the fencing design elements referred to in Table 1 above.

**Figure 3**  
**Requirements for fencing design**

(Refer to clause 5(c)(ii))



**(iii) Solid fences up to 1.8 metres high within front setback area**

The City may approve a solid fence extending above a height of 1.2 metres to a maximum of 1.8 metres, where:

- (A) the front setback area comprises the only outdoor living area of a dwelling; or
- (B) the dwelling fronts onto a Primary or District Distributor road, or Melville Parade.

*Note: The City of South Perth Functional Road Hierarchy lists Canning Highway as a Primary Distributor road.*

*The following roads are classified as District Distributors:*

*Douglas Avenue, George Street, Hayman Road, Kent Street, Labouchere Road (Mill Point Road to Thelma Street), Manning Road, Mill Point Road (Labouchere Road to Canning Highway), South Terrace, Thelma Street (Labouchere Road to Canning Highway), and Way Road.*

**6. Fences on secondary street boundaries**

- (a) The height of a fence on a secondary street boundary is measured from any point along the street footpath or verge adjacent to the fence.

- (b) Subject to clauses 5(a) and 5(b) of this Policy, a solid fence up to 1.8 metres in height is permitted on a secondary street boundary.
- (c) A fence constructed of fibre cement or metal sheeting is not permitted on a secondary street boundary.

## 7. Fences on side and rear boundaries behind front setback area

### (a) Requirement for provision of new fences

In conjunction with any proposed residential development, the applicant is to provide new fences on the rear boundary and all side boundaries of the site behind the front setback area, other than in the following circumstances:

- (i) where the proposal involves only additions, alterations or outbuildings appurtenant to an existing dwelling; or
- (ii) where an existing fence is structurally sound, on a straight alignment, 1.8 metres high, and free of damage or discolouration.

### (b) Method of measuring fence height

In the case of:

- (i) fences on side boundaries behind the front setback area;
- (ii) fences on rear boundaries; and
- (iii) 'internal' fences;

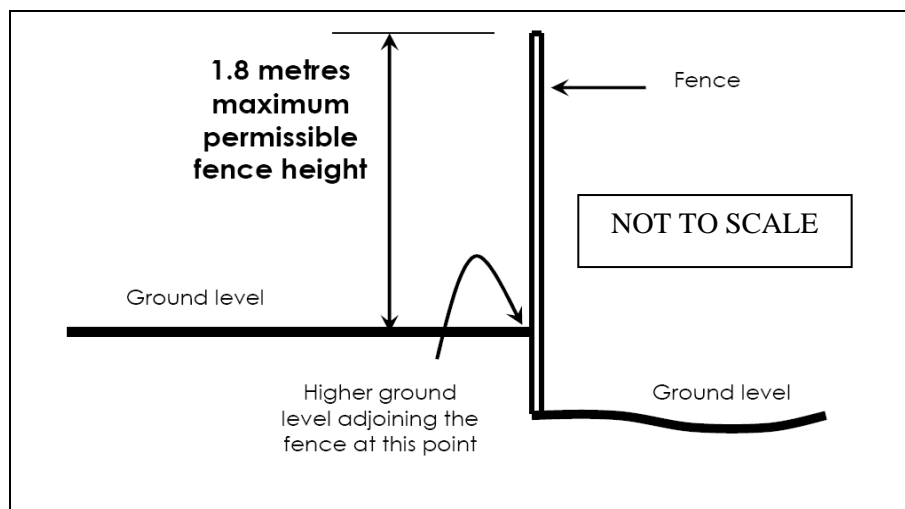
the height is measured from the level of the ground adjacent to the fence at any point. Where the ground level is higher on one side of the fence than on the other, the fence height is measured from the higher side.

Figure 4 below depicts the method of measuring fence height.

**Figure 4**

(Refer to clause 7(b))

**Fence height measured above the higher ground level adjoining the fence**



**(c) Permissible fencing materials and height**

Where clause 7(a) requires the provision of new fences, such fences are to comply with the following:

- (i) The fences are to be constructed of brick, timber, capped manufactured pre-coloured metal sheet, capped corrugated fibre-cement sheet or brushwood.
- (ii) The height is to be 1.8 metres unless:
  - (A) a greater height is approved under clause 8 of this Policy; or
  - (B) the adjoining property owner agrees in writing to a height less than 1.8 metres but in any case the height is to be not less than 1.6 metres.

**(d) Existing boundary fencing to remain until replaced**

Where an existing fence is to be replaced, the new fence is to be erected immediately following the removal of the existing fence.

**8. Fences higher than 1.8 metres**

Except in circumstances where higher fencing is employed to achieve compliance with the visual privacy requirements of the R-Codes, it is not generally necessary for a fence to exceed a height of 1.8 metres. A higher fence may have an adverse amenity impact in terms of:

- (a) excessively dominant and unattractive visual impact;
- (b) increased shadow effect;
- (c) restriction on sunlight penetration; and
- (d) restriction on views.

Clause 6.7 of TPS6 restricts fence height to a maximum of 1.8 metres unless the City approval is granted for a higher fence. A written request must be submitted to the City for any proposed fence exceeding 1.8 metres in height. In considering such a request, the City must be satisfied that the proposed fence will not adversely affect the amenity of any property in the locality and will not clash with the exterior designs of neighbouring buildings.

In recognition of the potential adverse amenity impacts of higher fences, the City will not normally approve a fence height greater than 1.8 metres without the written agreement of the affected adjoining neighbour. The City will consult the adjoining neighbour upon receipt of a written request for a higher fence.

**9. Internal fencing**

Where a development comprises two or more dwellings, the following provisions apply in respect of any 'internal' fence visible from any common driveway, other common area or the front of any dwelling:

- (a) The fence is not to be constructed of fibre cement sheeting; and
- (b) Where the driveway serving a parking bay incorporates a 'corner' at any point, any 'internal' fence is to be aligned so as to provide a 4.25 metre truncation or larger, at such corner.

## 10. Retaining walls

Clause 7.2(2) of TPS6 requires the drawings submitted with every development application to show existing and proposed finished ground and floor levels on the development site. The levels of the adjoining lots and the street levels are also required to be shown. Where the nominated levels show that the applicant proposes cutting or filling of the development site, the following provisions apply:

**(a) Requirement for retaining walls**

Cutting or filling on any part of a site is not to exceed a depth of 150 mm unless retained by a structurally adequate wall. Details of any required retaining walls are to be shown on the site plan submitted as part of a development application.

**(b) Amenity impact determining maximum height of filling and retaining walls**

Clause 6.10 of TPS6 states that site levels and building floor levels are to be calculated to generally achieve equal cutting below and filling above the natural ground level, while also maintaining streetscape compatibility and protecting the amenity of the affected adjoining property. In deciding whether or not to approve the amount of filling and height of associated retaining walls proposed by an applicant, the City will have regard to the following:

- (i) The height of any retaining wall within 3.0 metres of a lot boundary should generally not exceed 1.0 metre as higher retaining walls have the potential to adversely impact on streetscape and neighbours' amenity.
- (ii) Where an applicant seeks approval for a retaining wall higher than 1.0 metre within 3.0 metres of a lot boundary, cross-section drawings are to be submitted showing the existing and proposed finished ground levels on each side of the retaining wall, together with the heights of the proposed retaining wall and the free-standing fence above it. The drawings are to demonstrate that the proposal:
  - (A) will maintain a visually balanced streetscape; and
  - (B) will not have an adverse impact on the amenity of the adjoining property in relation to visual impact, overshadowing and visual privacy.

**(c) Timing of construction of retaining walls**

Where a retaining wall is required, construction of the wall is to be completed prior to, or immediately after, any part of a site has been excavated or filled.

## 11. Requirement for a building licence

Having regard to the structural nature of masonry fences (eg. brick, stone, concrete) and retaining walls, a building licence is required to be obtained prior to the construction of such structures, regardless of where they are located. Every building licence application for a masonry fence or retaining wall is required to be accompanied by drawings certified by a structural engineer.

**Other in force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)
- *Dividing Fences Act 1961* (State Law Publisher: [www.slp.wa.gov.au / statutes / swans.nsf](http://www.slp.wa.gov.au/statutes/swans.nsf))
- City of South Perth Local Law No. 21 'Relating to Streets and Footways'
- *Town Planning (Height of Obstructions at Corners) General By-Laws 1975*, continued under the *Planning and Development Act 2005*.

**Other related Policies**

- Policy P104 'Neighbour and Community Consultation in Planning Processes'
- Policy P350 (8) 'Visual Privacy'
- Other Policies within Policy P350 'Residential Design Policy Manual'

**Other relevant Information**

- "Thinking of Erecting or Altering a Fence?" information sheet on City's web site
- "Applying for a Building Licence" information sheet on City's web site
- Dividing Fences Information ([www.dhw.wa.gov.au / 193\\_395.asp](http://www.dhw.wa.gov.au/193_395.asp))

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 8**

Visual Privacy

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

The Residential Design Codes (R-Codes) contain requirements relating to visual privacy. In applying the R-Codes when the City approves residential development proposals, rather than totally preventing overlooking of an adjoining property, the aim is to ensure a reasonable level of visual privacy for the adjoining residents. In circumstances where a 'sensitive area' on an adjoining lot would be overlooked, applicants need to either achieve the required setback distance, or provide intervening screening to prevent overlooking. This Policy clarifies the documents and information that applicants need to submit, in order to demonstrate compliance with the visual privacy requirements of the R-Codes.

Compliance with the express provisions of the R-Codes is deemed to provide a reasonable level of visual privacy for the adjoining residents. If the owners of an adjoining lot desired a higher level of privacy, it would be the responsibility of those adjoining owners to implement additional screening measures.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has also been prepared pursuant to clause 2.6.2 of the R-Codes that expressly permits Local Planning Policies which clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objective**

To clarify the documentation to be submitted by applicants in order to satisfy the City that development proposals comply with the R-Code requirements relating to visual privacy.

**3. Scope**

This Policy applies to any proposed new dwelling or additions to an existing dwelling.



#### **4. Definitions**

##### **Active Habitable Space**

As defined in the R-Codes, any habitable room with a floor area greater than 10.0 sq. metres and any balcony, verandah, terrace or other outdoor living area raised more than 0.5 metres above natural ground level and greater than 1.0 metre in dimension and 3.0 sq. metres in area.

##### **adjoining lot**

A lot adjoining a development site.

##### **awning window**

An operable window hinged horizontally at the top ('top-hung window') and moving outwards at the bottom.

##### **cone of vision**

As defined in the R-Codes, the limits of outlook from any given viewpoint for the purposes of assessing the extent of overlooking from that point illustrated in Element 8 of the R-Codes.

##### **development site**

As defined in TPS6, a lot which is the subject of:

- (a) a request for informal preliminary support for a proposed development; or
- (b) an application for planning approval.

##### **effective screening**

A physical barrier which is not less than 1.6 metres high, visually obscure, permanent, structurally sound, aesthetically pleasing and designed to obstruct the line of sight between an active habitable space or outdoor living area on a development site and a sensitive area. Effective screening:

- (a) may include lattice or other perforated material where situated on or near a boundary of the development site; or
- (b) does not include:
  - (i) lattice or other perforated material where situated on the perimeter of a balcony or terrace;
  - (ii) any existing or proposed vegetation, including trees, on either the development site or the adjoining lot.

##### **sensitive area**

In respect of an adjoining lot:

- (a) includes a private courtyard, swimming pool area, barbecue area, outdoor eating or entertaining area or other area used regularly or intensively for outdoor recreational purposes, located behind the street setback line, or any habitable room window not visible from the street.
- (b) does not include:
  - (i) any portion of the adjoining lot situated forward of the street setback line, whether or not such portion of the lot is visible from the street;
  - (ii) extensive back gardens unless used in the manner described in (a) above; or
  - (iii) windows, balconies, terraces or front entrances which are visible from the street.

**5. Required documents to demonstrate compliance with R-Codes**

- (a) As an alternative to compliance with the Acceptable Development provisions of the R-Codes, applicants may seek approval via the Performance Criteria path. In such cases, design measures must be employed to avoid direct overlooking of sensitive areas from active habitable spaces and outdoor living areas on the development site. Where a proposed setback is less than the applicable setback prescribed in Acceptable Development clause 3.8.1 A1 of the R-Codes, clause 2.4.6 of the R-Codes requires the submission of drawings providing the following information:
- (i) the position and dimensions of any balcony or major openings to any Active Habitable Space in any wall of an adjoining building which is visible from the development site and is located within 6.0 metres of a boundary of the development site;
  - (ii) the position and level of any accessible area (e.g. of lawn, paving, decking, balcony or swimming pool) on any adjoining property and within 6.0 metres of a boundary of the development site;
  - (iii) additional or marked up plans and sections showing the cone of vision and critical lines of sight from those major openings as they relate to the adjoining property; and
  - (iv) details of screening or other measures proposed to be utilised to reduce overlooking.
- (b) Where a proposed setback is less than the applicable setback prescribed in Acceptable Development clause 3.8.1 A1 of the R-Codes, the submitted drawings must demonstrate that:
- (i) there is no sensitive area within a 25.0 metre 'cone of vision' from an active habitable space or outdoor living area on the development site; or
  - (ii) where there is a sensitive area within a 25.0 metre 'cone of vision' which would be overlooked, effective screening measures will be implemented to prevent overlooking of such area.
- (c) Where the applicant contends that the proposed development complies with Performance Criteria clause 3.8.1 P1 of the R-Codes, but the submitted drawings do not provide conclusive evidence in this respect the City will consult the owners of the affected adjoining lot in the manner prescribed in Council Policy P104. Where:
- (i) the owners of the adjoining lot advise the City in writing that they consider:
    - (A) the area being overlooked not to be a sensitive area; or
    - (B) that, due to existing effective screening or the proposed installation of effective screening, a sensitive area would not be directly overlooked;the proposal will be deemed to comply with the Performance Criteria;
  - (ii) the owners of the adjoining lot advise the City in writing that they consider:
    - (A) the area being overlooked to be a sensitive area; or
    - (B) that a sensitive area would be directly overlooked due to the inadequacy of existing or proposed screening;the proposal will be deemed not to comply with the Performance Criteria. In that event, alternative measures will need to be implemented in order to comply with Acceptable Development clause 3.8.1 A1 of the R-Codes and this Policy.

**6. Compliance with R-Codes required, irrespective of adjoining neighbours' support**

Every proposed development is required to comply with either the Acceptable Development provisions or the Performance Criteria of the R-Codes relating to visual privacy. Therefore, where an applicant's drawings demonstrate that a proposed development does not comply with the visual privacy requirements, the City is not authorised to accept a supporting letter from the owners of the affected adjoining lot as an alternative to compliance.

**7. Design modifications to eliminate non-compliant windows**

- (a) Where a proposed habitable room window would overlook a sensitive area contrary to the visual privacy requirements of the R-Codes, the application drawings are to be amended to incorporate one of the following measures to achieve compliance with Acceptable Development clause 3.8.1 A1 of the R-Codes:
- (i) increasing the sill height to 1600mm above the floor level;
  - (ii) use of glass blocks or fixed obscure glass;
  - (iii) reducing the size of every non-compliant window to less than 1.0 sq. metre in aggregate; or
  - (iv) deletion of the non-compliant window.
- (b) Where fixed obscure glass is indicated on the approved drawings in order to achieve visual privacy compliance, such glass is to be installed and to remain in place permanently.

