

DAP ATTACHMENTS

Attachments for Development Assessment Panel (DAP) Items - Ordinary Council Meeting

22 September 2015

Part 1 of 2
Item 10.3.4 - 1&3 Gwentyfred Road, Kensington

ATTACHMENTS TO DAP AGENDA ITEMS

Ordinary Council Meeting - 22 September 2015

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10.3.4 PROPOSED 17 MULTIPLE DWELLINGS WITHIN A FOUR STOREY BUILDING. LOTS 8 & 9 NO. 1 & 3 GWENYFRED ROAD, KENSINGTON (METRO CENTRAL DEVELOPMENT ASSESSMENT PANEL DETERMINATION).

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10.3.5 PROPOSED TWO STOREY CHILD DAY CARE CENTRE (MAXIMUM 72 CHILDREN) ON LOT 237 (NO. 55) THELMA STREET, COMO.

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Form 1 - Responsible Authority Report (Regulation 12)

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| Property Location: | Lot 8 and 9 (No. 1 and 3) Gwenyfred Road, Kensington |
| Application Details: | 17 Multiple Dwellings within a Four-Storey Building |
| DAP Name: | Metro Central JDAP |
| Applicant: | TPG Town Planning, Urban Design and Heritage |
| Owner: | Gwenyfred Holdings Pty Ltd |
| LG Reference: | 11.2015.310.1 |
| Responsible Authority: | City of South Perth |
| Authorising Officer: | Trinh Nguyen, Planning Officer |
| Department of Planning File No: | DAP/15/00844 |
| Report Date: | 16 September 2015 |
| Application Receipt Date: | 24 June 2015 |
| Application Process Days: | 90 Days |
| Attachment(s): | <ol style="list-style-type: none"> 1. Development Plans dated 3 September 2015. 2. Applicant's supporting report dated June 2015. 3. Applicant's further information report dated 3 September 2015. 4. Comments from the City's Engineering Infrastructure Services. 5. Comments from the City's Environmental Health Services |

Officer Recommendation:

That the Metro Central JDAP resolves to:

Refuse DAP Application reference DAP/15/00844 and accompanying plans P2014 (Survey – Proposed Building Outline: 20.08.15), P2014 Rev B (Level 1 Floor Plan: 25.08.15), P2014 Rev B (Level 2 Floor Plan: 25.08.15), P2014 Rev B (Level 3 Floor Plan: 25.08.15), P2014 Rev B (Level 4 Floor Plan: 25.08.15), P2014 Rev B (North East Elevation & South West Elevation: 25.08.15), P2014 Rev B (South East Elevation & North West Elevation: 25.08.15), P2014 Rev B (Elevations: 25.08.15), P2014 Rev A (Section AA & Section BB: 25.08.15), P2014 (Overshadow Diagram: 09.03.15), in accordance with Clause 7.9 of the City of South Perth Town Planning Scheme No. 6, for the following reasons:

Reasons

- (1) The proposed development does not comply with either the deemed-to-comply or design principles of Clause 6.1.1 "Building Size" of the Residential Design Codes of WA (R-Codes), specifically the provision of plot ratio at 1.23 in lieu of maximum prescribed plot ratio of 1.0.
- (2) Having regard to Clause 7.5 subclauses (j) and (n) of TPS6 specifically the general appearance of the building and the extent to which the proposed building is visually in harmony with the neighbouring buildings within the focus

area, the current setbacks from the street alignment are not considered acceptable.

- (3) The proposed development does not meet the deemed to comply or the associated design principles of clause 6.4.2 "Solar access for adjoining sites" of the R-Codes. Specifically, the extent of shadow cast by the proposed building being 30.5 percent in lieu of 25 percent of the site area of the adjoining property and for not sufficiently protecting solar access for the neighbouring property.
- (4) The proposed boundary wall (basement) on the South Eastern boundary is not considered to satisfy the amenity factors prescribed in Council Policy P350.2 'Residential boundary walls) and is therefore not supported.
- (5) The proposed location of the visitor's bay is not supported by City officers and it is not considered appropriate to approve the development without the number of visitor's bay which demonstrates compliance with deemed to comply requirement C3.1 of clause 6.3.3 of the R-Codes.
- (6) The applicant has not submitted a satisfactory waste management plan for the development.
- (7) The applicant has not provided certification, to the satisfaction of the City, that the development achieves at least a four star rating under the relevant Green Star rating tool, or equivalent as per Council Policy P350.01 'Environmentally sustainable building design'.
- (8) Having regard to the reasons identified above, the development conflicts with the objective (f) "*safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development*" listed under Clause 1.6(2) "Scheme Objectives" of TPS6.
- (9) Having regard to the reasons identified above, the development conflicts with the following matters listed under Clause 7.5 "Matters to be Considered by Council" of TPS6:
 - (a) the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;
 - (c) the provisions of the Residential Design Codes and any other approved Statement of Planning Policy of the Commission prepared under Section 5AA of the Act;
 - (i) the preservation of the amenity of the locality;
 - (j) all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;
 - (n) the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details."

Important Notes

- (a) If you are aggrieved by aspects of this 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.

There are no rights of appeal in relation to aspects of the decision where the DAP cannot exercise discretion.

Background:

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| Insert Property Address: | Lot 8 and 9 (No. 1 and 3) Gwentyfred Road, Kensington |
| Insert Zoning | MRS: Urban |
| | TPS: Residential R80 |
| Insert Use Class: | Multiple Dwelling |
| Insert Development Scheme: | City of South Perth Town Planning Scheme No. 6 |
| Insert Lot Size: | 1088m ² (total) |
| Insert Existing Land Use: | Single dwelling on each allotment |
| Value of Development: | \$3 million |

The existing two dwellings on Lot 8 and 9 are of brick and tile construction that pre-dates 1950. Planning applications were previously considered by Council for Lot 9 No. 3 only. In April 2014, Council refused an application for five (5) multiple dwellings and one (1) grouped dwelling on this site. In December 2013, Council refused an application for seven (7) multiple dwellings on this site. An application for four (4) multiple dwellings was lodged in November 2012, however this was subsequently withdrawn by the applicant in February 2013.

Details: outline of development application

The applicant's reports contained in **Attachment 2 and 3**, provide a detailed list of all works proposed in this application. The proposed development is summarised as follows:

- 17 multiple dwellings (13 two-bedroom dwellings and 4 one-bedroom dwellings), with related residential amenities contained within level 1 (basement) to level 2 of the building;
- Basement level car parking with a total of 34 car bays (30 resident parking bays and 4 visitor parking bays) and bike storage; and
- Residential plot ratio area of 1342m².

Legislation & policy:

Legislation

Planning and Development Act 2005

City of South Perth Town Planning Scheme No. 6, specifically Parts V, VI and VII; Tables 1 and 6; and Schedules 1 and 5. (TPS6)

State Government Policies

State Planning Policy 3.1 'Residential Design Codes' (2013), specifically Part 6; and Tables 4 and 5. (R-Codes)

Local Policies

The following local planning policies are relevant to this application:

Council Policy P301 'Consultation for Planning Proposals'
 Council Policy P303 'Design Advisory Consultants'
 Council Policy P350.01 'Environmentally Sustainable Building Design'
 Council Policy P350.02 'Residential Boundary Walls'
 Council Policy P350.03 'Car Parking Access, Siting, and Design'
 Council Policy P350.05 'Trees on Development Sites and Street Verges'
 Council Policy P350.07 'Fencing and Retaining Walls'
 Council Policy P350.08 'Visual Privacy'

Further comment on compliance with the policy requirements is provided in the Planning assessment section of this report.

Consultation:

Public Consultation

Public consultation has been undertaken for this proposal to the extent and in the manner required by Council Policy P301 'Consultation for Planning Proposals'. Under the "Area 2" consultation method, individual property owners, occupiers and/or strata bodies were invited to inspect the plans and to submit comments during a minimum 21-day period. This consultation method also required the applicant to erect an advertising sign on site, to be displayed for the duration of the nominated advertising period.

A total of 43 consultation notices were sent. A total of 17 submissions were received from surrounding landowners, all of which were in objection to the proposed development. The table below provides a summary of the neighbour comments, a summarised response from the applicant and a response from City officers.

| | Submitters Comments | Applicants Response | Officer's Response |
|---------------------|--|---------------------|--|
| Public Consultation | Some of the submissions raised concerns that the extent of consultation was not long enough, was during school holidays and did not adequately cover enough area given the scale of the development. | - | Officers advise that the "Area 2" consultation method is one of the largest consultation methods available in the policy for development applications, hence consider that this matter has been adequately addressed. Provision 9(e)(iv) of Policy P301 stipulates that that consultation period prescribed in the policy (21 days) includes any weekend or school holidays and shall not be extended unless otherwise identified. |

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| Car Parking and Traffic | <p>The proposal does not appear to adequately cater for parking to the residents and guest, leading to overflow parking onto the street. The problem is amplified 8.5 times compared to what it was before. This will lead to significant on street parking further increasing the traffic hazard on Gwennyfred Road between Canning Highway and Second Avenue (possible Third Ave). This is most unacceptable from a road safety perspective. The traffic will also significantly increase at already busy nearby intersections, including Berwick St/Second Ave.</p> <p>The subject property is located at the most narrowest point of Gwennyfred Road being a single lane entry/exit to reduce speed of traffic and to prevent use of this road unless necessary. Creating 17 dwellings with at least 2 adults per townhouse will create a dangerous and obstructive driveway, will create at least 30 more cars accessing this road and reduce the already limited street parking along Gwennyfred Road.</p> <p>The street is too narrow at this location to cope with this entry exit of traffic, especially with the limited visibility due to the ramp access. The section of the Gwennyfred road directly at the proposed development is a single lane controlled section aimed at reducing the speed and level of traffic that moves through the street. The proposed development is not appropriate for this location. Further, an extraordinary number of vehicles (including trucks and buses), from outside the area, take short-cuts thru Gwennyfred Road and side streets to get to Berwick Street. Gwennyfred Road is treated as a Secondary Street to Berwick Street with Emergency Services Vehicles (Police, Ambulance, Fire Brigade), also compounding the problem.</p> | <p>The proposed development provides 30 designated residential bays, substantially exceeding the 16 bay minimum required under the deemed-to-comply provisions of the R-Codes. There is a very minor 0.25 bay variation to the deemed-to-comply requirements in relation to visitor car parking.</p> <p>To accommodate additional parking, we will construct an additional embayed car park in the verge in front of No. 1 Gwennyfred Road, in the same location as the proposed defunct crossover. Clause 6.3.3 of the R-Codes allows for consideration to be given to the ability of on-street parking, including whether such parking is located sufficiently close to the development and convenient for use by residents and/or visitors, and it is considered that the embayed parking achieves this objective.</p> <p>The amount of traffic arising from the development is not considered to be significant in the context of the street, which already includes commercial and large grouped housing developments with significant amounts of car parking. The number of bays provided allows for the majority of dwellings to have two bays, though in many cases residents may only have or regularly use one car. The proximity of the City and various bus routes means it is likely that many residents would not utilise their car on a daily basis, further reducing the number of vehicle movements each day.</p> <p>With regards to the narrowness of the street at this location and the ability for it to accommodate the traffic generated by the development, the number of movements arising from the development is anticipated to be quite low given only 34 bays are provided in the basement. The narrowness of the street at this location is a result of the chicane which has been installed as a traffic calming measure to help slow down traffic and reduce the incentive for vehicles to use this street as a short-cut to Berwick Street, which the submissions identify as significant issues. The chicane will encourage vehicles entering and exiting from this development to slow down, making access and egress safer.</p> | <p>The City's Engineering Infrastructure Services provides some further advice in this regard (in the body of this report).</p> <p>Comments noted.</p> |
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| | <p>Visitor onsite parking is not accessible - behind closed gates. Parking configuration is not practical - double parking in a confined area.</p> | <p>The visitor parking will be accessed via an intercom, which will allow for visitors to be buzzed into the car parking area by the residents they are visiting. Each tandem bay will be delegated to one apartment, and occupants will manage this arrangement within their own households. All manoeuvring areas are within the basement level, so any wait times associated with accessing the tandem bays will be contained on site.</p> | <p>Visitor car parking is discussed in further detail in the body of this report. Comments noted.</p> |
| | <p>Parking in the verge should not be supported as this will impact on the streetscape and cause stormwater and traffic issues.</p> | <p>One visitor car bay is proposed in an embayed parking bay, in front of the existing crossover to No. 1 Gwentyfred Road, which is to be removed by this application. Given there is an existing crossover in this location it is not anticipated there would be any significant impact on the streetscape or stormwater runoff. Being embayed parking it is also not anticipated to impede traffic flow, and may assist in slowing cars down.</p> | <p>The City's Manager Engineering Infrastructure Services has provided advice in relation to this matter which is discussed in further detail in the body of this report. Comments noted.</p> |
| | <p>The removal of a large tree to allow parking on the verge at the narrowest point of Gwentyfred Road is unfathomable and unacceptable. If there isn't room on the property for vehicles, then don't exacerbate the serious and existing traffic issues.</p> | <p>The application does not propose to remove either existing street tree. Refer to point 1 above.</p> | <p>The City's Parks Department has advised that the separation distance of the revised crossover between the street trees on either side is sufficient for them to be retained. Comments noted.</p> |
| | <p>The proposed internal car bays at an absolute minimum width making them difficult to use and thereby discouraging their use. I want a traffic survey done by the developer.</p> <p>There is not enough room for large cars, 4WD, trailers etc. to maneuver within the compound.</p> | <p>All bays have been designed to comply with the Australian Standards, and are therefore considered to be perfectly adequate for use, particularly by permanent residents who will be familiar with the design of the parking area. Refer to point 2 above.</p> | <p>The City's Manager, Engineering Infrastructure, advises that there are no concerns with the parking arrangement as proposed taking into account the Australian Standards for parking. Additionally, concerns in relation to the traffic volume are discussed further in the body of this report. Comment noted.</p> |
| Building Height, Bulk, Streetscape & Context | <p>The appearance of the proposed construction is not consistent with that of dwellings in the immediate surrounding area. This presents an unsightly change to the streetscape and adversely affect the feel of the street and suburb which was the reason my family and many others for moving into Kensington.</p> | <p>The subject site has been zoned R80 pursuant to the City's Scheme and is therefore clearly intended to be developed for a different form and scale of development than the single storey dwellings along the remainder of this side of Gwentyfred Road. It is noted that the opposite side of Gwentyfred Road has been almost entirely developed for grouped dwelling developments, and comprises a predominately two storey built form. The proposed development is intended to provide an interface between future, higher density mixed use and commercial development</p> | <p>Issues related to building height, bulk, streetscape and context are discussed further in detail in the body of this report. Comments noted.</p> |

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| | | along Canning Highway, and the residential development beyond. | |
| | We purchased number 9 as all properties along this side of Gwentyfred Road are single dwellings. There is not one medium/high density development located on the southern side of this street. There are no four storey buildings in Kensington and the vast majority of residents wish to retain the character, integrity and historical value of their homes by remaining low to medium density. | Refer to point 8 above. The proposed building is three storeys in height only and the subject site is coded R80, where multiple dwelling developments such as that proposed are entirely appropriate. The proposed height is completely within the building height limits set by TPS6 for the subject site, and is considered to well align with the vision for the site established under the relevant planning framework. | |
| | We believe this proposal is over-scale in terms of excessive bulk plus the size and number of units and is not compatible with the existing built environment. | Refer to point 8 and 10 above. | |
| | The block to Second Avenue in both Gwentyfred Road and Lansdowne Road would all be affected adversely by this development, through loss of amenity due to increased traffic and noise, parking problems, a reduction of fauna and flora and would unduly undermine the historical value of the mainly character homes. | Refer to point 2, 8 and 10 above. | |
| | The Bulk and scale of this development is vastly out of proportion to neighboring R15 properties. Gwentyfred Road is predominately comprised of single residential buildings, particularly on the southern side. The proposed multiple dwellings will not be consistent with the streetscape. There are only thirteen (13) dwellings on the south side of Gwentyfred Road to Second Avenue where this proposal is intended. All of these dwellings are R15, single residential and cover the entire road over George Street and up to Kent Street High School. Seventeen (17) units is simply too many in such a low density area. | Refer to point 8 and 10 above. The development does seek a minor variation to the proposed plot ratio of the R-Codes, with the development proposing some 1,316sqm of plot ratio area, being an additional 228sqm than what the deemed to comply provisions of the R-Codes would allow. This additional bulk is largely located on No. 1 Gwentyfred Road, away from the lower coded area. The development is under the maximum permissible height of the Scheme, exceeds the front setback requirements of the R-Codes, and along the majority of the length of the south east boundary, exceeds the requirements of the R-Codes and is therefore considered to be appropriate for the subject site. | |
| | The proposed dwellings do not comply with Clauses 7.5(i) and (n) of TPS6 or Policy P302 "General Design Guidelines for Residential Development", particularly with regard to the dwelling type, the modern architecture, and building bulk and scale. | Refer to point 8 and 10 above. Streetscape compatibility and general amenity considerations are addressed in TPG's original submission report (page 25 in particular). Policy P302, is a general policy for all residential development in the City of South Perth which generally just requires | |

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| | | compliance with the City's Scheme (including the building height limits with which the development fully complies) and other policies. | |
| | The approval of this application will lead to a domino effect leading to the demise of the character of the street. This proposal is over-scale in terms of excessive bulk and is not compatible with the existing built environment. | Refer to point 8 and 10 above. The subject site has a very different zoning to the remainder of Gwentyfred Road, and will therefore not form a precedent for further development along the street. Refer to point 8,10 and 13 above. | |
| | This proposed development conflicts with Clause 1.6 (2) "scheme objectives" Objective F of the City of South Perth Town Planning Scheme No.6, "safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development." | Refer to point 8,10 and 13 above. | |
| | I believe that the proposed development does not meet the objectives of the Kensington Precinct Plan by failing to 'preserve or enhance the streetscape character & the bulk & scale is not compatible with the streetscape'. | Refer to point 8,10 and 13 above. | |
| | There are many large significant trees on the public verge in front of 1-3 Gwentyfred Road. These should not be removed or interfered with. This will negatively impact on the streetscape. Additionally, these trees do not allow good clear driveway access to the subject property. | The existing trees, particularly the large gum tree, form an important part of the streetscape and the proposed development intends to ensure these are retained. The trees are not so large as to impede vision from the driveway and clear access is maintained. | The applicant has revised the design of the crossover in order to retain the street trees in accordance with Council Policy P350.5. Sight lines are to comply with the R-Code requirements. Comments noted. |
| Plot Ratio | There are only thirteen (13) dwellings on the south side of Gwentyfred Road to Second Avenue where this proposal is intended. All of these dwellings are R15, single residential. Indeed, the entire road over George Street and up to Kent Street High School on this side are all R15, single residential. Seventeen (17) units is simply too many in such a low density area. We could also find no mention of the size of these units which given the small land area of 1088 square metres would of necessity require to be small. The potential for crime to increase is significant and the mental health of residents of these units could be in jeopardy. | Refer to point 8,10 and 13 above. The dwelling sizes are compliant with the R-Codes, and the objectives of the strategic planning framework including Directions 2031 and Beyond, which encourages and requires the provision of a diverse range of housing options to cater for a range of different occupants, including younger people and downsizers wanting to remain close to their existing networks. There is no evidence that the development would result in any increase in crime or mental health issues. | The proposed variation to the deemed to comply requirement of the R-Codes for plot ratio is discussed in further detail in the body of this report. Comments noted. |

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| | <p>Although individual unit areas are not noted in the plans we believe that 17 units on 1088m2 does not meet the r-code requirements for R80 in regards to plot ratios given that the units will need to be an average of 64m2.</p> <p>17 dwellings would replace two current dwellings which means that the it would increase the density by 750%; This is not only disproportionate increase to the density in the area</p> | <p>Refer to point 13 above.</p> | |
| Building Setback | <p>The proposal for the semi -below ground basement car park results in an artificial ground floor level 1.52m higher than the surrounding properties. The proposed 1.52m high retaining wall with an additional 1.6m screen on top will result is a 3.12m high wall directly on the boundary of 5 Gwentyfred Rd adjacent to the primary living spaces and outdoor entertaining space of the existing residence. This wall height is almost as high as our current house. This will significantly impact the amenity, privacy, and enjoyment of the existing residence. The proposed boundary wall will have a negative impact on the view from habitable rooms and the front and back yards of our property.</p> <p>The proposed boundary wall will have a negative impact on the view from habitable rooms, and the front and backyards of the adjoining property.</p> | <p>Refer to point 8,10 and 13 above. The impact of the boundary wall specifically is addressed in the letter to which this table is attached. The wall is believed to be compliant with both the R-Codes and the general provisions of the City's Boundary Wall Policy.</p> | <p>Issues related to the proposed boundary wall are discussed in further detail in the body of this report in accordance with Council Policy P350.2. Comments noted.</p> |
| | <p>On the south side of the proposal it appears that there is no set back whatsoever, which is right next door to single residential. We believe a compliant set back on this side is essential. The upper level seems to face the single residential homes rather than Canning Highway which would at least restrict some visual and noise pollution.</p> | <p>Refer to point 18 above, the nil setback is contained almost entirely below ground or below the fence height of the adjoining neighbour.</p> <p>The upper levels face the street and Canning Highway rather than the single residential homes, with a screened walkway only providing along the south eastern side of the building.</p> | <p>Proposed variations to the deemed to comply setbacks of the R-Codes are discussed in further detail in the body of this report. Comments noted.</p> |
| | <p>The setbacks are insufficient, having regard to the adjacent lower density dwellings.</p> | <p>Refer to point 18 above with respect to the boundary wall. The upper level setbacks exceed the 4m setback requirements for the majority of the length of the boundary, with a setback of over 5m for the majority of the building, allowing for more articulation and less overshadowing of the sensitive private open areas at the rear of the building than a compliant 4m setback.</p> <p>Minor variations are proposed only for</p> | |

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| | | <p>small sections to the front of the dwelling and to the stairwell at the rear. The reduced setbacks at the front of the building are essentially for two storeys only (as viewed from the street), allow for a strong streetscape appearance and also reinforce the established side setbacks along Gwentyfred Road.</p> | |
| Visual Privacy | <p>Visual privacy has not been adequately addressed.</p> | <p>Overlooking concerns have been addressed through the installation of screening devices to the upper levels of the building. The proposed communal deck and walkway adjacent to the south-eastern boundary are to be fitted with a 1.6m translucent glass balustrade running the length of the boundary which will obscure sight lines to adjacent residential properties, in accordance with the deemed-to-comply requirements of Clause 6.4.1 of the R-Codes.</p> | <p>The deemed to comply requirements of the R-Codes for visual privacy have been satisfied via the revised drawings and are discussed in further detail in the body of this report. Comments noted.</p> |
| | <p>The location of the proposed communal deck area 1.52m above and directly adjacent to the habitable rooms of 5 Gwentyfred rd will negatively impact on the amenity and privacy. The addition of a 1.6m glass balustrade will offer no additional privacy. Can you imagine the noise level if a number of people decide to use the communal deck area which is immediately adjacent to our main bedroom and living areas. This should be sited away from existing properties (ie onto the Canning Highway side).</p> | <p>Refer to point 26 above. The glass balustrade/ screen is translucent glass, which will allow light into the neighbouring property but inhibit any overlooking.</p> | |
| | <p>The open walk ways facing on to 5 Gwentyfred rd will have a significant impact and overlook on the habitable spaces of the existing residence. The security lighting from these open walk ways at night, whether they are permanently on or sensor activated, will shine into the habitable rooms of the existing residence. The noise levels of people arriving and leaving doors opening and closing from these open walk ways will also impact adjoining residence, with both general thorough fare and entertaining noise levels occurring at any time.</p> | <p>The walkways are screened (exceeding the overlooking requirements of the R-Codes which do not require screening) to stop overlooking. It is anticipated the City would impose a condition on any approval requiring a lighting plan to be submitted to the City prior to the submission of a building permit, which would incorporate low spill lighting.</p> | <p>The City's Health Services advises that residential lighting is to comply with the relevant health legislation. Comments noted.</p> |

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| Overshadowing | <p>The proposal will impose on the neighbors' dwellings and result in overshadowing of these properties, resulting in dark and un-inviting living spaces.</p> <p>This proposal would severely affect neighbouring single story, or even double story, residents by restricting access to sunlight, which would detrimentally impact the use of solar power.</p> | <p>The proposed development is compliant with the deemed-to-comply requirements of the R-Codes by ensuring the shadow cast onto adjacent properties from the development does not exceed 25% of the site area of the adjacent property.</p> | <p>Issues relating to the level of overshadow from the proposed development is discussed in detail in the body of this report.</p> <p>Comments noted.</p> |
| | <p>Assuming the developer has calculated the overshadow of 5 Gwennyfred Rd correctly 133m² of a 544m² block is 24.4% and very close to exceeding the r-code limits (will this be thoroughly checked by council) as this will significantly impact the existing building as all of the shadow impacts the main habitable spaces (2 living rooms and the master bedroom) and will severely reduce the amount of natural sunlight through these windows. Particularly in winter months where no sun will reach these windows at all.</p> | <p>Refer to point 29 above.</p> <p>With special reference to the south-eastern boundary, portions of the building adjacent to living areas on the neighbouring property have been setback an additional 1.0m from the stipulated 4.0m minimum (excepting the stairwell) to ensure adequate daylight access. Whilst the balustrading will obscure sight lines to the property, its translucent nature will allow daylight to permeate to the southern property.</p> | |
| | <p>4 storey development will remove the afternoon sunlight from at least all the homes along this side of Gwennyfred Road and those behind in Lansdowne Road - all the way to Second Avenue intersection.</p> | <p>Refer to point 29 above and the overlooking plans submitted with the application. The overshadowing will not have anywhere near this level of impact on adjoining properties, and this comment is incorrect.</p> | <p>In accordance with the R-Codes overshadow provisions, the only properties affected by overshadow from this development are No. 5 Gwennyfred Rd, No. 2-4 Lansdowne Rd and No. 10 Lansdowne Rd.</p> <p>Comments noted.</p> |
| Design | <p>There does not appear to be any outdoor clothes drying areas. We believe in our climate this should be essential.</p> | <p>The R-Codes do not require the provision of outdoor drying areas, but just require that any such areas be screened from view from the street. Each dwelling will be provided with a mechanical clothes dryer, though it is envisaged that most residents would use a clothes horse or similar.</p> | <p>The R-codes do not have any provisions relating to outdoor clothes drying areas.</p> <p>Comments noted.</p> |
| | <p>There is little space remaining on the lot that is not built form for vegetation.</p> <p>Lack of adequate landscape. Landscaping does not demonstrate that it contributes to the streetscape and is predominantly hard landscape</p> | <p>Landscaping areas across the development are maximised, including greater front setbacks along the eastern corner of the development to allow for more soft landscaping. The proposed landscaping is believed to be consistent with what could reasonably be expected for an R80 development.</p> | <p>The level of landscaping is considered by officers to meet with clause 6.3.2 'Landscaping' of the R-Codes.</p> <p>Comments noted.</p> |
| | <p>Unsustainable redevelopment</p> | <p>Maximising the provision of higher density developments in appropriate locations is a key consideration to reduce urban sprawl and encouraging the use of alternative transport options.</p> <p>The development itself has been designed with north facing outdoor</p> | <p>The development is to comply with Council Policy P350.01 'Environmentally sustainable building design'.</p> <p>Comments noted.</p> |

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| | | <p>areas where possible, to allow for access to northern winter sunlight. Shading along the north western elevation is provided through the use of deep balconies and awnings for the summer months. Single depth units and the open walkways to the south also provide excellent opportunities for cross ventilation minimising the reliance on mechanical cooling.</p> <p>Landscaping will be designed as low water use with further detail to be provided prior to a building permit being sought. Landscaping areas have been minimised and there area no water features or pools proposed from which evaporation constantly occurs.</p> <p>Natural ventilation to the carpark will reduce reliance on electrical systems.</p> | |
| | Rainwater collection / disposal not shown on plans. Where does the rain water go? Where are the soak wells or maybe it's to be flooded out into the street? | Stormwater disposal will be dealt with at the Building Permit stage and it is anticipated the City will impose a condition to this effect. It is likely that stormwater will be retained on site through the use of soak wells. | In accordance with the provisions of Clause 6.8(2) of <i>Town Planning Scheme No. 6</i> , all subsoil water and stormwater from the property shall be discharged into soak wells or sumps located on the site unless special arrangements can be made to the satisfaction of the City Infrastructure Services for discharge into the street drainage system. Comments noted. |
| | All existing trees on the site are going to be removed! Does the proposal fail to demonstrate compliance to Local Planning Policy P350 relating to tree retention. | Policy 350.5 outlines the City's intent to preserve mature trees where possible. Trees within development sites are required to be retained only where they will not unreasonably prejudice the development of the site. This application requires the removal of all trees on the subject site, but allows for the retention of the significant gum tree in the verge, and the development is believed to fully comply with the requirements of Policy 350.5. | The proposal is considered to comply with Council Policy P350.5. Comments noted. |
| Property Prices | This development could conceivably have an adverse Economic Impact on neighbouring properties | It is not understood what particular component of the development this concern is in relation to, however a general comment in relation to property prices is provided under point 42 below. | Impact to property values is not assessable under the relevant planning provisions. Comments noted. |
| | <p>The proposal will result in a loss in property values.</p> <p>The proposal will lower house prices in the area as people buy into Kensington for its single residential appeal (ideal for families).</p> | <p>The potential loss of property values is not a relevant planning consideration.</p> <p>This notwithstanding, the proposed development is not envisaged to have any adverse impact upon property prices in the area being a high quality building designed by architects</p> | |