**8. Use of louvres for effective screening**

Where an applicant proposes to use horizontal or vertical louvres as intervening effective screening to prevent overlooking:

- (a) the louvres are to be fixed permanently in one position, or have a physical and permanent limitation on the angle to which they can be opened, to ensure that the extent of visual permeability cannot exceed that shown on the applicant's drawings referred to in clause 8(b);
- (b) drawings at a scale of 1:50 are to be submitted, demonstrating that the louvres will provide effective screening. Such drawings are to include:
  - (i) details of the screening material; and
  - (ii) cross-sections depicting the screening obstructing the critical line of sight between the source of overlooking and the affected sensitive area; and
- (c) the manufacturer's specification is to be submitted, providing details of the operating mechanism as evidence that the louvres will operate in the manner shown on the applicant's drawings.

**9. Use of awning windows for effective screening**

Where an applicant proposes to use an awning window as intervening effective screening to prevent overlooking:

- (a) the awning window is to be of obscure glass;

- (b) the maximum angle of opening of the awning window is to be mechanically restricted to ensure that the obstruction to the line of sight is maintained as shown on the applicant's drawings referred to in clause 9(c);
- (c) drawings at a scale of 1:50 are to be submitted, demonstrating that the awning window will provide effective screening. Such drawings are to include:
  - (i) details of the screening material; and
  - (ii) cross-sections depicting the screening obstructing the critical line of sight between the source of overlooking and the affected sensitive area; and
- (d) the manufacturer's specification is to be submitted, providing details of the operating mechanism as evidence that the awning window will operate in the manner shown on the applicant's drawings.

## **10. Use of lattice or other perforated material for effective screening**

Lattice or other perforated material will only be approved as intervening effective screening to prevent overlooking of a sensitive area where the following requirements are met:

- (a) The proposed lattice or other perforated material complies with the provisions of:
  - (i) clause 3.3.1 of the R-Codes in relation to setbacks;
  - (ii) Policy 1 'Sustainable Design' in relation to solar access for adjoining lots; and
  - (iii) Policy 7 'Fencing' in relation to fences higher than 1.8 metres.
- (b) The lattice or other perforated material is to be placed on or near a boundary of the development site and not on the perimeter of a balcony or terrace.
- (c) The lattice or other perforated material is to provide effective screening within the cone of vision, to the extent that it prevents recognition of persons or the precise nature of private activity within a sensitive area. In any case where the screening measure is lattice or other perforated material, the perforations are to constitute no more than 20% of the total surface area of the screen and the individual gaps or perforations are not to exceed 50 mm in any direction.
- (d) In order to demonstrate compliance with clause 10(c), drawings at a scale of 1:50 are to be submitted. Such drawings are to include:
  - (i) details of the screening material, with reference to:
    - (A) the percentage of the total surface area of the screen comprising perforations; and
    - (B) the dimensions of the perforations; and
  - (ii) cross-sections depicting the screening obstructing the critical line of sight between the source of overlooking and the affected sensitive area.
- (e) In addition to the drawings referred to in clause 10(d), the applicant is to submit a letter from the owners of the affected adjoining lot, stating that those owners are satisfied that the proposed measure would provide effective screening.

**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

**Other related Policies**

- Policy 1 'Sustainable Design'
- Policy 7 'Fencing'
- Other Policies within the Residential Design Policy Manual

**Other relevant Information**

- Western Australian Planning Commission's "R-Codes Advice Notes - Part 3 Element 8 - Privacy". Volume 2 Issue 1 September 2003 ([www.wapc.wa.gov.au](http://www.wapc.wa.gov.au))

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

**Endorsement for community consultation****26 February 2008****Final adoption****2008****Last Review****Nil****Date of Next Review****2009**

**POLICY 9**

Significant Views

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

Many new developments, including additions to existing dwellings, consist of two or more storeys. This has potential to impact on existing significant views from neighbouring properties and on the streetscape.

Whilst giving some consideration to the effect of proposed development on a significant view, the City is also mindful of the fact that when people buy a house, they do not "buy the view". At best, views currently enjoyed over neighbouring properties can only be regarded as "borrowed views". The City's approach is to give balanced consideration to the reasonable expectations of both existing residents and applicants proposing new development. Wherever possible, a significant view should be shared by all parties.

**Policy****1. Status**

- (a) This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.
- (b) This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:
  - (i) address building design;
  - (ii) augment the Codes by providing for aspects of residential development not provided for in the R-Codes.

**2. Objective**

To give balanced consideration to the reasonable expectations of both existing residents and applicants proposing new development with respect to a significant view.

**3. Scope**

Clause 4.3(1)(f) of TPS6 contains provisions designed to preserve significant views from certain properties in Swanview Terrace, South Perth, by means of prescribing a minimum setback from the rear lot boundaries adjoining Sir James Mitchell Park. Clause 6.2(2) of TPS6 contains other provisions designed to preserve significant views of the Canning River from certain properties in River Way and Salter Point Parade, Salter Point. In addition to these TPS6 provisions relating to views, this Policy applies to all proposed residential development throughout the City which may affect existing significant views available from adjoining properties.

#### 4. Definition

##### significant view

For the purpose of this Policy, the term 'significant view' means a panorama or a narrower vista seen from a given vantage point, not obtainable from the majority of residential properties within the City. Examples of a 'significant view' include views of the Perth City skyline, the Swan or Canning River, suburban townscape, parkland or treescape.

#### 5. Design considerations relating to a significant view

- (a) In the interest of preserving a significant view from a lot adjoining a development site, the City may require the design of a proposed development to be modified. In arriving at a decision regarding possible modifications, the City will have regard to the following factors, among others:
- (i) the applicant's normal development entitlements with respect to residential density and building height; and
  - (ii) the objective of maximising any significant view from existing or proposed dwellings.
- (b) Before granting a requested setback variation, the City will have due regard to the effect that the setback variation would have on a significant view. Where the City considers that a setback variation would adversely affect a significant view from a lot adjoining a development site, the requested setback variation will not be approved.
- (c) Clause 6.2(3) of TPS6 enables the City to impose a restriction on roof height where considered appropriate in the interests of streetscape character within the focus area. In addition, in order to protect a significant view, the City may require a roof pitch to be reduced, where such reduction:
- (i) would not compromise the architectural integrity of the proposed development; or
  - (ii) would not be contrary to the provisions of any applicable Precinct Streetscape Policy.

##### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

##### Other related Policies

- Other Policies within Policy P350 'Residential Design Policy Manual'
- Precinct Streetscape Policies

##### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**POLICY 10**

Ancillary Accommodation

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**  
Environmental Management**Rationale**

Town Planning Scheme No. 6 (TPS6) has been formulated to give effect to a number of 'Scheme Objectives' which are set out in clause 1.6 of the Scheme. One of those objectives is to '*... facilitate a diversity of dwelling styles and densities in appropriate locations...*'. Ancillary Accommodation is one class of accommodation which caters to the specific needs of extended family groups. The City supports Ancillary Accommodation provided that it does not cause the completed development to have the appearance of two dwellings and the occupancy of such accommodation is restricted to family members. The Policy clarifies the City's design expectations where an applicant seeks approval under the Performance Criteria of the Residential Design Codes (R-Codes) for a plot ratio floor area exceeding 60 sq. metres.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has also been prepared pursuant to clause 2.6.2 of the R-Codes that expressly permits Local Planning Policies which:

- (i) address building design;
- (ii) augment the Codes by providing for aspects of residential development not provided for in the R-Codes;
- (iii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objectives**

- (a) To accommodate large or extended families on Single House sites.
- (b) To restrict the floor area of detached Ancillary Accommodation while supporting greater floor area where Ancillary Accommodation is located under the roof of the main dwelling.
- (c) To ensure that any future purchaser of a property containing Ancillary Accommodation is aware of the occupancy restriction.



### 3. Definition

#### **Ancillary Accommodation**

As defined in the R-Codes, the term 'Ancillary Accommodation' means:

*“Self-contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling.”*

### 4. Scope

This Policy applies to Ancillary Accommodation in any zone where such use is permissible.

### 5. Occupancy restriction

- (a) Having regard to the occupancy restriction applicable under the R-Codes, any planning approval granted for Ancillary Accommodation would be conditional upon the applicant registering on the Certificate of Title for the lot, a notification informing prospective purchasers that the Ancillary Accommodation may only be occupied by members of the family who occupy the main dwelling, and that occupancy by any other persons would be an offence under the *Planning and Development Act*.
- (b) The City will not issue a building licence for proposed Ancillary Accommodation until such time as the applicants, at their cost, have registered the required notification on the Certificate of Title relating to the occupancy restriction.
- (c) When the Ancillary Accommodation is no longer independently occupied in the required manner described in paragraph (i), it is to be used as an extension of the main dwelling and is not to be occupied by any person who is not a member of the family who occupy the main dwelling.
- (d) The sole purpose of Ancillary Accommodation is to provide additional accommodation for family members. Having regard to the occupancy restriction, independent strata subdivision of the main dwelling and the Ancillary Accommodation will not be supported by the City.

### 6. Floor area restriction

- (a) Acceptable Development clause 4.1.1 A1 of the R-Codes prescribes a 60 sq. metre maximum plot ratio floor area for Ancillary Accommodation. Where proposed Ancillary Accommodation is contained in a separate building, the City would not be prepared to approve a greater floor area.
- (b) Under Performance Criteria clause 4.1.1 P1 of the R-Codes, a plot ratio floor area exceeding 60 sq. metres could be approved provided that the Ancillary Accommodation meets the needs of large or extended families without compromising the amenity of adjoining properties. Where an applicant seeks approval for a larger floor area than 60 sq. metres, the City will consider the alternative Performance Criteria to have been met, provided that the Ancillary Accommodation:
  - (i) is contained under the same roof as an integral part of the main dwelling;
  - (ii) is designed to match the main dwelling with respect to design, materials and external colours; and

- (iii) complies with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

## 7. Design and siting criteria

In addition to complying with the provisions of clause 4.1.1 of the R-Codes relating to Ancillary Accommodation, proposals of this kind are to comply with the following:

- (a) The design, materials and external colours of Ancillary Accommodation are to match those of the main dwelling.
- (b) As viewed from the street, Ancillary Accommodation is to be designed such that it does not have the appearance of a second dwelling.
- (c) Ancillary Accommodation shall be single level only. If the Ancillary Accommodation is under the roof of the main dwelling, it is to be located on the ground floor level unless a mechanical means of access is provided to such accommodation located above ground floor level.

### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

### Other related Policies

- Other Policies within Policy P350 'Residential Design Policy Manual'

### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

**Strategic Plan Goal 3**  
Environmental Management

City of South Perth Policy P350 'Residential Design Policy Manual'

**POLICY 11**

Aged or Dependent Persons' Dwellings

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Rationale**

In recognition of the diverse housing needs within the community, one of the objectives of Town Planning Scheme No. 6 (TPS6) is to '*... facilitate a diversity of dwelling styles and densities in appropriate locations...*'. Aged or Dependent Persons' Dwellings are one class of 'special purpose dwellings' provided for in TPS6 and the Residential Design Codes (R-Codes). This Policy has been formulated to provide guidance as to the City's expectations concerning such dwellings. The Policy also contains provisions which ensure that proposals of this kind do not result in 'over-development' of sites and that the dwellings properly cater for the special needs of the intended occupiers. It further clarifies the City's design expectations where an applicant seeks approval under the Performance Criteria of the R-Codes in relation to Aged or Dependent Persons' Dwellings.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of TPS6. Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has been prepared pursuant to clause 2.6.2 of the R-Codes that expressly permits Local Planning Policies which:

- (i) address building design;
- (ii) augment the R-Codes by providing for aspects of residential development not provided for in the R-Codes;
- (iii) clarify alternative Acceptable Development provisions to meet Performance Criteria set out in the Codes.

**2. Objectives**

- (a) To ensure that Aged or Dependent Persons' Dwellings are conveniently located for easy access to public transport, convenience shopping and postal services.
- (b) To provide opportunities for aged or dependent persons to have social contact with one another.
- (c) To facilitate the development of accommodation meeting the special needs of aged or dependent persons.
- (d) To ensure that development proposals relating to Aged or Dependent Persons' Dwellings do not result in over-development of sites.

### **3. Scope**

This Policy applies to any proposed Aged or Dependent Persons' Dwellings.

### **4. Definitions**

#### **aged or dependent person**

As defined in the R-Codes, 'aged or dependent person' means :

*A person who is aged 55 years or over or is a person with a recognised form of disability requiring special accommodation provisions for independent living or special care.*

#### **Aged or Dependent Persons' Dwelling**

As defined in Town Planning Scheme No. 6 (TPS6), 'Aged or Dependent Persons' Dwelling' means:

*A dwelling, which, by incorporating appropriate provisions for the special needs of aged or dependent persons or both, is designed, and is used, for the permanent accommodation of a person who:*

- (a) is aged 55 years or more; or*
  - (b) has a recognised form of handicap requiring special accommodation;*
- and may also accommodate the spouse of that person and no more than one other person.*

### **5. Composition of developments containing Aged or Dependent Persons' Dwellings**

Aged or Dependent Persons' Dwellings may be in the form of Single Houses, Grouped Dwellings or Multiple Dwellings. Being one class of special purpose dwellings, Aged or Dependent Persons' Dwellings may comprise:

- (a) the whole of a proposed development; or
- (b) part of a proposed development, in combination with other dwellings which have no occupancy restriction.

### **6. Occupancy restriction**

- (a) The occupancy of an Aged or Dependent Persons' Dwelling is restricted to a person:
  - (i) who is aged 55 years or more; or
  - (ii) who has a recognised form of handicap requiring special accommodation;and the dwelling may also accommodate the spouse of that person and no more than one other person.

Any planning approval granted for Aged or Dependent Persons' Dwellings would be conditional upon the applicant registering on the Certificate of Title for the lot, a notification informing prospective purchasers of the occupancy restriction, and that occupancy by any other persons would be an offence under the *Planning and Development Act*.

- (b) The City will not issue a building licence for proposed Aged or Dependent Persons' Dwellings until such time as the applicants, at their cost, have registered the required notification on the Certificate of Title relating to the occupancy restriction.

- (c) Where any Aged or Dependent Persons' Dwelling is to be located on a strata lot, the registered strata plan is to be appropriately endorsed to restrict the use of the dwelling in the manner set out in clause 6(a). The endorsement on the strata plan is to be executed prior to the occupation of any Aged or Dependent Persons' Dwelling, and is to remain on the strata plan at all times thereafter.

## **7. Larger dwellings and 'density bonus'**

Under clause 3.1.3 A3(i) of the R-Codes a reduction in site area per dwelling (density bonus) may be approved for a development proposal involving Aged or Dependent Persons' Dwellings. However, where Aged or Dependent Persons' Dwellings is a 'D' (discretionary) Use under TPS6, the City will have regard to the following provisions in deciding whether or not to approve a particular proposal of this kind:

### **(a) Density bonus combined with larger dwellings**

The City would generally not approve Aged or Dependent Persons' Dwellings where:

- (i) a density bonus is sought; and
- (ii) the plot ratio area of any dwelling exceeds the maximum prescribed by Acceptable Development clause 4.1.2 A2 of the R-Codes (100 sq. metres for Single Houses and Grouped Dwellings; and 80 sq. metres for Multiple Dwellings).

### **(b) Density bonus but not larger dwellings**

The City would be prepared to approve Aged or Dependent Persons' Dwellings involving a density bonus, provided that:

- (i) the plot ratio area of any dwelling does not exceed the 100 sq. metre or 80 sq. metre maximum prescribed by clause 4.1.2 A2 of the R-Codes; and
- (ii) the proposal complies with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

### **(c) Larger dwellings without density bonus**

The City would be prepared to approve Aged or Dependent Persons' Dwellings with the plot ratio area of any dwelling exceeding the 100 sq. metre or 80 sq. metre maximum prescribed by clause 4.1.2 A2 of the R-Codes, provided that:

- (i) a density bonus is not sought;
- (ii) the proposal complies with the maximum plot ratio prescribed in Table 1 of the R-Codes; and
- (iii) the proposal complies with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

## **8. Proposals complying with 'Acceptable Development' provisions of the R-Codes**

Where a development application for Aged or Dependent Persons' Dwellings demonstrates compliance with all of the provisions of 'Acceptable Development' clause 4.1.2 A2 of the R-Codes, the City would favourably consider that proposal subject to compliance with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

## **9. Proposals not complying with 'Acceptable Development' provisions of the R-Codes**

Where an applicant seeks approval for a proposal which does not comply with all of the provisions of Acceptable Development clause 4.1.2 A2 of the R-Codes, the City will consider the R-Codes Performance Criteria to have been met, provided that the proposal complies with all of the following:

**(a) Number of dwellings**

Any proposed development including Aged or Dependent Persons' Dwellings, is to contain three or more Aged or Dependent Persons' Dwellings, grouped together to offer the opportunity for social contact.

**(b) Location criteria**

Every development application involving Aged or Dependent Persons' Dwellings is to include a locality plan at a scale not smaller than 1 : 10,000 demonstrating compliance with the following:

- (i) The development site is to be located:
  - (A) within 400 metres of a bus stop; and
  - (B) within 800 metres level walking distance of:
    - Grocery shop or a Delicatessen;
    - Chemist shop;
    - Newsagency;
    - Post box.
- (ii) The maximum permissible gradient for pedestrian access to these facilities is 1:12.
- (iii) The site of any proposed Aged or Dependent Persons' Dwellings is to be connected to the essential services and facilities referred to in paragraph (b)(i) above by means of a continuous paved footpath and pedestrian crossing points.

**(c) Site planning****(i) Site levels**

- (A) The site of any proposed Aged or Dependent Persons' Dwellings should preferably be level.
- (B) The gradient of any driveway or pedestrian pathway on the development site is not to exceed 1:12.
- (C) Any change of gradient along the length of a pathway is to be accommodated with ramps. Steps are not permitted.
- (D) The development is to be designed so as to avoid the need for steps leading to the front entry any dwelling.
- (E) For each dwelling, the Outdoor Living Area required by the R-Codes is to be level.

**(ii) Occupiers' car parking**

- (A) Under clause 6.3(6)(d) of TPS6, the City may require some or all of the car parking bays on a development site to be provided with roof cover. Pursuant to that clause, in the case of proposals for Aged or Dependent Persons' Dwellings, one occupier's car bay for each dwelling is to be provided with roof cover. Additional roof cover is to be provided where necessary, to achieve complete weather protection from the occupier's vehicle to an entry to the dwelling.
- (B) In the case of proposals for Aged or Dependent Persons' Dwellings, the width of every occupiers' car bay is to be not less than 3.3 metres.

- (C) Where a dwelling is designed for the use of a person in a wheelchair, the width of the occupier's car bay is to be not less than 3.8 metres measured clear of the face of any column, pier or other obstruction on the side of the car bay.
- (iii) **Visitors' car parking**  
The number of visitors' car bays is to be one bay for every four dwellings or part thereof.
- (iv) **Letter box access**  
A hard-surfaced pathway is to be provided from the entry of every Aged or Dependent Persons' Dwelling to a letter box on the site.
- (v) **Wheelchair access within the site**  
Where an Aged or Dependent Persons' Dwelling is designed for the use of a person in a wheelchair, a minimum 1.5 metre diameter paved turning space is to be provided outside the entry to the dwelling and at the rear of the letter box for that dwelling.
- (d) **Dwelling design for persons not confined to a wheelchair**
- (i) **Doors**  
Doors and door openings within every Aged or Dependent Persons' Dwellings are to comply with the following:
- (A) External doors: to have flush thresholds.
  - (B) Door frames: 900mm minimum width for hinged doors;  
2.040 metres minimum width for sliding doors.
  - (C) Operation: 300mm free wall space to be provided adjacent to the door handle to facilitate ease of door operation.
- (ii) **Passages**  
All internal passages are to have a minimum width of 1.0 metre.
- (iii) **Power points and switches**  
Power points and switches are to be positioned 1.0 metre above floor level. Switches are to be of the large rocker type.
- (iv) **Floors**  
No change of floor level is permitted within any Aged or Dependent Persons' Dwelling. Floor finishes throughout the dwelling are to be slip-resistant.
- (v) **Windows**  
Each habitable room is to have at least one window with a sill level not more than 900mm above the finished floor level. All openable windows are to be of the sliding type.
- (vi) **Outdoor Living Area**  
Each Aged or Dependent Persons' Dwelling is to be provided with an Outdoor Living Area in compliance with clause 3.4.2 A2 of the R-Codes. The Outdoor Living Area is to be either paved or planted with lawn.
- (vii) **Store Room**  
Each Aged or Dependent Persons' Dwelling is to be provided with a storage area in compliance with clause 3.10.3 A3.1 of the R-Codes.

**(e) Dwelling design for persons confined to a wheelchair**

Where an Aged or Dependent Persons' Dwelling is intended for the use of a person in a wheelchair, the dwelling is to be designed in accordance with the Australian Standards AS 4299 (Adaptable Housing) to the Adaptable House class B standard.

**(f) Trees**

Trees retained or planted on the site of Aged or Dependent Persons' Dwellings are not to include any species which may drop nuts or berries onto a courtyard or pathway.

**(g) Letter box height**

The height of the letter box for each Aged or Dependent Persons' Dwelling is to be not lower than 600mm and not higher than 1200mm.

**Other in Force Documents**

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)
- Building Code of Australia

**Other related Policies**

- Other Policies within Policy P350 'Residential Design Policy Manual'

**Stakeholders**

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>



**POLICY 12**

Single Bedroom Dwellings

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**  
Environmental Management**Rationale**

In recognition of the diverse housing needs within the community, one of the objectives of Town Planning Scheme No. 6 (TPS6) is to '*... facilitate a diversity of dwelling styles and densities in appropriate locations...*'. Single Bedroom Dwellings are one class of dwelling which cater for the specific needs of small households comprising only one or two persons. Such households are becoming increasingly common. Therefore, the City supports development proposals relating to Single Bedroom Dwellings provided such proposals do not result in 'over-development' of sites.

In every zone apart from Mixed Use Commercial, Single Bedroom Dwellings are identified as a 'D' (discretionary) Use in TPS6. This Policy provides guidance as to the City's approach to the exercise of its discretion when considering development applications for these special purpose dwellings.

**Policy****1. Status**

- (a) This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.
- (b) This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:
  - (i) address building design; and
  - (ii) augment the Codes by providing for aspects of residential development not provided for in the R-Codes.

**2. Objectives**

- (a) To discourage development comprising Single Bedroom Dwellings where a 'density bonus' is being sought together with larger dwellings than the normal 60 sq. metre maximum prescribed by the R-Codes, in order to preclude the 'over-development' of sites.
- (b) To support appropriately designed Single Bedroom Dwellings with a plot ratio area larger than 60 sq. metres where density bonus is not being sought.

**3. Scope**

This Policy applies to Single Bedroom Dwellings in any zone where such use is a 'D' (discretionary) Use.

#### 4. Larger dwellings and 'density bonus'

Under clause 3.1.3 A3(i) of the R-Codes a reduction in site area per dwelling (density bonus) may be approved for a development proposal involving Single Bedroom Dwellings. However, where Single Bedroom Dwellings is a 'D' (discretionary) Use under TPS6, the City will have regard to the following provisions in deciding whether or not to approve a particular proposal:

**(a) Density bonus combined with larger dwellings**

The City would generally not approve Single Bedroom Dwellings where:

- (i) a density bonus is sought; and
- (ii) the plot ratio area of any dwelling exceeds the 60 sq. metre maximum prescribed by clause 4.1.3 A3 of the R-Codes.

**(b) Density bonus but not larger dwellings**

The City would be prepared to approve Single Bedroom Dwellings involving a density bonus, provided that:

- (i) the plot ratio area of any dwelling does not exceed the 60 sq. metre maximum prescribed by clause 4.1.3 A3 of the R-Codes;
- (ii) the proposal complies with the maximum plot ratio prescribed in Table 1 of the R-Codes; and
- (iii) the proposal complies with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

**(c) Larger dwellings without density bonus**

The City would be prepared to approve Single Bedroom Dwellings with the plot ratio area of any dwelling exceeding the 60 sq. metre maximum prescribed by Acceptable Development clause 4.1.3 A3 of the R-Codes, provided that:

- (i) a density bonus is not sought;
- (ii) the dwellings are not suitable for accommodating more than two persons in accordance with R-Codes Performance Criterion 4.1.3 P3;
- (iii) the proposal complies with the maximum plot ratio prescribed in Table 1 of the R-Codes; and
- (iv) the proposal complies with all other provisions of this Policy together with other relevant provisions of TPS6 and the R-Codes.

#### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)

#### Other related Policies

- Other Policies within Policy P350 'Residential Design Policy Manual'

#### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>



City of South Perth Policy P350 'Residential Design Policy Manual'

**POLICY 13**

Strata Titling of Dwellings Constructed prior to Town Planning Scheme No. 6

**Relevant Management Practice**

Nil

**Relevant Delegation**

Delegations DC 342 and DM 342

**Strategic Plan Goal 3**

Environmental Management

**Rationale**

The City of South Perth contains many 'old' buildings comprising Grouped and Multiple Dwellings which are currently held under single ownership. From time to time, the owners of such buildings lodge applications for strata subdivision to facilitate the sale of individual dwellings. Those owners are required to obtain a certificate from the City under section 23 of the *Strata Titles Act 1985* before strata titles are issued. Among other requirements, the Act states that, before issuing the section 23 certificate, the City must be of the opinion that the building is of a 'sufficient standard' to be divided into strata lots. In relation to Grouped and Multiple Dwellings approved prior to Town Planning Scheme No. 6 (TPS6) coming into operation, this Policy identifies the extent of required works to raise such buildings to a sufficient standard to allow a 'Planning' clearance to be issued towards strata title certification.

**Policy****1. Status****(a) Relationship to Town Planning Scheme No. 6**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of TPS6. Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

**(b) Relationship to Residential Design Codes**

This Policy has also been prepared pursuant to clause 2.6.2 of the Residential Design Codes (R-Codes) that expressly permits Local Planning Policies which:

- (i) address building design; and
- (ii) augment the R-Codes by providing for aspects of residential development not provided for in the R-Codes.

**2. Objective**

In respect of any building to which this Policy applies, to identify the extent of upgrading required in order to satisfy the City that the building is of a sufficient standard for strata subdivision.

**3. Scope**

This policy applies to any Grouped or Multiple Dwelling developments approved prior to TPS6 coming into operation on 29 April 2003, where those developments are proposed to be strata titled.

**4. Planning clearance towards strata title certification**

- (a) Subject to sub-clause (b), where an existing Grouped Dwelling or Multiple Dwelling development approved prior to TPS6 coming into operation on 29 April 2003, does not comply with TPS6, R-Codes or provisions of another Council Policy, including those relating to dwelling density, plot ratio, building height and setbacks, among others, such non-compliance would not preclude the issuing of a 'Planning' clearance towards strata title certification.
- (b) Where:
  - (a) an existing building contains Grouped or Multiple Dwellings approved prior to TPS6 coming into operation on 29 April 2003; and
  - (b) pursuant section 23 of the Strata Titles Act, an application for a strata title certificate is lodged for such building;a 'Planning' clearance towards strata title certification will not be issued until the building has been brought into compliance with all of the provisions of this Policy.

**5. Provision of required facilities****(a) Open space and landscaping**

- (i) In the case of Grouped Dwelling and Multiple Dwelling developments:
  - (A) where the existing area of open space meets or exceeds the minimum required by the R-Codes, the area of open space is not to be reduced below the prescribed minimum; or
  - (B) where the existing area of open space is less than the minimum required by the R-Codes, the existing area of open space is not to be reduced.
- (ii) In the case of any Grouped Dwelling:
  - (A) where the existing Outdoor Living Area meets or exceeds the minimum area required by the R-Codes, the Outdoor Living Area is not to be reduced below the prescribed minimum; or
  - (B) where the existing Outdoor Living Area is less than the minimum area required by the R-Codes, the existing Outdoor Living Area is not to be reduced.
- (iv) Wherever possible, proposed additions or alterations to an existing building, including any car parking modifications, are to be designed in a manner that will preserve existing trees.

**(b) Car parking, vehicular and pedestrian access**

- (i) Where the existing number of occupiers' car parking bays is less than the number required by the R-Codes, at least one bay per dwelling is to be provided.
- (ii) Where the existing number of occupiers' car bays meets or exceeds the number required by the R-Codes, the existing number of bays is not to be reduced.
- (iii) Visitors' car bays are to be provided to the number specified in the R-Codes where:
  - (A) the number of occupiers' car bays meets or exceeds the prescribed minimum and the surplus bays are able to be converted to visitors' use; or
  - (B) sufficient space is available on the site to construct new visitors' car bays.
- (iv) Where visitor car bays are required, the location of those bays is to comply with the provisions of Policy 3.
- (v) If car bays are to be re-configured, or new bays are proposed, the dimensions are to comply with the provisions of TPS6 or a related Council Policy.

- (vi) Any new parking bays located within the street setback area are to be screened by a landscaping strip at least 1.5 metre wide, in order to comply with the requirements of clause 4.3(1)(j) of TPS6.
  - (vii) Where, pursuant to clause 6.6(2)(b) of TPS6 or clause 3.5.4 A4.4 of the R-Codes, vehicular access is to be designed to facilitate entry onto a public street in forward gear, the applicant is to provide a drawing as required by Policy 3 'Car Parking: Access, Siting and Design', demonstrating functional vehicular turning movements.
  - (viii) The siting and design of any proposed garage or carport, is to comply with the provisions of Policy 3 'Car Parking: Access, Siting and Design'.
  - (ix) Arrangements for vehicular and pedestrian access are to be in accordance with the provisions clauses 3.5.4 and 3.5.5 of the R-Codes.
- (c) **Storerooms**  
Each Grouped or Multiple Dwelling is to be provided with a store room in accordance with the provisions of the R-Codes.
- (d) **Laundry facilities**
- (i) Each dwelling is to be provided with its own laundry facilities including a minimum of a wash trough, space for a washing machine and space for an electric clothes dryer.
  - (ii) External clothes drying facilities are to be provided for ground floor dwellings or alternatively an electric clothes dryer is to be provided within each ground floor dwelling. Each other dwelling is to be provided with an electric clothes dryer.
  - (iii) External clothes drying facilities shall be screened from view in accordance with clause 3.4.5 A5 (ix) of the R-Codes.
- (e) **Bin storage areas**  
Each Multiple Dwelling development comprising more than 10 dwellings is to be provided with a bin storage area towards the front of the site.

## **6. Upgrading of buildings, other facilities and street verge**

- (a) **Upgrading of buildings**  
The external appearance of the building is to be upgraded. The extent of any required upgrading works will depend upon the condition of the existing building, and may include the following, among other works:
- (i) Replacement of any portion of, or all of, the roofing material with new material, where the existing material has become faded or discoloured.
  - (ii) Recoating of existing roof tiles by a professional roof coater who provides a minimum 15 year guarantee against discolouration.
  - (iii) Restoration of existing external face brickwork and repair of mortar joints, for any external wall including boundary walls.
  - (iv) Bagging and painting, or rendering and painting, of all external walls, including boundary walls, inclusive of any balustrades of any communal pedestrian accessway, private balcony, or stairwell.
  - (v) Repairing and painting, or replacement and painting, of gutters, downpipes, fascias, eaves linings, rafters, bargeboards, windows and doors.