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| | The proposed development will have a severe negative impact on the saleability of surrounding properties. | Zuideveld Marchant Hur, located on a street which already contains a series of commercial buildings and many grouped housing developments. It is again noted that this development is located on an R80 zoned site and multiple dwelling development is highly consistent with that vision. | |
| General comments | Fictitious future built building shown on both sides. Realistically no one would invest building a 2 storey house on a R15 zoned block next to this development - it would be a dud investment, throwing money down the drain. The building on the northern block may never be built. | These diagrams are intended to demonstrate how the proposed development fit within the future vision for development in the area. | Comments noted. |
| | I am also concerned about how it would be possible to accommodate 34 rubbish bins on this site and where they would be located and accessed during rubbish collections. The plans only show accommodation for 16 rubbish bins and we wonder where the additional 18 rubbish bins will be located. The addition of 34 Rubbish bins on the street verge (is this possible?) during rubbish collection day at a traffic slow point will only exacerbate traffic congestion and safety risks. | The number of bins provided accords with Council's waste requirements. | The applicant is required to submit to the City, a Waste Management Plan to the satisfaction of the City's Health Services Coordinator. The approved Waste Management Plan shall thereafter be implemented, unless otherwise approved by the City. Comments noted. |
| | The floor levels annotated on the plans are inconsistent between the floor plans and the elevation diagrams. This is misleading and makes it very hard for us to understand the proposed development and offer correct comments. F Plan level South-east elevation level (FFL) 1 RL 8.7m 8.7m 2 RL 10.3m 11.7m 3 RL 13.3m 14.7m 4 RL 16.3m 17.7m | Noted. This was an error, which has been corrected on the revised floor plans. The levels shown on the elevations remain correct. | The applicant has addressed this matter via revised plans. Comments noted. |
| | The void over the garage directly adjacent to 5 Gwennyfred Rd will result in exhaust fumes and vehicle noise from 34 cars being blown into our property via the prevailing south westerly winds. This will adversely affect the amenity of our property. | The void allows for natural ventilation, reducing the need for fans and the like which can cause noise. Any exhaust fumes and vehicle noise is anticipated to be low. | The City's Health Services Coordinator advises that all mechanical ventilation services, motors and pumps e.g. air conditioners to be located in a position so as not to create a |

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| <p>A number of the units in the plans don't show air conditioning fixtures. Where will these fixtures be located? Will there be an impact to the surrounding properties and the ambient noise levels.</p> <p>Reliance on air-conditioning (not sure where they are going to put these, there is no heating or cooling on the plan!) and use of outdoor and potentially noisy condenser units on balconies or exterior walls facing adjacent dwelling and the vehicles coming and going noise will reverberate added with the loss of visual and sound privacy between tenancies. The noise transference will prove to be horrendous for all tenants and surrounding private homes!</p> <p>Increased noise from additional people living in the locality.</p> | <p>The final location of air-conditioning units will be resolved at the building permit stage and will be located away from adjoining neighbours where possible.</p> <p>The proposed development is residential in nature and the level of noise would be commensurate with the residential amenity of the area.</p> | <p>noise nuisance as determined by the <i>Environmental Protection Act 1986</i> and <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Comments noted.</p> |
| <p>The possibility of anti-social (crime) behaviour, are issues of real concern.</p> | <p>There is no evidence that the development would result in any increase in crime.</p> | <p>The City's Town Planning Scheme No. 6 permits this site to be development for residential purposes. The R-codes do not stipulate specific provisions to allow an assessment of this issue.</p> <p>Comments noted.</p> |
| <p>Where will the children play?</p> | <p>Multiple dwelling developments provide an alternative living option that is typically (though not always) taken up by young couples, singles, retirees who often don't have children. There are many nearby parks and other recreation areas nearby to provide recreation opportunities for all occupants including children.</p> | <p>The outdoor living area provision proposed as part of this development complies with the R-Codes requirement.</p> <p>Comments noted.</p> |

The City's Manager, Engineering Infrastructure Services provides the following comments in relation to car parking and traffic concerns:

"A seventeen dwelling complex:

- *Will generate between 4 to 7 trips per day i.e. maximum movement 119 vehicles per day.*
- *The peak hour will account for less than 12 vehicles in that hour.*
- *In general on a residential street between 85% to 95% of the total traffic occurs in the 12 hour period 7 am to 7pm*
- *The peak hour on a residential street is about 10% of the total*
- *Typically the morning peak is 7.45am to 8.45am.*

The following is an extract from the WAPC document – "Liveable Neighbourhoods – A WA Government sustainable cities initiative".

| Street Characteristic | Street Name | Max. Design Speed Target Operating | Indicative Volume Range vehicles per | Indicative Street Width Range | Indicative Pavement width metres |
|------------------------------|--------------------|---|---|--------------------------------------|---|
|------------------------------|--------------------|---|---|--------------------------------------|---|

| | | Speed | day (vpd) | metres | |
|---|--|------------------------|------------------|---------------------|-----------------|
| <i>The most typical and most common residential street will be Access street C – Yield street</i> | <i>Access street C – Yield or give way street</i> | <i>50kph 40kph</i> | <i>3,000</i> | <i>15.4 to 17.6</i> | <i>7 to 7.5</i> |
| <i>Access street D is for short, low volume and low parking demand streets</i> | <i>Access street D – Narrow yield or give way street</i> | <i>50kph 30kph</i> | <i>1,000</i> | <i>14.2</i> | <i>5.5 to 6</i> |

Gwenyfred Road:

- *Is an Access Road C;*
- *Had an Average Daily Traffic (ADT) movement in 2011(the most recent counts) of 745vpd with a peak hour of 70vph;*
- *Has a pavement width of 7.2 metres in a 20 metre reserve;*
- *Accommodates street parking – yield or give way.*

Conclusion: *Gwenyfred Road is well under the indicative volume range for an Access street C. The existing slow point functions as an Access Street D and even with the increase in traffic from the development remains under 1,000vpd. Street parking is manageable and if necessary controls will be implemented.”*

Consultation with other Agencies or Consultants

The City of South Perth Design Advisory Consultants (DAC) provides professional and technical advice to City officers and Council in relation to the design of buildings and other related matters, in accordance with Council Policy P303.

The City's Design Advisory Consultants (DAC) at their meeting held on 7 July 2015 considered the design of the proposal. The applicant provided a presentation to the DAC regarding the proposal. An extract of the DAC meeting minutes is provided below:

- *The Design Advisory Consultants agreed that the development provided graduated street setbacks.*
- *The Advisory Consultants agreed that the landscaping obscuring the blank walls of the service rooms at the front of the development and the provision of passive surveillance of the street was a good design outcome.*
- *It was suggested that visual relief be provided for two largely blank large walls. These walls are noted to face the side boundaries and would be visible from the street.*
- *The Advisory Consultants were supportive of the side setback variations, as the building's design was observed to assist in providing articulation to the neighbouring properties and has a positive contribution to the streetscape.*
- *The development was observed by the Advisory Consultants to be designed to mitigate impacts upon the neighbouring properties, by design elements such as the provided street setbacks and the submerged garage.*

In response to the DAC comments, the applicant has provided additional highlight windows to the walls along the south eastern side of the building. It is noted that the other comments by the DAC are generally supportive of the design.

Internal referrals:

Comments were invited from City Environment, Engineering Infrastructure Services and Environmental Health Services of the City's administration.

City Environmental was invited to comment on the potential impact of the proposal in relation to the trees in Council's verge. This section initially provided conditions that require the large tree (south of the crossover) to be removed and replaced after construction as developers expense as it was within 3m of the proposed crossover. In order to retain the tree, the applicants provided revised plans amending the crossover, allowing a separation distance of 3m to the street tree. Parks has advised that the separation distance of the crossover between the street trees on either side is sufficient for them to be retained.

Engineering Infrastructure was invited to provide comments on a range of issues relating to vehicle movements, onsite parking, stormwater disposal and gradient, and general comment on the layout of the proposal. This section has raised a few matters as per **Attachment 4**.

The Environmental Health section provided comments with respect to the bin enclosure, ventilation and noise (see **Attachment 5**).

Planning assessment:

The following aspects have been assessed and found to be compliant with the provisions of TPS6, the R-Codes and relevant Council policies, and therefore have not been discussed further in the body of this report:

- Land use – "Multiple Dwelling" is a "P" (Permitted) land use on the subject site zoned "Residential" with a density coding of R80 (Table 1 of TPS6);
- Building height limit (TPS6 clause 6.1A);
- Dwelling size (R-Codes clause 6.4.3);
- Street surveillance (R-Codes clause 6.2.1);
- Outdoor living areas (R-Codes clause 6.3.1);
- Landscaping (R-Codes clause 6.3.2);
- Minimum and maximum floor levels, site works and retaining walls (TPS6 clause 6.9 and 6.10; R-Codes clause 6.3.6 and 6.3.7);

The following planning matters, which require further discussion, are listed below:

- Plot ratio (R-Codes clause 6.1.1 & Table 4);
- Streetscape compatibility (TPS6 clause 7.5(n); Council Policy P302 – Scale);
- Lot boundary setbacks – sides and rear (R-Codes 6.1.4);
- Boundary walls (TPS6 clause 7.5(n) and Council Policy P350.2 'Residential Boundary Walls');
- Solar access for adjoining sites (R-Codes clause 6.4.2);
- Open space (R-Codes clause 6.1.5);
- Visual privacy (R-Codes clause 6.4.1);
- Parking and vehicular access (R-Codes clauses 6.3.3, 6.3.4 and 6.3.5; TPS6 clause 6.3(8) and Schedule 9; Council Policy P350.03);
- Utilities and facilities (R-Codes clause 6.4.6);
- Street walls and fences (R-Codes clause 6.2.2 and 6.2.3, TPS6 clause 6.7, Council Policy P350.7 'Fencing and retaining walls');
- Council Policy P350.1 'Environmentally sustainable building design'; and

Plot ratio

The maximum plot ratio for this site under Table 4 of the R-Codes is 1.0 (1088m²), and the proposed plot ratio for the proposed development is 1.23 (1342m²). Therefore the proposed development does not comply with the plot ratio requirements of the R-Codes. It is noted that the applicant's plot ratio calculation totals 1.21 (1316m²). For the purposes of the planning assessment and this report, officers refer to the City's calculation. Under the provisions of clause 7.8 of TPS6 the City does have discretion to permit variations from the scheme provisions, including plot ratio if it considers the proposal will not have an adverse impact on the amenity of the locality, among other matters.

The applicant provides the following justification in support of their proposed variation, as referred to in **Attachments 2 and 3**.

"In relation to plot ratio, the design principals of the R-Codes (clause 6.1.1) however, allow for the acceptable development criteria to be varied where:

Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.

It is considered that the proposed development is highly consistent with the above, for the following reasons:

- The bulk and scale of development is highly consistent with the planning framework, being located entirely within the building height limits set by the City's Scheme and with setbacks generally consistent with those advocated by the R-Codes. The scale of the development is also consistent with that anticipated for future development along Canning Highway, and the existing large-scale two storey commercial development adjacent the site;*
- The three storey built form of the development allows for a highly efficient development which is commensurate with the two storey development permitted to the south, but still recognises the very different development potential of this site;*
- The building facades are highly articulated and incorporate a variety of different materials and treatments to lessen the appearance of building bulk, including render and contrast, feature brick elements, perforated metal screening, soft landscaping elements and extensive use of glazing;*
- There will be no undue adverse impact on users or adjacent development given more than adequate parking is provided, overshadowing is compliant and the relevant privacy criteria of the R-Codes have been complied with; and*
- The development optimises the use of the site in line with the vision established in Directions 2031 and the City Centre Framework, both of which advocate optimising density on sites close to neighbourhood centres and with good access to public transport such the subject site. On the basis of the above, it is considered that the proposed plot ratio is appropriate for the site, in keeping with the City's desired built form for this area and worthy of approval."*

Further response from the applicant following discussions with City officers:

“Further advice from the City has indicated that the City has concerns about the plot ratio and setbacks proposed by the development. It is understood that the potential impacts on the property to the south east of the subject site are of particular concern. The development does indeed propose a variation to the deemed to comply provisions of the R-Codes with respect to plot ratio (1:1 or 1,088m²), proposing some 1,316m² of plot ratio area, representing a plot ratio of 1.21:1. The corresponding design principle allows discretion to vary these requirements, if the bulk and scale is in accordance with the local planning framework and is consistent with existing or future desired built form of the locality.

TPG’s original submission report contained justification for the plot ratio and setback variations sought. This notwithstanding, since the application was lodged, the WAPC has released Planning Bulletin 113/15 which among other matters provides guidance with respect to granting variations to the multiple dwelling standards, in particular plot ratio. The Planning Bulletin encourages local government to prepare and implement a local planning policy to appropriately deal with multiple dwelling development proposals seeking variation to the R-Codes ‘deemed-to-comply’ standards, and states that the WAPC supports a maximum plot ratio bonus of 25 per cent for R30 to R80 codes, with which this development complies.

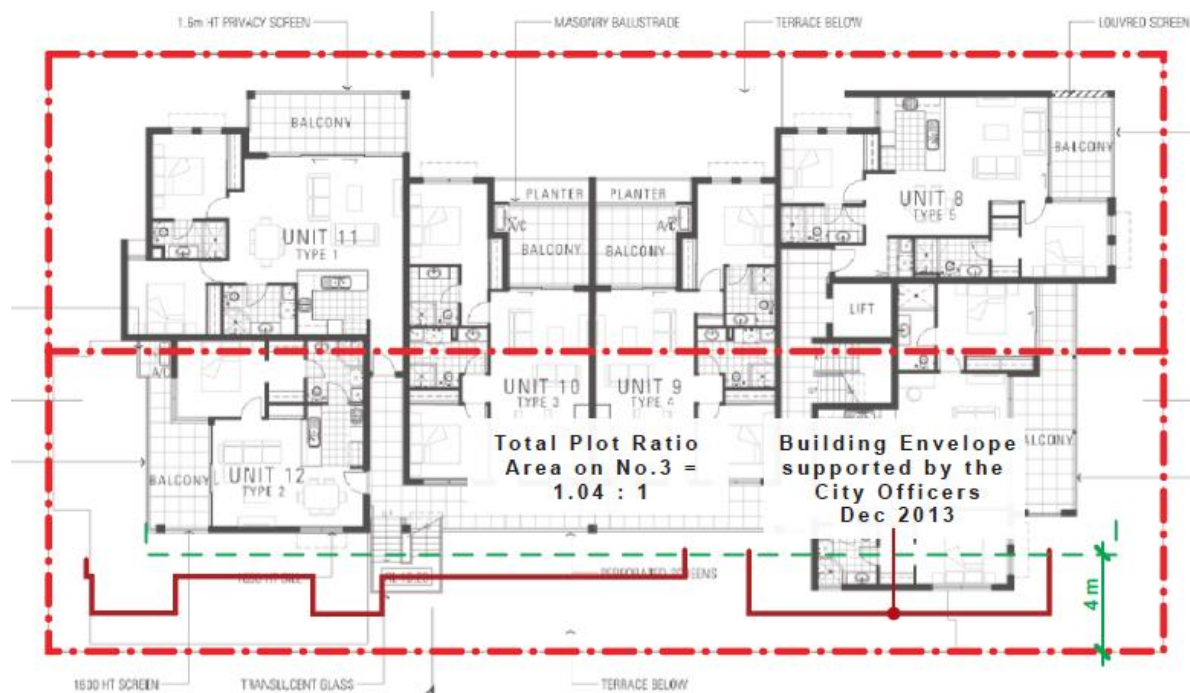
With respect to boundary setbacks on the south eastern boundary, the deemed to comply provisions of the R-Codes require a 4m setback for majority of the building wall (excepting that portion which is permitted to abut the boundary as discussed under point 5 above). This application exceeds this requirement with a 5m setback along the majority of the wall, excepting a portion towards the front of the site, and the stairway at the rear that are both setback at 2.5m.

In considering whether the City should vary the deemed-to comply provisions of the R-Codes with respect to plot ratio and the south eastern side setback we request that the following be taken into account:

- If the plot ratio on the two lots were calculated separately, the plot ratio area on No. 3 Gwentyfred Road (where the property adjoins the lower coded R15 area) is some 566m², which represents a plot ratio of only 1.04:1 on that site, which is only a very minor variation. With the development taking place over two sites, the plot ratio area is pushed towards the north western side of No. 3, much further away from the adjoining residential property than would be the case if just the one site was to be developed, such as under the previous proposal recommended for approval by the City’s officers. A plan illustrating the proposed setbacks compared with the previous proposal recommended for approval by the City’s officers is shown below and demonstrates that greater setbacks are able to be provided along the length of the boundary than this previous development which was determined to be appropriate;*
- If only No. 3 was proposed to be redeveloped, a 3m side setback would be fully compliant. The proposed design with 5m setbacks along the majority of*

the length of the wall allows for more articulation and less overshadowing of the sensitive private open areas at the rear of the building, and on this basis is considered a better outcome than a compliant 4m setback;

- *The bulk and scale of development is highly consistent with the planning framework, being located entirely within the building height limits set by the City's Scheme. The scale of the development is also consistent with that anticipated for future development along Canning Highway, and the existing large-scale two storey commercial development opposite the site;*
- *The reduced setbacks at the front of the building are essentially for two storeys only (as viewed from the street), allow for a strong streetscape appearance and also reinforce the established side setbacks along Gwenyfred Road. The variation sought is for a minor portion only at the front of the site, and with limited openings does not result in an overlooking or other amenity impacts; and*
- *The subject site is an R80 development site with a permitted building height of 10.5m under the City's Scheme, where there should be an expectation for a more intensive built form than the remainder of Kensington Street.*



Floor plan indicating 4m setback line and envelope of previous proposal.

Based on the above, and the information contained within the original submission report, we respectfully request the City's support for the proposed plot ratio and minor setback variations sought."

The proposed bulk and scale of the four storey building is considered appropriate for the subject R80 density coded lot, and future desired built form of the R80 lots to its west. However, it is important to note that the street also consists of R15 density coded lots immediately towards the east of the subject site. The existing building bulk of the low density R15 lots consist of mostly single storey dwellings, and some two

storey dwellings with large street and rear setbacks. Clause 7.5(n) of TPS6 requires consideration of the extent to which the building is in visual harmony with neighbouring existing buildings. Additionally, considering the future desired built form of the locality, which mainly comprises R15 lots, City Policy P351.5 "Streetscape Compatibility – Precinct 5 Arlington and Precinct 6 Kensington" provides necessary direction. One of the policy objectives aim to preserve or enhance the desired streetscape character of the single or two storey dwellings, as described above.

The applicant's reference to the WAPC bulletin is noted. As this time, the City has not explored the appropriateness of the preparation and implementation of such a policy. The primary elements, which contribute to building bulk and scale, are building height and setbacks from side and street boundaries. Plot ratio is used to control building bulk and scale of the development, and to ensure overdevelopment of a site does not occur. In the previous planning application for No. 3 Gwenyfred Road, officers recommended a condition for revised drawings to incorporate a reduction in the plot ratio area to 1.0 in order to meet the deemed to comply standards of the R-Codes. As demonstrated though the remainder of this report, the proposed application is considered not to be entirely compliant with the provisions of clause 7.5(n) of the TPS No. 6 in terms of building bulk, scale and front and side setbacks. These are key factors which assist in determining if a proposal represents an over development of a particular site. Officers consider the proposal presents a large bulk effect to the street. It is considered that the additional bulk and scale will have a negative impact on the amenity of the adjoining lots and the existing streetscape, therefore in this instance it is considered that the proposal does not comply with the discretionary clause, and is therefore not supported by the City.

This assessment is consistent with the City's assessment for the following DAP applications, on R80 lots, seeking a variation to the maximum deemed to comply plot ratio requirement (April 2014) of DAP application DP/14/00024 for 15 and 17 Eric Street, (January 2015) DAP application DAP/14/00647 for No. 7 Mary Street.

Streetscape compatibility

During the neighbour consultation period, a number of submissions raised concerns with regards to the scale and setback of the proposed building, specifically indicating these would be out of character with the existing streetscape particularly on the southern side of Gwenyfred Road.

Council Policy P351.5 "Streetscape Compatibility" – Precinct 5 "Arlington" and Precinct 6 "Kensington" applies to single houses and grouped dwellings only, and as such does not apply to the subject development. In addition in the policy scope of P351.5, it is stated that the provisions of Council Policy P302 "General Design Guidelines for Residential Development" are not applicable to land within the "Arlington" and "Kensington" precincts. Despite the subject land not being subject to specific policy requirements, these policies direct a streetscape outcome that is consistent with residential development throughout the whole of Kensington for purposes of compatibility and has been referenced where appropriate in this report. Council is required to take Clause 7.5(n) of TPS6 into consideration when undertaking its assessment. Clause 7.5(n) states:

"The extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details."

The applicant provides the following justification in support of their proposal with regard to streetscape compatibility:

“As evidenced by the substantially different density codings of the subject site and the remainder of Gwentyfred Road, this site is clearly intended to be developed for a much more dense residential development than the remainder of the street, to provide an interface between future, higher density mixed use and commercial development along Canning Highway and the residential development beyond. In light of this context, it is considered that the development does achieve the general objectives of the Policy, in that it provides a transition, to ensure the building fits in well with the existing streetscape. The front setback steps back along the front boundary, with the compliant 2m setback to the north, moving back to a greater 6m setback to begin to match the setback of the adjoining house to the south. On the side boundary, a greater setback is provided to the south eastern boundary compared with the north western, to further reduce the bulk to this side, ensuring an appropriate step down to neighboring single residential development. Soft landscaping including a tree is also proposed in this eastern corner of the site, sympathetic to the front gardens of the houses along Gwentyfred Road. The rendered façade with feature face brick panels also responds to the more traditional materials of the front facades of houses in this area. In light of the above, it is considered that the development responds well to the streetscape context of Gwentyfred Road, whilst still proposing a development consistent with its very different density coding.”

The following paragraphs expand upon the items listed in Clause 7.5(n). In general, it is considered the proposed building does not comprehensively take into account the existing streetscape, and as such is not supported by officers.

(i) Description of existing streetscape

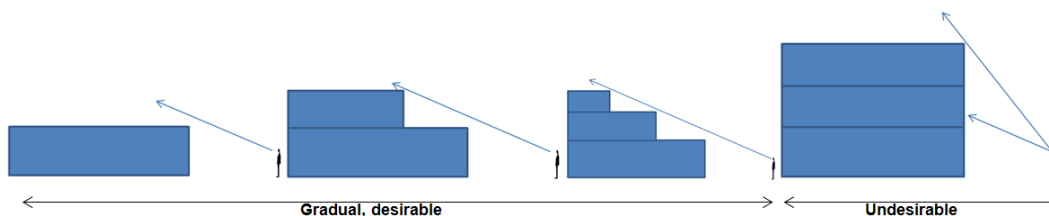
While it is observed that the streetscape on the south-eastern side of Gwentyfred Road, generally consists of single storey single dwellings, the northern side is more varied. Directly to the north of the subject site at 10 Canning Highway and 4 Gwentyfred Road, are two (2), two storey commercial buildings, which have a flat roof design and an overall height of approximately 7.0 metres. These buildings are setback between 5.0 and 7.0 metres of the street. The remainder of the street contains a mix of single houses and grouped dwellings, varying between single and two storeys, and with front setbacks between 3.0 and 9.0 metres. The colours and materials utilised on the surrounding buildings are also varied, ranging from brick and tile to concrete panels, and from light coloured painted walls to dark bricks.

(ii) Setbacks from street boundary

Setbacks from the street boundary are considered an important way to minimise the bulk impact of the building from the street. In this regards, while Table 4 of the *Residential Design Codes* indicates multiple dwellings on an R80 coded site can have a minimum street setback of 2.0 metres, Clause 7.5(n) requires the City to consider whether larger setbacks are required to achieve compatibility with the streetscape.

As discussed in Point 1 above, the front setbacks of the existing buildings in the street vary up to 9.0 metres. Officers consider that it would be more appropriate for the front setback be increased as the building gets higher, creating a stepped

effect in order for the building to be more compatible with the streetscape. The existing single houses on this side of the street are one storey. So when viewing the building from the street, the angle of the sightline is lowered to be more consistent with the existing dwellings, from a streetscape point of view (illustrated in diagram below).



As such, the proposed street setbacks are not considered by officers as compatible under clause 7.5(n).

(iii) Scale

The subject site has an assigned building height limit of 10.5 metres. The proposed development is compliant in this regard. Whilst officers note that the front setbacks has been sympathetic to the adjoining R15 site (wall setback further from the street on this side of the development, than that adjoining the Canning Highway lot), the overall scale of the development should be considered in the context of that existing on the street. As we view this side of the street, it is clear that there is no gradual visual stepping up of height (eg. one storey, two storey, three storey).



As such, the proposed scale of the development is not considered by officers as compatible under clause 7.5(n).

(iv) Form and shape, rhythm, colour and construction material, orientation, architectural details

As indicated in Point (1) above, the existing streetscape contains a wide mix of land uses and dwelling types, and a similarly wide range of construction methods, colours and architectural details. The applicant describes the approach to this aspect as follows:

“The building is constructed of primarily rendered masonry with feature brick components to reflect the materials of the more traditional dwellings in this area. On the front façade, the extensive use of glass balustrading and windows maximises opportunities for occupants to engage with and provide passive surveillance over the street. On the southern boundary, the use of perforated metal screening to the communal walkway provides warmth and visual interest while also protecting the privacy of the adjoining property.

The building facades are highly articulated and incorporate a variety of different materials and treatments to lessen the appearance of building bulk, including render and contrast, feature brick elements, perforated metal screening, soft landscaping elements and extensive use of glazing. The rendered façade with

feature face brick panels also responds to the more traditional materials of the front facades of houses in this area.”

In respect of form, and shape, rhythm, colour and construction material, orientation, architectural details, the proposed development is considered to be compatible with the streetscape.

(iii) Landscaping visible from the street

The surrounding dwellings and non-residential buildings generally have large areas of landscaping within the front setback areas. This is a natural result of the area being developed with large front setbacks. The applicant proposes “*soft landscaping including a tree is also proposed in this eastern corner of the site, sympathetic to the front gardens of the houses along Gwennyfred Road.*”

The amount and quality of landscaping visible from the street is considered by officers as consistent with that expected for an R80 site and has been designed to be sympathetic to the existing front yards in the street. While the landscaped area is less than that provided in the surrounding area, it is considered this will make a positive impact on the streetscape and can be supported.

Lot boundary setbacks (sides and rear)

The deemed to comply criteria of Clause 6.1.4 of the R-Codes, indicate walls on lots equal to greater or than 16 metres should be setback 4.0 metres from the side and rear boundaries. If the walls do not meet these minimum setbacks, the walls will be required to demonstrate that they meet the relevant design principles. In this instance, portions of the building do not meet the minimum setback.

The applicant provides the following comments in relation to the above:

“The design principals of the R-Codes (clause 6.1.4), state that buildings are to be setback from side and rear boundaries so as to:

- Ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;*
- Moderate the visual impact of building bulk on a neighbouring property;*
- Ensure access to daylight and direct sun for adjoining properties; and*
- Assist with the protection of privacy between adjoining properties.*

Rather than a 4m setback along the length of the side boundary, the proposed development incorporates a design solution with a reduced setback at the front of the building, with a greater setback along the southern boundary than the northern boundary, and a reduced setback for the stairwell on the south eastern boundary and for the (screened) balcony to Unit 11 and 16 on the north western side.

It is considered that the proposed side and rear setbacks should be supported for the following reasons:

- The reduced setbacks at the front of the building are essentially for two storeys only (as viewed from the street), allow for a strong streetscape appearance and also reinforce the established side setbacks along Gwennyfred Road;*
- On the north western side, the adjoining dwellings ‘back onto’ the subject site and have very large backyards, with trees and other vegetation at the rear, and it’s not considered that the proposed variations would have any undue*

impact on these properties. Given the development potential of these sites it is likely that they will also soon be redeveloped for higher density mixed use purposes and it is considered that the development is appropriate in this context;

•The R-Codes would allow for a 6m high, zero line wall to be constructed along the north western or south western side boundary, stretching two thirds the length of the boundary. The proposed setback of the building, with a substantially reduced boundary wall height with varying setbacks above, is considered to have significantly less of an impact than such a permissible wall;

•On the south eastern side, the variation sought is for a minor portion only at the front of the site, and with limited openings does not result in an overlooking or other amenity impacts. The remainder of this side of the building (excepting the stairwell) is setback at 5m in excess of the 4m requirement, allowing for more articulation and less overshadowing of the sensitive private open areas at the rear of the building, and on this basis is considered a better outcome than a compliant 4m setbacks;

•As noted above, the development is designed to ensure there is no overlooking into the outdoor living areas or major openings of any adjoining sites, and ensure that walkways, balconies and major openings on the subject are well setback from adjoining properties, to further reduce the impact on the adjoining properties;

•The setbacks ensure adequate light and ventilation into all surrounding properties, as can be seen on the overshadowing plan, which demonstrates that less than 25% of the adjoining property is overshadowed, complying with the requirements of the R-Codes; and

•In addition to the varied side setbacks, and as noted above, the impact of the wall is broken up with different materials and treatments, including glass, feature render, brick and patterned metal screening.

On this basis, we believe the variations sought are appropriate and should be supported.

These variations will be discussed individually below:

(i) North West

The following walls (contained in **Attachment 1**) are within the 4.0 metre deemed to comply setback distance:

- Level 1 – Utilities;
- Level 1 – Stores;
- Level 2 – Unit 2 & 5;
- Level 3 – Unit 8 & 11; and,
- Level 4 – Unit 13 & 16

The lots directly adjoining the development site to the North West are Main Road properties earmarked for the future road widening of Canning Highway (observed in the images below).



The dwellings are within the reservation area with extensive backyards spanning for at least 20 metres from the development site. Given this, it is considered that the proposed setback variations on this side meet with the associated design principles.