- (vi) Concealment of plumbing fittings and cables by chasing them into walls of buildings, or by other means.
  - (vii) Demolition of external laundries and other redundant structures.
  - (viii) Replacement of all asbestos roof sheeting with an alternative material.
- (b) Upgrading involving site works**  
The portion of the site surrounding any building is to be upgraded. The extent of any required upgrading works will depend upon the condition of the existing improvements, and may include the following, among other works:
- (i) Car parking and accessways**
    - (A) Resurfacing and kerbing of existing car parks.
    - (B) Clear delineation of all car bays by line marking.
    - (C) Identification of visitors' bays on site for visitors' exclusive use at all times.
    - (D) Resurfacing of existing pedestrian paths.
    - (E) Provision of pedestrian paths from the street to the entry of each unit, separate from any car bay or vehicular accessways.
  - (ii) Sewerage and drainage**
    - (A) Connection to the Water Corporation sewer for disposal of sewage and waste water, as required by clause 6.8(1) of TPS6.
    - (B) Grading and drainage of car bays and accessways into soak wells to prevent water flowing onto adjoining land, into garages or carports on the site, or onto a public street, as required by clause 6.3(10)(b) of TPS6.
    - (C) Disposal of storm water from the site generally into soak wells to prevent water flowing onto adjoining land or onto a public street, as required by clause 6.8(2) of TPS6.
  - (iii) Communal open space**  
Upgrading of landscaping and provision of amenities within areas of communal open space.
  - (iv) Fencing and retaining walls**  
Repair or replacement of boundary fences and retaining walls and compliance with requirements relating to fence heights adjacent to driveways, in accordance with Policy 7.
- (c) Upgrading of street verge and crossovers**
- (i) The street verge adjoining the development site is to be reticulated and upgraded.
  - (ii) Where an existing crossover is of an unsatisfactory standard, it is to be either re-constructed or repaired and any damaged footpaths are to be repaired.
- (d) Upgrading of adjoining right-of-way**  
Where access to car bays is gained via a right-of-way of unsatisfactory standard:
- (i) the portion of the right-of-way abutting the development site is to be either re-constructed or repaired. The works in this respect are to include forming, grading, finishing with hard standing bitumen surface and kerbing, sufficient to sustain the loadings of heavy service vehicles and drainage for disposal of surface water from the right-of-way; and

- (ii) the portion of the right-of-way referred to in clause 6(d)(i) is to be maintained at all times in a satisfactory condition. If and when by reason of wear and tear it may become necessary to do so, that portion of the right-of-way is to be re-surfaced and re-formed with materials equivalent to those originally used.

## 7. Building and Environmental Health requirements

In addition to compliance with the provisions of this Policy, applicants are to comply with the requirements of:

- (a) the City's Building Services Department in relation to:
- (i) the need for the building to be constructed in accordance with the approved drawings, specifications and Building Licence conditions;
  - (ii) any necessary upgrading to a structurally sound condition where structural defects are identified;
  - (iii) conformity with all current-day fire safety requirements of the Building Code of Australia.
- (b) the City's Environmental Health Services Department in relation to:
- (i) laundries, kitchens, bathrooms, and toilets;
  - (ii) lighting and ventilation;
  - (iii) bin storage areas; and
  - (iv) disposal of asbestos sheeting.

### Other in Force Documents

- City of South Perth Town Planning Scheme No. 6
- Residential Design Codes (R-Codes)
- Building Code of Australia
- *City of South Perth Health Local Laws 2002*
- *Health Act (Laundries and Bathrooms) Regulations*
- *Sewerage Lighting Ventilation and Construction Regulations 1971*

### Other related Policies

- Other Policies within Policy P350 'Residential Design Policy Manual'

### Stakeholders

- Developers
- Immediate neighbours and the wider community
- Council and City officers
- Architects, designers and builders

<b>Endorsement for community consultation</b>	<b>26 February 2008</b>
<b>Final adoption</b>	<b>2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>

## Part 2

# Precinct-Based Streetscape Policies

*(To be presented at a later date)*

DRAFT





**Strategic Plan Goal 3**  
Environmental Management

## **POLICY P398**

Applications for Planning Approval:  
Applicant's Responsibilities

**Relevant Management Practice**  
Nil

**Relevant Delegation**  
Delegations DC 342 and DM 342

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### **Rationale**

Applications for planning approval are assessed to ensure compliance with all statutory requirements and policy provisions. The Council must also be satisfied that any proposed development will preserve or enhance the amenity of the locality. The Council endeavours to assess and determine applications in an effective, comprehensive, accurate and timely manner. To assist the Council in this regard, applicants are expected to submit complete and accurate documentation. This Policy identifies certain documentation that applicants are required to submit, in addition to items specified in Town Planning Scheme No. 6. The Policy also clarifies the limited extent of permissible variation from planning approval drawings at the building licence stage.

### **Policy**

#### **1. Status**

This Policy is a planning policy prepared, advertised and adopted pursuant to clause 9.6 of Town Planning Scheme No. 6 (TPS6). Under clause 1.5 of TPS6 all planning policies are documents supporting the Scheme.

Clause 7.2 of TPS6 specifies the drawings and information that applicants are required to submit when applying for planning approval. Sub-clause (2)(c) of clause 7.2 provides for the submission of "*any other plan or information that the Council may reasonably require to enable the application to be determined.*" Pursuant to clause 7.2(2)(c), in addition to the documents specifically identified in clause 7.2, this Policy specifies other plans and calculations which the applicant is required to submit, and also refers to a check-sheet to be submitted by the applicant.

#### **2. Objective**

To facilitate effective, comprehensive, accurate and timely processing of applications for planning approval for proposed development, by identifying documentation to be submitted by the applicant.

#### **3. Scope**

This Policy applies to any application for planning approval for proposed development and to the approved drawings and conditions of planning approval.

#### 4. Applicants' responsibilities when applying for planning approval

In addition to other documents submitted with an application for planning approval for proposed development, the Council requires submission of the following:

##### (a) Plans and calculations relating to Plot Ratio

###### (i) Plot Ratio Plans

In every case where the assessment of an application for planning approval involves a plot ratio calculation, in addition to the required floor plans, the applicant is to submit a separate set of those floor plans ('Plot Ratio Plans'), at a scale of 1:100, clearly indicating which portions of each floor of the building are included in the plot ratio area, calculated according to the definition of 'plot ratio' contained in TPS6 in the case of non-residential development, or the R-Codes in the case of residential development.

For each level of the building, the plot ratio area is to be depicted by means of bordering and distinctive colouring or other technique, on the Plot Ratio Plans. For each component, the area, in square metres, is to be recorded on the Plot Ratio Plans.

###### (ii) Plot ratio calculations

The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the plot ratio areas of each floor of the building;
- the total plot ratio area for the entire building; and
- the overall plot ratio figure expressed as a ratio between the site area and the total plot ratio area for the entire building.

##### (b) Plans and calculations relating to Open Space

###### (i) Open Space Plans

In every case where the assessment of an application for planning approval involves an open space calculation, in addition to the required site plan, the applicant is to submit a separate copy of the site plan ('Open Space Plan'), at a scale of 1:100, clearly indicating which portions of the site comprise open space, calculated according to the definitions of 'open space', 'communal open space' and 'outdoor living area' contained in the R-Codes.

The open space is to be depicted by means of bordering and distinctive colouring or other technique, on the Open Space Plan. For each component, the area, in square metres, is to be recorded on the Open Space Plan.

In the case of Multiple Dwelling proposals, communal open space areas are to be identified separately from other areas of open space. In the case of Grouped Dwelling and Single House proposals, outdoor living areas are to be identified separately from other areas of open space.

###### (ii) Open space calculations

The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the areas, expressed in square metres, of total open space and communal open space or outdoor living area; and
- the percentage of the site comprising the total area of open space.

(c) **Plan and calculation relating to Landscaped Area**

In every case where the assessment of an application for planning approval for non-residential development involves a calculation of landscaped area, on the required site plan or a separate copy of the site plan at a scale of 1:100, the applicant is to clearly indicate which portions of the site comprise landscaped area as referred to in TPS6 and defined in the R-Codes.

The landscaped area is to be depicted by means of bordering and distinctive colouring or other technique, on the site plan. For each component of the landscaped area, the area, in square metres is to be recorded on the site plan.

The applicant is to also provide, in tabulated form, the following information:

- the total site area shown on the Certificate of Title;
- the total landscaped area, expressed in square metres; and
- the percentage of the site comprising the landscaped area.

(d) **Applicant's Planning Assessment Check-Sheets**

Every application for planning approval is to be accompanied by an '*Applicant's Planning Assessment Check-Sheet*', completed by the applicant. Various check-sheets for different kinds of applications are available on the City's web site at [www.southperth.wa.gov.au](http://www.southperth.wa.gov.au). Applicants need to use the check-sheet applicable to their particular application.

By completing and submitting an '*Applicant's Planning Assessment Check-Sheet*', the applicant is certifying that all of the required documents and information have been submitted to enable the City to determine compliance with TPS6, the R-Codes and Policies. The applicant is also acknowledging that additional information may be required in particular instances.

5. **Major Variations from Planning Approval not Permitted**

When planning approval is granted for a proposed development, the approval relates to the drawings and other documents submitted in support of the application. The planning approval does not relate to any later drawings incorporating major variations from the approved drawings. Therefore, the subsequent drawings submitted with a building licence application are required to be consistent with the planning approval drawings and to also demonstrate compliance with any conditions of planning approval. To ensure consistency between planning approval and building licence drawings, and to facilitate the Planning Officers' cross-checking of these documents, the following provisions apply:

(a) **Applicant is to identify all variations**

When submitting a building licence application, an applicant who proposes any variations from the planning approval drawings is to submit a written description of the variations, together with a request for approval of those variations. Unless the written description clearly identifies all major and minor variations, the description is to be accompanied by drawings highlighting the variations.

**(b) Major variations**

- (i) Where the building licence drawings incorporate major variations from the planning approval drawings, the building licence proposal will constitute a different development for which planning approval has not been granted. In this situation, a new application for planning approval will be required. Alternatively, the building licence drawings would need to be modified to maintain consistency with the planning approval drawings.
- (ii) Changes which constitute 'major' variations from the planning approval drawings include, but are not limited to, the following:
- Major changes to the exterior of buildings.
  - Where at a Council meeting, the Council exercised discretion in relation to the approval of setbacks, any proposed further variation.
  - Where the approved setback complies with the setback prescribed in TPS6 or the Acceptable Development provisions of the R-Codes and a proposed variation would involve the exercise of discretion.
  - Major variations from the approved site layout and the design of car parks.
  - Any increase in plot ratio area where the increased plot ratio exceeds the prescribed maximum.
  - Any reduction below the minimum requirements for the total area of open space and for communal open space or outdoor living area.
  - Any reduction below the minimum requirement for landscaped area.

**(c) Minor variations**

- (i) Where any variations from the approved 'Planning' drawings are determined to be minor variations, the assigned Planning Officer is to record the reasons for this conclusion. The building licence drawings will then be accepted as being consistent with the planning approval drawings.
- (ii) Changes which constitute 'minor' variations from the planning approval drawings include, but are not limited to, the following:
- Internal changes to the layout of rooms or other spaces, subject to the changes not resulting in conflict with provisions of TPS6, R-Codes or Council Policies.
  - Minor and inconsequential changes to the exterior design of buildings.
  - Minor variations from the approved site layout and the design of car parks.
  - Minor variations from approved setbacks which comply with TPS6 or the Acceptable Development provisions of the R-Codes, provided that the reduced setbacks comply with the prescribed minimum.
  - An increase in plot ratio area of not more than 1%, provided that the increased plot ratio does not exceed the prescribed maximum.
  - A reduction in open space of not more than 1%, provided that the reduced area meets the minimum requirements for the total area of open space and for communal open space or outdoor living area.
  - A reduction in the landscaped area of not more than 1%, provided that the reduced area meets the prescribed minimum.

**Other in Force Documents**

- Town Planning Scheme No. 6
- Residential Design Codes

**Other Related Information**

- Information Sheet 'Applying for Planning Approval'
- Information Sheet 'Applying for a Building Licence'
- Information Sheet 'Thinking of Building?'

**Stakeholders**

- Development applicants, owners, builders
- Neighbours, community
- Council, City staff

<b>Adoption for community consultation</b>	<b>27 November 2007</b>
<b>Final adoption</b>	<b>26 February 2008</b>
<b>Last Review</b>	<b>Nil</b>
<b>Date of Next Review</b>	<b>2009</b>



## SPECIAL ELECTORS MEETING

**Minutes of Special Electors Meeting Called in Response to a Petition to Discuss  
"Proposed Change of Use from 'Showroom' and 'Single House' to 'Office'.  
Lot 51 (No. 123) Melville Parade and (No. 3) Eric Street, Como."(Como Furniture Mart)  
Held in the South Perth Senior Citizens Centre  
58 Coode Street, South Perth  
Monday 11 February 2008 Commencing at 7.00pm**

### 1. DECLARATION OF OPENING

The Mayor opened the meeting at 7.00pm, welcomed everyone in attendance.

### 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

#### Present:

Mayor J Best

#### Councillors:

G W Gleeson	Civic Ward (in the gallery)
I Hasleby	Civic Ward
P Best	Como Beach Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall
R Wells, JP	McDougall
R Grayden	Mill Point Ward
D Smith	Mill Point Ward
K R Trent, RFD	Moresby Ward

#### Officers:

Mr C Frewing	Chief Executive Officer
Mr S Cope	Director Development and Community Services
Mr L Croxford	Manager Infrastructure Services
Mr O Hightower	Planning Officer
Mrs K Russell	Minute Secretary

#### Apologies

Cr B Hearne	Como Beach Ward
Cr T Burrows	Manning Ward
Cr S Doherty	Moresby Ward

Mrs Patrician Gliddon                      42 Eric Street, Como (written submission tabled)

#### STATEMENT FROM THE MAYOR

The Mayor outlined the format for the Special Electors Meeting, called in response to a Petition with 103 ratepayer's signatures and advised that the first presentation would be from the Director Development and Community Services giving a brief background on the proposal, followed by presentations from the applicant Mr Andrew Dart and then the petitioner, Ms Elizabeth Florence. He

Special Electors Meeting Called to Discuss Proposed Change of Use from 'Showroom' to 'Office' No. 123 Melville Parade/No. 3 Eric Street, Como

stated that it was his intention to apply the City's Standing Orders Local Law to the running of the meeting, and raised the following points:

- Only electors can speak or vote at the meeting;
- Councillors are not obliged to attend Electors' Meetings but have chosen to do so to listen to the comments made by the residents of South Perth. Councillors will not respond to any questions;
- Electors have the right to speak however any Councillor wishing to speak does so as an elector;
- Council is not bound by any decision made at the meeting. Motions passed will be considered by Council together with other submissions received on this proposal at the March 2008 Council meeting;
- Each speaker will be permitted 5 minutes and should restrict their comments to the subject of the meeting;
- Speakers should not repeat comments / points already raised by another speaker. There will be the opportunity to voice support in the vote when any Motion is put; and
- Meeting protocol to be adhered to.

### 3. **PETITION**

Mayor Best read aloud the text of the petition, as follows, received 22 January 2008 from Elizabeth Florence, 5 Eric Street, Como together with 103 signatures.

***Text of the petition reads:***

Under Section 5.28 of the *Local Government Act 1995*, the electors from the City of South Perth whose names, addresses and signatures are set out in the attached list and who comprise more than 100 electors, request that a special meeting of electors of the district be held. The details of the matter to be discussed at the Special Electors Meeting are:

- (a) Dissent by the local community regarding the application for change of use at No 123 Melville Parade, Como and South Perth Council recommendations to approve this application regardless of shortfall in parking provisions. Forty Six (46) bays are require, with 6 currently supplied. South Perth Council advised that there is sufficient parking within Melville Parade, Eric Street, Comer Street and surrounding areas to compensate.
- (b) Concerns relating to generosity providing provision of 40 bays to the applicant and that these may be applied to future development within the area.
- (c) Concerns relating to public amenity being reduced and ease of living decreasing.
- (d) Older units in the area only cater for one parking bay per unit as property prices and rent has increased over recent years these properties now house more than one income earner to compensate, these vehicles rely on front of property parking for the occupiers and their visitors, the current economic boom in mining has also seen an increase in fly in fly out positions and shift workers who are now at home during the weekdays. There the South Perth Council envisaged availability during 'office house' may be redundant.
- (e) Traffic and parking concerns within the Preston Street precinct being Preston Street, Mary Street, Melville Parade, Eric Street, Comer Street and Gardner Street (the last three being residential streets).
- (f) Concerns relating to rubbish collection, already residents advise that access to rubbish bins is being blocked by vehicles parking on the verge or the frontage outside properties resulting in non removal of rubbish and an 'advice notice' from the rubbish contractor.
- (g) South Perth Council has advised that an independent parking report has been commissioned. This will focus on parking of vehicles within the shopping precinct, also focusing on the roads that adjoin Labouchere Road. They envisage that the parking will increase within the area as a result of commuters parking their vehicles in these side streets and catching the bus or train to the City. It is also expected that parking restrictions within these feeder streets will apply within the near future.



#### 4. REPORT / PRESENTATIONS

##### PRESENTATION - DIRECTOR DEVELOPMENT AND COMMUNITY SERVICES

Mr Cope provided a brief background on the 'change of use' proposal as follows:

- TPS6 allows Council to exercise discretion to grant planning approval with a requirement for a lesser number of on site car bays than required by the Scheme.
- Officers supported the DA at the December 2007 meeting based on the extensive parking available in the road reserve in close proximity
- At its December meeting, Council resolved:

*“That this application for planning approval for a Change of Use from ‘Showroom’ and ‘Single House’ to ‘Office’ on Lot 51 (No.123) Melville Parade / (No. 3) Eric Street, Como be deferred, until further community consultation with those objectors who consider their amenity will be affected by the development has been carried out and a report on the outcome of this consultation be presented to the February 2008 meeting of Council.”*

- Since the December Council meeting, wider consultation was undertaken to owners/occupiers within a 150m radius of the development site over the standard required 14 day period during January.
- Seven submissions were received, 6 being against and 1 in favour
- City officers have also undertaken further surveys of parking in the area, however it is acknowledged that the surveys were undertaken during the January holiday period.

##### PRESENTATION FROM OWNER AND APPLICANT

Ms Helen Taylfort commenced the presentation on the 'planning/technical' issues and raised the following points:

- acknowledge we are looking for a 'shortfall' in car parking bays
- acknowledge Council has done their own survey which agrees with our parking survey
- current approve use 'Showroom' : means *any land or building used for the display, sale by wholesale or retail, or for the hire of goods of a bulky nature including automotive spare parts, carpets, large electrical appliances, furniture, or hardware, but does not include the sale by retail of goods commonly sold in supermarkets, delicatessens or newsagents, china, glassware or small kitchenware items, items of apparel, or items of personal adornment.* (City of South Perth Town Planning Scheme No. 6)
- proposed 'Change of Use' to office use better suited adjacent to Residential use.

Mr Andrew Dart provided input on his proposal for the site and spoke on the following points:

- Purchased the land, the site of the Como Furniture Mart, in 2007
- Second-hand furniture cannot carry / support cost of land purchase
- Intention was not to develop the building as believe the best scenario is to turn into offices
- Preferred Option - Office Use - better suited adjacent to Residential area
- Office is considered quieter and will not generate as much continual traffic
- Proposed change of use will improve streetscape by removing furniture displayed at the front of the building and the 3 tonne truck from the site and other 6 tonne delivery trucks that visit the site
- Offices generally operate between 8.30am -5pm when most residents are at work
- Currently the Como Furniture Mart operates 7 days a week/offices generally 5 days a week.
- Proposed Change of Use will improve the signage and appeal of the building
- Option 2 - Lease the main building as 'Showroom' use. This does not require approval from Council
- Showroom Uses such as: Beds Plus, 1/2 Price Pottery, Fridge City, Abacus, Classique Furniture are expected to generate a lot more parking and traffic issues given they are popular franchises.

- Option 3 – Sell the site. There has been keen interest in the sale of this site in association with the neighbouring site to develop into residential apartments/commercial uses.
  - Both sites have the potential for almost 40 apartments/units within a 6 storey building.
  - The site on its own has the potential for 10 apartments/units
- Preferred Option is 'office use' - less impact on the surrounding residential area. we are trying to act in the best interests of Eric Street residents. Had approaches from Tony Sadler, Harvey Norman, "Sizzler" - do not want to pursue this type of option but may have no choice.

### QUESTIONS

At this point in the meeting Mayor Best invited those present to ask any questions / points of clarifications of the proponent / officers.

Ms A Titley, 5/45 Gardner Street, Como - is the approved use 'Showroom' for supermarkets such as Harvey Norman etc?

Director Development and Community Services - said that a 'light use' can occupy the 'Showroom' without Council approval. Under Town Planning Scheme No. 6 'Showroom' means "*any land or building used for the display, sale by wholesale or retail, or for the hire of goods of a bulky nature including automotive spare parts, carpets, large electrical appliances, furniture, or hardware, but does not include the sale by retail of goods commonly sold in supermarkets, delicatessens or newsagents, china, glassware or small kitchenware items, items of apparel, or items of personal adornment.*"

Mr Peter Rankin, 41 Pepler Avenue, Salter Point - surely a 'Showroom' use with minimum car parking requirements equals a 'Non-Forming' use?

Director Development and Community Services responded that the showroom has an existing Council approval.

Mr Geoff Defrenne, 24 Kennard Street, Kensington - suggestion, if you demolish the existing single house you would gain 6/7 car bays and reduce the parking requirement - would that be a solution?

Mr Dart said that a medical centre was considered but did not want to knock down the house to achieve this option - also cost was a big factor. He further stated he believed he had no choice but to lease out the building as a retail premises.

Mr Kim Hornibrook, 7/15 Comer Street, Como - how long have you owned the premises?

Mr Dart said that he purchased the land in March 2007.

Mr Peter Murray, 5 Eric Street, Como - In relation to Option 3 (to sell the site for development) is it correct to assume, before the development is put before Council, that it could be as high as six storeys?

Director Development and Community Services - said it was not wise to make any assumptions about height as each application is discretionary and that any approval would be subject to design and other implications. He further advised that the current height limit is 13.5 metres for the area.

Ms Susan Hoddinott, 30 Thelma Street, Como - a proposed 6 storey development has been referred to - would this not require a zoning change?

Director Development and Community Services - said no - the current zoning of 'Multiple Dwelling' is a discretionary use with an applicable R80 density coding over the site.

Mr Bill Gleeson, Canning Highway, Kensington - the December 2007 Council report on the proposal indicates a building height limit of 10.5 metres not 13.5 metres as previously stated?

Director Development and Community Services - responded that the building height depended on the floor to floor heights and the slope of the site.

Mr Peter Murray, 5 Eric Street, Como - understand if that was the case, then provisions for parking would apply?

Director Development and Community Services - responded that was correct.

PRESENTATION FROM PETITIONER : ELIZABETH FLORENCE

Ms Florence commenced her presentation and spoke on the following topics:

- (a) Dissent by the local community regarding the application for change of use at No 123 Melville Parade, Como and South Perth Council recommendations to approve this application regardless of shortfall in parking provisions. Forty Six (46) bays are require, with 6 currently supplied. South Perth Council advised that there is sufficient parking within Melville Parade, Eric Street, Comer Street and surrounding areas to compensate.
- (b) Concerns relating to generosity providing provision of 40 bays to the applicant and that these may be applied to future development within the area.
- (c) Concerns relating to public amenity being reduced and ease of living decreasing.
- (d) Older units in the area only cater for one parking bay per unit as property prices and rent has increased over recent years these properties now house more than one income earner to compensate, these vehicles rely on front of property parking for the occupiers and their visitors, the current economic boom in mining has also seen an increase in fly in fly out positions and shift workers who are now at home during the weekdays. There the South Perth Council envisaged availability during 'office house' may be redundant.
- (e) Traffic and parking concerns within the Preston Street precinct being Preston Street, Mary Street, Melville Parade, Eric Street, Comer Street and Gardner Street (the last three being residential streets).
- (f) Concerns relating to rubbish collection, already residents advise that access to rubbish bins is being blocked by vehicles parking on the verge or the frontage outside properties resulting in non removal of rubbish and an 'advice notice' from the rubbish contractor.
- (g) Council has advised that an independent parking report has been commissioned. This report will focus on the roads that adjoin Labouchere Road.
- (h) The City of South Perth Council envisage that the parking will increase within the area as a result of commuters parking their vehicles in the side streets and catching the bus or train to the city. It is expected that parking restrictions within these feeder streets will apply in the near future. Park and ride is already occurring in Comer St, Eric St and Gardener Sts, and will only increase with the new train station coming on line.
- (i) The major objection here is the provision of public amenity to private enterprise. Under the City of South Perth Town Planning Scheme No 6 this application should be merit based and approved as a stand alone application in line with the Scheme.
- (j) These properties (1 & 3) Eric Street were jointly purchased 22/11/06 by multiple owners, the zoning has not changed, application could be made to remove the old house (3) Eric St and thus provide on site parking.
- (k) Melville Parade is the only street defined under the Neighbourhood Commercial Zoning – it is full most days with overflow parking from the offices - Eric and Comer are residential streets
- (l) Upon discussion with occupiers of Melville Parade offices, major objections were raised to this application however they feel that it is not in their best interest to publically oppose, their concerns being lack of parking for employees and visitors.

- (m) Comer Park - should be dedicated to the park users.  
Eric Street has 25 bays adjacent to the park which is used frequently:
- during the day by occupiers of 125 Melville Parade, commercial offices
  - local workers who drive to the park to meet, play and eat their lunch
  - the elderly who cannot walk to the park and drive to walk their dogs during the day / evening
  - Other community members who drive to the park to walk their dogs during the day/ evening
  - Members of the Como Croquet Club.
  - Other "available parking" is utilised by occupiers and visitors of Eric Street
- Comer Street
- occupiers of Gardner Street, as it is already overburdened by vehicles and has major parking issues.
  - attendees to the Pagoda Hotel.
  - local sporting clubs, Como Croquet Club and a cricket club.
  - Lot occupiers and visitors of Comer Street
  - Visitors to Nursing Home / Aged Care Facility in both Comer / Gardener Streets.
- Gardener Street - overcapacity, with overflow already occurring.

- (n) Summary  
CoSP No. 6 Town Planning Scheme general objectives are to: (page 2 Scheme Text)
- Maintain the City's predominantly residential character and amenity;
  - Establish a community identity and "sense of community" both at a City and precinct level and to encourage more community consultation in the decision- making process;
  - Ensure community aspirations and concerns are addressed through Scheme controls;
  - Safeguard and enhance the amenity of residential areas and ensure that the new development is in harmony with the character and scale of the existing development;
  - Protect residential areas from the encroachment of inappropriate uses; and
  - Recognise and facilitate the continued presence of significant regional land uses within the City and minimise the conflict between such land use and local precinct planning

We, the residents as listed within the submission for this special electors meeting request that the integrity of Town Planning Scheme 6 be upheld. This opposition is not personal in nature nor is it anti business.

#### MOTION

Moved Liz Florence, Sec Fred Cole, 2 Mary Street, Como

That the City of South Perth consider this application as a "stand alone " application approved on the merits presented in line with Scheme 6 and not dependant upon the use of supplementary public amenity.

## **5. PUBLIC COMMENT PERIOD**

The Mayor called for speakers for and against the Motion.

### COMMENTS FOR / AGAINST MOTION FROM THE GALLERY

#### Mr Fred Cole opening for the Motion

- sympathise with owners in not being able to provide parking as required
- deal in development and with local governments on a regular basis - have never known a Council to provide such a dispensation concession in parking requirements
- there is such a shortfall in parking with street parking for public use being given up

Mr Andrew Dart against the Motion

- reiterate I will put a major retailer in the building as there is no other option
- this option will then greatly impact on parking
- take on board there is an enormous amount of parking available in the area
- if a major retailer was to go in this will impact on the site - unaware of any town planning precedent set before
- option proposed may sound like a threat - it is not, it is something we will have to do
- did not have an opportunity to discuss with petitioner / neighbour as to where this is going to go
- against the Motion

Mr Parker Jeffree, 5/10 Mary Street, Como for the Motion

- have been in local government myself
- received notification of proposal in December - could not believe discretion given of 40 car bays
- what are the guidelines to satisfy a discretion like that? - will certainly create a precedent
- read that a survey has been done in January - not a good time during the holiday period
- Council must be remiss in putting something like this through
- support the Motion

Mr Kim Hornibrook for the Motion

- live across from Comer Reserve
- acknowledge the elderly drive and park to use the Reserve
- a commercial property would mean all the parking bays would be filled between 8am - 5pm
- between 8am - 5pm is when users of the Comer Reserve will not be able to park
- Council is here to make a decision for the good of all
- living across from the park - believe concerns raised need to be considered

Mr Bob Mitchell, 7 Pilgrim Street, South Perth for the Motion

- heard the option about bringing in another showroom user
- heard that this option does not need Council approval
- heard the threat if Council do not approve office proposal applicant will bring in another retailer
- what are the stages of review and when will the public know about this?

Director Development and Community Services - said that he wanted to qualify that he was providing a response to the question raised at a public meeting without the benefit of being able to confirm that advice with documentation held in his office. Having said that he advised that the site is approved for a 'Showroom' and that there may be subtle differences from one Town Planning Scheme to another. He further stated that if a new business were proposed that complied with the current definition of 'Showroom' then it would not require Council approval as approval already exists.

Ms A Titley - if you have a 'Showroom' what is the parking ratio?

Director Development and Community Services - responded that there is no parking requirements listed in the Town Planning Scheme for the use "Showroom". He stated that a further explanatory written response would be provided.

Mr Bruce Cripps, 12 Mary Street, Como - what is the process used to reach the parking outcome ie 40bays? What basis did the planning department use to say they will provide ratepayer parking facilities.

Director Development and Community Services - replied that the ratio applied is detailed in the report presented to the December 2007 Council meeting. The report states:

*The total gross floor area of the proposed office area would require 45 parking bays to be provided on-site in accordance with the provisions of Table 6 of the City of South Perth Town Planning Scheme No. 6. Table 6 prescribes a parking ratio of 1 bay per 20 sq.metres of gross floor area. The applicants have provided five bays on-site - four for the larger office and one for the smaller office. The applicant has requested a dispensation for the remainder of the parking bays.*

*Clause 6.3 of TPS6 "Car Parking", identifies the capacity for the Council to consider approving a car parking concession in some situations. The proposed development does not fit into any of the categories referred to within Clause 6.3.*

*Council also has capacity to consider approving a variation to car parking provision more generally under the provisions of Clause 7.8 of TPS6 "Discretion to Permit Variations from Scheme Provisions". Clause 7.8 of TPS6 states that:*

He further stated that officers may have given consideration to alternatives that could occur if the applicant did not proceed - certainly there is a larger amount of parking on the street - not all of it is adjacent to the site, some is in Melville Parade Road Reserve and has been provided as a result of previous applications and parking shortfalls where applicants were required to pay cash in lieu. The interpretation by officers in this case was that the 'cash in lieu' option could not be applied.