(ii) South West (rear)

The following walls (contained in **Attachment 1**) are within the 4.0 metre deemed to comply setback distance:

- Level 1 – Car parking;
- Level 2 – Unit 6 & 5;
- Level 3 – Unit 11 & 12;
- Level 4 – Unit 6

The lot directly to the rear of the site consists of six (6) units within a two storey building with a semi enclosed (with boundary wall adjoining the development site) communal BBQ area, communal open space (3.0 metre width) and stores (setback 1.5 metres from the common boundary). Each of the units has a private outdoor living area incorporated into the design, facing North West and South East. Considering that the bulk of the rear facing walls comply with the 4.0 metre setback together with the design of the complex at No. 2-4 Lansdowne Road, the proposed setback variations on this side do not impact this neighbouring property and is considered to meet with the associated design principles.

(iii) South East

The following walls (contained in **Attachment 1**) are within the 4.0 metre deemed to comply setback distance:

- Level 1 – Store (setback 2.5 metres);
- Level 2 – Unit 1 & stairwell (setback 2.5 metres & 1.4 metres respectively);
- Level 3 – Unit 7 & stairwell (setback 2.5 metres & 2.4 metres respectively);
- Level 4 – Stairwell (setback 2.4 metres)

These walls when considered individually do not unduly impact on the amenity of the major openings and outdoor living area of the adjoining dwelling. However, these proposed variations contribute to the overall impact of the boundary wall and level of overshadow. This being the case, these are therefore not supported.

Boundary walls

Boundary walls are to be assessed having regard to the provisions of Council Policy P350.2 "Residential Boundary Walls". The applicant provides the following comments in relation to the proposed boundary walls:

"The R-Codes currently allow for a boundary wall, with a maximum height of 7m and average height of 6m along two thirds the length of a side boundary. The City's Residential Boundary Walls Policy 350.02 replaces the deemed to comply provisions of the R-Codes, stating that boundary walls 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. streetscape character;*
- ii. 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. visual impact of building bulk where the proposed boundary wall is situated alongside an outdoor living area on an adjoining lot; and*
- iv. amount of overshadowing of a habitable room window, or an outdoor living area, 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 or outdoor living area to an equivalent or greater extent than would the proposed boundary wall."*

The Policy goes on to state that 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 (as above), the wall is to be no higher than 2.7m measured above the finished ground level of the adjoining lot, and that boundary walls should generally be setback 6m from the street. The Policy also states that boundary walls will normally only be permitted to abut only one side boundary of a lot, but the City may approve walls on both side boundaries. Where the development site is wider than 12m, walls will only be permitted to abut both side boundaries where one of the boundary walls is set back at least 6m further from the street alignment than the other.

Further discussions with the City have indicated that the boundary wall on the north western side of the building is not considered to be a significant concern, given these properties have a commercial zoning with the same R80 density coding as the subject site, and are likely to soon be redeveloped for the a similar type of development to that proposed on the subject site. On the south eastern side however, the City has requested further justification for the proposed boundary wall given it abuts a lower coded R15 site. This wall is believed to be appropriate based on the following:

- *The solid portion of the wall is located completely below the fence height of the adjoining property, being only 1.5 in height. Above that, the boundary wall comprises a translucent glass screen, which will allow light to pass through into the adjoining property, while still providing privacy.*
- *The wall is well setback from the street at over 8m, behind the main building line and is therefore not anticipated to have a significant impact on the streetscape.*
- *The boundary wall is not located forward of the adjoining dwelling which is also setback 8m from the street. This section of the adjoining property is also used as a parking area, and it is not anticipated the wall would have a significant impact on the outlook from these properties.*
- *The boundary wall is not located adjacent the outdoor living area of the adjoining property, which is located at the rear. While the adjoining property does have a series of major openings along this side, the overshadowing arises from the building itself, which is setback over 5m at this point, greater than the minimum setback required by the R-Codes.”*

Each of the proposed boundary walls will be assessed individually below:

(i) North West (Stores)

As discussed earlier in this report, the lots directly adjoining the development site to the North West have the dwellings contained in the Main Roads reservation area with the remainder of the backyard being relatively extensive (spanning for at least 20 metres from the development site). Given this, officers consider that the proposed development satisfies the amenity factors of clause 2 of Council Policy P350.2.

(ii) South East (Basement)

The design of the adjoining dwelling has a number of major openings to habitable rooms facing the development site. The major openings include a lounge, master bed and family room. There is also a verandah directly attached to the rear of the house. The proposed boundary wall to the basement is approximately 1.5 metres in height (measured from natural ground level) and spans a length of approximately 24 metres (refer **Attachment 1**) directly adjacent to these openings. Officers note that whilst the proposed translucent privacy screening on top of the boundary wall allows light to pass through to the neighbouring dwelling, this structure will still create shadow. Officers consider that the length of the boundary wall is excessive given the design and density coding of the adjoining lot. During the consultation period, concerns were raised regarding the impact of the boundary wall on the neighbour's amenity (details under the Public Consultation section of this report under 'Boundary Setbacks'). This proposed boundary wall is not supported by officers, as it is considered as non compliant with the amenity factors prescribed in Council Policy P305.2 which includes impact to streetscape character, outlook from neighbour's habitable rooms, visual impact of building bulk and amount of overshadow.

Solar access for adjoining sites

The maximum area of overshadowing from the development under the deemed to comply requirement of the R-Codes is 25% of the R15 adjoining sites (136m² of No. 5 Gwentyfred Road and No. 6 Lansdowne Road) and 50% of the adjoining R80 site (543m² of No. 2-4 Lansdowne Road). There is a discrepancy between the officers

overshadow calculation with that of the applicant. Officers calculated 30.5% (166m²) of overshadow to No. 5 Gwennyfred Road, whereas the applicant provided a calculation of 24.4% (133m²). The applicant explains the discrepancy as follows:

“The overshadowing diagram submitted with the development application takes into account the ‘azimuth’ of the sun measurement, i.e. the angle from true north at which the sun actually sits, and therefore represents a more accurate measure of the actual overshadowing that will occur than if the measure was taken from magnetic north. Given the R-Codes state that buildings “...shall be so designed that its shadow cast at midday, 21 June onto any other property...” does not exceed certain limits, it is considered that this is the measurement that should be applied. This overshadowing represents less than 25% of the adjoining site area which is compliant with the relevant R-Code requirements.”

Officers calculated the level of overshadow based on the north point indicated on the survey plans. City officers acknowledge the applicant's explanation and method hence have sought advice from the Department of Planning in relation to this matter. This Department has advised that the R-Codes do not go into specifics regarding how to calculate the sun angle using either true or magnetic north, hence considers it open to the decision maker to interpret.

As it has been the City's practice to calculate the level of overshadow based on the north point indicated on the survey plans, and the explanatory guidelines do not further elaborate on this matter, it is considered appropriate to apply the officer's calculation. As such, officers consider that the proposal should demonstrate compliance with the associated design principles. They are as follows:

“Development designed to protect solar access for neighbouring properties taking account the potential to overshadow existing:

- outdoor living areas;*
- north facing major openings to habitable rooms, within 15 degrees of north in each direction; or*
- roof mounted solar collectors.”*

Roof mounted solar collectors to the lots south of the development site were not observed to be affected by the level of proposed overshadow.

The affected areas of the neighbours dwelling includes the lounge, master bed and family room. The family room opens into the rear verandah. In relation to the overshadow issue, it is considered that the proposal does not comply with the relevant design principles and is thus not supported by officers.

Open space (R-Codes clause 6.1.5)

The deemed-to-comply criteria of Clause 6.1.5 of the R-Codes refers to development complying with minimum open space requirements as set in Table 4 of the R-Codes which refers to open space being provided in accordance with a local structure plan or local development plan which sets out development requirements. As Council does not have such a structure plan, the development needs to demonstrate compliance with the Design Principle of Clause 6.1.5 in that the open space respects existing or preferred neighbourhood character and responds to the features of the site.

With regard to the proposed open space, the applicant has addressed the associated design principles of the R-Codes as follows:

“440sqm of open space provided including roof deck (i.e. unroofed balconies), equating to 40.5% of the site area. The provision is considered to be highly appropriate and consistent with what could reasonably be expected for development in an R80 area.”

With an approximate open space provision of 40%, and noting the zonings in the diagram below (R15, R60 & R80), the development is considered by officers as respecting the existing neighbourhood character as well as responding to the R80 zoning of the site.



Visual privacy

The originally submitted plans indicated overlooking, as per the deemed to comply requirements of clause 6.4.1 of the R-Codes, from the following major openings:

- South West:
 - Level 2 (Unit 6);
 - Level 3 (Unit 12, Unit 11); and
 - Level 4 (Unit 17)
- North West:
 - Level 2 (Unit 2);
 - Level 3 (Unit 11, Unit 8); and
 - Level 4 (Unit 16, Unit 13)

The revised plans have been amended to show privacy screening to these openings, complying with the deemed to comply provisions of the R-Codes.

Parking and vehicular access

The development is situated within location 'A' which is described under clause 6.3.3 of the R-Codes as being within 250m of a high frequency bus route, measured in a

straight line from along any part of the route to any part of a lot. As such, the R-Codes requires:

- Sixteen (16) occupier car bays and five (5) visitor car bays; and
- Six (6) occupier bicycle parking spaces and two (2) visitor bicycle parking spaces.

The development proposes thirty (30) occupier car bays and four (4) designated visitor parking bays. The number of occupier bays is in excess of the requirement however the development is one visitor bay short. The applicant's justification for the visitor bay shortfall as follows:

"This application proposes a 0.25 bay variation to the deemed to comply visitor car parking provisions of the R-Codes, providing 4 bays in lieu of the 4.25 (rounded to 5) bays required.

Clause 6.3.3 of the R-Codes allows for consideration to be given to the availability of on-street parking in accordance with the following:

P3.1 Adequate car and bicycle parking provided on-site in accordance with projected need related to:

- *The type, number and size of dwellings;*
- *The availability of on-street and other off-site parking; and*
- *The proximity of the proposed development in relation to public transport and other facilities.*

P3.4 Some or all of the required car parking spaces located off-site, provided that these spaces will meet the following:

- *The off-site car parking area is sufficiently close to the development and convenient for use by residents and/or visitors;*
- *Any increase in the number of dwellings, or possible plot ratio, being matched by a corresponding increase in the aggregate number of car parking spaces;*
- *Permanent legal right of access being established for all users and occupiers of dwellings for which the respective car parking space is to be provided; and*
- *Where off-site car parking is shared with other uses, the total aggregate parking requirement for all such uses, as required by the R-Codes and the scheme being provided. The number of required spaces may only be reduced by up to 15 per cent where the non-residential parking occurs substantially between 9 am and 5 pm on weekdays.*

The proposed variation is considered to be very minor, being only 0.25 bays, and consistent with the above objectives given there is sufficient room for several cars to park in Gwentyfred Road close to the development, at the side of the site at the corner of Canning Highway. In addition, many of the units will have their own two bays. In developments such as this, when units are only designated one bay, visitor parking is generally occupied by permanent residents with a second car in any case rather than actual visitors. In this development, 13 of the larger units, will have access to a second bay and will therefore not need to occupy the visitor parking, freeing it up for actual visitors. The visitor parking will also be clearly delineated from the exclusive use residential bays through marking on the bays themselves."

As the number of occupier car parking bays is in excess of that required under the R-Codes, officers consider that one of these bays should be converted to be a visitors bay

in order to meet with the R-Codes deemed to comply requirement. Further to officer's comments, the applicant has proposed the following:

“To accommodate additional parking, we will construct an embayed car park in the verge in front of No. 1 Gwennyfred Road (where on-street parking is currently precluded), in the same location as the crossover which is to be rationalised under this proposal. Clause 6.3.3 of the R-Codes allows for consideration to be given to the ability of on-street parking, including whether such parking is located sufficiently close to the development and convenient for use by residents and/or visitors, and it is considered that the embayed parking achieves this objective.”

The City's Manager Engineering Infrastructure Services advice in relation to the proposed visitor's car parking bay within the City's road reserve is contained in **Attachment 4**. As noted in the attachment, if the expectation is for the developer to widen the slow point to accommodate a parallel to kerb on street parking bay then Engineering Infrastructure will require a more detailed plan of the variation before approval could be considered.

However, to accommodate the bay in the location proposed by the applicant (refer Attachment 1) it would require a complete redesign of the slow point in front of the property. The proposed location of the visitor's bay is not supported by City officers and it is not considered appropriate to approve the development without the number of visitor's bay which demonstrates compliance with deemed to comply requirement C3.1 of clause 6.3.3 of the R-Codes. The proposal is therefore not supported.

Visitor car parking spaces are to be marked and clearly signposted as dedicated for visitor use only, and located close to or visible from the point of entry to the development and outside any security barrier in accordance with the deemed to comply requirements under clause 6.3.4 of the R-Codes. The applicant provides the following response to the associated design principles:

“Visitor bays located close to entrance but behind security barrier. Guests will be able to be 'buzzed' in by residents via an intercom. Accessible path of travel between visitor bays and lifts. All car parking located in a screened semibasement, and not visible from the street. Variation sought to allow for visitor bays to be provided behind a security barrier. These bays will be clearly delineated for visitor use and visible through the security gate.”

Officers consider that there is adequate space in front of the gate to enable visitors to be able to park here whilst waiting for the intercom to allow access without blocking the footpath. Officers consider that this design will not have an adverse impact on the street.

Multiple dwellings developments that provide storage facilities may not be required to provide separate bicycle parking facilities, providing the storage facility has a minimum dimension sufficient to accommodate bicycles as per the explanatory guidelines of the R-Codes. This aspect proposed by the applicant is supported.

Utilities and facilities

The Deemed-to-Comply criteria of Clause 6.4.6 of the R-Codes requires where bins are not collected from the street immediately adjoining a dwelling, there shall be

provision of a communal pick-up area or areas which are conveniently located for rubbish and recycling pick-up; accessible to residents; adequate in area to store all rubbish bins; and fully screened from the primary or secondary street.

The City's Health Services requires that in the development of a waste management plan, consideration is to be given to bulk rubbish bins (larger than the proposed 240L bins), ensuring that the bulk bins will fit through the opening to the bin-store area so that they can be presented for collection.

Fencing and retaining walls

The applicant proposes translucent screening along the south eastern boundary and open slat fencing along the north western boundary.

Officers consider that solid fencing is more appropriate as a dividing fence. In relation to the translucent boundary screening, the height is to be 1.8 metres unless the adjoining owner agrees in writing to a height less than 1.8 metres (minimum of 1.6 metres).

Environmentally sustainable building design

Clause 1 of Council Policy P350.01 requires the proposed development to achieve of certification of at least a four star rating under the relevant Green Star rating tool, or equivalent. A four star rating illustrates 'Best Practice'.

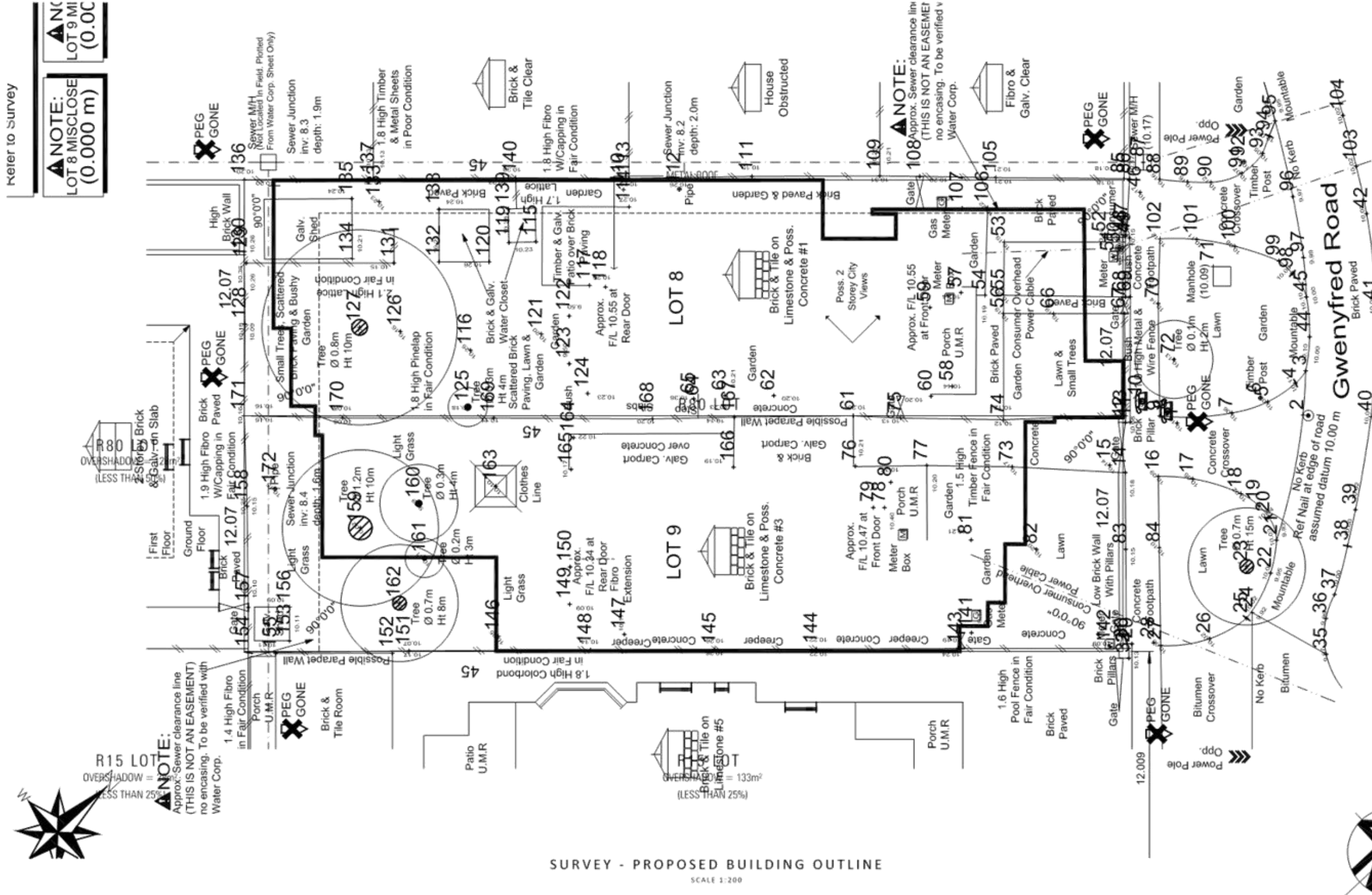
In accordance with clause 2 of the policy, the Council may exercise discretion to waive or modify the requirements of the policy in the case of the development where either of the following circumstances applies:

- a) refurbishment of a building included on the Heritage List under clause 6.11 of the Scheme where, in the opinion of the Council, adherence to the requirements of Clause 1 would detrimentally impact on the heritage values of the building.*
- b) Where the applicant is able to demonstrate, to the satisfaction of the Council, that a more appropriate rating tool than Green Star exists and will be applied to achieve equivalent or greater performance standards than required by Green Star.*
- c) Where no suitable sustainability rating tool has yet been developed for assessment of the type of development proposed.*

In this instance, the proposal does not fall within sub clauses (a) or (c) hence sub clause (b) applies. The applicant has not demonstrated compliance with this policy.

Conclusion:

Whilst aspects of this design are supported, the overall scale of development is inconsistent with the future desired R80 built form. This is based on a full assessment of the proposal and having regard to the relevant provisions of the City of South Perth Town Planning Scheme No.6, the R-Codes and relevant Council policies. Refusal is recommended.



MULTIPLE DWELLING DEVELOPMENT

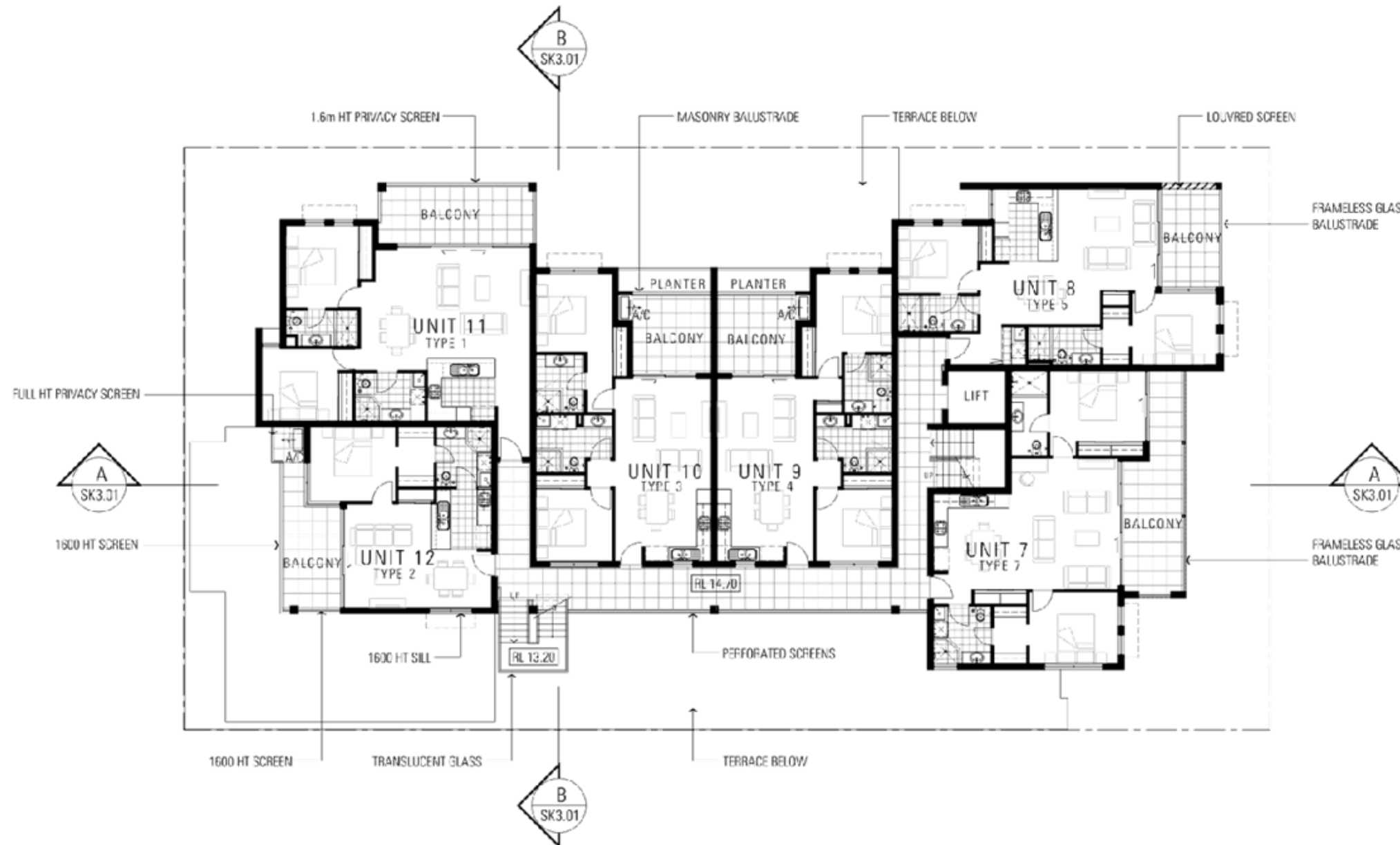
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LEVEL 3 FLOOR PLAN
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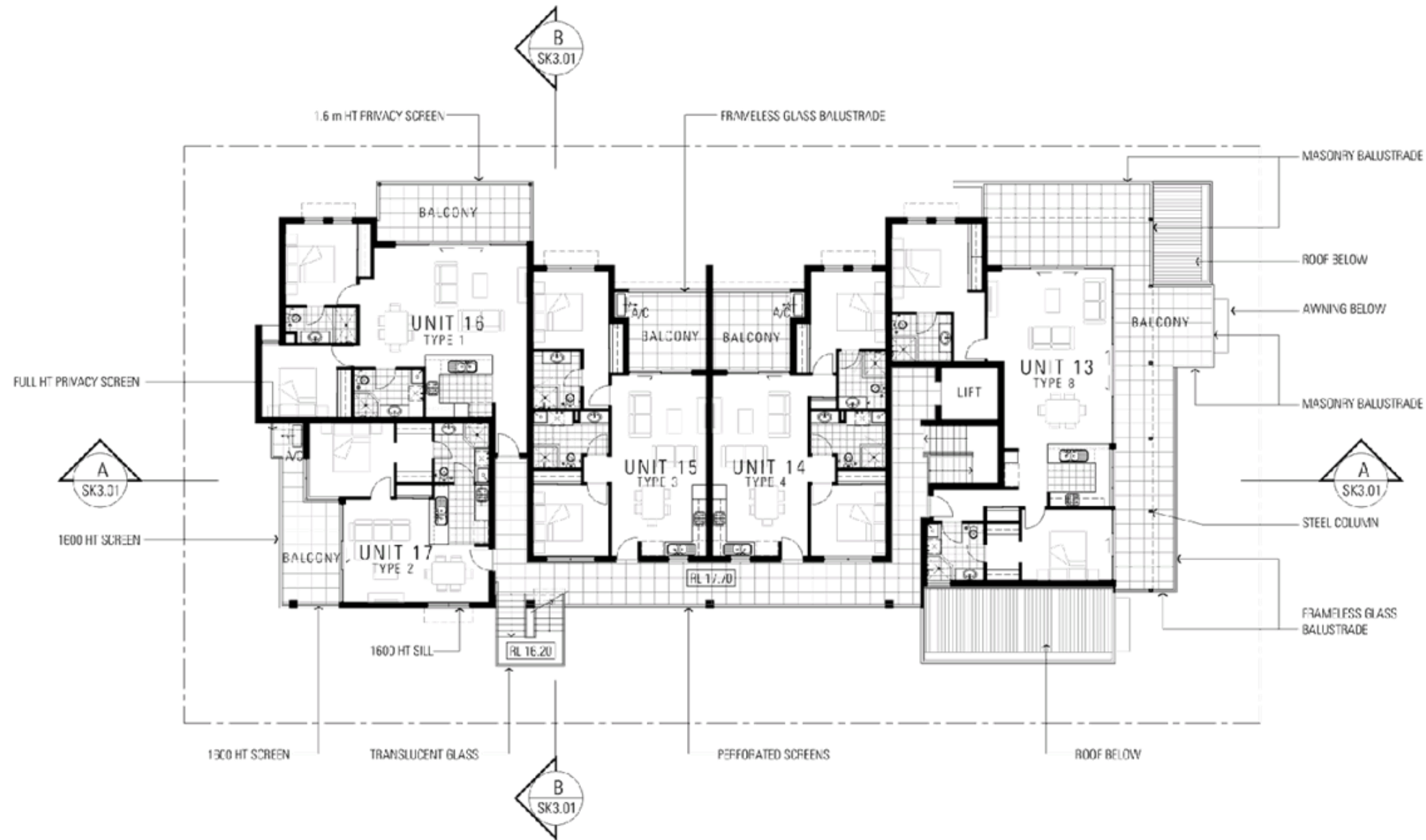
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LEVEL 4 FLOOR PLAN
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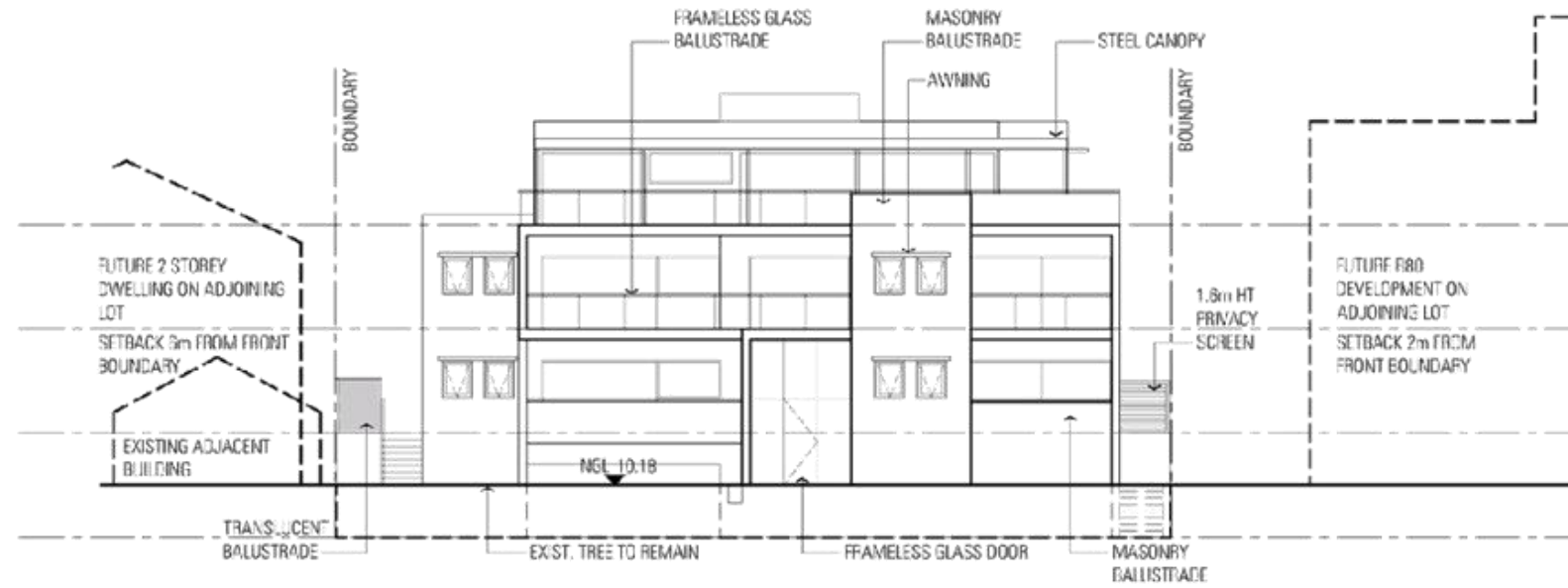
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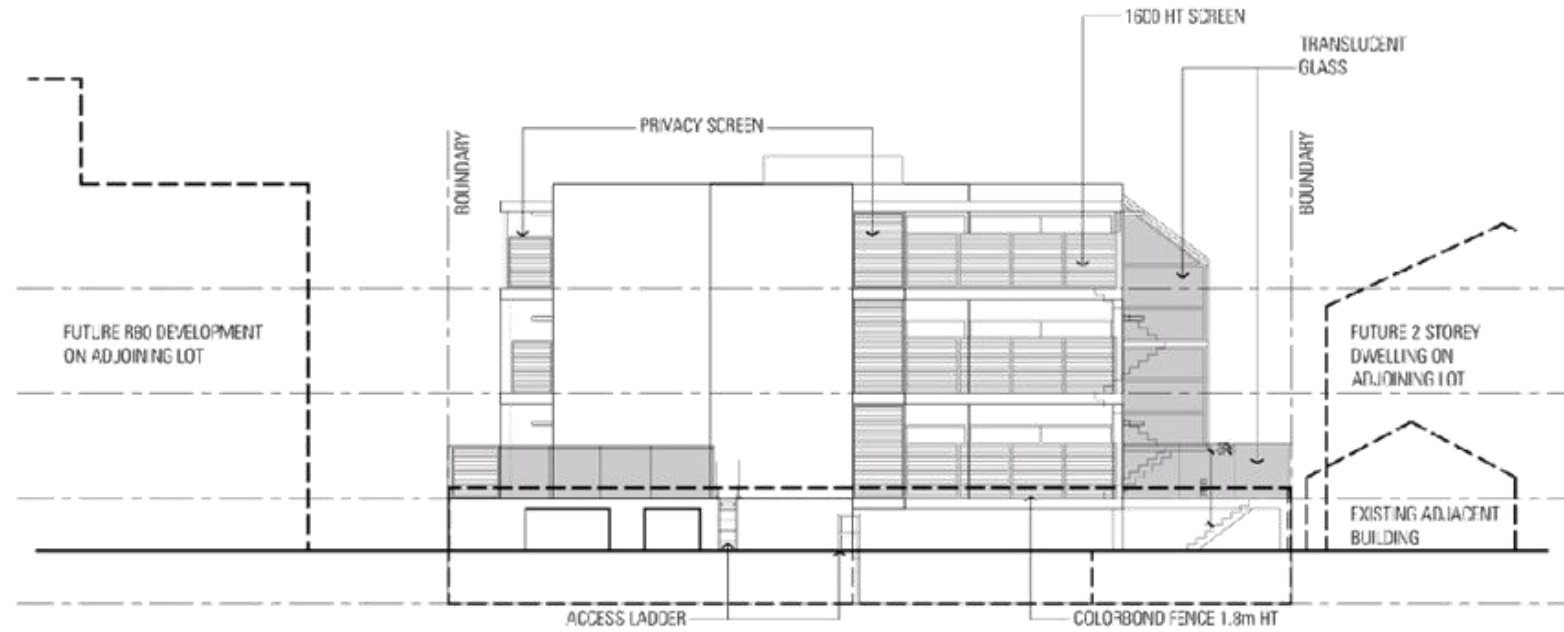
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SCALE 1:200



SOUTH WEST ELEVATION - REAR
SCALE 1:200

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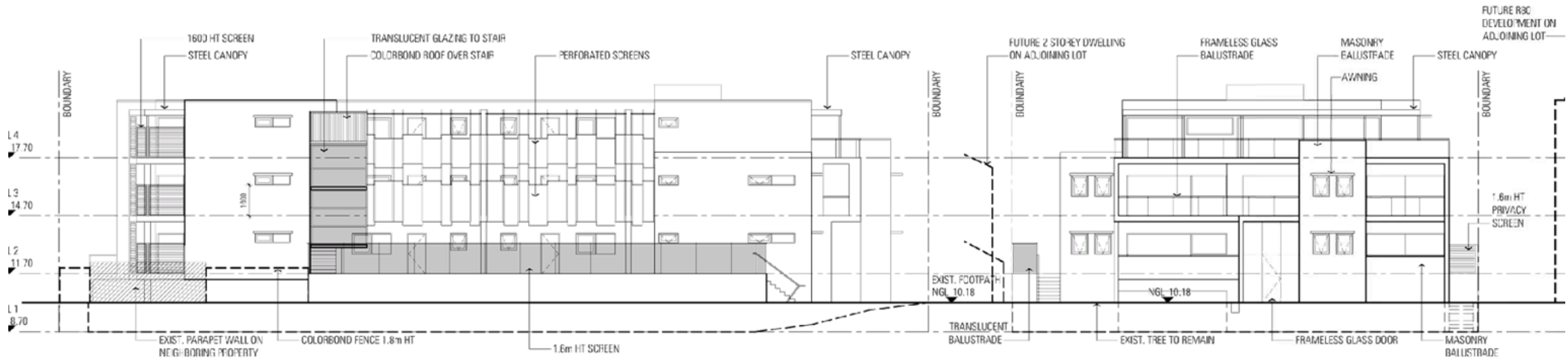
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SOUTH EAST ELEVATION
SCALE 1:200

NORTH EAST ELEVATION - GWENYFRED RD.
SCALE 1:200

NORTH WEST ELEVATION
SCALE 1:200

SOUTH WEST ELEVATION - REAR
SCALE 1:200

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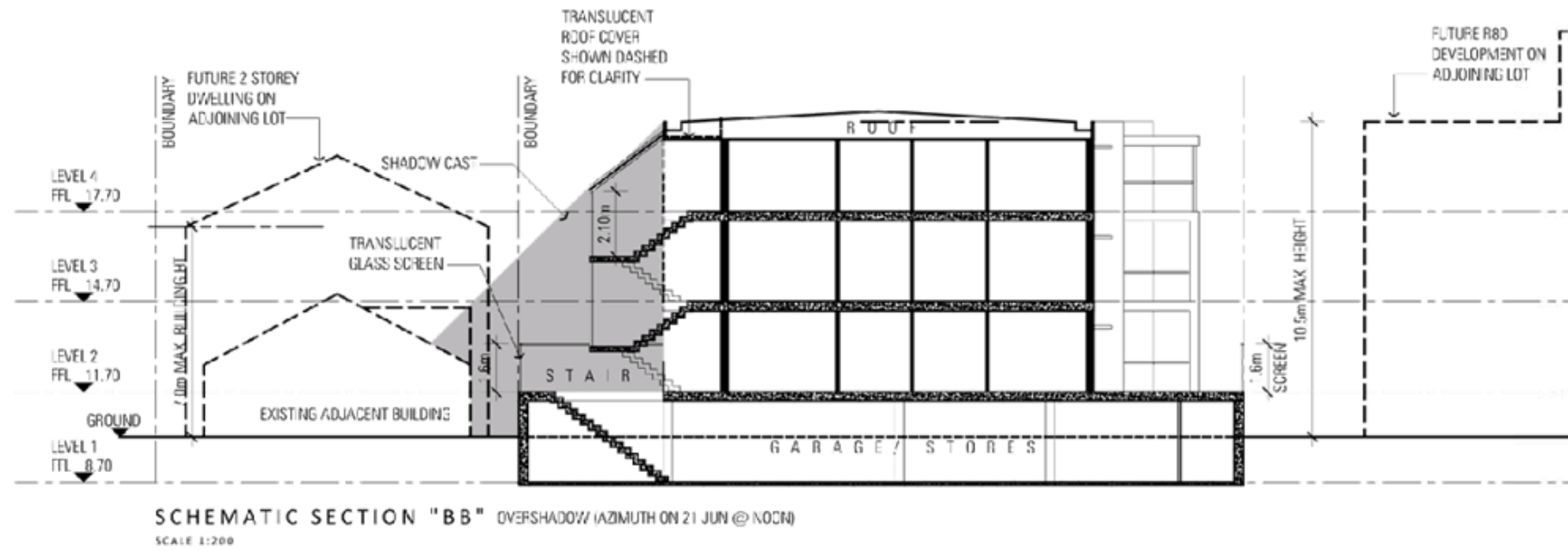
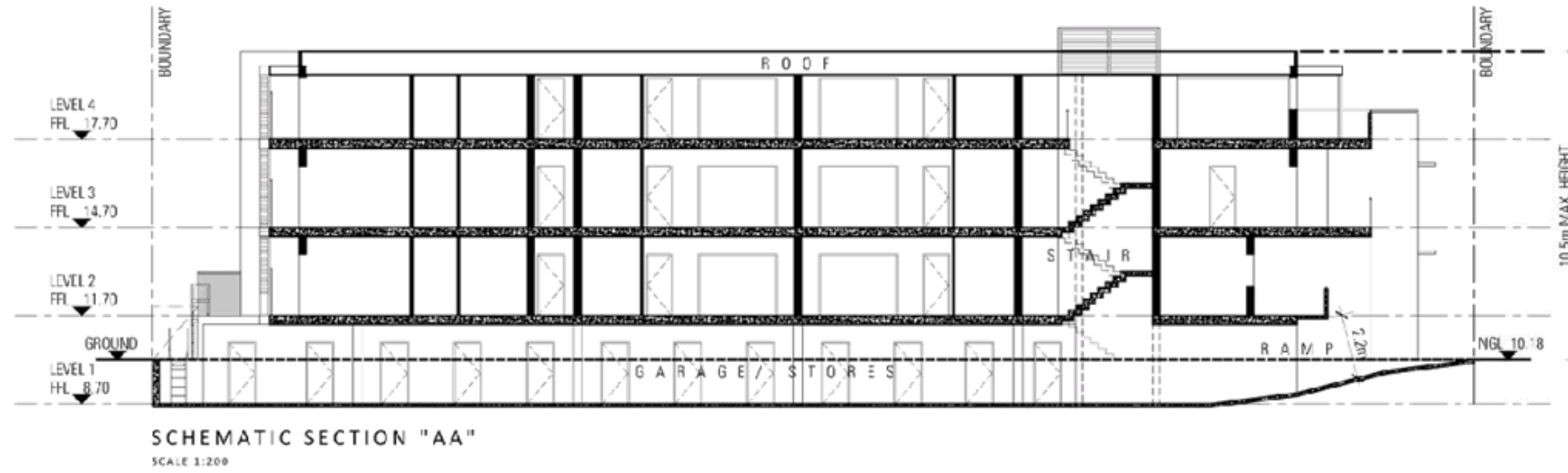
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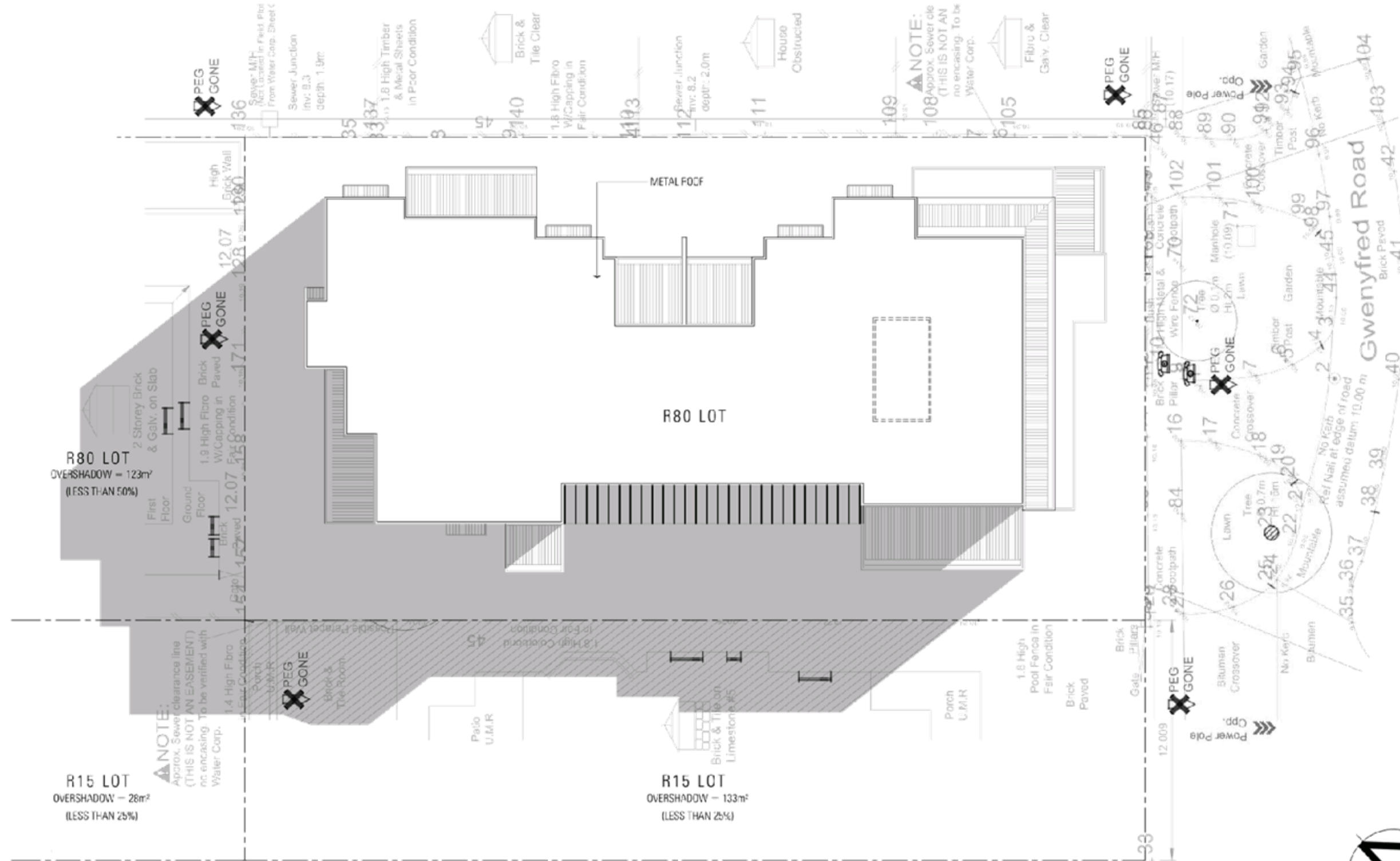
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SITE PLAN - OVERSHADOW DIAGRAM
SCALE 1:200
AZIMUTH ON JUNE 21st AT NOON

MULTIPLE DWELLING DEVELOPMENT

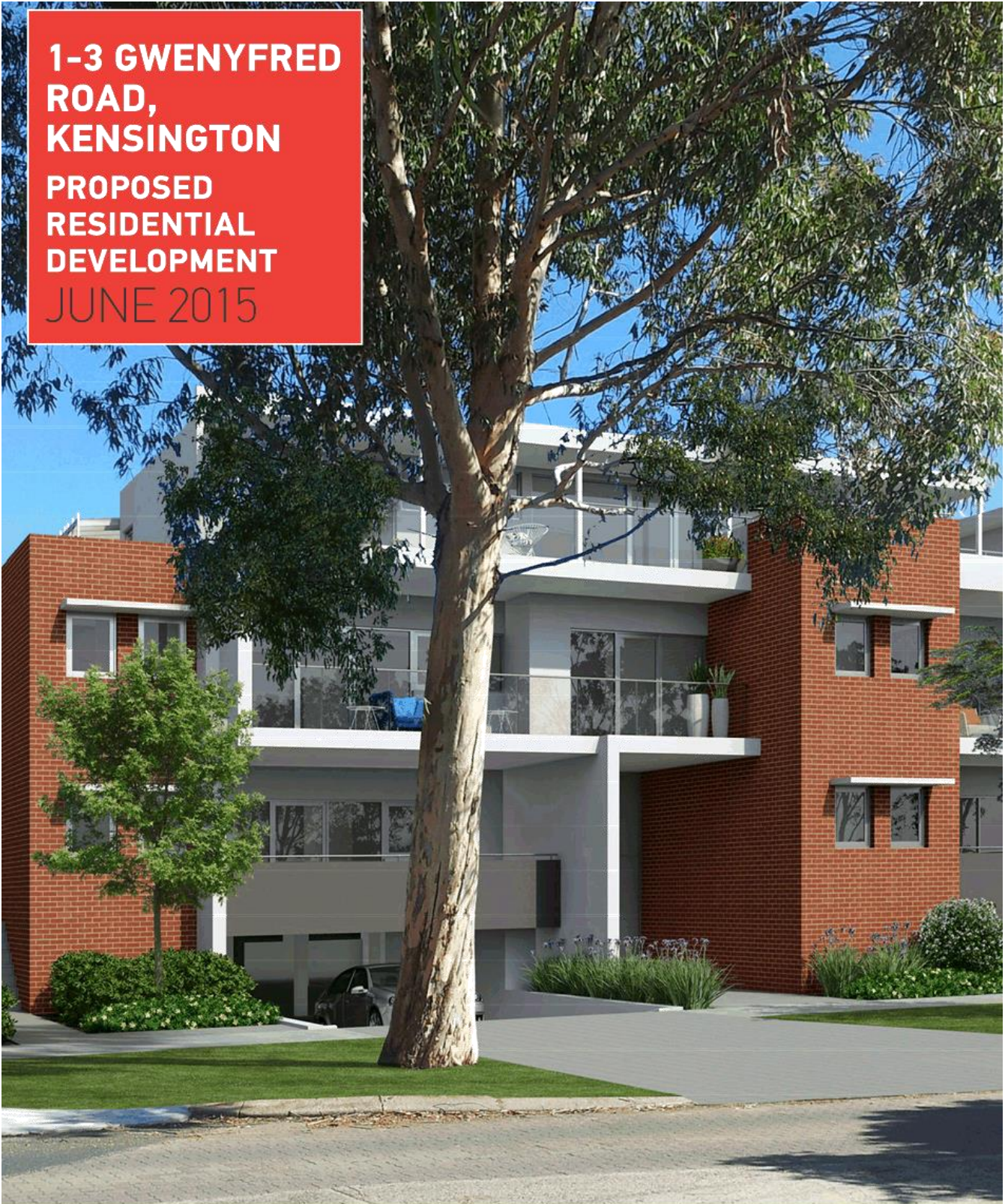
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**1-3 GWENYFRED
ROAD,
KENSINGTON**
**PROPOSED
RESIDENTIAL
DEVELOPMENT**
JUNE 2015



Document Control

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| | | | Name | Initials | Name | Initials |
| 1 | 30.04.15 | Draft | Eleanor Richards | | David Read | |
| 2 | 18.06.15 | Final | Eleanor Richards | | David Read | |
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Introduction

This application seeks approval for the redevelopment of No. 1 and 3 (Lots 8 and 9) Gwentyfred Road, Kensington (the subject site) for a high quality, architecturally designed contemporary residential building, with a three storey appearance. The development seeks to take advantage of the site's proximity to the public transport and commercial facilities along Canning Highway and Mill Point Road, as well as the wide range of employment opportunities and services in the Perth CBD, providing 17 multiple dwellings and associated car parking.

The proposed development has been designed to provide an appropriate interface between future, higher density commercial and mixed use development along Canning Highway, and the lower density residential suburb of Kensington to the south. In doing so, the development also provides a level of dwelling diversity, to this predominately similar residential area providing housing for downsizers and young people wanting to remain close to their existing networks. It is hoped that this development will act as a catalyst for future mixed use development along Canning Highway, which around the subject site is currently dominated by large format commercial uses and single residential houses on large blocks.

This report has been prepared by TPG Town Planning, Urban Design and Heritage, in connection with Zuideveld Marchant Hur and on behalf of the owners of the site Gwentyfred Holdings Pty Ltd. It provides details of the proposed development, a summary of the site particulars and an analysis of the relevant planning framework.

The proposal is highly compliant with the objectives and intent of the City of South Perth's Town Planning Scheme No. 6, the R-Codes and other relevant local planning policies and is a valuable addition to the area.

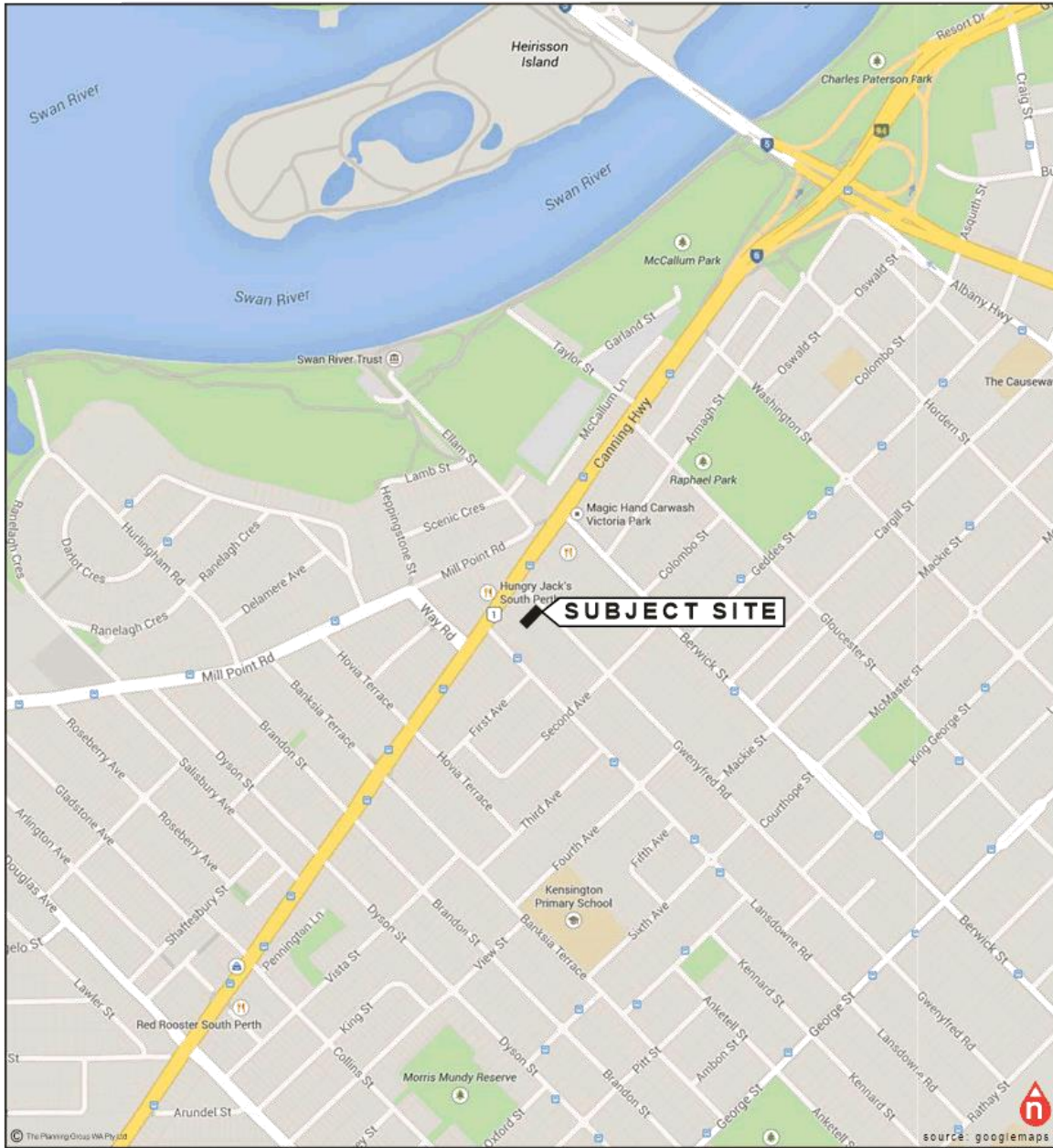


Figure 1 – Location Plan

Subject Site

Site Location and Property Description

The subject site comprises No. 1 and 3 (Lots 8 and 9) Gwentyfred Road, Kensington. The site is located just south of Canning Highway, near the Mill Point Road and Berwick Street intersections and associated commercial area, and within the municipality of the City of South Perth.

Refer to Figure 1 – Location Plan

The lots are both regular and rectangular in shape, with a combined frontage of 24m to Gwentyfred Road, a depth of 45m, and a combined area of 1,088m²

Refer to Figure 2 - Site Plan

The details of the relevant Certificates of Title are shown in the table below.

| Lot No. | Street Address | Volume/ Folio | Plan | Area | Registered Proprietor |
|---------|-------------------------------|---------------|------|-------------------|-----------------------------|
| 8 | 1 Gwentyfred Road, Kensington | 861/42 | 2172 | 544m ² | Gwentyfred Holdings Pty Ltd |
| 9 | 3 Gwentyfred Road, Kensington | 966/47 | 2172 | 544m ² | Gwentyfred Holdings Pty Ltd |

Refer to Appendix A – Certificates of Title

The developer will seek to amalgamate the lots prior to occupation of the development. It is therefore anticipated a condition will be placed on the approval to this effect.

Both lots currently contain a single storey detached dwelling and vegetation, which will all need to be removed to facilitate the development. In the street verge directly in front of Lot 9 is a large gum tree which will be retained, and a vehicle 'slow point' comprising a one lane, bend in the road pavement, to reduce the speed of vehicles turning off from Canning Highway.

Refer to Figure 3- Aerial Photograph



Subject site.

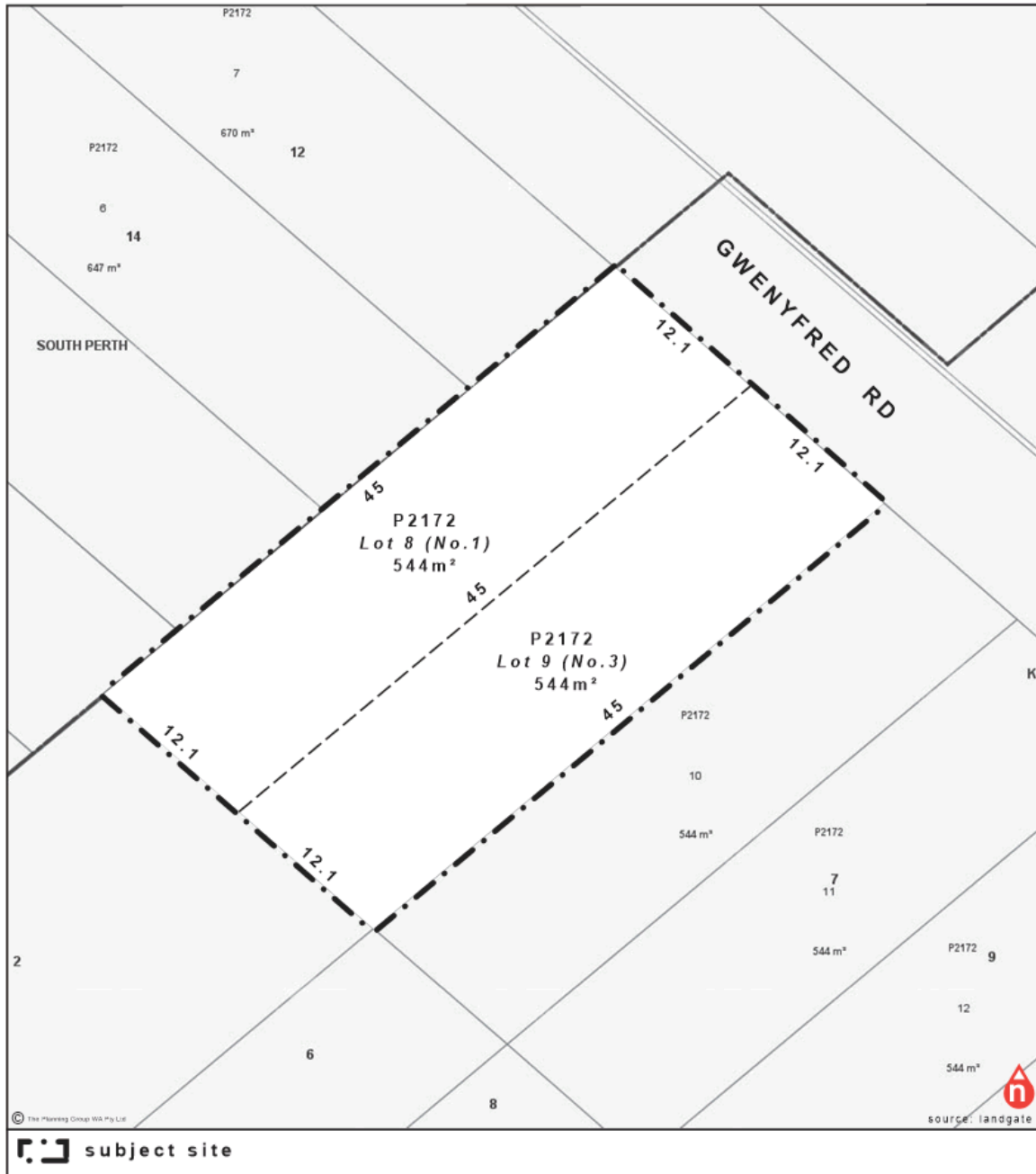


Figure 2 - Site Plan



Top right: View south east down Gwentyfred Road. Below: Commercial development along Canning Highway



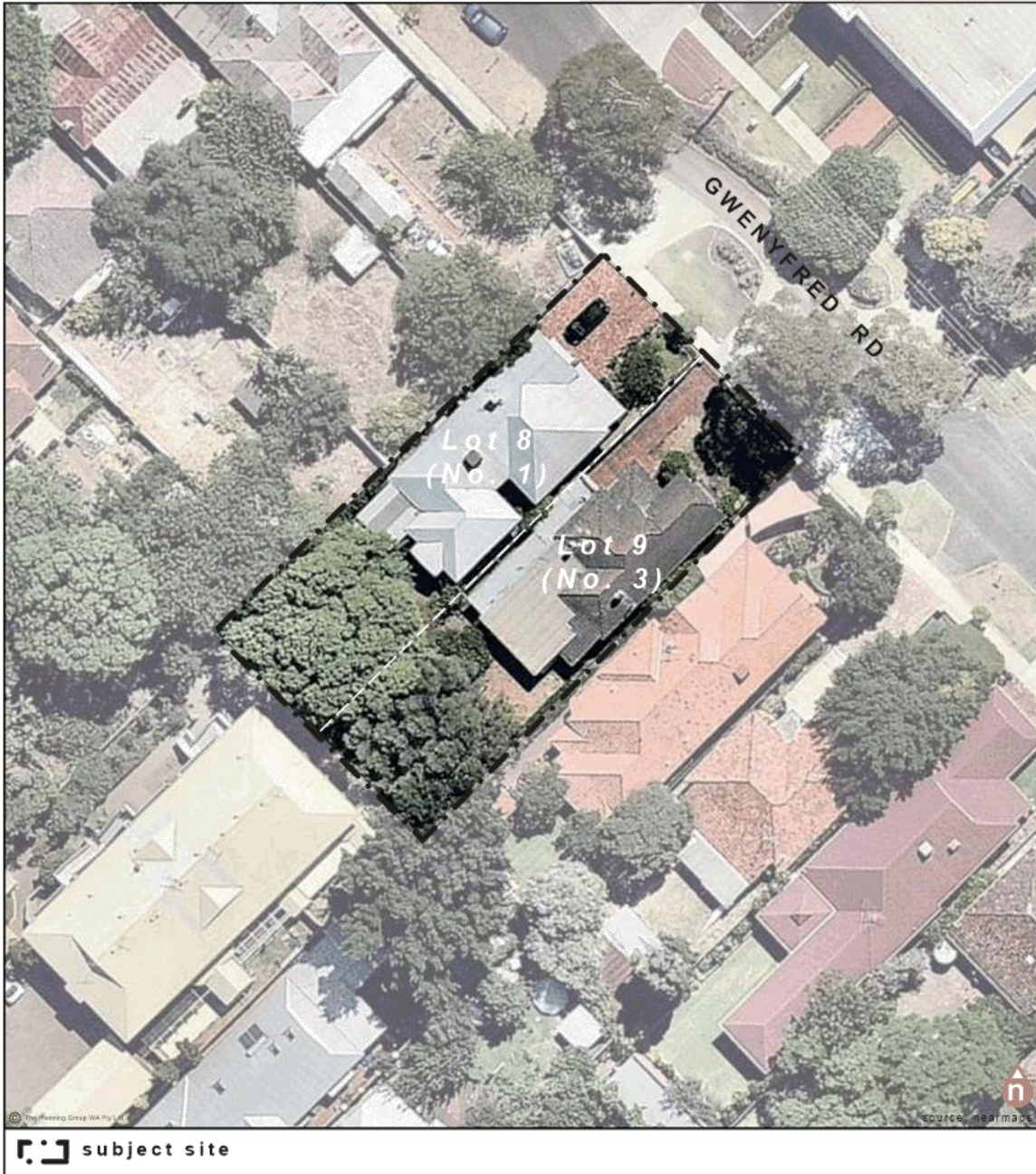


Figure 3- Aerial Photograph

Site Context and Surrounding Development

The site is only approximately two and a half kilometres southeast of the Perth City Centre, and located in close proximity to the Mill Point Road and Berwick Street intersections and the commercial facilities in this area, including the Southgate Shopping Centre. The site is also located between the commercial centres of South Perth and Victoria Park, some 2.5 kilometers east of Mends Street and 1 kilometre west of Albany Highway.