Mr Gleeson - heard to night that the City would be creating a precedent in relation to the car parking for the proposed 'change of use' - would you tell me whether the City has ever made any previous decisions of this type ie creating a precedent?

Director Development and Community Services based on my knowledge of town planning the situation is that applications are considered on their merits. The only circumstances I can think of where there are any guidelines on discretion would be in Council policies. Therefore the only way a precedent could apply is if it was written in a Policy.

Ms Liz Florence - have been advised that the SAT have considered applications based on precedents.

Mr Parker Jeffree - what 'merit' is 6 vs 40 parking bays - such a vast difference is unacceptable.

Ms Gwen McNaught, Gardner Street, Como - seems to hinge on definition of "Use" of 'Showroom'

Director Development and Community Services - acknowledged the reference to 'Showroom' was important - he said that if a new showroom applicant were to present and seek to occupy the site then there is an existing approval in place.

Mr David Horton, Mill Point Road for the Motion

- not concerned with particular area
- look to Council and its officers adhering to building regulations
- ask Council to stick to its own Town Planning Scheme No. 6
- support the Motion

Ms Liz Florence closing for the Motion

- issue for the community - not just with this application
- proposal will have a high impact on the community
- where are we going in 5 years time if these concessions continue
- believe some type of strategy needs to be implemented to move forward as a whole
- ask you support the Motion

The Mayor put the Motion

CARRIED 26/0

**6. CLOSURE**

The Mayor thanked everyone for attending and for the way in which they conducted themselves. He then closed the meeting at 8.22pm

**These Minutes were confirmed at a meeting on 26 February 2008**

**Signed** \_\_\_\_\_

**Chairperson at the meeting at which the Minutes were confirmed**



# VISTA DESIGNS

## Building Designers

Suite 4, 201 Sevenoaks Street  
Queens Park WA 6107

Telephone: 08 9458 4995  
Telephone: 1300 667 779  
Facsimile: 08 9458 4093  
Email: vistades@inet.net.au

**City of South Perth  
Sandgate St  
South Perth WA 6151**

**25-1-08**

CITY OF SOUTH PERTH		
30 JAN 2008		
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**Ref: lo1/158, 11.2007.607.sar**

**Proposed residence @ lot 252 / No.158 Lockhart Street, Como**

**Atn: Stephanie Radosevich**

In response to your assessment / letter dated 20-12-07 highlighting 4 areas that need adjustment / justification, herewith our reply

- 1 a) Building set back to 1<sup>st</sup> floor north wall, due to 4m between projections and length of projections are <9m, therefore comply as discussed 07-01-08.
- 1 b) First floor south wall length has been reduced to <20m (no major openings) and building width reduced so as to achieve a side setback of 2250mm (min. 2.2m) to bed 1-stair wall and maintained 1200mm (no major openings) to the kitchen & Living projection wall.
- 2. The boundary wall heights to main floor bed 2 & bed 3 wall have been reduced to achieve 3m average wall as required by "r-codes".
- 3. The minimum / maximum finished floor levels have been modified as- raised entry, foyer, bed 2,3 & 4 and lowered sitting area. Refer following explanatory notes for justification.
- 4. Overshadowing has been reduced to 165.2m<sup>2</sup>, 32.6% (see drawing att'd) (25% max. 126.5m<sup>2</sup>) due to the revised levels. Refer following explanatory notes for justification.
- 5. Roof pitches have been increase to 20° as requested to comply with policy P370\_T

Please find also attached- 3 copies of drawings.

We understand this application is to go before council in February.

Please contact me to discuss as req'd.

Regards  
Tim. Martelli.





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Queens Park WA 6107

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## EXPLANATORY NOTES

### Design

The home that we are proposing has been carefully designed to best comply with the site restrictions, compatibility and harmony with the streetscape and statutory compliance.

### Site Restriction

The site presents numerous design difficulties. Firstly it is a narrow block being only ten meters wide facing due west. The site also has a considerable slope rising from the street nearly four meters to the rear. The ground floor design has incorporated 3 different levels.

The garage is placed at the back of the property, utilizing the ROW. The split level enables the front of the building to have a lower FFL and at the same time allow a more realistic difference in height between the back of the house and the garage.

To allow for compatibility with the new neighboring buildings and harmonise with the streetscape the proposed building should be a two story home. Being a narrow lot facing due west it presents an overshadowing problem along the southern boundary.

### Finished Floor Level & Streetscape

We consider streetscape and neighbouring amenity to be very important in the design concept.

The FFL we are proposing for our property is 15.942 this is for the Entry and Study Room that forms the front façade of the house. The FFL of the house is increased gradually, following the contour of the land: i.e. 16.114 for the Foyer, 16.457 for the Main Floor and 16.628 for the living area at the rear and 17.7 for the Garage fronting the back laneway.

These FFL, in the opinion of the planning department, is higher than permitted under clause 6.10 of Town Planning Scheme No.6 as it does not demonstrate equal cut and fill. However, clause 6.10 (1) permits a variation to this principal.

In our opinion, these FFL's satisfy Clause 6.10(1) of TPS6 which also states that "the Council may require the floor level to be varied where necessary in the council's opinion to achieve a visually balanced streetscape, having regards to the floor levels of buildings and adjoining lots.", thereby recognising that rigid application of clause 6.10 can create inconsistencies as in our case.

The council already recognized site and compatibility issues by approving similar neighboring buildings with similar floor levels. The neighboring properties, No 156 and 156A, are 16.12 and 16.592 respectively. Their finished floor levels are in any case higher than that which we have proposed.



## VISTA DESIGNS

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Queens Park WA 6107

Telephone: 08 9458 4995  
Telephone: 1300 667 779  
Facsimile: 08 9458 4093  
Email: [vistades@iinet.net.au](mailto:vistades@iinet.net.au)

Street Number	156	156A	<b>158</b>
FFL	16.12	16.592	<b>15.942</b>

If we accept the officer's recommendation of an FFL of 15.2 for our property, it creates an overly large variance in FFL with the neighbouring properties and thus, reducing visual harmony. (please refer to diagram)

Furthermore, we are of the opinion that together with our proposed FFL we have taken reasonable care in our design to ensure that our building will create visual harmony on the streetscape.

We have located the garage to the rear of the property so that the street is not presented with double garage doors, dominating the front façade.

### Precedent

Finally, we would like to draw your attention to a decision reached at the South Perth Council meeting for No. 152 Lockhart Street. A similar situation has occurred where the owner's proposal of FFL 16.6 was rejected by the planning officer who proposed a lower FFL of 16.0, but approved at the council meeting (18 December 2007). We hope this will be taken as a precedent for our case.

### Overshadowing & Layout Design

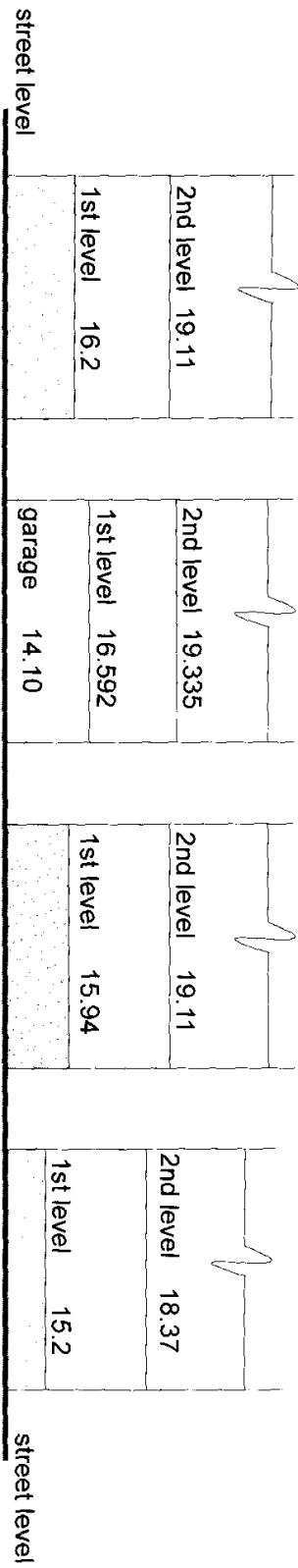
We are fully aware of the issue of overshadowing. This has come about because of the orientation, size and shape of the property.

The property has a 10m wide frontage and 50m long. It has a West-East (facing west) orientation. With such a narrow lot and to comply with various building regulations and in complimenting the streetscape, the best design is a 2 storey narrow long house. We have kept the size of the second floor to a minimum. We have kept most of the bulk to the front so that there will be no overshadowing to indoor and outdoor living areas at the rear of the property.

(Noting the overshadowed site belongs to the same owner who intends to build same / similar house plan- living areas are to the rear)

With Its West-East orientation this building naturally casts a shadow on its adjoining property. As this adjoining property is another subdivided block (in the process), its size has caused it to be overshadowed by our proposed building.

The buildings have been designed so that the shadow will fall onto walls where there are no major openings. It will not cast any shadows on the sitting room and outdoor living area of the ground floor. This will satisfy the performance criteria of Clause 3.9.1P1 of the R-Codes that states: "The shadow may exceed the allowable limit but it only casts shadow onto walls with no major opening and will not fall over any living areas".



**FFL comparison between existing dwellings and proposed development at**

**158 Lockhart St, Como**

The Planning Department  
City of South Perth  
South Terrace,  
South Perth

CITY OF SOUTH PERTH		
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10<sup>th</sup> July 2007

Dear Sir,

**Re: Proposed renovation/extension to 1 McNess Glade, Salter Point**

We write to inform that we would like to add a kitchen cum meals area to our residence above and seek the Council planning approval to do so.

The reason for this is that the present kitchen is totally unsuitable for the Asian style of cooking which generates a fair bit of oil and smoke which spread to the main family room and dining room due to the open plan concept of the original house.

The extended kitchen will be self contained and enclosed. The cooking and associated grim and smoke will be confined to this extended kitchen area only. This will eliminate the need for constant cleaning of the family room's furniture and window dressings.

We assure you that the extended kitchen is not for the purpose of splitting the residence into two.

We have also consulted the two adjoining neighbours regarding the above renovations and they have kindly agreed to the proposed parapet wall being built on the boundary.


We have also taken into considerations the concerns expressed by the neighbours, Frank & Jean Bate at 3 Kenneally Circuit and agreed to comply with their request.


We have also decided not to proceed with the proposed patio.

We have enclosed copies of correspondence from the Bates and also email correspondences between the Bates and Mr. TC Foong who is assisting me to prepare the drawings for your reference.

We trust that our application for planning approval is in order and look forward to your prompt attention.

Regards,

  
.....  
PH Goh  
Co-owners, 1 McNess Glade, Salter Point.

  
.....  
AL How

**From:** tuck foong <tccoong@hotmail.com>  
**To:** <stephanier@southperth.wa.gov.au>  
**Date:** Tue, Nov 27, 2007 5:33 pm  
**Subject:** Proposed Additions/alterations to single house. Lot 119 (No.1) McNess Glade, Salter Point WA App. No

Dear Stephanie,

With reference to the telephone conversation between yourself and the undersigned in regards to the above, Mr. How has directed me to inform you to forward the proposed work for the consideration by the South Perth Council at its next meeting in February.

We wish to reiterate that the existing fencing on the East Boundary is over 2.4 m in height from the ground level on our property. The proposed eastern wall is unlikely to have any significant impact upon the window in the adjoining property. We have discussed the proposed addition with the owner of the adjoining property on the East Boundary and she consented to the proposed wall.

We would like to appeal to the Council to grant its approval to the proposed work as a 1.5 m setback would make the proposed addition unviable to be used.

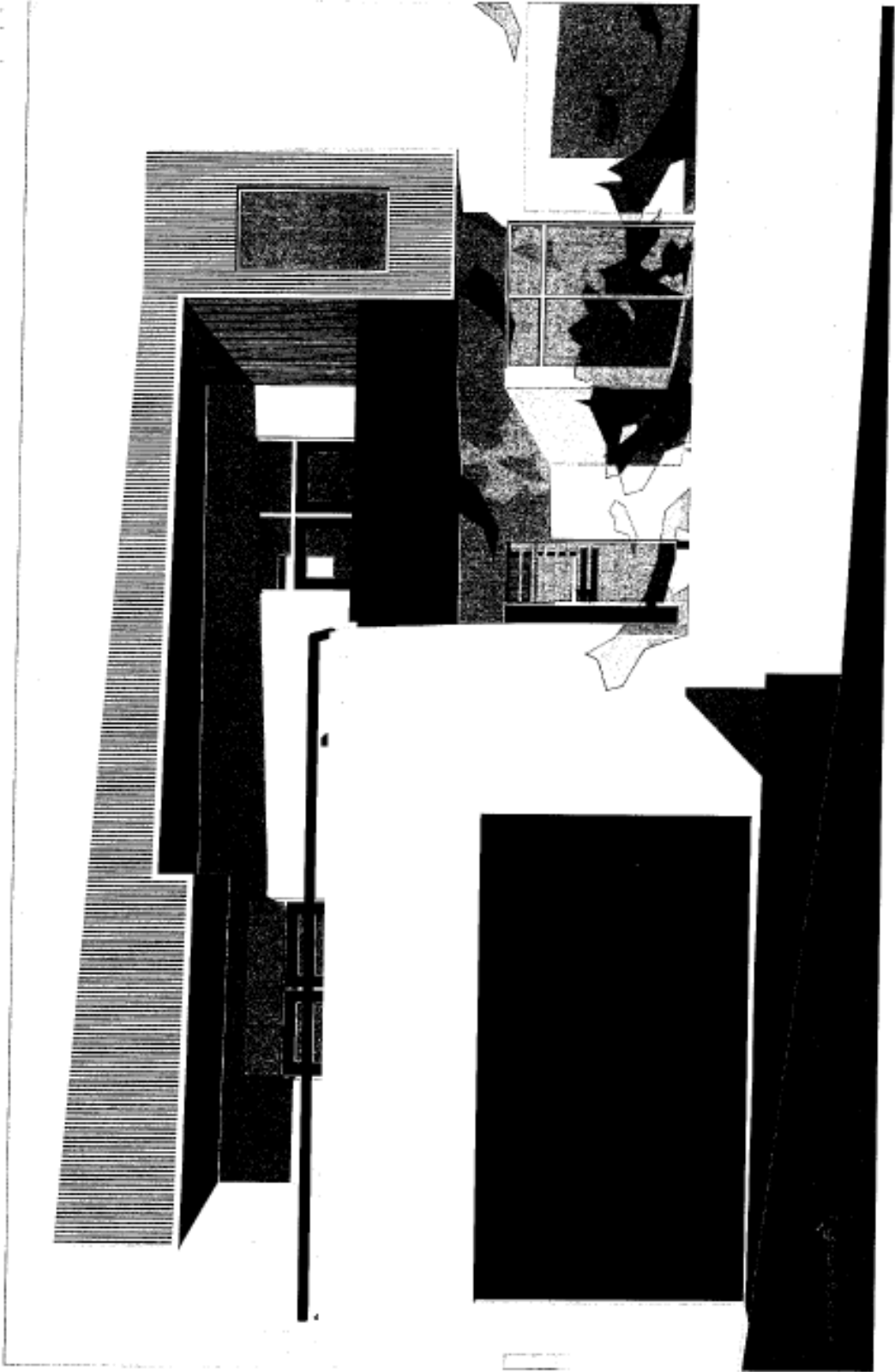
Regards,

TC Foong

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It's simple! Sell your car for just \$30 at CarPoint.com.au  
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**CC:** Carmen How <carmenhow@hotmail.com>



City of South Perth  
Sandgate Street  
SOUTH PERTH WA 6151

Attention: Mr Rajiv Kapur

CITY OF SOUTH PERTH	
03 JAN 2008	
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SR Allen and S C Cronin  
43 Roseberry Ave  
SOUTH PERTH WA 6151  
Tel: 9367 8148 Fax: 9367 8250

Our Ref: CouncilDAResub291207  
January 2, 2008

Dear Sir,

**PROPOSED TWO STOREY SINGLE HOUSE LOT 81 (NO 1) ALEXANDRA STREET, SOUTH PERTH APPLICATION NO. 11.2007.598**

Further to the development application submitted by our architect Peter Moran on 7<sup>th</sup> November 2007, the response from Andrew Carville of Council's planning department dated 19<sup>th</sup> November 2007 and our meeting at Councils offices on 27<sup>th</sup> December 2007, we confirm that we are still somewhat confused at the application of Councils policy P370\_T in regard to the proposed construction of our new home.