The surrounding area comprises predominantly low-scale residential uses including single residential properties, and grouped and multiple dwellings of a variety of different ages. Along Canning Highway, the existing single residential properties have significant development potential, and are anticipated to be redeveloped for commercial and mixed use purposes in the short to medium term. This site provides a transition or buffer from such development to the lower density areas beyond.

The area is well serviced by the existing road network, with Canning Highway and Mill Point Road located to the north of the site, connecting with the Kwinana Freeway to the west, and the Causeway and beginning of Great Eastern Highway to the north east. Being located so close to major roads, the site also has excellent access to public transport, with buses running to the City and Fremantle along Canning Highway and the Causeway.

The site has excellent access to various recreation opportunities, with the Swan River foreshore and associated parks less than 500m to the north of the site. There are also many local parks in the surrounding area including Raphael Park some 500m to the north east of the site. In terms of more organized recreation opportunities, the Perth Zoo, and Royal Perth Golf Club are located approximately 2.5 kilometres west of the site.

Contamination

A desktop search of the Department of Environment and Conservation's Contaminated Sites Database indicates that the site is not contaminated.

Acid Sulfate Soils

A desktop search of Landgate's Shared Land Information Platform (SLIP) indicates that there is a high to moderate risk of Acid Sulfate Soils (ASS) occurring within 3m of the

soil surface. Only a limited basement level is proposed, and care will need to be undertaken during excavation to ensure ASS are appropriately managed if encountered.

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Planning Framework

Strategic Planning Framework

Directions 2031 and Beyond

Directions 2031 and Beyond (Directions 2031) is a spatial planning framework; a high level strategic plan that establishes a vision for the future growth of the Perth and Peel region, and provides a framework to guide the detailed planning and delivery of housing, infrastructure and services necessary to accommodate that growth. A primary strategy underpinning the document is establishing targets to improve on current infill development trends in order to accommodate the rapidly growing population of Perth. Directions 2031 sets a target of 45% or 154,000 of the required 328,000 dwellings being provided as infill development, as a way of managing growth.

The subject site is identified by Directions 2031 as being within the 'Central Metropolitan Perth Sub-Region'. A particular characteristic of this sub-region is the dominance of the traditional grid form of neighbourhood subdivision, which provides important opportunities for targeted infill development and redevelopment to meet the changing needs of the community. There is also a demand for inner city residential locations and housing forms that can accommodate younger people wishing to remain in the neighbourhoods they grew up in, and elderly people wanting to downsize close to their existing networks, trends which are anticipated to continue into the future.

This development application directly responds to these aspirations by providing a higher density residential development which provides a point of difference in an area currently dominated by single residential housing, in a location very close to a main road, Canning Highway, with good access to public transport, and in close proximity to the services on offer in the various commercial areas located close to the site, including the Perth CBD.

Capital City Planning Framework

The Capital City Planning Framework (CCPF) establishes a spatial strategy for Central Perth, a 12 kilometre square around the Perth City Centre. The framework indicates how the objectives of Directions 2031 and the Central Metropolitan Perth Sub-Regional Strategy can be delivered in this focus area. The CCPF provides an overarching vision for central Perth which is as follows:

Central Perth will be a world class liveable central city; green, vibrant, compact and accessible with a unique sense of place.

The CCPF establishes a number of objectives in order to achieve the overall vision for the Central Perth region. The objectives relevant to the proposed development area are as follows:

- Build a more compact city to make places more accessible;
- Provide a range of housing choices, in both form and cost;
- Provide adequate places with the capacity for higher density residential accommodation;
- Provide an increasing diversity of housing choices;
- Encourage a better balance between residential and commercial activity;
- Create a mix of uses in most areas;
- Create higher densities of development so that more activities can be located closer together;
- Recognise the importance of design quality in ensuring that a more compact city retains and supports high-quality spaces and experiences for working, living and recreating; and
- Reduce transport-related energy consumption by decreasing travel distances and encouraging travel by walking, cycling and public transport.



Figure 4 – Metropolitan Region Scheme Map

It is considered that the proposed development is strongly aligned with the above objectives, providing a range of higher density residential dwellings in an area with good connectivity to surrounding services and places of interest. The development provides a range of apartment sizes, providing a variety of different price points for purchasers. Being located in an area with excellent access to public transport and most daily services in close proximity, the development also reduces residents and visitors dependence on their private vehicles and encourages transport by alternative methods.

The CCPF identifies the proposed urban form for Central Perth, with the site identified as an area providing a transition between 'higher-intensity residential' along Canning Highway, transitioning with 'medium-intensity residential', to the surrounding 'lower-intensity residential'. The proposed development is considered to respond well to these objectives, providing 17 dwellings in a building with a three storey built form, which provides a transition between future high density commercial and mixed use development along Canning Highway and the lower density residential area to the south of the site.

Strategic Community Plan

The Strategic Community Plan 2013–2023 is the overarching plan to guide the Council over the next 10 years. The Plan is broad with a long-term focus and strong emphasis on the community's aspirations, priorities and vision for the future.

The Plan identifies a number of objectives which are broken up into strategic priorities, such as Community, Environment, Housing and Land Uses, Places, Infrastructure and Transport and Governance, Advocacy and Corporate Management. The Housing and Land Uses strategic priority identifies the need to:

"Accommodate the needs of a diverse and growing population."

The proposed development is highly consistent with this priority providing 17 multiple dwellings in an area currently dominated by low density residential development, but on a site earmarked for higher density development such as that proposed.

Statutory Planning Controls

Metropolitan Planning Scheme

Under the provisions of the Metropolitan Region Scheme (MRS) the subject site is zoned 'Urban' along with the majority of its surrounds. Canning Highway to the north of the site is reserved as 'Primary Regional Roads'. Based on this zoning, there is not believed to be any reason for the application to be referred to the WAPC for comment.

Refer to Figure 4 – Metropolitan Region Scheme Map

City of South Perth Town Planning Scheme No. 6

The City of South Perth Town Planning Scheme No. 6 (TPS6 or the Scheme) was gazetted in 2003 and is a statutory Scheme that provides guidance for the development and use of land and buildings within the City of South Perth.

The subject site is zoned 'Residential R80' pursuant to the Scheme, located within Precinct 6 'Kensington', and designated a Building Height Limit of 10.5m. To the north of the site along Canning Highway the same density coding and/or height limit applies, though the zoning is generally 'Commercial'. However, to the south east of the site in the existing residential area, the density and permitted height then drops down to R15 and 7m respectively, while still allowing for two-storey development.

Refer to Figure 5 – City of South Perth Town Planning Scheme No. 6 Zoning Map

Refer to Figure 6 - City of South Perth Town Planning Scheme No. 6 Building Heights Limit Map

Clause 1.6 lists objectives for the Scheme area, the following of which are considered relevant to the development of the subject site:

- Maintain the City's predominantly residential character and amenity;
- Introduce performance-based controls supported by planning policies and Precinct Plans;
- Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which



Figure 5 – City of South Perth Town Planning Scheme No. 6 Zoning Map

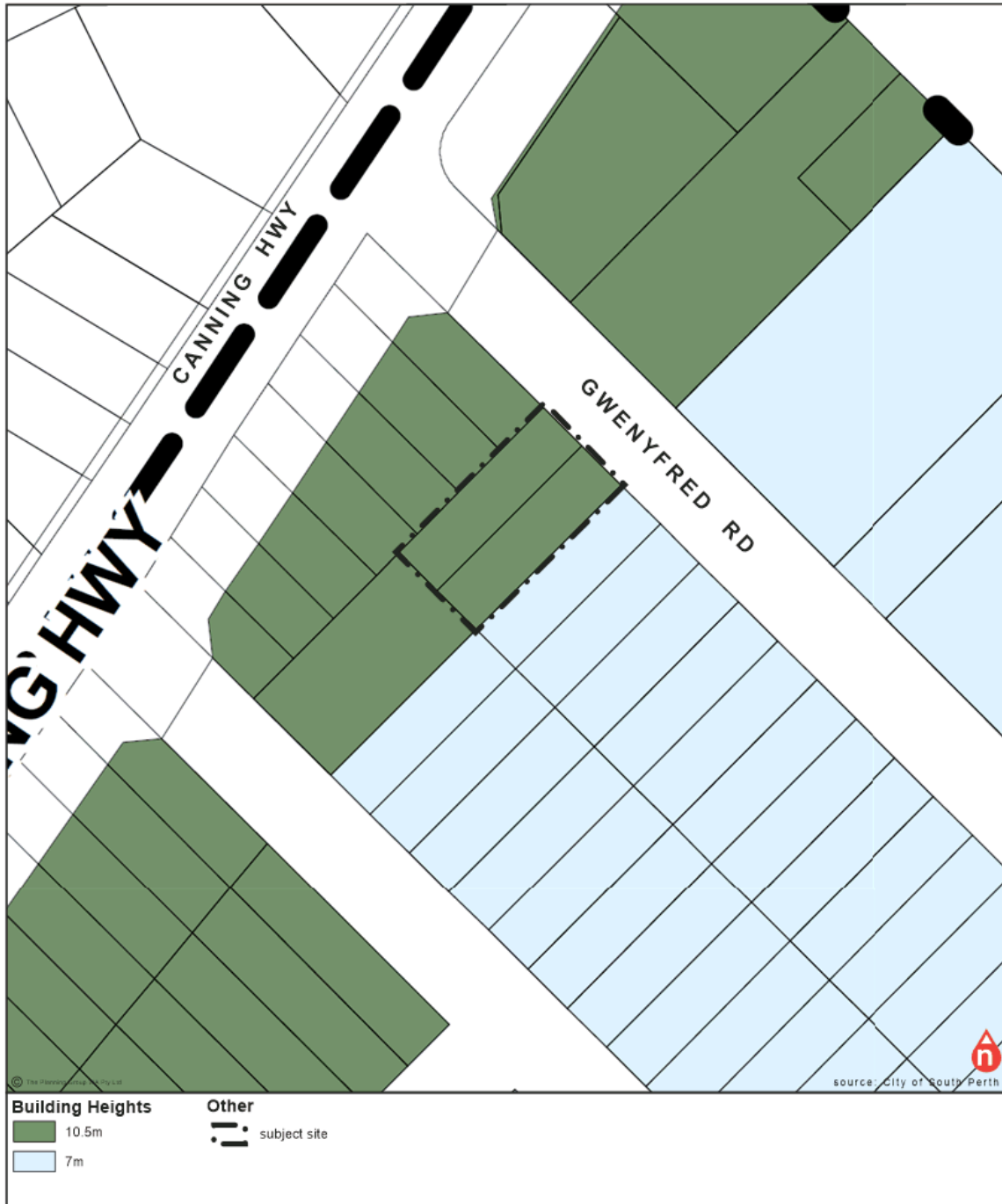


Figure 6 - City of South Perth Town Planning Scheme No. 6 Building Heights Limit Map

retain the desired streetscape character and, in the older areas of the district, the existing built form character; and

- Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development.

It is considered that the proposed development meets the above objectives, providing a residential development in an appropriately zoned area, which adds to the diversity of dwellings, while also providing an appropriate transition to the higher intensity future development envisaged along Canning Highway.

Clause 6.1A states that a building shall not exceed the Building Height Limit applicable to that land and provides a specific method for measuring building height, which is further outlined in the Planning Assessment section of this report.

Clause 7.5 of the Scheme specifies matters which are to be considered by Council in their determination of planning applications and which include (among others) "... the extent to which a proposed building is in visual harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street and architectural details." A detailed discussion of how this is achieved by the proposed development is provided in the Planning Assessment section of this report.

Clause 7.8 of the Scheme gives the City discretion to approve development which does not comply with the requirements of the Scheme in relation to the matters such as plot ratio, setbacks and the like. The list does not include height, and subclause 78(2) specifically states that the City is not to vary the height requirements of its Scheme.

State Planning Policy 3.1 – Residential Design Codes of WA

The Residential Design Codes of Western Australia (R-Codes) provide a statutory framework for the development residential dwellings across the State. The R-Codes provide provisions in relation to multiple dwelling developments including building size and height, setbacks, open space, streetscape, outdoor living areas, landscaping, parking, access, privacy, solar access, dwelling size, external fixtures and essential facilities.

The development is assessed against the provisions of the R80 code in the Planning Assessment section of this report below.

City of South Perth Policies

The City of South Perth has a number of policies which are relevant to this application, each which is outlined below. Compliance with any applicable Policy provisions is demonstrated in the Planning Assessment section of this report.

Public Art Policy P101

This Policy provides a framework for the development and management of public art within the City of South Perth. The basic provision of the Policy is that 2% of the total project cost of projects with a value greater than \$2 million, or 1% of the total cost of projects with a value greater than \$4 million, be contributed towards public art in new above ground urban design, public open space and community building constructions and redevelopment projects.

It is anticipated that a condition will be placed on the approval of the application requiring the provision of public art, or cash-in-lieu for the equivalent amount.

Sustainable Design P350.1

This Policy outlines the City's commitment to sustainable design, stating that the City seeks to promote buildings which are environmentally sustainable for our climate and strongly encourages a sustainable approach to residential design. This Policy identifies elements of good design being promoted by the City to help achieve more sustainable outcomes.

The Policy states that wherever practicable, the site planning and design of proposed residential development should employ the following sustainable design elements, among others:

- a) Basic passive design principles;
- b) Resource efficiency, by minimising energy consumption and optimising the use of natural daylight and cooling breezes;
- c) Water-sensitive design techniques;
- d) Minimising waste and environmental impact;
- e) Creating healthy indoor and outdoor environments for building occupants, workers and communities;

- f) Minimising adverse impacts that development may have upon natural and built systems; and
- g) Making buildings adaptable for future inclusion of additional innovative energy and environmental technologies as they become commercially viable.

The Policy provides specific initiatives under each of the above elements and states that any design measures that achieve the above objectives will be considered on merit. A proposal which complies with all other TPS6, R-Codes and Policy requirements will not be refused by the City if it fails to incorporate such measures.

It is noted that the Policy maintains the '5 Star' statutory minimum rating outlined in the Building Code, where any measures to exceed this are to the discretion of the developer.

Car Parking Access, Siting and Design Policy P350.3

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 attempt to balance applicants' reasonable expectations regarding security and weather protection for vehicles, with the need to maintain desired streetscape character. The objectives of the Policy are as follows:

- a) To provide for parking and associated structures in a manner which contributes positively to the streetscape, and is compatible with dwelling design and materials; and
- 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.

Trees on Development Sites and Street Verges Policy P350.5

Policy 350.5 outlines the City's intent to preserve mature Trees where possible, and 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. In general, street trees are to be retained wherever possible and trees within development sites retained where they will not unreasonably prejudice the development of the site.

There are two existing street trees adjacent the site and this application does not propose to remove either. A

number of trees within the site will need to be removed to facilitate the development.

Visual Privacy Policy P350.8

This Policy provides guidance to the City in varying the visual privacy requirements of the R-Codes, aiming to ensure a reasonable level of visual privacy for the adjoining resident, rather than totally preventing overlooking of an adjoining property. In considering variations to the usual requirements of the R-Codes, the Policy aims to protect 'sensitive areas' from overlooking which are defined as follows in respect of an adjoining lot:

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

The Policy also provides guidance as to what types of screening may be appropriate and in what instances. Details of any proposed variations to the overlooking requirements of the R-Codes and how these are ameliorated are outlined in the Planning Assessment section of this report below.

Single Bedroom Dwellings Policy P350.12

This Policy has been developed to recognise the diverse housing needs within the City of South Perth that results in demand for Single Bedroom Dwellings, while aiming to ensure that the development of such dwellings does not result in the 'over development' of sites. As 'Single Bedroom Dwellings' are identified as discretionary use in most zones, the Policy also outlines the approach City will take in exercising such discretion. The objectives of the Policy are as follows:

- 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.

The Policy guides where density bonuses' granted in accordance with clause 6.1.3 A3(i) of the R-Codes should be applied. Given these provisions have since been removed from the R-Codes, the Policy is no longer considered relevant.

Streetscape Compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington' Policy P351.5

This Policy applies to all land zoned Residential and proposed to be developed for single or grouped dwelling development within Precinct 5 'Arlington' and Precinct 6 'Kensington'. While lots with a public street frontage only to Canning Highway are excluded from the application of the Policy, lots with a boundary to Canning Highway and one or more other public streets are subject to the provisions of this Policy.

The objectives of the Policy are as follows:

1. To preserve or enhance desired streetscape character, by ensuring that new residential development has bulk and scale that is compatible with the streetscape within which it is located.

2. To enhance standards of residential amenity by focusing on key design elements identified by the local community as being important to the maintenance of streetscape compatibility.
3. To provide guidance as to Council's expectations in relation to the application of *Design Element 6.2 – Streetscape Requirements* of the Residential Design Codes of Western Australia (R-Codes); and *clause 4.5 – General Design Guidelines* (relating to the design of residential development) and *clause 7.5 – Matters to be Considered by Council* (in considering applications for development approval) of the City's Town Planning Scheme No. 6 (TPS6).
4. To identify the extent of nearby development to be taken into consideration when assessing the streetscape compatibility of proposed residential development.

The Policy provides guidance in relation to a number of design matters including techniques to assist in the reduction of building bulk and scale, appropriate roof forms, setbacks and the positions of garages and carports and the like. The provisions of the Policy are focused on single or grouped dwelling type development, being the dominant development form in these precincts, but not the type of development sought by this application. In addition, the subject site comprises the first two lots on one side of Gwentyfred Road, which have a very different R-Code (R80) to the rest of the street (R15) and therefore must be anticipated for a different development form. In light of this, the requirements of the Policy are not considered to be applicable to this development, though the development is considered to apply to many of the general objectives.



Commercial development located directly opposite the site.

Proposed Development

This application seeks approval for a high quality, architecturally designed, contemporary residential building, which takes advantage of the site's proximity to the public transport and commercial facilities along Canning Highway. The application proposes to provide 17 dwellings and associated parking over a three storey built form with an additional semi-basement level.

The proposed development has been designed to provide an appropriate interface between future, higher density commercial and mixed use development along Canning Highway, and the lower density residential areas to the south. To provide this interface, the development incorporates a greater setback of 2.5 to 5m along the southern side, compared with 1.5 to 5m to the north, in addition to a reduction in height along this boundary. The front setback also steps back along the front boundary, with a 2m setback to the north, moving back to a greater 6m setback to begin to match the adjoining house to the south. Screening is provided along the north western and south eastern sides of the building to protect the amenity of the adjoining residential properties. On the southern boundary, the positioning of the communal deck area further softens the potential impact on the southern property providing landscaping and visual relief.

The front dwellings address the street with large windows and balconies, providing an excellent level of passive surveillance over the public realm and maximizing the penetration of the northern winter sunlight. Internally, the dwellings face north west where possible to maximise access to winter sunlight, and reduce overlooking to the lower density areas to the south. The design allows for cross ventilation to most dwellings.

The building is constructed of primarily rendered masonry with feature brick components to reflect the materials of the more traditional dwellings in this area. On the front façade, the extensive use of glass balustrading and windows maximises opportunities for occupants to engage with and provide passive surveillance over the street. On the southern boundary, the use of perforated

metal screening to the communal walkway provides warmth and visual interest while also protecting the privacy of the adjoining property.

Refer to Appendix B – Architectural Drawings

The total floor area of the development is 1,316m² with a proposed plot ratio of 1.2:1. The following table summarises the particulars of the proposed development.

| Level | Development Component |
|---------------------------|---|
| Level 1 (Basement) | 30 residential parking bays (the majority of which are in a tandem arrangement); 4 visitor parking bays; 17 residents stores; Communal drying area; Bin room; and Pumps and tanks. |
| Level 2 | Entrance lobby; 4 two bedroom dwellings; 2 one bedroom dwellings; and Communal deck and landscaping area. |
| Level 3 | 5 two bedroom dwellings; and 1 one bedroom dwelling. |
| Level 4 | 4 two bedroom dwellings; and 1 one bedroom dwelling. |

A total of 17 multiple dwellings are proposed, including four single bedroom dwellings and 13 two bedroom dwellings.

All dwellings are provided with a large balcony, providing an excellent level of amenity for all residents. Each dwelling has one bathroom per bedroom and internal laundry facilities including a dryer. Each dwelling will also have access to a store, which allows sufficient room for bicycle storage.

34 parking bays are located on the lower ground floor of the development, with 22 in a tandem arrangement, where the two tandem bays will be allocated to the one residential dwelling. In total, 30 bays are to be designated for the exclusive use of the residential dwellings and four for visitors.

Vehicular access to the car parking is via a crossover onto Gwennyfred Road, just south of the existing crossover for Lot 9, which allows for the retention of both of the existing street trees. Pedestrian access to dwellings is provided via a separate central lobby.

The dwellings are serviced by a lift and two staircases which run to all floors. A bin store that provides adequate storage space for all residents is located in the basement within the car parking area.

The lot is already connected to sewer, water, power and gas, although these will be modified where required to facilitate the proposed development and ensure only one connection point for each service.



Site verge showing street trees and 'slow point' in Gwennyfred Road

Planning Assessment

An assessment of the proposed developments performance against the various relevant provisions of the planning framework is included in the table below. Justification for any variations to the requirements is then further detailed following the end of the table.

| Requirement | Source | Provided | Compliance |
|---|---------|--|--|
| Use | | | |
| Multiple Dwelling – 'P' Single Bedroom Dwelling – 'D' | TPS6 | Multiple Dwellings. 4 Single Bedroom Dwellings. | Complies. The single bedroom dwellings provide diversity and are required under the R-Codes. |
| Plot Ratio | | | |
| R80 max. plot ratio of 1.0 = approx. 1,088sqm max. | R-Codes | 1,316sqm = 1.21:1 | Variation sought. Refer to discussion below. |
| Building Height | | | |
| 10.5m max. measured in accordance with the provisions of the Scheme. | TPS6 | 10.5m wall height proposes with any higher elements concealed within a 25 deg. height plane. | Complies. |
| Min. ground and floor levels: The ground level is, or is raised to, a level of at least 1.7 metres above Australian Height Datum. The floors of habitable rooms shall be not less than 2.3 metres above Australian Height Datum. The floors of non-habitable rooms and a carpark shall be not less than 1.75 metres above Australian Height Datum. | TPS6 | The site is already well above the AHD datum. | Complies. |
| Max. ground and floor levels: The floor level of any parking structure and the pavement level of any unroofed parking bay shall be calculated to achieve a driveway gradient generally not exceeding 1:12 within 3.6 metres of the street alignment and 1:8 for the remainder of the driveway. | TPS6 | A ramp gradient of 1:8, 1:4 and then 1:8 is proposed. | Variation sought. We understand this can generally be addressed with a signed declaration from the owner to absolve the City of any responsibility, should vehicles have any difficulty with the gradients proposed. |

| Requirement | Source | Provided | Compliance |
|--|--------------|---|--|
| Setbacks | | | |
| Front – 2m | R-Codes | 2m setback provided. | Complies. |
| Boundary setbacks – 4m | R-Codes | 2.5m setback provided to south eastern walls at the front of the development, and to the rear stairwell, with a 5m setback to the remainder of the building. 1.5m setback provided to north western walls at the front and rear of the development, with a 5m setback to the remainder of the building. To the rear the setback varies from 3m to 4m. | Variations sought for projections into the 4m setback. |
| Built to boundary walls to a maximum height of 7m, average height of 6m to no more than 2/3 or one side boundary. | R-Codes | 3m height walls proposed to less than 2/3 of the site boundary to accommodate the semi basement level to both sides. | Complies. |
| Streetscape | | | |
| The street elevations are to address the street, with facades generally parallel to the street and with clearly definable entry points visible and accessed from the street. The building has habitable room windows or balconies that face the street. Basement parking structures between a street frontage and the main front elevation are no more than 1.0m above natural ground level at any point. | R-Codes | Front elevation addresses the street with major openings and balconies parallel. Pedestrian access is clearly identifiable from the street. The basement parking structure is located below natural ground level and under the proposed development so as to have a reduced visual impact on the street. | Complies. |
| Front fences within the primary street setback area that are visually permeable to 1.2m above natural ground level. | R-Codes | No front fencing proposed with the exception of the balcony balustrading. | Complies. |
| Face brickwork, rendered brick, limestone blocks, or similar masonry solid front fences to a max. height of 1.2m. Not more than 50% of the landscaped portion of the primary street setback area may be enclosed with a solid fence to a maximum of 1.8 metres in height in the following circumstances: • Where privacy screening is needed in the front setback area because there is no alternative outdoor living area; or • Where privacy screening is needed for north-facing outdoor living areas. | Policy 350.7 | Balcony balustrading height to lower level units facing the street is some 2.5m in height above footpath level. The balcony balustrades provide privacy for these units which do not have an alternative outdoor living area. The higher level of the balcony floor still allows for people on the balcony to see out onto the street. | Complies. |
| Open Space | | | |
| No minimum requirement for the R80 code. | R-Codes | 440sqm of open space provided including roof deck (i.e. unroofed balconies), equating to 40.5% of the site area. The provision is considered to be highly appropriate and consistent with what could reasonably be expected for development in an R80 area. | No minimum requirement. |