We understand that Council is concerned at the proposed roofline of our home on the basis that it is inconsistent with the rooflines of the existing homes on Alexandra Street, which has been the selected as the "focus area" in accord with the policy.

We believe that our current design should be supported on the basis of the following points:

1. The focus area is too small and not representative of the precinct.
  - (a) The photographs in Figures 8 and 9 on the following pages clearly indicate that the flat roof line of the existing imposing residence at 14 Hopetoun Street is visible from Alexandra Street and will be evident after our proposed home is constructed.
  - (b) There are only 4 existing homes along Alexandra Street which are not associated with the Church. These are numbers 9, 7, 5 and 3 all of which are original 1930's bungalows. It stands to reason that any home that we will build will be modern relative to these buildings. Number 1A, which fronts Hopetoun Street is a newer home which has been constructed using a gabled roof, but the design and materials are significantly different to the existing homes along Alexandra Street.
2. The application of the policy seems to be quite subjective and inconsistent. We attach photographs of homes in Figures 1-12 that are very modern with a similar roof line to that we are proposing, but nestled comfortably within existing homes with pitched roofs as follows:
  - (a) 35 York Street (Cnr Forrest): This home is almost identical to that which we propose to build with the same skillion roof. This is located opposite St Columba School and bounds an existing 1930's bungalow in a similar fashion to that proposed for 1 Alexandra Street. As a result, we cannot understand why our proposal will not be approved when this home provides a clear precedent against the application of the policy in our case. This also illustrates that a home of different roof design can create an aesthetically pleasing streetscape without the need to look the same as its neighbours.



FIGURE 1 – View of 35 York Street from York Street abutting 1930's Bungalow Home



FIGURE 2 – View of 35 York Street from Forrest Street Garage Arrangement Similar to that proposed for 1 Alexandra.



FIGURE 3 – View of 35 York Street along Forrest Street towards St Columba School.



- (b) 17 York Street: A home constructed some years ago, perhaps the 1980's. This home is of modern design with a skillion roof, as does its garage, which again differs from the majority of the homes surrounding it which have pitched roofs. This home is also quite similar to that which we propose to build.



FIGURE 4 – View of 17 York Street from York Street



FIGURE 5 – View of Garage Skillion of 17 York Street from York Street

- (c) 14 Hopetoun Street: This large and imposing home abuts our block at 1 Alexandra Street on its northern boundary and its flat roofline is visible from Alexandra Street as well as Hopetoun Street. The style of house is radically different from our proposal as well as all homes around it, but it also has flat roof line. Our proposal is in keeping with this roof line, which should be considered as part of the focus area for assessing our proposal.



FIGURE 6 – View of 14 Hopetoun Street



FIGURE 7 – View from 14 Hopetoun Street in an easterly direction. The home immediately east has pitched roof as does all the home surrounding.



**FIGURE 8 – View from 1 Alexandra Street in a north westerly direction. 14 Hopetoun Street is clearly visible from Alexandra Street and will be after our proposed residence is constructed.**



**FIGURE 9 – View from in front of 5 Alexandra Street in a northerly direction. 14 Hopetoun Street is still clearly visible from Alexandra Street.**

(d) 5B York Street: A further example of a home with a roof line quite different to those in the remainder of the streetscape. Again this home has a roof line that is quite different from both its immediate neighbour and all the surrounding homes.



FIGURE 10 – Street View of 5B York Street again similar roof line to that proposed for the house at 1 Alexandra, but quite different from its neighbour.



FIGURE 11 – view east from 5B York Street showing the pitched roofs of the existing homes relative to the skillion roof of 5B.



- (e) 2 Rose Ave South Perth (Cnr Swan Street): A further example of a home with a roof line quite different to those in the remainder of the streetscape. This roof line is quite different to the surrounding homes.



FIGURE 12 – Street View of 2 Rose Ave showing the pitched roofs of the existing homes relative to the flat roof of Rose Ave.



FIGURE 13 –View east from 2 Rose Ave showing the pitched roofs of the existing homes relative to the flat roof of Rose Ave.

In summary it is clear that Council has approved homes with skillion roofs within the locality for many years despite the presence of a majority of pitched roofs in the precincts. It would appear that this has also been during the period that Policy P370\_T has been in force. The examples provided indicate that a modern façade should be approved despite the roof line differing from the neighbouring allotments.

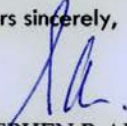
The home that we are proposing to build will be modern, but it is proposed to be generally in sync. with the surrounding urban precinct. Our understanding is that the policy is proposed to prevent buildings that command the streetscape being constructed, which is at odds with the proposal that we have submitted.

We believe that our proposed design will provide aesthetic value for the focus area and is in keeping with many of the homes already constructed within close proximity. On this basis we are seeking approval by Council to proceed with the design as submitted.

We therefore request that this matter be referred to Council at the earliest opportunity to hopefully enable our current design to be supported.

Thanking you in anticipation of your further assistance. If you have any queries, please call me on 0411 220 804 at any time.

Yours sincerely,



STEPHEN R ALLEN AND SANDRA CRONIN

**FIGURE 14 - AERIAL MAPPING DETAILING THE SUBJECT LAND RELATIVE TO THE EXISTING HOMES REVIEWED**



CRONIN-ALLEN RESIDENCE  
SOUTH PERTH

3 february 2008

**PETER MORAN ARCHITECT**

Principal  
peter moran [march 1960 australian]  
R [idw registration 1241]  
T [cell 98 307 404 418]

The Chief Executive Officer  
City of South Perth  
Cnr Sandgate Street & South Terrace  
SOUTH PERTH WA 6151

att: Lloyd Anderson—Planning Officer

Dear Lloyd,

**New Residence— 1 Alexandra Street SOUTH PERTH**  
Ref: AL2/1; 11.2007.598.1

Thank-you for your email outlining your concerns with the proposed development at 1 Alexandra Street South Perth. Our initial response to your points are as follows:

In relation to the Building Design Compatibility recommendations, we acknowledge that our proposal is a contemporary design that we believe should be supported by Council. We feel it works well in the context and have prepared a photographic montage of the street elevation with the neighbouring properties to illustrate this point. Our client, Steve Allen [who is an engineer involved in civil and local government work] has additionally addressed these matters in a letter to yourselves dated January 14.

We note that the overshadowing of the adjacent property has been calculated in accordance with the R-Codes criteria. It has been measured in relation to actual true north on the site. The calculated 25% overshadowing of the neighbouring property is within criteria, as indicated on drawing number D03 in the submitted Development Application.

In our consideration of the cut and fill level of the front portion of the house we have treated the garage as an integral part of the building, not as a separate parking structure, as it also incorporates the master bedroom and roof terrace above. Consequently, the floor level should be assessed incorporating this element. On this basis the front portion of the house meets criteria. Additionally, it is noted that the proposal is within the allowable building height envelope. Privacy issues have been addressed by locating windows W02 [ground floor study] and W11 [ground floor guest bedroom] to ensure that there is no overlooking of the adjacent properties. More generally the building and associated accessible site levels conform with R Code privacy criteria.

Please contact me if you need any clarifications or additional information relating to the above matters.

Regards,

  
peter moran

att: Street Elevation Photographic Montage  
cc: Sandra Cronin & Steve Allen

A [suite 21—289 stirling highway cottleside  
D [po box 388 cottleside wa 6511  
T [61 8 9354 0410]  
F [61 8 9382 4171]  
M [0410 295 295]  
E [pmoran@inet.net.au]



**From:** "Shelley Robinson" <robinsh@penrhos.wa.edu.au>  
**To:** <stephanier@southperth.wa.gov.au>  
**Date:** 24/01/2008 8:56 am  
**Subject:** Penrhos College application for reconsideration  
**Attachments:** Penrhos College approval for application 11.2007.316.1.docx

Dear Stephanie

Thank you very much for taking the time to phone yesterday. Please find attached a letter requesting that the Penrhos College application (ID No. 11.2007.316.1) for proposed sign board No. 4 facing the junction of Thelma Street and Murray Street (as marked on the drawings submitted) be reconsidered and approved.

We look forward to attending the Council briefing and deputation scheduled for 19 February 2008.

Should you have any questions or queries please do not hesitate to contact me.

With kind regards  
Shelley

Shelley Robinson  
Development Manager  
Penrhos College  
Ph (08) 9368 9517  
Email: robinsh@penrhos.wa.edu.au

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Penrhos College cannot accept liability for any statements made which are clearly the sender's own and not expressly made by an authorised representative of the College.

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Penrhos College cannot accept liability for any statements made which are clearly the sender's own and not expressly made by an authorised representative of the College.

ID No. 11.2007.497.1

File Ref: TA1/56

Planning Officer Mr Matt Stuart

**COPY**

Planning  
City of  
**SouthPerth**

TOWN PLANNING SCHEME NO. 6  
Schedule 8

Refer to Clause 7.9

## Notice of Determination of Application for Planning Approval

**Owner:** Mr W G Morgan & B J Morgan

**Applicant:** Dale Alcock Home Improvement  
**Address for correspondence:** 1 Pearson Way  
OSBORNE PARK WA 6017

**Planning application for proposed:** Two Grouped Dwellings  
**Property address:** Lot 2 (No. 56) Talbot Avenue, Como

**Date of application for planning approval:** 26 September 2007

**Date of determination of application:** 23 January 2008

Pursuant to the provisions of the City of South Perth Town Planning Scheme No. 6 and the Metropolitan Region Scheme, Planning Approval, in accordance with the application for Planning Approval, and attached plans, is **REFUSED**, for the following reason(s):

- (1) The proposed development does not comply with Clause 3.4.1 "Open Space Provision" of the Residential Design Codes 2002 (R-Codes). Refer also to Important Note (a).
- (2) The side setback of the north facing wall of Bedroom 1 of the northern dwelling does not comply with Clause 3.3.1 "Buildings Set Back from the Boundary" of the R-Codes.
- (3) The proposed dwellings do not comply with Clause 3.2.8 "Garage Doors" of the R-Codes. Refer also to Important Note (b).
- (4) The driveway widths for the proposed dwellings exceed 40 percent of the property frontage prescribed by Clause 3.5.4 "Vehicular Access" of the R-Codes. Refer also to Important Note (c).
- (5) The design of the proposed dwellings do not permit a clear view of the street and approach to the dwellings from a habitable room window, therefore do not comply with the intent of Clause 3.2.4 "Surveillance of the Street" of the R-Codes. Refer to Important Note (d).

### IMPORTANT NOTES:

- (a) The deficiency in Open Space for the northern dwelling is 9.5 sq. metres and for the southern dwelling is 4.5 sq. metres.

## CITY OF SOUTH PERTH TOWN PLANNING SCHEME No. 6

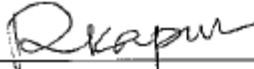
## SCHEDULE 8 - Notice of Determination of Application for Planning Approval (continued)

Application date: 26/09/2007

ID No.: 11.2007.497.1

- (b) The width of the garage doors for the single storey dwellings is 55 percent in lieu of the prescribed 50 percent of the property frontage. However, the applicant is advised to consider an alternative design option that allows for cars to be parked in a tandem configuration.
- (c) The width of the driveway is 56 percent of the frontage in lieu of 40 percent.
- (d) It is an established working practice of the City whereby at least one Major Opening is required to be no greater than 6.0 metres behind the front face of the garage, and the porch no greater than 4.5 metres. Such an arrangement is seen to provide the required surveillance of the street and meet the intent of the Clause.
- (e) The applicant is advised of the need to comply with the subdivision conditions placed by Western Australian Planning Commission (Application no. 2122-06).
- (f) The above decision has been made by a duly assigned officer under delegated authority conferred by the Council in order to expedite the decision-making process. If you are aggrieved by aspects of the decision where discretion has been exercised, you may either:
- (i) request that the matter be reviewed at a Council meeting, following the submission of another Schedule 6 - Form of Application for Planning Approval; or
  - (ii) lodge an appeal with the State Administrative Tribunal within 28 days of the Determination Date recorded on this Notice.

There are no rights of appeal in relation to aspects of the decision where the Council cannot exercise discretion.