| Requirement | Source | Provided | Compliance |
|--|---------|--|---|
| Outdoor Living Areas | | | |
| Balcony to habitable room with min. area of 10sqm and a min. dimension of 2.4m. | R-Codes | Balconies comply with minimum requirements. | Complies. |
| Landscaping | | | |
| <p>Landscaping of open spaces in accordance with the following:</p> <ul style="list-style-type: none"> The street setback areas developed without car parking spaces, except for visitors' bays, and with a maximum of 50 per cent hard surface; Separate pedestrian paths providing wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas; Landscaping between each six consecutive external car parking spaces to include shade trees; Lighting provided to pathways, and communal open space and car-parking areas; and Clear sight lines at pedestrian and vehicle crossings. | R-Codes | <p>Aside from the crossover and pedestrian access points, the front setback area is landscaped.</p> <p>Pedestrian access to the lobby is centrally located at grade.</p> <p>Landscaping is provided along all sides of the building to soften the interface with adjoining properties.</p> <p>Lighting will be provided to all pathways and communal open space areas. It is anticipated a condition to this effect would be applied to any approval.</p> <p>Visual truncations are clear of structures.</p> | Complies. |
| Car Parking | | | |
| <p>Where the development is located within 250m of a high frequency bus route, parking to be provided in accordance with the following:</p> <p>For a small dwelling (<75sqm or 1 bedroom) – 0.75 bays per dwelling. 4 dwellings = 3 bays</p> <p>Medium (75-110sqm) – 1 bay per dwelling. 13 dwellings = 13 bays</p> <p>Visitors – 1 bay for every 4 dwellings. 17 dwellings = 4.25 bays</p> <p>Total: 16 bays + 4.25 visitor bays</p> | R-Codes | <p>30 residential bays.</p> <p>4 visitor bays.</p> | Minor variation sought for visitor parking. Further discussed below. |
| Bicycle Parking | | | |
| <p>1 space for each 3 dwellings for residents.</p> <p>1 space for each 10 dwellings for visitors.</p> <p>17 dwellings = 5.67 residential and 1.7 visitor (total 7 bays)</p> | R-Codes | <p>There is sufficient room for bike storage for residents in the individual stores, which exceed the minimum areas.</p> <p>3 bike racks for residents use are also provided at the rear of the basement.</p> <p>Racks for 2 bikes provided in the verge area, which is particularly large in front of the subject site.</p> | Variation sought. It is considered that storage within resident's private stores provides the highest level of security for residents bikes. |
| Access | | | |
| <p>Visitor car parking spaces:</p> <ul style="list-style-type: none"> Marked and clearly signposted as dedicated for visitor use only, and located close to or visible from the point of entry to the development and outside any security barrier; and Provide an accessible path of travel for people with disabilities. <p>All car parking spaces except visitors' car parking spaces fully concealed from the street or public place.</p> | R-Codes | <p>Visitor bays located close to entrance but behind security barrier. Guests will be able to be 'buzzed' in by residents via an intercom.</p> <p>Accessible path of travel between visitor bays and lifts.</p> <p>All car parking located in a screened semi-basement, and not visible from the street.</p> | <p>Variation sought to allow for visitor bays to be provided behind a security barrier.</p> <p>These bays will be clearly delineated for visitor use and visible through the security gate.</p> |

| Requirement | Source | Provided | Compliance |
|---|--------------|--|------------|
| <p>Access to on-site car parking spaces to be provided:</p> <ul style="list-style-type: none"> Where available from a right-of-way available for the lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a constructed street; From a secondary street where a right-of-way does not exist; or From the primary street frontage where no secondary street or right-of-way exists. <p>Driveways designed for two way access to allow for vehicles to enter the street in forward gear where:</p> <ul style="list-style-type: none"> The driveway serves five or more dwellings; or The distance from a car space to street alignment is 15m or more; or The public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road. | R-Codes | <p>Access is provided from the primary street given there is no right-of-way or secondary street.</p> <p>Two way access is provided throughout the development.</p> | Complies. |
| <p>Only one crossover is to be provided from the public street.</p> <p>Maximum crossover width of 6.0m.</p> | Policy 350.3 | One crossover provided, max. 5.5m width. | Complies. |
| Existing street trees are to remain undisturbed | Policy 350.3 | The location of the crossover allows for the retention of both street trees. | Complies. |
| At least one occupiers' car bay for each Multiple Dwelling is to be provided with roof cover. | Policy 350.3 | All car bays undercover. | Complies. |
| Site Works | | | |
| <p>Excavation or filling between the street and building, or within 3m of the street alignment, whichever is the lesser, shall not exceed 0.5m, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.</p> <p>Excavation or filling within a site and behind a street setback line limited by compliance with building height limits and building setback requirements.</p> <p>Subject to clause 6.3.6 C6.2, all excavation or filling behind a street setback line and within 1m of a lot boundary shall not be more than 0.5m above the natural ground level at the lot boundary except where otherwise stated in a local planning policy or local development plan.</p> | R-Codes | <p>There is no excavation between the building and the street other than to facilitate vehicle access.</p> <p>Refer to sections above in relation to the compliance with the building height and setback requirements.</p> | Complies. |
| Dwelling Size | | | |
| Min. 20% and Max. 50% 1 bedroom dwellings. | R-Codes | 4/17 = 23.5% - 1 bedroom | Complies. |
| Min. 40% 2 bedroom dwellings. | | 13/17 = 76.5% - 2 bedroom | |
| No dwellings smaller than 40sqm plot ratio area, excluding outdoor living areas and external storage. | R-Codes | Min. dwelling size = 55.3sqm | Complies. |

| Requirement | Source | Provided | Compliance |
|---|---------------|--|---|
| Landscaping | | | |
| 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 the applicant should demonstrate 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. Each tree that is removed is to be replaced by one tree, but in no case are more than two replacement trees required. | Policy 3.50.5 | This application proposed the removal a few trees across the site. The largest are located more than 3m from the site boundaries and their retention would require the complete redesign of the development. Additional trees are proposed to be planted along the sides of the development. | Complies. It is envisaged the City will impose a condition on any approval requiring the submission and approval of a Landscaping Plan. |
| The City requires the retention of all street trees except in certain circumstances as highlighted in the Policy. | Policy 3.50.5 | The location of the crossover allows for the retention of both street trees. | Complies. |
| Visual Privacy | | | |
| For areas coded higher than R-50 setbacks, in line with the cone of vision are to be provided as follows: <ul style="list-style-type: none"> Major openings to bedrooms and studies – 3m Major openings to habitable rooms other than bedrooms and studies – 4.5m Unenclosed outdoor active habitable spaces – 6m Or are provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space. | R-Codes | Variation to the setbacks proposed for: <ul style="list-style-type: none"> Unit 6, 12 and 17 - rear balconies; and Unit 8, 11, 13 and 16 - north west facing side balconies. | Variations sought. Refer to discussion below. |
| Overshadowing | | | |
| The overshadowing on any adjoining (R25 or lower coded) property does not exceed 25% of the site area. | R-Codes | Less than 25% overshadowing to the adjacent lot is proposed. | Complies. |
| Essential Facilities | | | |
| An enclosed, lockable storage area, accessed from outside the dwelling, with a min. dimension of 1.5m and an internal area of at least 4sqm provided for each dwelling. | R-Codes | Stores all in excess of 4m ² with a minimum dimension of at least 1.5m provided. | Complies. |
| Where rubbish bins are not collected from the street, there is provision of a communal pick-up area or areas which are: <ul style="list-style-type: none"> Conveniently located for rubbish and recycling pick-up; Accessible to residents; Adequate in area to store all bins; and Fully screened from view from the primary or secondary street. | R-Codes | Bins store located in the front portion of the building and is easily accessible from the lift. On collection day bins will be wheeled up the ramp and presented to the street. | Complies. |
| Clothes-drying areas screened from the view from the primary or secondary street. | R-Codes | No clothes drying areas provided, though there is sufficient room on the balconies for a fold out clothes horse. | Complies. |



*Top: Two storey 'townhouse' development opposite the subject site.
Middle: Commercial development opposite the site.
Bottom: Multiple Dwelling development (viewed from street) located to the south west of the subject site.*

Streetscape

Clause 7.5 of the City's Scheme requires that Council in their determination of an application for planning approval take certain matters into consideration, one of which is:

"...the extent to which a proposed building is visually in harmony with neighbouring existing buildings within the focus area, in terms of its scale, form or shape, rhythm, colour, construction materials, orientation, setbacks from the street and side boundaries, landscaping visible from the street, and architectural details."

The above is further clarified by the City's Policy P351.5 Streetscape Compatibility – Precinct 5 'Arlington' and Precinct 6 'Kensington' where the following Policy objectives are listed as follows:

1. To preserve or enhance desired streetscape character, by ensuring that new residential development has bulk and scale that is compatible with the streetscape within which it is located;
2. To enhance standards of residential amenity by focusing on key design elements identified by the local community as being important to the maintenance of streetscape compatibility;
3. To provide guidance as to Council's expectations in relation to the application of Design Element 6.2 – Streetscape Requirements of the Residential Design Codes of Western Australia (R-Codes); and clause 4.5 – General Design Guidelines (relating to the design of residential development) and clause 7.5 – Matters to be Considered by Council (in considering applications for development approval) of the City's Town Planning Scheme No. 6 (TPS6); and
4. To identify the extent of nearby development to be taken into consideration when assessing the streetscape compatibility of proposed residential development.

As noted in the Planning Framework section of this report above, Policy P351.5 has a very limited applicability to this site given it is generally intended to address single residential development, and does not take into account circumstances whereby one site on a street is intended to be developed for substantially different development to the remainder of the street, such as this site which is zoned R80 with the remainder of the Gwentyfred Road (and the lots which would be considered when assessing streetscape compatibility) zoned R15. The site is also located directly opposite a large scale commercial building

which presents a substantially different front façade to the remaining residential development on this street. The proposed development has therefore not been assessed against the specific provisions of this Policy, however it is considered that the general objectives can be addressed.

As evidenced by the substantially different density codings of the subject site and the remainder of Gwentyfred Road, this site is clearly intended to be developed for a much more dense residential development than the remainder of the street, to provide an interface between future, higher density mixed use and commercial development along Canning Highway and the residential development beyond. In light of this context, it is considered that the development does achieve the general objectives of the Policy, in that it provides a transition, to ensure the building fits in well with the existing streetscape.

The front setback steps back along the front boundary, with the compliant 2m setback to the north, moving back to a greater 6m setback to begin to match the setback of the adjoining house to the south. On the side boundary, a greater setback is provided to the south eastern boundary compared with the north western, to further reduce the bulk to this side, ensuring an appropriate step down to neighboring single residential development. Soft landscaping including a tree is also proposed in this eastern corner of the site, sympathetic to the front gardens of the houses along Gwentyfred Road. The rendered façade with feature face brick panels also responds to the more traditional materials of the front facades of houses in this area.

In light of the above, it is considered that the development responds well to the streetscape context of Gwentyfred Road, whilst still proposing a development consistent with its very different density coding.

Plot Ratio

As shown in the table above, a variation to the 1:1 or 1,088m² plot ratio requirements of the R-Codes and the City's Scheme is sought as part of this application. The development proposes some 1,316m² of plot ratio area, representing a plot ratio of 1.21:1.

In relation to plot ratio, the design principals of the R-Codes (clause 6.1.1) however, allow for the acceptable development criteria to be varied where:

Development of the building is at a bulk and scale indicated



View facing west indicating proposed development with future development along Canning Highway.



View facing south east showing transition in height from 10.5m along Canning Highway to two storey development along Gwentyfred Road.

in the local planning framework and is consistent with the existing or future desired built form of the locality.

It is considered that the proposed development is highly consistent with the above, for the following reasons:

- The bulk and scale of development is highly consistent with the planning framework, being located entirely within the building height limits set by the City's Scheme and with setbacks generally consistent with those advocated by the R-Codes. The scale of the development is also consistent with that anticipated for future development along Canning Highway, and the existing large-scale two storey commercial development adjacent the site;
- The three storey built form of the development allows for a highly efficient development which is commensurate with the two storey development permitted to the south, but still recognises the very different development potential of this site;
- The building facades are highly articulated and incorporate a variety of different materials and treatments to lessen the appearance of building bulk, including render and contrast, feature brick elements, perforated metal screening, soft landscaping elements and extensive use of glazing;
- There will be no undue adverse impact on users or adjacent development given more than adequate parking is provided, overshadowing is compliant and the relevant privacy criteria of the R-Codes have been complied with; and
- The development optimises the use of the site in line with the vision established in Directions 2031 and the City Centre Framework, both of which advocate optimising density on sites close to neighbourhood centres and with good access to public transport such the subject site.

On the basis of the above, it is considered that the proposed plot ratio is appropriate for the site, in keeping with the City's desired built form for this area and worthy of approval.

Boundary Setbacks

A range of setbacks are proposed for different elements of the proposed development. As detailed in the table above, the proposed variations to the setback requirements of the R-Codes relate to the 4.0m side and rear setback requirement of the R-Codes for various portions of the

building, and also the parapet walls which are located on both sides of the lot rather than just one as permitted by the R-Codes.

The design principals of the R-Codes (clause 6.1.4), state that buildings are to be setback from side and rear boundaries so as to:

- Ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;
- Moderate the visual impact of building bulk on a neighbouring property;
- Ensure access to daylight and direct sun for adjoining properties; and
- Assist with the protection of privacy between adjoining properties.

Rather than a 4m setback along the length of the side boundary, the proposed development incorporates a design solution with a reduced setback at the front of the building, with a greater setback along the southern boundary than the northern boundary, and a reduced setback for the stairwell on the south eastern boundary and for the (screened) balcony to Unit 11 and 16 on the north western side.

It is considered that the proposed side and rear setbacks should be supported for the following reasons:

- The reduced setbacks at the front of the building are essentially for two storeys only (as viewed from the street), allow for a strong streetscape appearance and also reinforce the established side setbacks along Gwentyfred Road;
- On the north western side, the adjoining dwellings 'back onto' the subject site and have very large backyards, with trees and other vegetation at the rear, and it's not considered that the proposed variations would have any undue impact on these properties. Given the development potential of these sites it is likely that they will also soon be redeveloped for higher density mixed use purposes and it is considered that the development is appropriate in this context;
- The R-Codes would allow for a 6m high, zero line wall to be constructed along the north western or south western side boundary, stretching two thirds the length of the boundary. The proposed setback of the building, with a substantially reduced boundary wall height with varying setbacks above, is considered to have significantly

- less of an impact than such a permissible wall;
- On the south eastern side, the variation sought is for a minor portion only at the front of the site, and with limited openings does not result in an overlooking or other amenity impacts. The remainder of this side of the building (excepting the stairwell) is setback at 5m in excess of the 4m requirement, allowing for more articulation and less overshadowing of the sensitive private open areas at the rear of the building, and on this basis is considered a better outcome than a compliant 4m setbacks;
 - As noted above, the development is designed to ensure there is no overlooking into the outdoor living areas or major openings of any adjoining sites, and ensure that walkways, balconies and major openings on the subject are well setback from adjoining properties, to further reduce the impact on the adjoining properties;
 - The setbacks ensure adequate light and ventilation into all surrounding properties, as can be seen on the overshadowing plan, which demonstrates that less than 25% of the adjoining property is overshadowed, complying with the requirements of the R-Codes; and
 - In addition to the varied side setbacks, and as noted above, the impact of the wall is broken up with different materials and treatments, including glass, feature render, brick and patterned metal screening.

On this basis, we believe the variations sought are appropriate and should be supported.

Car Parking and Access

This application proposes a 0.25 bay variation to the deemed to comply visitor car parking provisions of the R-Codes, providing 4 bays in lieu of the 4.25 (rounded to 5) bays required.

Clause 6.3.3 of the R-Codes allows for consideration to be given to the availability of on-street parking in accordance with the following:

- P3.1 Adequate car and bicycle parking provided on-site in accordance with projected need related to:
- The type, number and size of dwellings;
 - The availability of on-street and other off-site parking; and

- The proximity of the proposed development in relation to public transport and other facilities.
- P3.4 Some or all of the required car parking spaces located off-site, provided that these spaces will meet the following:
- The off-site car parking area is sufficiently close to the development and convenient for use by residents and/or visitors;
 - Any increase in the number of dwellings, or possible plot ratio, being matched by a corresponding increase in the aggregate number of car parking spaces;
 - Permanent legal right of access being established for all users and occupiers of dwellings for which the respective car parking space is to be provided; and
 - Where off-site car parking is shared with other uses, the total aggregate parking requirement for all such uses, as required by the R-Codes and the scheme being provided. The number of required spaces may only be reduced by up to 15 per cent where the non-residential parking occurs substantially between 9 am and 5 pm on weekdays.

The proposed variation is considered to be very minor, being only 0.25 bays, and consistent with the above objectives given there is sufficient room for several cars to park in Gwentyfred Road close to the development, at the side of the site at the corner of Canning Highway. In addition, many of the units will have their own two bays. In developments such as this, when units are only designated one bay, visitor parking is generally occupied by permanent residents with a second car in any case rather than actual visitors. In this development, 13 of the larger units, will have access to a second bay and will therefore not need to occupy the visitor parking, freeing it up for actual visitors. The visitor parking will also be clearly delineated from the exclusive use residential bays through marking on the bays themselves.

Visual Privacy

Minor variations to the visual privacy requirements are sought in relation to the setback of several of the upper level balconies, as identified in the table above. Along the south eastern boundary, screening to balconies and the communal walkway ensures that there is no overlooking over this more sensitive single dwelling.

The R-Codes allow for visual privacy to be considered in line with the 'Design Principles' of clause 6.4.1 of the R-Codes which states:

P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- *building layout, location;*
- *design of major openings;*
- *landscape screening of outdoor active habitable spaces; and/or*
- *location of screening devices.*

The City of South Perth then have a Visual Privacy Policy (P350.8) which provides further guidance in determining compliance with these Design Principles, stating that:

Where an applicant seeks approval via the Performance Criteria path, this Policy requires the written justification and detailed drawings to 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.*

The Policy also defines a 'sensitive area' as:

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

Refer to Figure 6 – Cone of Vision Diagram

We understand that the multiple dwelling development

to the rear of the subject site does not have any major openings or outdoor living areas which would be considered 'sensitive areas' in accordance with the above which are visible from the subject site and within 25m of the balconies. Overlooking onto this rear property is therefore considered to be compliant with the City's Policy. A very minor portion of the 7.5m cone of vision does impinge on the residential property to the directly to the south, however due to a very large evergreen tree on this property and other vegetation, the outdoor living area of this property will be well screened from the proposed balconies.

On the north western side of the subject site, overlooking from the proposed balconies of Units 11 and 16 is indirect (i.e. from the sides of the balconies only) and the 25m cone of vision only includes extensive back gardens which do not appear to include any courtyard, alfresco areas or the like. Overlooking from these balconies is therefore considered to be compliant with the City's Policy.

Also along the north western side, the balconies to Units 8 and 13 are just within a 25m cone of vision of the rear facing windows of the adjoining property, with the remainder of the 25m cone of vision being over an extensive backyard area. It is not know whether these windows are to living areas, where screening would ordinarily be required under the City's Policy, or to laundries and bathrooms or the like, where no screening would be required.

In determining whether screening should be required to these balconies, it is important to firstly note that this property is zoned R80 and is likely to be redeveloped soon for commercial or mixed use purposes. Future development is likely to face Canning Highway and Gwentyfred Road rather than the subject site, may incorporate setbacks from the boundary, or could otherwise have regard for existing development to ensure there is no overlooking between the properties. In addition, the overlooking requirements of the R-Codes reflect that differential levels of privacy are expected in high density areas compared with low density areas, through reduced setback requirements for balconies and windows. This is a relatively recent addition to the R-Codes, and is not reflected in the City's Visual Privacy Policy. It is considered that the same principles can be applied to the extended cone of vision in the City's Policy, which if reduced by even a few metres would exclude these potentially sensitive windows.

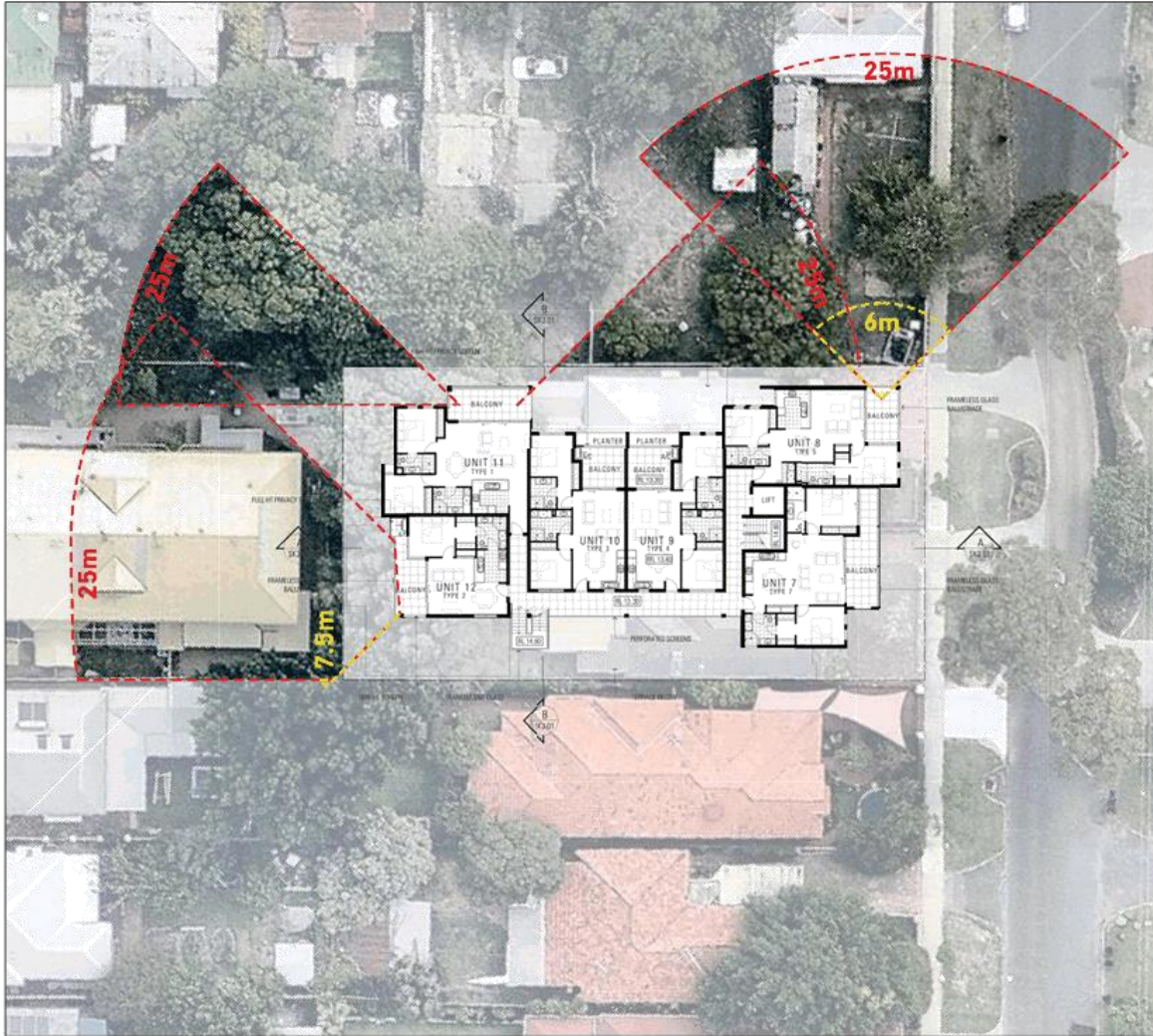


Figure 6 – Cone of Vision Diagram

On the basis of the above, it is considered that the proposed overlooking is reasonable in the context of the use of these adjoining properties, and likely future redevelopment.

Sustainability

It is noted that the City's Sustainability Policy does not provide any set requirements which development must meet, except that the development must meet the statutory requirement under the Building Code, which will be assessed at the Building Permit stage. The Policy does however require that wherever practicable, the site planning and design of proposed residential development should employ sustainable design elements.

The development has been designed with north facing outdoor areas where possible, to allow for access to northern winter sunlight. Shading along the north western elevation is provided through the use of deep balconies and awnings for the summer months. Single depth units and the open walkways to the south also provide excellent opportunities for cross ventilation minimising the reliance on mechanical cooling.

Landscaping will be designed as low water use with further detail to be provided prior to a building permit being sought. Landscaping areas have been minimised and there area no water features or pools proposed from which evaporation constantly occurs. Materials used are rendered masonry, brick, treated metal and glass which are proven building materials to stand the test of time with limited maintenance.

In relation to the operation of the building, natural ventilation to the carpark will reduce reliance on electrical systems. On this basis it is considered that the proposed development is generally well aligned with the City's Sustainability Policy.

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Conclusion

This application has been prepared by TPG Town Planning, Urban Design and Heritage in conjunction with architects Zuideveld Marchant Hur, on behalf of Gwentyfred Holdings Pty Ltd. It proposes the redevelopment of the site into a high quality, architecturally designed residential building, comprising 17 multiple dwellings and associated car parking.

The design is of a contemporary nature which frames the street and complements the character of the streetscape, providing an appropriate step down from future high density mixed use development along Canning Highway to the residential neighbourhood of Kensington beyond. The development will retain both existing street trees, including a significant gum tree in the verge. The proposed dwellings either address the street, of the north west, taking advantage of the site's solar orientation, and opportunities for views from the balconies at upper levels.

The proposal is strongly compliant with the objectives and intent of the City of South Perth's Town Planning Scheme No. 6, Directions 2031, the Capital City Planning Framework and other relevant local planning policies the development will provide a valuable addition to the area and dwelling diversity, providing housing for younger people and downsizers wanting to remain close to their existing networks.

It is considered the development is highly consistent with the intent and vision for the area, and on this basis, we therefore respectfully request the approval of the City and the Metropolitan Central Joint Development Assessment Panel.

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Appendix A

Certificates of Title

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WESTERN



AUSTRALIA

| | |
|-----------------------------------|-------------------------------------|
| REGISTER NUMBER 8/P2172 | |
| DUPLICATE EDITION N/A | DATE DUPLICATE ISSUED N/A |

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **861** FOLIO **42**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 8 ON PLAN 2172

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

GWENYFRED HOLDINGS PTY LTD OF LEVEL 5, 160 ST GEORGES TERRACE, PERTH
(T M721938) REGISTERED 31 JULY 2014

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

- *M721939 MORTGAGE TO WESTPAC BANKING CORPORATION REGISTERED 31.7.2014.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 861-42 (8/P2172).
PREVIOUS TITLE: 599-118.
PROPERTY STREET ADDRESS: 1 GWENYFRED RD, KENSINGTON.
LOCAL GOVERNMENT AREA: CITY OF SOUTH PERTH.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING K937692

Superseded - Copy for Sketch Only

CT 861 42 F


CERTIFICATE OF TITLE

VOL 861 FOL 42

43501/17-100-5/1887

Page 2 of 4

Transfer H554063 to Mark Desmond Hinton and Kerry Jane Brown both of 1 Gwentyfred Road, Kensington, as joint tenants. Registered 19th September 2000 at 8.22 hrs.



Superseded - Copy for Sketch Only

TRANSFER 4669 VOL. 599, Fol. 118.
1924.
11802 34 5406 5012/11
29/11/55



REGISTER BOOK.

Vol. 361 Fol. 12

WESTERN AUSTRALIA.

Certificate of Title

Superseded - Copy for Sketch Only

Application 4338900

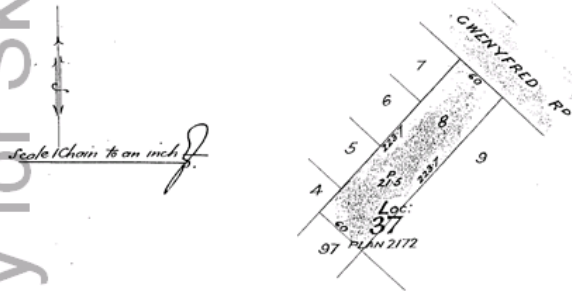
under "The Transfer of Land Act, 1893" (Sch. 5, 56 Vic., 14.)

Hollers
William Waters Cook of 1 Gwentyfred Road South Perth
Victoria Park Motor Mechanic

27th October 1970

is now the sole proprietor

of an estate in fee simple in possession subject to the easements and encumbrances notified hereunder in ALL that piece of land delineated and coloured green on the map hereon, containing twenty one and five tenths perches or thereabouts, being portion of Swan Location 37 and being Lot 8 on plan 2172.



Dated the twenty day of June One thousand nine hundred and twenty four.

Registrar of Titles.

Application 4338900 In the 30th May 1970 William Waters Cook died and on the 30th July 1970 the estate of his Will was granted to the Public Trustee in and for the sole of Western Australia the executor herein named

Transfer A 338910 to Daisy Matilda Cook of 1 Gwentyfred Road South Perth Widow Registered 27th October 1970 at 11240c

Transfer 8758507 to Graham Ross Griffiths, of 3 Ragamuffin Terrace, Willetton, Accountant. Registered 1st August 1979 at 2.11 o'c

Transfer C381747 to John Francis Carr, Journalist and Jennifer Frances Carr, Nursing Sister both of 107 Brandon Street, Kensington as tenants in common in equal shares. Registered 29th June 1982 at 2.25 o'c.

Transfer Q748185 to Robert Neil May, and Suzanne May, both of 8 Valley Road, Margaret River, Business Proprietors, as joint tenants. Registered 11th April, 1984, at 9.02 o'c.

Transfer C95817 to Elizabeth Marmion, of 35 Labouchere Road, South Perth Civil Servant. Registered 13th February, 1985 at 2.45 o'c.

Application F830940. The correct name and address of the registered proprietor is now Elizabeth Hawker of 15 Maitland Avenue, Albany. Registered 16th March 1995 at 16.00 hrs.

FOR FURTHER ENTRIES SEE PAGE 2 OF 4 PAGES

EASEMENTS AND ENCUMBRANCES REFERRED TO.

1867/1923 William Waters book
 Commissioner a body corporate in
 Act 1913-1920 of the Government
 address is 107 Swanston Street
 of Victoria, to secure a 5.5% p.a.
 interest per annum. Registered 1923
 March 1925 at 10.500
 Assistant Registrar of Titles.

Mortgage 2106/1941 William Waters book
 to War Service Homes Commission
 secure 4.5% p.a. Registered 11th June 1941
 at 10.1500
 Assistant Registrar of Titles.

DISCHARGE 1562/1925 of Mortgage 1562/1925
 Registered 27th September 1925 at 100
 Assistant Registrar of Titles.

DISCHARGE 1515/1925 of Mortgage 2106/1941
 Registered 29th September 1925 at 100
 Assistant Registrar of Titles.

Mortgage B758508 to Home Building Society
 Registered 1st August 1982 at 2.25 o/c
 DISCHARGED

Discharge C381746 of Mortgage B758508.
 Registered 29th June 1982 at 2.25 o/c.

Mortgage C381748 to The W.A. Nurse's Credit Society Limited.
 Registered 29th June 1982 at 2.25 o/c
 DISCHARGED

Discharge C748184 of Mortgage C381748. Registered 11th
 April, 1984 at 9.02 o/c.

Mortgage C748186 to A.G.C. (ADVANCES) Limited. Registered
 11th April, 1984 at 9.02 o/c.
 DISCHARGED

Discharge C957816 of Mortgage C748186. Registered 13th February 1985,
 at 2.45 o/c.

Mortgage C957818 to Home Building Society Registered 13th
 February, 1985 at 2.45 o/c.
 DISCHARGED

Mortgage F830941 to Home Building Society Ltd. Registered 16th March
 1995 at 16.00 hrs.
 DISCHARGED

Discharge G62307 of Mortgage C957818. Registered 21st December
 1995 at 9.05 hrs.

Discharge G62308 of Mortgage G830941. Registered 21st December
 1995 at 9.05 hrs.

Mortgage G62309 to Bank of Western Australia Ltd.
 Registered 21st December 1995 at 9.05 hrs.

Mortgage G62310 to Bank of Western Australia Ltd.
 Registered 21st December 1995 at 9.05 hrs.

Discharge H554061 of Mortgage G62309. Registered 19th September
 2000 at 8.22 hrs.

Discharge H554062 of Mortgage G62310. Registered 19th September
 2000 at 8.22 hrs.

CERTIFICATE OF TITLE
 Registered Vol. 861 Fol. 42

WESTERN



AUSTRALIA

| | |
|-----------------------------------|---|
| REGISTER NUMBER 9/P2172 | |
| DUPLICATE EDITION 1 | DATE DUPLICATE ISSUED 18/7/2002 |

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **966** FOLIO **47**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 9 ON PLAN 2172

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

GWENYFRED HOLDINGS PTY LTD OF LEVEL 5, 160 ST GEORGES TERRACE, PERTH
(T M254159) REGISTERED 29 APRIL 2013

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *M723793 MORTGAGE TO WESTPAC BANKING CORPORATION REGISTERED 1.8.2014.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 966-47 (9/P2172).
PREVIOUS TITLE: 896-61.
PROPERTY STREET ADDRESS: 3 GWENYFRED RD, KENSINGTON.
LOCAL GOVERNMENT AREA: CITY OF SOUTH PERTH.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M254160

1444/17. 1977/32
 TRANSFER 5542 Vol. 896, Fol. 61
 1927
 12-117/37
 17244/37.
 1955/36.
 3177/37
 15719/37
 18710/37
 20505/50
 2522/61 9899
 12



REGISTER BOOK.
 Vol. 966 Fol. 47

WESTERN AUSTRALIA.

Certificate of Title

under "The Transfer of Land Act, 1893" (Sch. 5, 58 Vic., 14.)



Superseded Copy for Sketch Only

Elizabeth Kernick of 12 Fremantle Road, South Perth
 Married Woman

is now the sole proprietor

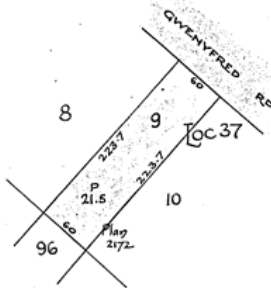
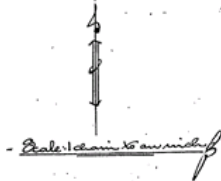
of an estate in fee simple in possession subject to the easements and encumbrances notified hereunder in ALL

that piece of land delineated and coloured *green* on the map hereon,

containing *twenty one and five tenths perches*

or thereabouts, being *portion of Swan Location 37 and being*

Lot 9 on plan 2172



Dated the *fifteenth* day of *June* One thousand nine hundred and *twenty seven*.

Arthur Henry
 Assistant Registrar of Titles

Transfer 52444/1932 Transferred to *Vera Hazel Kernick* of 12 Fremantle Road South Perth Married Woman.
 Registered 12th October 1932 at 12.40 o'clock

Transfer 9127/1936 Transferred to *Isaac Fearon Bell* of 199 Gloucester Street
 Victoria Park. Builder Registered 24th November 1936 at 12.50 o'clock

Transfer 4641/1942 Transferred to *Gilbert William Robertson* of 100, Douglas Avenue,
 South Perth, Farmer. Registered 8th October 1942 at 3.5 o'clock

TRANSFER 16501/1950 to *Michael Palassis* of
 125 Barrack Street Perth, his Proprietor
 Registered 11th September 1950 at 11.20 o'clock

Application G248140 The registered proprietors are *Stanley Michael Palassis* of 105
 Circe Circle, Dalkeith and *Kevin Michael Palassis* of 18 The Esplanade, Peppermint
 Grove, as Executors of the Will of *Michael Efsthathios Palassis* known as
 Michael Palassis who died on 7-12-1995. Registered 7th August
 1996 at 11.41 hrs

Transfer G248141 to *Evelyn Palassis* of 3 Gwentyfred Road, South Perth. Registered 7th August 1996 at 11.41 hrs



EASEMENTS AND ENCUMBRANCES REFERRED TO.

DISCONTINUED
 Mortgage 789/1937. Isaac Feason Bell to Conice Matilda Bellamy of 59 Blotilde Street Mount Lawley Widow to secure £500. Registered 19th February 1937 at 10.50c
 Assistant Registrar of Titles: R. S. Russell

WITH **DISCONTINUED** 251/1937. Lodged 25.2.1937 at 30c Cherr South
 Assistant Registrar of Titles:

Mortgage 4406/1937 Isaac Feason Bell to George Clemon of 199 Gloucester Street Victoria Park Carpenter to secure £335. Registered 11th August 1937 at 30c
 Assistant Registrar of Titles: A. W. Blackwell

Transfer 8234/1937 of Mortgage 4406/1937 to Clive Edwin Millers Hickey of 14 Bindarney Road Claremont, Land Agent. Registered 29th September 1937 at 30c
 Assistant Registrar of Titles: R. C. Clifton

Dup. of / not produced. Since produced

Transfer 99/1194 of Mortgage 789/1937 to Ethel Maude Bentley of "Mermaid" 277 Lord Street Perth Spinning. Registered 14th February 1941 at 10.450c.
 Assistant Registrar of Titles: R. C. Clifton

Withdrawal 893/1942 of base at 251/1937. Lodged 8.10.1942 at 3.50c.
 Assistant Registrar of Titles: R. C. Clifton

Discharge 3631/1942 of Mortgage 789/1937. Registered 8th October 1942 at 3.50c.
 Assistant Registrar of Titles: R. C. Clifton

Discharge 3632/1942 of Mortgage 4406/1937. Registered 8th October 1942 at 3.50c.
 Assistant Registrar of Titles: R. C. Clifton

Collateral for Instrument stamped £250
MORTGAGE 11317/1950. Michael Palassis to The Commercial Bank of Australia Limited
 Registered 11th September 1950 at 11.20c
 Assistant Registrar of Titles: A. Blackmore



Collateral to Mortgage stamped £250
 Instrument stamped £1100
 Mortgage 3532/1957 Michael Palassis to The Commercial Bank of Australia Limited
 Registered 2nd April 1957 at 9.22c
 Assistant Registrar of Titles: J. Blott

Mortgage A640814 to The Commercial Bank of Australia Limited Registered 17th March 1973 at 9.
 Office of Titles: Perth

Mortgage A895019 to The Commercial Bank of Australia Limited. Registered 14th November 1974 at 10.440c.
 Office of Titles: Perth

Discharge C77516 of Mortgages 11317/1950, 3532/1957, A640814 and A895019. Registered 22nd May, 1984 at 9.11 0/c.
 Office of Titles: Perth

Mortgage G290010 to Advance Bank Australia Ltd. Registered 26th September 1996 at 14.42 hrs.
 Office of Titles: Perth

CERTIFICATE OF TITLE

Registered VolFol.....



Appendix B

Architectural Drawings

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MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MERCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
NORTHBRIDGE WA 6003
T 61 8 9227 0980
F 61 8 9227 0680

PROJECT NO. P2014
DATE 01.05.15
REVISION A

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LEVEL 3 FLOOR PLAN
SCALE 1:200



MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
NORTHBRIDGE WA 6003
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F 61 8 9227 0600

PROJECT NO. P2014
DATE 05.05.15
REVISION A

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LEVEL 4 FLOOR PLAN
SCALE 1:200



MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

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NORTHBRIDGE WA 6003
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F 61 8 9227 0600

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SOUTH EAST ELEVATION
SCALE 1:200

NORTH EAST ELEVATION - GWENYFRED RD.
SCALE 1:200



NORTH WEST ELEVATION
SCALE 1:200

SOUTH WEST ELEVATION - REAR
SCALE 1:200

MULTIPLE DWELLING DEVELOPMENT

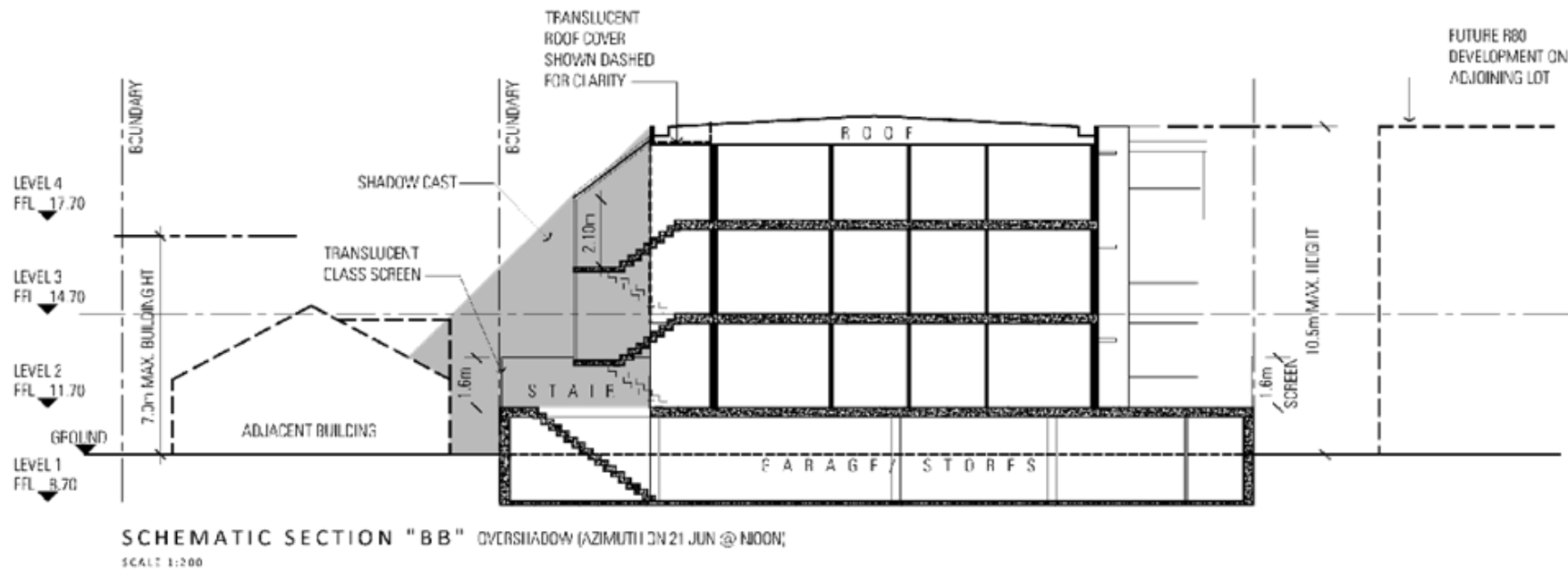
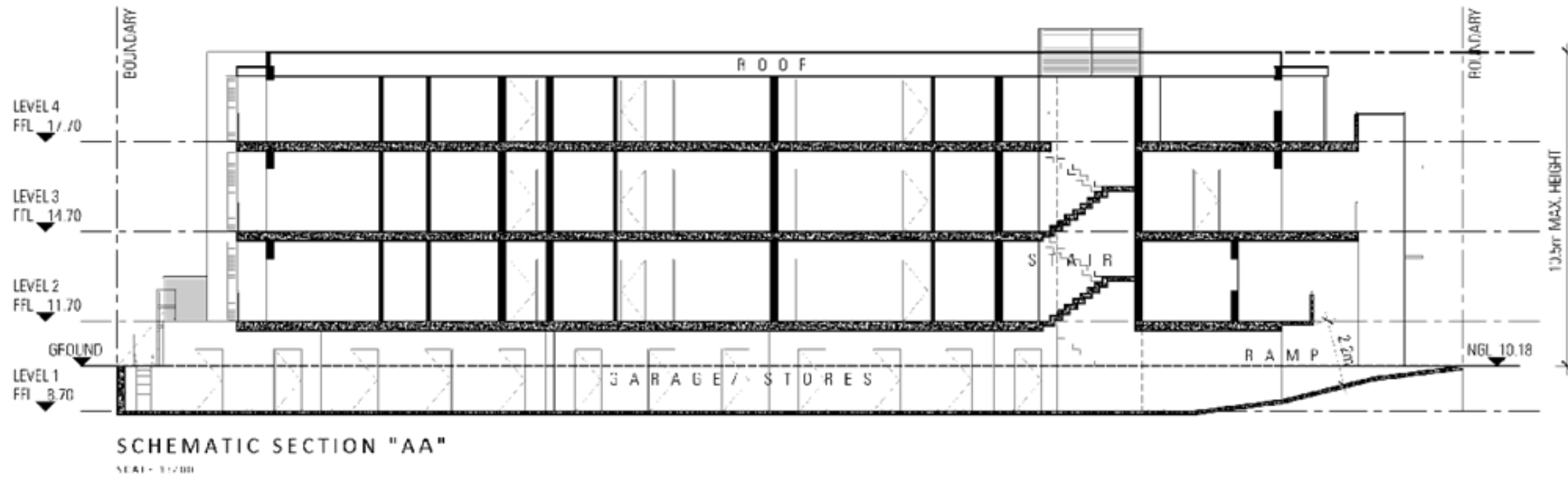
-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
NORTHBRIDGE WA 6003
T 61 8 9227 0900
F 61 8 9227 0600

PROJECT NO. P2014
DATE 25.05.15
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MULTIPLE DWELLING DEVELOPMENT

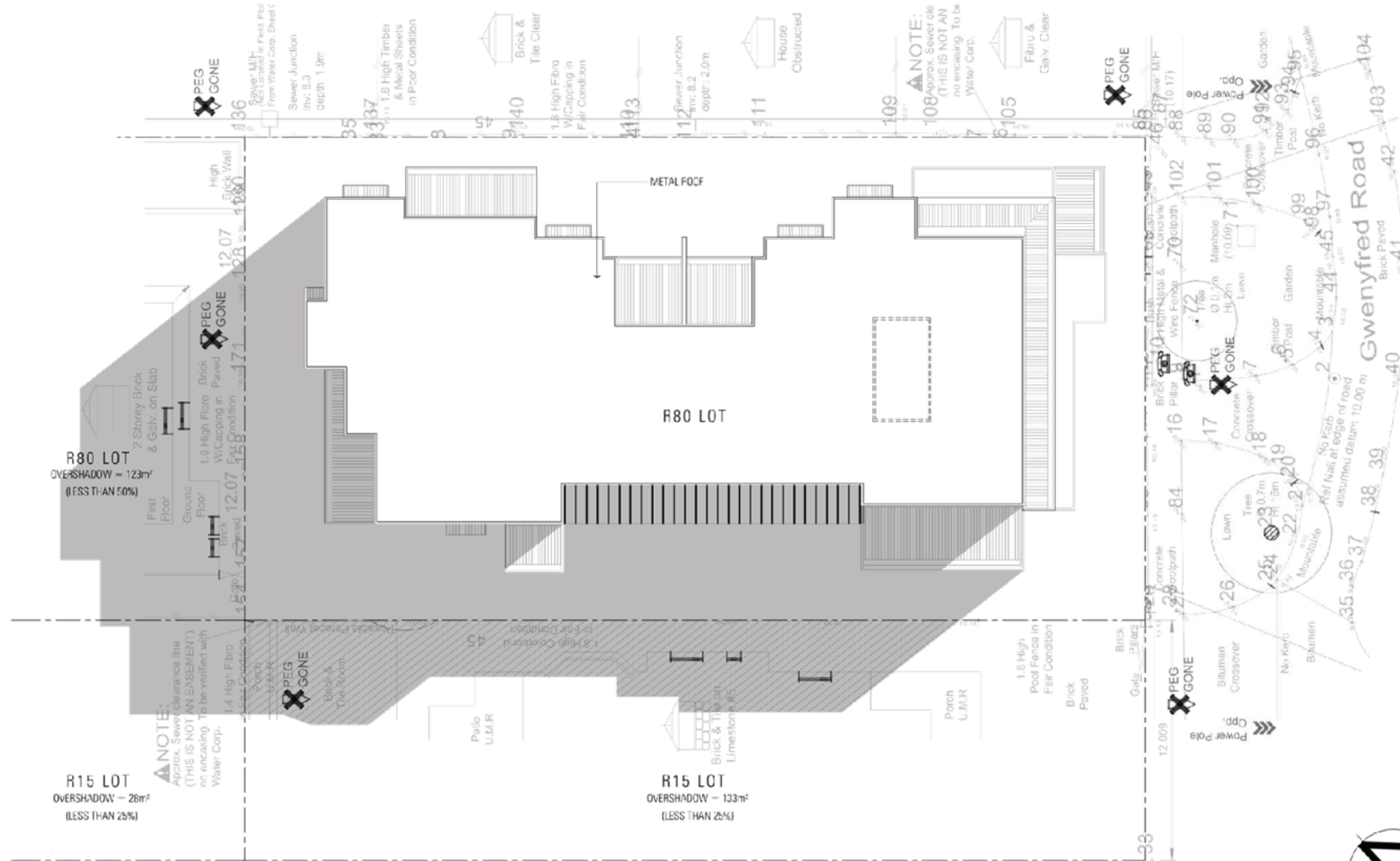
-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MERCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

55 FITZGERALD STREET
KINGSTON WA 6015
T 61 8 9227 0000
F 61 8 9227 0000

PROJECT NO. 9207
DATE 2015
REVISION

THIS IS THE COPY SENT TO THE METRO CENTRAL DEVELOPMENT ASSESSMENT PANEL FOR DETERMINATION. FOR ILLUSTRATION PURPOSES ONLY.



SITE PLAN - OVERSHADOW DIAGRAM
SCALE 1:200
AZIMUTH ON JUNE 21st AT NOON

MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
NORTHBRIDGE WA 6003
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PROJECT NO. P2034
DATE 05.05.15
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VIEW 1

MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
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PROJECT NO. P2034
DATE 21.05.15
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VIEW 2

MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MERCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

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NORTHBRIDGE WA 6003
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F 61 8 9227 0600

PROJECT NO. P2014
DATE 03.06.15
REVISION

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VIEW 3

MULTIPLE DWELLING DEVELOPMENT

-3 GWENYFRED ROAD, KENSINGTON

ZUIDEVELD MARCHANT HUR
ARCHITECTURE PLANNING INTERIOR DESIGN

64 FITZGERALD STREET
NORTHBRIDGE WA 6003
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F 61 8 9227 0600

PROJECT NO. P2014
DATE 12.06.15
REVISION

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PERTH
SYDNEY

Your Reference: 11.2015.310.1
Our Ref: 715-402

3 September 2015

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



Attention: Trinh Nguyen

Dear Trinh,

DEVELOPMENT APPLICATION – LOTS 8 & 9 (NO. 1 & 3) GWENYFRED ROAD, KENSINGTON

I write in relation to the City's letter of the 18 August 2015 requesting additional information regarding the development application for the above mentioned property, and your subsequent meeting and discussions with Eleanor Richards from our office. We are pleased to provide the following information to assist with the City's determination.

The City's letter was divided by dot point into several different issues. Each point is addressed below.

1. Retention of existing verge trees

The City's letter states that with the current crossover design, the existing gum tree in the verge of No. 3 Gwentyfred Road will need to be removed, as the crossover is proposed within 3m of the trunk. The comments received from the public during the consultation period (further discussed below) expressed a strong preference for the retention of the tree, which we agree is a strong feature of the street and worthy of retention. To avoid the need to remove the gum tree the crossover has been reconfigured with a 3m setback now provided to the trunk.

The amendments do result in the crossover being pushed further west, closer to the trunk of the other, smaller tree in front of No. 1 Gwentyfred Road. This tree is much smaller than the gum tree, and would have much less of an impact on the streetscape of Gwentyfred Road if it did need to be removed and replaced, however our preference again is to retain the existing tree, which is likely to be possible as the crossover remains over 2m from the trunk. If the City requires that this tree be removed, it is requested that a condition to this effect be imposed.

2. Public Consultation Comments

It is understood that the City received a number of objections during the consultation period for the proposed development. The concerns raised are addressed in the attached table.

3. Survey Plan and Building Height Calculation

A survey plan has been provided as requested. The building height limit has also been shown on sections AA and BB for clarity.

PERTH OFFICE

Level 7, 182 St Georges Tce
Perth Western Australia 6000

PO Box 7375 Cloisters Square
Perth Western Australia 6850

Telephone +61 8 9289 8300
Facsimile +61 8 9321 4786
www.jpowa.com.au

The Planning Group WA Pty Ltd
ABN 36 097 273 222

4. Street Montage

As requested, a street montage has been prepared to show the proposed development in its street context. Future potential development along Canning Highway is shown indicatively, to demonstrate how this building aligns with the future planning intent for the area. It is important to note that this elevation cannot illustrate the wider site context within which the building sits, including the large, two storey commercial buildings which sit directly opposite the site on the northern side of Gwentyfred Road.

5. Residential Boundary Walls

The R-Codes currently allow for a boundary wall, with a maximum height of 7m and average height of 6m along two thirds the length of a side boundary. The City's Residential Boundary Walls Policy 350.02 replaces the deemed to comply provisions of the R-Codes, stating that boundary walls 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. streetscape character;*
- ii. 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. visual impact of building bulk where the proposed boundary wall is situated alongside an outdoor living area on an adjoining lot; and*
- iv. amount of overshadowing of a habitable room window, or an outdoor living area, 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 or outdoor living area to an equivalent or greater extent than would the proposed boundary wall."*

The Policy goes on to state that 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 (as above), the wall is to be no higher than 2.7m measured above the finished ground level of the adjoining lot, and that boundary walls should generally be setback 6m from the street. The Policy also states that boundary walls will normally only be permitted to abut only one side boundary of a lot, but the City may approve walls on both side boundaries. Where the development site is wider than 12m, walls will only be permitted to abut both side boundaries where one of the boundary walls is set back at least 6m further from the street alignment than the other.

Further discussions with the City have indicated that the boundary wall on the north western side of the building is not considered to be a significant concern, given these properties have a commercial zoning with the same R80 density coding as the subject site, and are likely to soon be redeveloped for the a similar type of development to that proposed on the subject site. On the south eastern side however, the City has requested further justification for the proposed boundary wall given it abuts a lower coded R15 site. This wall is believed to be appropriate based on the following:

- The solid portion of the wall is located completely below the fence height of the adjoining property, being only 1.5 in height. Above that, the boundary wall comprises a translucent glass screen, which will allow light to pass through into the adjoining property, while still providing privacy.
- The wall is well setback from the street at over 8m, behind the main building line and is therefore not anticipated to have a significant impact on the streetscape.
- The boundary wall is not located forward of the adjoining dwelling which is also setback 8m from the street. This section of the adjoining property is also used as a parking area, and it is not anticipated the wall would have a significant impact on the outlook from these properties.

- The boundary wall is not located adjacent the outdoor living area of the adjoining property, which is located at the rear. While the adjoining property does have a series of major openings along this side, the overshadowing arises from the building itself, which is setback over 5m at this point, greater than the minimum setback required by the R-Codes.

6. Overlooking/ Vertical Cone of Vision Diagrams

The plans have been amended to show screening to the south western side of the balconies of the rear units, and the north western side of units 2, 8 and 13 to fully comply with the deemed to comply provisions of the R-Codes on these balconies. On this basis it is understood vertical cone of vision diagrams are not required.

7. Driveway Gradient

The City's letter requests that the applicant prepare and submit a letter which acknowledges responsibility for any access difficulties that may arise, without any future recourse to the City of South Perth. The developer is happy to prepare such a letter and we request that a condition to this effect be placed on the approval.

8. Car Bay Dimensions

The City's letter requests further information demonstrating that the car parking dimensions comply with the relevant Australian Standards. Additional clarification has been sought from the City's Engineering Department and it is understood the City is now satisfied that the development will be able to comply with the relevant standards. No changes to the plans are therefore proposed in this respect.

9. Visitor Parking

The City's letter requests that an additional bay be provided as visitor parking, to fully comply with the deemed-to-comply provisions of the R-Codes. The provision of visitor parking is discussed in the table attached to this letter.

To accommodate additional parking, we will construct an embayed car park in the verge in front of No. 1 Gwentyfred Road (where on-street parking is currently precluded), in the same location as the crossover which is to be rationalised under this proposal. Clause 6.3.3 of the R-Codes allows for consideration to be given to the ability of on-street parking, including whether such parking is located sufficiently close to the development and convenient for use by residents and/or visitors, and it is considered that the embayed parking achieves this objective.

10. Overshadowing

The overshadowing diagram submitted with the development application takes into account the 'azimuth' of the sun measurement, i.e. the angle from true north at which the sun actually sits, and therefore represents a more accurate measure of the actual overshadowing that will occur than if the measure was taken from magnetic north. Given the R-Codes state that buildings "...shall be so designed that its shadow cast at midday, 21 June onto any other property..." does not exceed certain limits, it is considered that this is the measurement that should be applied. This overshadowing represents less than 25% of the adjoining site area which is compliant with the relevant R-Code requirements.

11. Green Building Design

The City's letter requests confirmation that the building will comply with the sustainability requirements of Policy P350.01, including meeting a 4 Star Green Star rating or equivalent. Further correspondence from the City has indicated that the City would be prepared to accept a condition to this effect, and we therefore propose that the following condition be placed on any approval:

Prior to the issue of a building permit, the owner is to submit to the Council a copy of documentation from the Green Building Council of Australia or an appropriate alternative sustainability report certifying that the

development achieves a Green Star rating of at least 4 Stars or an equivalent determined appropriate by the City.

12. South East Elevation

The City's letter requests amended plans to show the windows to bedrooms of units 3, 4, 9, 10, 15 and 14 on the South East elevation plans. This inconsistency was an oversight due to the windows largely been screened, and the plans have now been updated as requested.

13. Proposed Boundary Fencing

The City's letter requests further information with respect to the proposed boundary fencing, stating that open style, slat fencing is not acceptable and solid fencing is required. Open slat fencing was proposed along the northern western boundary, however the spacing on the slats can be reduced via a condition of approval should the City determine solid fencing necessary.

14. Photographic Record of Building

The City's letter states that the City will require the submission of a detailed digital photographic record of the building prior to demolition. The owner has no objection to preparing such a record and submitting it to the City prior to demolition works commencing and we anticipate a condition to this effect would be placed on any approval issued for the development of the site.

Plot Ratio and Setbacks

Further advice from the City has indicated that the City has concerns about the plot ratio and setbacks proposed by the development. It is understood that the potential impacts on the property to the south east of the subject site are of particular concern. The development does indeed propose a variation to the deemed to comply provisions of the R-Codes with respect to plot ratio (1:1 or 1,088m²), proposing some 1,316m² of plot ratio area, representing a plot ratio of 1,21:1. The corresponding design principle allows discretion to vary these requirements, if the bulk and scale is in accordance with the local planning framework and is consistent with existing or future desired built form of the locality.

TPG's original submission report contained justification for the plot ratio and setback variations sought. This notwithstanding, since the application was lodged, the WAPC has released Planning Bulletin 113/15 which among other matters provides guidance with respect to granting variations to the multiple dwelling standards, in particular plot ratio. The Planning Bulletin encourages local government to prepare and implement a local planning policy to appropriately deal with multiple dwelling development proposals seeking variation to the R-Codes 'deemed-to-comply' standards, and states that the WAPC supports a maximum plot ratio bonus of 25 per cent for R30 to R80 codes, with which this development complies.

With respect to boundary setbacks on the south eastern boundary, the deemed to comply provisions of the R-Codes require a 4m setback for majority of the building wall (excepting that portion which is permitted to abut the boundary as discussed under point 5 above). This application exceeds this requirement with a 5m setback along the majority of the wall, excepting a portion towards the front of the site, and the stairway at the rear that are both setback at 2.5m.

In considering whether the City should vary the deemed-to comply provisions of the R-Codes with respect to plot ratio and the south eastern side setback we request that the following be taken into account:

- If the plot ratio on the two lots were calculated separately, the plot ratio area on No. 3 Gwentyfred Road (where the property adjoins the lower coded R15 area) is some 566m², which represents a plot ratio of only 1,04:1 on that site, which is only a very minor variation. With the development taking place over two sites, the plot ratio area is pushed towards the north western side of No. 3, much further away from the adjoining residential property than would be the case if just the one site was to be developed, such as under the previous proposal recommended for approval by the

- It was suggested that visual relief be provided for two largely blank large walls. These walls are noted to face the side boundaries and would be visible from the street.
- The Advisory Consultants were supportive of the side setback variations, as the building's design was observed to assist in providing articulation to the neighbouring properties and has a positive contribution to the streetscape.
- The development was observed by the Advisory Consultants to be designed to mitigate impacts upon the neighbouring properties, by design elements such as the provided street setbacks and the submerged garage.

To address the third point raised by the DAC, additional highlight windows have been provided to the walls along the south eastern side of the building. The other comments made by the DAC are supportive of the development, and indicated that the DAC considered the overall building form and setbacks to be appropriate for the area, and represent a good outcome for the development of the site.