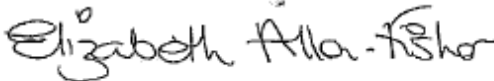
SIGNED:   
RAJIV KAPUR

ACTING MANAGER, DEVELOPMENT ASSESSMENT  
for and on behalf of the City of South Perth

DETERMINATION DATED: 23 January 2008



Lot 2 (No. 56) Talbot Avenue, Como

<p>Enquiries: Darren Grunwald Telephone: 9424 9183 Our Reference: 52610</p> <p>22 November 2007</p>	<p>BLOCK WIDTH = 18.1 MAXIMUM PERMISSIBLE GARAGE DOOR WIDTH = 9.05 METRES <math>\div 2 = 4.525</math> METRES</p>	
<p>Attn: Christian Buttle City of South Perth Sandgate Street SOUTH PERTH WA 6151</p>		<p>1 Pearson Way Osborne Park WA 6017 Telephone 08 9242 9100 Facsimile 08 9242 9101 da@alcock.com.au</p>
<p>Dear Christian LOT 2. <b>NO. 56 TALBOT AVENUE, COMO - PROPOSED TWO SINGLE DWELLINGS</b></p>		
<p>The following letter provides details in support of the Planning Application for the two single dwellings on the above property, and in particular, the proposed garages.</p>		
<p>We acknowledge that the garage door width for both these residences is over the 50% allowed in the R-Codes for a single storey dwelling, however we have endeavoured to lesson the impact to the streetscape by separating the garage opening into two single openings of 2.4m in width (the minimum possible) in doing so we have set one portion of the garage back 600mm so as to reduce it's dominance. We have also brought the Portico forward of the garage to increase it's appearance to the street, the roof pitch to the portico has been raised again trying to increase it's profile and lesson the impact of the garage. By taking these measures we feel that the garage's impact is minimal and the little we exceed the required width by would be hard to pick by the naked eye.</p>		
<p>The client does not want a single or tandem garage and neither do any other Dale Alcock clients. I can honestly tell you that no-one at South Perth council would be happy with this option either. The suggestion of a front and back home is not desired by either party and a two storey does not suit their age or the finances of the young family.</p>		
<p>The slope of the block also separates the look of the two homes on the block and the perceived impact of the garages. We are also prepared to use the same colour for the doors as the surrounding render so that they disappear. We did this just recently in Wembley to satisfaction of Cambridge Council.</p>		
<p>Whilst both you and Matt both told us that the wishes of the rate payers and the time they have lived on the property did not count in any decision making, we would like to suggest that this at least is taken into consideration during your final deliberations. Individual council discretion is one of the main reasons Performance Criteria was introduced.</p>		
<p>In light of the above, we ask the Council to support the application on the basis that it has been designed to comply with the intentions and performance criteria of the Residential Design Codes. If this should have to go to a full council meeting in February the ratepayers will almost certainly incur price rises. Should you have any further enquiries please do not hesitate to contact Darren Grunwald on 9242 9183.</p>		
<p>Yours sincerely </p>		
<p>Elizabeth Allen Fisher Senior Development Consultant <b>DALE ALCOCK DEVELOPMENTS</b></p>		<p>Dale Alcock Homes Pty Ltd ACN 009 217 887 ABN 61 009 217 887</p>

### DISTRIBUTION OF QUESTIONNAIRE

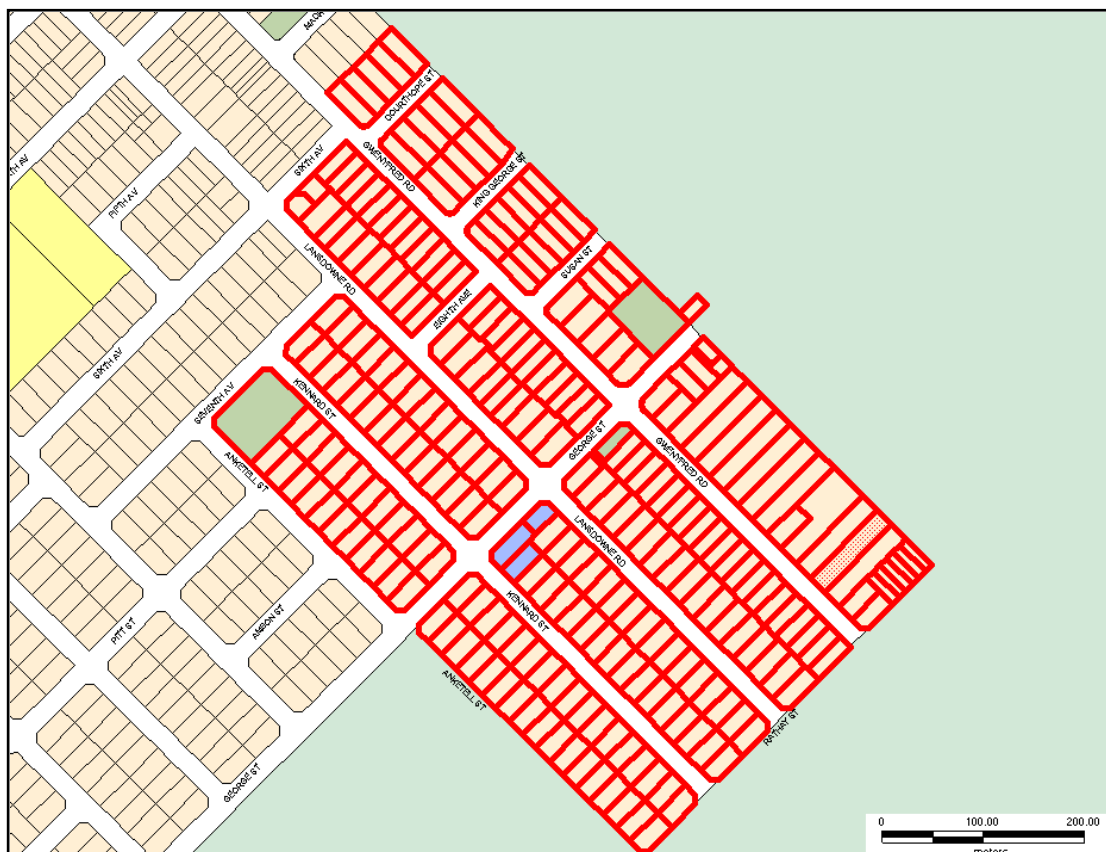
The questionnaire to be addressed and posted to residents in Kensington regarding the landscaping of Gwentyfred Rd Reserve and George St Reserve (See map below) ~ 310 homes  
Plus additional ~50 homes on Berwick Street each side of George Street.  
Also Kensington Community Association

Questionnaire to be available on the web - out for comment and advertised in City Update.

Questionnaire to be sent out by 6 July return 20 July  
Onsite meeting at 5 pm on Wednesday 18 July at corner Gwentyfred Rd & George Street.

Results to be published in the City Update on 7 August.

324 letters printed



## City of South Perth

Attachment 10.5.1(a)

### List of Application for Planning Consent Deterimed Under Delegated Authority for the Period 1/12/2007 to 31/12/2007

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000254.001	ED3/30	17/12/2007	30 Edgewater RD SALTER POINT	Mr M Afrasiabi	Approved	SINGLE BEDROOM DWELLING
011.2007.00000280.001	HO4/61	14/12/2007	61 Hovia TCE KENSINGTON	Mr G F Roberts	Approved	Additions / Alterations to Single House
011.2007.00000304.001	RA1/12	13/12/2007	12 Ranelagh CRES SOUTH PERTH	Mr M Crawford	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000324.001	EL1/6 -	13/12/2007	6 Elderfield RD MANNING	Highline Ltd	Approved	ADDITIONS TO EDUCATIONAL ESTABLISHMENT
011.2007.00000480.001	MO1/95	19/12/2007	95 Monash AVE COMO	Architectural Design Management Gro	Approved	TWO STOREY GROUPED DWELLING
011.2007.00000495.001	LA1/17	3/12/2007	175 Labouchere RD COMO	Jones Ballard Property Group	Approved	PYLON SIGN
011.2007.00000535.001	DY1/12	14/12/2007	120 Dyson ST KENSINGTON	RTS Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000539.001	SO2/10	19/12/2007	109 South TCE COMO	Glenbarrie Enterprises Pty Ltd	Approved	Additions / Alterations to Single House
011.2007.00000549.001	CO6/48	17/12/2007	48 Coode ST SOUTH PERTH	Dr A P Hossen	Approved	CAR PARK
011.2007.00000559.001	MA3/10	19/12/2007	106 Manning RD MANNING	Mr H Cholich	Approved	Additions / Alterations to Single House
011.2007.00000565.001	HI1/12 -	3/12/2007	12 High ST SOUTH PERTH	Ms J L Wilhelm	Approved	ADDITIONS/ALTERATIONS TO GRPED
011.2007.00000567.001	HO4/50	18/12/2007	50 Hovia TCE KENSINGTON	Mr L Watkins	Approved	Additions / Alterations to Single House
011.2007.00000572.001	PR1/56	18/12/2007	56 Preston ST COMO	Mr G D Leach	Approved	Additions / Alterations to Single House
011.2007.00000575.001	AR1/51	14/12/2007	51A Arlington AVE SOUTH PERTH	Domination Homes	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000597.001	LO1/74	3/12/2007	74B Lockhart ST COMO	Ms J A Goddard	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000599.001	LO1/4 -	6/12/2007	4 Lockhart ST COMO	Ms A L Bunting	Approved	OUTBUILDING
011.2007.00000605.001	HE1/48	3/12/2007	48 Henley ST COMO	Mr M F Nichols	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000609.001	TA1/68	19/12/2007	68 Talbot AVE COMO	Kalmar Factory Direct	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000613.001	HE2/40	21/12/2007	40 Henning CRES MANNING	Tangent Nominees Pty Ltd	Approved	Single House
011.2007.00000616.001	SA2/49	7/12/2007	49 Salter Point PDE SALTER POINT	Tangent Nominees Pty Ltd	Approved	Additions / Alterations to Single House
011.2007.00000618.001	QU1/5 -	6/12/2007	5 Queen ST SOUTH PERTH	BIS Fabrication Pty Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000619.001	WA8/35	24/12/2007	35 Waverley ST SOUTH PERTH	Mr T J Bennett	Approved	Additions / Alterations to Single House

**List of Application for Planning Consent Deterimed Under Delegated Authority for the Period 1/12/2007 to 31/12/2007**

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000628.001	MI3/34	19/12/2007	347 Mill Point RD SOUTH PERTH	Mr & Mrs P Gageler	Approved	BOUNDARY SCREEN WALL
011.2007.00000631.001	WE1/11	19/12/2007	110 Welwyn AVE SALTER POINT	Bella Casa Developments	Approved	TWO STOREY SINGLE HOUSE
011.2007.00000634.001	CO5/36	24/12/2007	36 Conochie CRES MANNING	New Vision Carpentry	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000643.001	MA3/13	24/12/2007	137 Manning RD MANNING	Ms L M Harwood	Approved	OUTBUILDING
011.2007.00000645.001	RY1/78	18/12/2007	78 Ryrie AVE COMO	Heritage Outdoor	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000648.001	ED5/14	24/12/2007	14 Ednah ST COMO	Ms L C Winters	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2007.00000649.001	CA6/45	24/12/2007	45 Canning HWY SOUTH PERTH	Mr N Nguyen	Approved	Additions / Alterations to Single House



## City of South Perth

Attachment 10.5.1(b)

### List of Application for Planning Consent Deterimed Under Delegated Authority for the Period 1/01/2008 to 31/01/2008

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000145.001	LO1/14	9/01/2008	143 Lockhart ST COMO	Mr K Stannard	Refused	CARPOR <sup>1</sup> T ADDITION TO GROUPED DWELLING
011.2007.00000316.001	TH1/10	9/01/2008	Morrison ST COMO	Penrhos College	Approved	SIGN <sup>1</sup> S
011.2007.00000393.001	GW1/62	9/01/2008	62 Gwenyfred RD KENSINGTON	Fresh Fields Aged Care Pty Ltd	Approved	Additions / Alterations to Aged or Depen <sup>1</sup>
011.2007.00000408.001	MA3/69	10/01/2008	69 Manning RD COMO	Doepel Marsh Architects	Refused	Change <sup>1</sup> of Use
011.2007.00000497.001	TA1/56	23/01/2008	56 Talbot AVE COMO	Dale Alcock Home Improvement	Refused	GROUPED DWELLING(S) <sup>1</sup>
011.2007.00000520.001	KI2/57	17/01/2008	57 Kilkenny CIR WATERFORD	Westral Outdoor Centre	Approved	PATIO <sup>1</sup> ADDITION TO SINGLE HOUSE
011.2007.00000569.001	RI3/51	10/01/2008	51 River WY SALTER POINT	Mr S N Hazeldine	Approved	Additions / Alterations to Single House <sup>1</sup>
011.2007.00000580.001	CL4/19	8/01/2008	19 Clydesdale ST COMO	Mr R N Heggart	Approved	Carpport <sup>1</sup> Addition to Single House
011.2007.00000581.001	ST3/12	10/01/2008	12 Stone ST SOUTH PERTH	Mr E Giardini	Refused	ADDITIONS TO MULTIPLE DWELLING <sup>1</sup>
011.2007.00000583.001	ST4/77	23/01/2008	77 Strickland ST SOUTH PERTH	Millstream Landscapes Pty Ltd	Approved	FENCE <sup>1</sup> GREATER THAN 1.8 METRES
011.2007.00000594.001	PR1/12	9/01/2008	12 Preston ST COMO	Ms T Cluning	Approved	Change <sup>1</sup> of Use
011.2007.00000596.001	CA6/46	9/01/2008	464 Canning HWY COMO	Adherettes	Approved	PYLON <sup>1</sup> SIGN
011.2007.00000608.001	GA3/56	24/01/2008	56 Gardner ST COMO	Mr F Nardizzi	Approved	THREE <sup>1</sup> GROUPED DWELLINGS
011.2007.00000617.001	WE2/8	8/01/2008	8 Westbury RD SOUTH PERTH	Modern Home Improvers	Approved	Additions / Alterations to Single House <sup>1</sup>
011.2007.00000624.001	AX1/44	8/01/2008	44 Axford ST COMO	Heavyweight Developments Pty Ltd	Approved	THREE <sup>1</sup> GROUPED DWELLINGS
011.2007.00000626.001	RO1/90	8/01/2008	90 Robert ST COMO	One Stop Patio Shop	Approved	PATIO <sup>1</sup> ADDITION TO GROUPED DWELLING
011.2007.00000629.001	LA5/57	15/01/2008	57 Lansdowne RD KENSINGTON	Mr H Mannes	Approved	Additions / Alterations to Single House <sup>1</sup>
011.2007.00000630.001	AN4/66	8/01/2008	66 Anstey ST SOUTH PERTH	Ms L Palmer	Approved	HOM <sup>1</sup> E OCCUPATION
011.2007.00000632.001	TA2/9	16/01/2008	9 Tandy ST SALTER POINT	Design & Construct	Approved	TWO STOREY SINGLE HOUSE <sup>1</sup>
011.2007.00000633.001	FI1/4	16/01/2008	4 Fifth AVE KENSINGTON	Mr B Melotte	Approved	Additions / Alterations to Single House <sup>1</sup>
011.2007.00000635.001	KE2/36	8/01/2008	36 Kelsall CRES MANNING	Trinity Development	Approved	Additions / Alterations to Single House <sup>1</sup>
011.2007.00000646.001	BI3/86 -	8/01/2008	86 Birdwood AVE COMO	One Stop Patio Shop	Approved	PATIO <sup>1</sup> ADDITION TO GROUPED DWELLING

## List of Application for Planning Consent Deterimed Under Delegated Authority for the Period 1/01/2008 to 31/01/2008

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000647.001	CO3/48	8/01/2008	48A Comer ST COMO	Outdoor Centre Holdings Pty Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000653.001	CO6/16	9/01/2008	16 Coode ST SOUTH PERTH	Mr N F Loftus	Approved	ADDITIONS/ALTERATIONS TO GRPED
011.2007.00000654.001	RO1/10	9/01/2008	101A Robert ST COMO	Ms N Gomaidy	Approved	BOUNDARY SCREEN WALL
011.2007.00000656.001	CR3/37	8/01/2008	37 Crawshaw CRES MANNING	Ross North Homes	Approved	GROUPED DWELLING(S)
011.2007.00000658.001	MC1/10	8/01/2008	100 McDonald ST COMO	Ms A Thompson	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000659.001	MI3/30	8/01/2008	307 Mill Point RD SOUTH PERTH	Mrs D P Winfield	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000661.001	RY1/18	16/01/2008	18 Ryrie AVE COMO	Westral Outdoor Centre	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000662.001	MO6/3	16/01/2008	3 Morrish PL COMO	Outdoor Centre Holdings Pty Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000664.001	LO3/1 -	11/01/2008	1 Lowan LP KARAWARA	KPW Construction	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2007.00000667.001	LO1/15	9/01/2008	156A Lockhart ST COMO	Mr E J Nolan	Approved	ADDITIONS TO GROUPED DWELLING(S)
011.2007.00000668.001	BR2/92	14/01/2008	92 Brandon ST KENSINGTON	Mr D Q Wallace	Approved	Additions / Alterations to Single House
011.2007.00000669.001	CO10/7	17/01/2008	7 Cornish CRES MANNING	Patio Living	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000002.001	KI2/20 -	14/01/2008	20 Kilkenny CIR WATERFORD	One Stop Patio Shop	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000003.001	BA2/38	18/01/2008	38 Banksia TCE KENSINGTON	Chevron Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000010.001	GL2/15	21/01/2008	15 Glasnevin CT WATERFORD	Mr W Rackham	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000013.001	DO2/17	21/01/2008	170 Douglas AVE KENSINGTON	Heritage Outdoor	Approved	PATIO ADDITION TO SINGLE HOUSE