Thank you for the opportunity to respond to the public submissions and the City's concerns. Based on above information, and the positive response to the application from the City's DRP, the proposed development is considered to be a positive overall contribution to the area and worthy of approval.

Should you have any queries or require clarification on any matters please do not hesitate to contact Eleanor Richards or the undersigned on 9289 8300.

Yours sincerely

TPG TOWN PLANNING, URBAN DESIGN AND HERITAGE



David Read
Director

| Issue Raised | Response |
|--|--|
| <p>Car Parking and Traffic</p> | |
| <p>1 The proposal does not appear to adequately cater for parking to the residents and guest leading to overflow parking onto the street. The problem is amplified 8.5 times compared to what it was before. This will lead to significant on street parking further increasing the traffic hazard on Gwennyfred Road between Canning Highway and Second Avenue (possible Third Ave). This is most unacceptable from a road safety perspective. The traffic will also significantly increase at already busy nearby intersections, including Berwick St/Second Ave.</p> | <p>The proposed development provides 30 designated residential bays, substantially exceeding the 16 bay minimum required under the deemed-to-comply provisions of the R-Codes. There is a very minor 0.25 bay variation to the deemed-to-comply requirements in relation to visitor car parking. To accommodate additional parking, we will construct an additional embayed car park in the verge in front of No. 1 Gwennyfred Road, in the same location as the proposed defunct crossover. Clause 6.3.3 of the R-Codes allows for consideration to be given to the ability of on-street parking, including whether such parking is located sufficiently close to the development and convenient for use by residents and/or visitors, and it is considered that the embayed parking achieves this objective. The amount of traffic arising from the development is not considered to be significant in the context of the street, which already includes commercial and large grouped housing developments with significant amounts of car parking. The number of bays provided allows for the majority of dwellings to have two bays, though in many cases residents may only have or regularly use one car. The proximity of the City and various bus routes means it is likely that many residents would not utilise their car on a daily basis, further reducing the number of vehicle movements each day.</p> |
| <p>2 The subject property is located at the most narrowest point of Gwennyfred Road being a single lane entry/exit to reduce speed of traffic and to prevent use of this road unless necessary. Creating 17 dwellings with at least 2 adults per townhouse will create a dangerous and obstructive driveway, will create at least 30 more cars accessing this road and reduce the already limited street parking along Gwennyfred Road.</p> | <p>Refer to point 1 above. With regards to the narrowness of the street at this location and the ability for it to accommodate the traffic generated by the development, the number of movements arising from the development is anticipated to be quite low given only 34 bays are provided in the basement. The narrowness of the street at this location is a result of the chicane which has been installed as a traffic calming measure to help slow down traffic and reduce the incentive for vehicles to use this street as a short-cut to Berwick Street, which the submissions identify as significant issues. The chicane will encourage vehicles entering and exiting from this development to slow down, making access and egress safer.</p> |
| <p>3 The street is too narrow at this location to cope with this entry exit of traffic, especially with the limited visibility due to the ramp access. The section of the Gwennyfred Road directly at the proposed development is a single lane controlled section aimed at reducing the speed and level of traffic that moves through the street. The proposed development is not appropriate for this location. Further, an extraordinary number of vehicles (including trucks and buses), from outside the area, take short-cuts thru Gwennyfred Road and side streets to get to Berwick Street. Gwennyfred Road is treated as a Secondary Street to Berwick Street with Emergency Services Vehicles (Police, Ambulance, Fire Brigade), also compounding the problem.</p> | <p>Refer to point 2 above.</p> |

| Issue Raised | Response |
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| 4 Visitor onsite parking is not accessible - behind closed gates. Parking configuration is not practical - double parking in a confined area. | The visitor parking will be accessed via an intercom, which will allow for visitors to be buzzed into the car parking area by the residents they are visiting. Each tandem bay will be delegated to one apartment, and occupants will manage this arrangement within their own households. All manoeuvring areas are within the basement level, so any wait times associated with accessing the tandem bays will be contained on site. |
| 5 Parking in the verge should not be supported as this will impact on the streetscape and cause stormwater and traffic issues. | One visitor car bay is proposed in an embayed parking bay, in front of the existing crossover to No. 1 Gwentyfred Road, which is to be removed by this application. Given there is an existing crossover in this location it is not anticipated there would be any significant impact on the streetscape or stormwater runoff. Being embayed parking it is also not anticipated to impede traffic flow, and may assist in slowing cars down. |
| 6 The removal of a large tree to allow parking on the verge at the narrowest point of Gwentyfred Road is unathormable and unacceptable. If there isn't room on the property for vehicles, then don't exacerbate the serious and existing traffic issues. | The application does not propose to remove either existing street tree. Refer to point 1 above. |
| 7 The proposed internal car bays at an absolute minimum width making them difficult to use and thereby discouraging their use. I want a traffic survey done by the developer. | All bays have been designed to comply with the Australian Standards, and are therefore considered to be perfectly adequate for use, particularly by permanent residents who will be familiar with the design of the parking area. Refer to point 2 above. |
| Building Height, Bulk Streetscape and Context | |
| 8 The appearance of the proposed construction is not consistent with that of dwellings in the immediate surrounding area. This presents an unsightly change to the streetscape and adversely affect the feel of the street and suburb which was the reason my family and many others for moving into Kensington. | The subject site has been zoned R80 pursuant to the City's Scheme and is therefore clearly intended to be developed for a different form and scale of development than the single storey dwellings along the remainder of this side of Gwentyfred Road. It is noted that the opposite side of Gwentyfred Road has been almost entirely developed for grouped dwelling developments, and comprises a predominately two storey built form. The proposed development is intended to provide an interface between future, higher density mixed use and commercial development along Canning Highway, and the residential development beyond. |
| 9 There are many large significant trees on the public verge in front of 1-3 Gwentyfred Road. These should not be removed or interfered with. This will negatively impact on the streetscape. Additionally, these trees do not allow good clear driveway access to the subject property. | The existing trees, particularly the large gum tree, form an important part of the streetscape and the proposed development intends to ensure these are retained. The trees are not so large as to impede vision from the driveway and clear access is maintained. |
| 10 We purchased number 9 as all properties along this side of Gwentyfred Road are single dwellings. There is not one medium/high density development located on the southern side of this street. There are no four-storey buildings in Kensington and the vast majority of residents wish to retain the character, integrity and historical value of their homes by remaining low to medium density. | Refer to point 8 above. The proposed building is three storeys in height only and the subject site is coded R80, where multiple dwelling developments such as that proposed are entirely appropriate. The proposed height is completely within the building height limits set by TPS6 for the subject site, and is considered to well align with the vision for the site established under the relevant planning framework. |

| Issue Raised | Response |
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| 11 We believe this proposal is over-scale in terms of excessive bulk plus the size and number of units and is not compatible with the existing built environment | Refer to point 8 and 10 above. |
| 12 The block to Second Avenue in both Gwentyfred Road and Lansdowne Road would all be affected adversely by this development, through loss of amenity due to increased traffic and noise, parking problems, a reduction of fauna and flora and would unduly undermine the historical value of the mainly character homes. | Refer to point 2, 8 and 10 above. |
| 13 The bulk and scale of this development is vastly out of proportion to neighboring R15 properties. Gwentyfred Road is predominately comprised of single residential buildings, particularly on the southern side. The proposed multiple dwellings will not be consistent with the streetscape. There are only thirteen (13) dwellings on the south side of Gwentyfred Road to Second Avenue where this proposal is intended. All of these dwellings are R15, single residential and cover the entire road over George Street and up to Kent Street High School. Seventeen (17) units is simply too many in such a low density area. | Refer to point 8 and 10 above. The development does seek a minor variation to the proposed plot ratio of the R-Codes, with the development proposing some 1,316sqm of plot ratio area, being an additional 228sqm than what the deemed to comply provisions of the R-Codes would allow. This additional bulk is largely located on No. 1 Gwentyfred Road, away from the lower coded area. The development is under the maximum permissible height of the Scheme, exceeds the front setback requirements of the R-Codes, and along the majority of the length of the south east boundary, exceeds the requirements of the R-Codes and is therefore considered to be appropriate for the subject site. |
| 14 The proposed dwellings do not comply with Clauses 7.5(i) and (n) of TPS6 or Policy P302 'General Design Guidelines for Residential Development', particularly with regard to the dwelling type, the modern architecture, and building bulk and scale | Refer to point 8 and 10 above. Streetscape compatibility and general amenity considerations are addressed in TPG's original submission report (page 25 in particular). Policy P302, is a general policy for all residential development in the City of South Perth which generally just requires compliance with the City's Scheme (including the building height limits with which the development fully complies) and other policies. |
| 15 The approval of this application will lead to a domino effect leading to the demise of the character of the street | Refer to point 8 and 10 above. The subject site has a very different zoning to the remainder of Gwentyfred Road, and will therefore not form a precedent for further development along the street. |
| 16 This proposal is over-scale in terms of excessive bulk and is not compatible with the existing built environment. | Refer to point 8,10 and 13 above. |
| 17 This proposed development conflicts with Clause 1.6 (2) "scheme objectives" Objective F of the City of South Perth Town Planning Scheme No.6, "safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development." | Refer to point 8,10 and 13 above. |
| 18 The proposal for the semi-below ground basement car park results in an artificial ground floor level 1.52m higher than the surrounding properties. The proposed 1.52m high retaining wall with an additional 1.6m screen on top will result in a 3.12m high wall directly on the boundary of 5 Gwentyfred Rd adjacent to the primary living spaces and outdoor entertaining space of the existing residence. This wall height is almost as high as our current house. This will significantly impact the amenity, privacy, and enjoyment of the existing residence. The proposed boundary wall will have a negative impact on | Refer to point 8,10 and 13 above. The impact of the boundary wall specifically is addressed in the letter to which this table is attached. The wall is believed to be compliant with both the R-Codes and the general provisions of the City's Boundary Wall Policy. |

| Issue Raised | Response |
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| the view from habitable rooms and the front and back yards of our property | |
| 19 I believe that the proposed development does not meet the objectives of the Kensington Precinct Plan by failing to 'preserve or enhance the streetscape character & the bulk & scale is not compatible with the streetscape'. | Refer to point 8,10 and 13 above. |
| Plot Ratio | |
| 20 There are only thirteen (13) dwellings on the south side of Gwentyfred Road to Second Avenue where this proposal is intended. All of these dwellings are R15, single residential. Indeed, the entire road over George Street and up to Kent Street High School on this side are all R15, single residential. Seventeen (17) units is simply too many in such a low density area. We could also find no mention of the size of these units which given the small land area of 1088 square metres would of necessity require to be small. The potential for crime to increase is significant and the mental health of residents of these units could be in jeopardy | Refer to point 8,10 and 13 above. The dwelling sizes are compliant with the R-Codes, and the objectives of the strategic planning framework including Directions 2031 and Beyond, which encourages and requires the provision of a diverse range of housing options to cater for a range of different occupants, including younger people and downsizers wanting to remain close to their existing networks. There is no evidence that the development would result in any increase in crime or mental health issues. |
| 21 Although individual unit areas are not noted in the plans we believe that 17 units on 1088m2 does not meet the r-code requirements for R80 in regards to plot ratios given that the units will need to be an average of 64m2. | Refer to point 13 above. |
| 22 17 dwellings would replace two current dwellings which means that the it would increase the density by 750%. This is not only disproportionate increase to the density in the area. | Refer to point 8,10 and 13 above |
| Building Setback | |
| 23 On the south side of the proposal it appears that there is no set back whatsoever, which is right next door to single residential. We believe a compliant set back on this side is essential. The upper level seems to face the single residential homes rather than Canning Highway which would at least restrict some visual and noise pollution. | Refer to point 18 above, the nil setback is contained almost entirely below ground or below the fence height of the adjoining neighbour. The upper levels face the street and Canning Highway rather than the single residential homes, with a screened walkway only providing along the south eastern side of the building. |
| 24 The setbacks are insufficient, having regard to the adjacent lower density dwellings. | Refer to point 18 above with respect to the boundary wall. The upper level setbacks exceed the 4m setback requirements for the majority of the length of the boundary, with a setback of over 5m for the majority of the building, allowing for more articulation and less overshadowing of the sensitive private open areas at the rear of the building than a compliant 4m setback. Minor variations are proposed only for small sections to the front of the dwelling and to the stairwell at the rear. The reduced setbacks at the front of the building are essentially for two storeys only (as viewed from the street), allow for a strong streetscape appearance and also reinforce the established side setbacks along Gwentyfred Road. |

| Issue Raised | Response |
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| 25 The proposed boundary wall will have a negative impact on the view from habitable rooms, and the front and backyards of the adjoining property. | Refer to point 18 above. |
| Visual Privacy | |
| 26 Visual privacy has not been adequately addressed. | Overlooking concerns have been addressed through the installation of screening devices to the upper levels of the building. The proposed communal deck and walkway adjacent to the south-eastern boundary are to be fitted with a 1.6m translucent glass balustrade running the length of the boundary which will obscure sight lines to adjacent residential properties, in accordance with the deemed-to-comply requirements of Clause 6.4.1 of the R-Codes. |
| 27 The location of the proposed communal deck area 1.52m above and directly adjacent to the habitable rooms of 5 Gwentyfred rd will negatively impact on the amenity and privacy. The addition of a 1.6m glass balustrade will offer no additional privacy. Can you imagine the noise level if a number of people decide to use the communal deck area which is immediately adjacent to our main bedroom and living areas. This should be sited away from existing properties (i.e. onto the Canning Highway side). | Refer to point 26 above. The glass balustrade/ screen is translucent glass, which will allow light into the neighbouring property but inhibit any overlooking. |
| 28 The open walk ways facing on to 5 Gwentyfred rd will have a significant impact and overlook on the habitable spaces of the existing residence. The security lighting from these open walk ways at night, whether they are permanently on or sensor activated, will shine into the habitable rooms of the existing residence. The noise levels of people arriving and leaving doors opening and closing from these open walk ways will also impact adjoining residence, with both general thorough fare and entertaining noise levels occurring at any time. | The walkways are screened (exceeding the overlooking requirements of the R-Codes which do not require screening) to stop overlooking. It is anticipated the City would impose a condition on any approval requiring a lighting plan to be submitted to the City prior to the submission of a building permit, which would incorporate low spill lighting. |
| Overshadowing | |
| 29 The proposal will impose on the neighbors' dwellings and result in overshadowing of these properties, resulting in dark and un-inviting living spaces. | The proposed development is compliant with the deemed-to-comply requirements of the R-Codes by ensuring the shadow cast onto adjacent properties from the development does not exceed 25% of the site area of the adjacent property. |
| 30 This proposal would severely affect neighbouring single story, or even double story, residents by restricting access to sunlight, which would detrimentally impact the use of solar power. | Refer to point 29 above. |
| 31 Assuming the developer has calculated the overshadow of 5 Gwentyfred Rd correctly 133m ² of a 544m ² block is 24.4% and very close to exceeding the r-code limits (will this be thoroughly checked by council) as this will significantly impact the existing building as all of the shadow impacts the main habitable spaces (2 living rooms and the master bedroom) and will severely reduce the amount of natural sunlight through these windows. Particularly in winter months where no sun will reach these windows at all. | Refer to point 29 above. With special reference to the south-eastern boundary, portions of the building adjacent to living areas on the neighbouring property have been setback an additional 1.0m from the stipulated 4.0m minimum (excepting the stairwell) to ensure adequate daylight access. Whilst the balustrading will obscure sight lines to the property, its translucent nature will allow daylight to permeate to the southern property. |

| Issue Raised | Response |
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| 32 4 storey development will remove the afternoon sunlight from at least all the homes along this side of Gwentyfred Road and those behind in Lansdowne Road - all the way to Second Avenue intersection. | Refer to point 29 above and the overlooking plans submitted with the application. The overshadowing will not have anywhere near this level of impact on adjoining properties, and this comment is incorrect. |
| Design | |
| 33 There does not appear to be any outdoor clothes drying areas. We believe in our climate this should be essential. | The R-Codes do not require the provision of outdoor drying areas, but just require that any such areas be screened from view from the street. Each dwelling will be provided with a mechanical clothes dryer, though it is envisaged that most residents would use a clothes horse or similar. |
| 34 There is little space remaining on the lot that is not built form for vegetation. | Landscaping areas across the development are maximised, including greater front setbacks along the eastern corner of the development to allow for more soft landscaping. The proposed landscaping is believed to be consistent with what could reasonably be expected for an R80 development. |
| 35 Unsustainable redevelopment. | Maximising the provision of higher density developments in appropriate locations is a key consideration to reduce urban sprawl and encouraging the use of alternative transport options. The development itself has been designed with north facing outdoor areas where possible, to allow for access to northern winter sunlight. Shading along the north western elevation is provided through the use of deep balconies and awnings for the summer months. Single depth units and the open walkways to the south also provide excellent opportunities for cross ventilation minimising the reliance on mechanical cooling. Landscaping will be designed as low water use with further detail to be provided prior to a building permit being sought. Landscaping areas have been minimised and there are no water features or pools proposed from which evaporation constantly occurs. Natural ventilation to the carpark will reduce reliance on electrical systems. |
| 36 Lack of adequate landscape. Landscaping does not demonstrate that it contributes to the streetscape and is predominantly hard landscape. | Refer to point 34 above. |
| 37 Rainwater collection / disposal not shown on plans. Where does the rain water go? Where are the soak wells or maybe it's to be flooded out into the street? | Stormwater disposal will be dealt with at the Building Permit stage and it is anticipated the City will impose a condition to this effect. It is likely that stormwater will be retained on site through the use of soak wells. |
| 38 All existing trees on the site are going to be removed! Does the proposal fail to demonstrate compliance to Local Planning Policy P350 relating to tree retention. | Policy 350.5 outlines the City's intent to preserve mature trees where possible. Trees within development sites are required to be retained only where they will not unreasonably prejudice the development of the site. This application requires the removal of all trees on the subject site, but allows for the retention of the significant gum tree in the verge, and the development is believed to fully comply with the requirements of Policy 350.5. |

| Issue Raised | Response |
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| 39 There is not enough room for large cars, 4WD, trailers etc. to maneuverer within the compound. | Refer to point 7 above. |
| 40 Our neighbourhood street will be overcrowded, traffic congestion, open environment destruction and overdevelopment by a massive concrete and glass ugly structure. | Refer to comments above. |
| Property Prices | |
| 41 This development could conceivably have an adverse Economic Impact on neighbouring properties. | It is not understood what particular component of the development this concern is in relation to, however a general comment in relation to property prices in provided under point 42 below. |
| 42 The proposal will result in a loss in property values. | The potential loss of property values is not a relevant planning consideration. This notwithstanding, the proposed development is not envisaged to have any adverse impact upon property prices in the area being a high quality building designed by architects Zuideveld Marchant Hur, located on a street which already contains a series of commercial buildings and many grouped housing developments. |
| 43 The proposal will lower house prices in the area as people buy into Kensington for its single residential appeal (ideal for families). | Refer to point 42 above. It is again noted that this development is located on an R80 zoned site and multiple dwelling development is highly consistent with that vision. |
| 44 The proposed development will have a severe negative impact on the saleability of surrounding properties. | Refer to point 42 above. |
| General Comments | |
| 45 Fictitious future built building shown on both sides. Realistically no one would invest building a 2 storey house on a R15 zoned block next to this development - it would be a dud investment, throwing money down the drain. The building on the northern block may never be built. | These diagrams are intended to demonstrate how the proposed development fit within the future vision for development in the area. |
| 46 Increased noise from additional people living in the locality. | The proposed development is residential in nature and the level of noise would be commensurate with the residential amenity of the area. |
| 47 I am also concerned about how it would be possible to accommodate 34 rubbish bins on this site and where they would be located and accessed during rubbish collections. The plans only show accommodation for 16 rubbish bins and we wonder where the additional 18 rubbish bins will be located. The addition of 34 Rubbish bins on the street verge (is this possible?) during rubbish collection day at a traffic slow point will only exacerbate traffic congestion and safety risks. | The number of bins provided accords with Council's waste requirements. |
| 48 The floor levels annotated on the plans are inconsistent between the floor plans and the elevation diagrams. This is misleading and makes it very hard for us to understand the | Noted. This was an error, which has been corrected on the revised floor plans. The levels shown on the elevations remain correct. |

| Issue Raised | Response |
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| <p>proposed development and offer correct comments. What else has been incorrectly calculated, annotated or reported in this proposal?</p> | |
| <p>49 The void over the garage directly adjacent to 5 Gwennyfred Rd will result in exhaust fumes and vehicle noise from 34 cars being blown into our property via the prevailing south westerly winds. This will adversely affect the amenity of our property.</p> | <p>The void allows for natural ventilation, reducing the need for fans and the like which can cause noise. Any exhaust fumes and vehicle noise is anticipated to be low.</p> |
| <p>50 A number of the units in the plans don't show air conditioning fixtures. Where will these fixtures be located? Will there be an impact to the surrounding properties and the ambient noise levels.</p> | <p>The final location of air-conditioning units will be resolved at the building permit stage and will be located away from adjoining neighbours where possible.</p> |
| <p>51 Invasion of privacy and noise, plus the possibility of anti-social (crime) behaviour, are issues of real concern.</p> | <p>Refer to points 26 and 46 above. There is no evidence that the development would result in any increase in crime.</p> |
| <p>52 Where will the children play?</p> | <p>Multiple dwelling developments provide an alternative living option that is typically (though not always) taken up by young couples, singles, retirees who often don't have children. There are many nearby parks and other recreation areas nearby to provide recreation opportunities for all occupants including children.</p> |
| <p>53 Reliance on air-conditioning (not sure where they are going to put these, there is no heating or cooling on the plant) and use of outdoor and potentially noisy condenser units on balconies or exterior walls facing adjacent dwelling and the vehicles coming and going noise will reverberate added with the loss of visual and sound privacy between tenancies. The noise transference will prove to be horrendous for all tenants and surrounding private homes!</p> | <p>Refer to point 50 above.</p> |

Application for Planning Approval Requiring Engineering Comments



| | |
|---|-----|
| GENERAL COMMENT: | Yes |
| VEHICLE MOVEMENTS: | Yes |
| ONSITE PARKING: | Yes |
| STREET TREES: | No |
| CROSSOVER DESIGN: | Yes |
| VERGE TREATMENTS: | No |
| GROUND LEVELS: | No |
| LOWEST POINT OF STREET: (DRAINAGE ISSUE) | No |
| BUS STOP RELOCATION: | No |
| OTHER: | No |

ENGINEERING COMMENTS IN RELATION TO ABOVE:

General Comment

Vehicle parking is provided in an undercroft garage serviced by a double width ramp. Ramp gradients are at the maximum recommended grades at 1:12 and 1:4 respectively (AS2890.1). The algebraic grade change is 16.5% on the ramp. However at the interface with the footpath the "summit grade change" at 15% exceeds the recommended grade change that ensures the underside of the vehicle does not scrape on the ramp. The ramp grades are outside of the requirements of TPS 6 i.e. the first 3.6 metres to be at a gradient of 1:12 and 1:8 thereafter. The City will require some statement from the Applicant acknowledging the fact that the ramp does not satisfy the requirement of TPS 6.

As a residential development of 17 dwellings (referred to as a low vehicle volume development) the peak hour generation of movements will be considerably less than the number of movements typically serviced by a two lane driveway. A combined movement of 30vph or more would result in two vehicles needing to pass (at some time in that hour) and a ramp/driveway width of at least 5.5 metres would be expected. With the crossing being restricted in width to the minimum of 3 metres to maintain a clearance around the verge tree as determined by City Environment (nominally 3metres clearance) the excess width in the ramp could be marked as a shared area for cyclists and pedestrians.

Car Parking Layout

The plans as submitted do not provide any dimensions for the bay modules. There is every reason to believe that the bay module would satisfy the requirements of AS2890.1 at 2.4 metres width, 5.5 metres length and a central aisle of 6 metres. Provision has been made:

- at the columns for extra width/clearance between bays;
- to position the columns towards the rear of the bay and away from any door opening; and
- for the additional one metre length in the "blind aisle".

The parking bay module in TPS 6 is only marginally wider at 2.5 metres. There are no issues with the layout that meets the minimum requirements as recommended in AS2890.1.

Property Line/Boundary Level

The Property Line/Boundary Level is set by the existing footpath and is not to be altered to accommodate the development unless it is determined otherwise by Engineering Infrastructure.

Stormwater Drainage Design Requirements

The development is located within the South Perth Drainage Precinct and classified as a Type 2 Residential Building as defined in *Policy P354 (Stormwater Drainage Requirements for Proposed Buildings)* and *Management Practice M354*.

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A separate stormwater disposal application is required to detail all conditions relating to the design and installation of stormwater apparatus, as well as a Certification from the designer that the treatment satisfies contemporary standards and/or the requirements of the Management Practice.

The general principle that applies to developments within this precinct and the City generally is that all stormwater falling on the site is collected, contained and disposed on site.

Trees on private property

Existing trees are being removed for the development, and a requirement of the new development should be the planting of a new tree within the property, with a minimum mature canopy of 3-4m diameter. Location and species of this tree should be indicated on the plan.

Crossing

The proposed crossing is located at the eastern end and start of the slow point. The slow point extends across the full frontage of the combined lots.

The crossing is required to be:

- located at the specified distance from the trunk of the street tree, and will be not less than 3 metres in width nor greater than 4.5 metres;
- will be a right angles to the footpath and in line with the ramp/driveway;
- constructed in concrete with the apron curved to maintain the continuity of the slow point. The apron will be constructed with a "lip" not greater than 25mm above the gutter level;
- at least 125mm above the gutter level at 300mm and 150mm at 500mm from the face of kerb;
- constructed with the path section through the crossing be retained in concrete and clearly defined as being continuous; and
- generally in the form of the crossing as defined in the Policy P353 and Management Practice M353. The radius turnouts will be as determined by Engineering Infrastructure on receipt of the "Crossing Application Form".

As with the stormwater approvals a crossing application must be submitted and approved by Engineering Infrastructure prior to construction. The crossing will be checked for compliance during and post construction.

Planning Approval or the subsequent issuing of a Building Permit by the City *is not* consent for the construction of a crossing. As described in Management Practice M353 a 'Crossing Application' form must be formally submitted to Infrastructure Services for approval prior to any works being undertaken within the road reserve.

Please see the link below to reference the above mentioned management practices:

<http://icosp/SitePages/Governance-Management-Practices.aspx>

| | | | |
|-------|--|-------|--------------|
| Name: | LES CROXFORD Manager Engineering Infrastructure | Date: | 23 July 2015 |
|-------|--|-------|--------------|

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ENGINEERING COMMENTS IN RELATION PROPOSED CAR PARK IN THE VERGE IN FRONT OF NO. 1 GWENYFRED ROAD:

See Engineering Infrastructure response to the original proposal (10 January 2013). In essence the development as proposed at that time could not be supported without substantial changes to the traffic management measure. The development was subsequently modified (considerably modified) to retain the existing crossing location to #3 Gwentyfred Road which then largely removed the need to modify the "slow point":

"Possible retention of current crossing

If an approved redesign of the internal structures leads to the retaining of the existing crossing location, upon review by Engineering it would be anticipated that the Traffic Management Device could be largely retained in its current form."

Also referenced in that response was the Proposed Verge Parking. The intent of the EI response was unrelated to crossing location but to the traffic management measure: *"The proposed formalised verge parking arrangement in this location is not permitted and due to the possible road safety ramifications it must be presumed by the Developer that no formal/informal parking of any description will be permitted within the road reserve abutting the property. As a result of this finding any statutory requirements relating to the number of required parking bays must be fulfilled within the property".*

The Cities Street Verges Policy P210 states in part: *"The City's preference is for verge treatments to be predominantly planted lawn and/or garden, however other treatments such as brick paving and synthetic turf may be approved in certain circumstances (refer to Street Verge landscape Guidelines)".*

Brick paving or other hard stand for the purpose of establishing a verge parking bay would not normally be the circumstance intended above.

The Guidelines referenced in the Policy (Greening Streets – Street Verge Landscape Guidelines – part only) details the requirements:

"Approval for Paving or Other Hardstand and/or Synthetic Turf

Trees can be severely damaged by soil compaction, damage to their roots, 'collar rot' and lack of water and nutrients. Our street trees are a valuable asset that need to be protected. In order to protect our street trees, and aid stormwater management, the following verge treatments require individual assessment by the City.

These treatments require a written application to the City. They must NOT be installed PRIOR to receiving written approval by the City.

Paving

- *Public amenity and streetscape aesthetic will be taken into account as part of each assessment.*
- *Paved areas should not provide formal verge parking, unless approved in writing by the City.*
- *Verges cannot consist of more than 50 per cent of hardstand area. This includes driveway crossovers + footpaths + all hardstand materials including concrete, asphalt, paving, and synthetic turf. (The exception is for verges of less than 1.5 metres wide, not including the width of the footpath; and isolated remnant portions of verge less than 6m²; where it is not practical to maintain a natural lawn or garden)."*

The City has not approved paving of a street verge for the parking of vehicles. The City as part of traffic calming works have paved a portion of a street verge to replace off

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street parking lost as a result of retrofitting the traffic measure to the street. The City has also enabled the widening of the road carriageway to accommodate a street parking bay. In this location it would a complete redesign of a very effective entry and slow point.

The plans as submitted marked the crossing to former #1 Gwenyfred Road "*to be removed*" as it no longer provides access to the property and therefore redundant. This is consistent with the Local Law that requires all redundant crossings to be removed.

If the expectation is to widen the slow point to accommodate a parallel to kerb on street parking bay then EI will require a more detailed plan of the variation before approval could be considered.

Application for Planning Approval Requiring Engineering Comments



| | |
|---|---|
|  MEMORANDUM | |
| To: | Mark Scarfone, Senior Statutory Planning Officer |
| From: | Paul Edwards, Traffic & Design Coordinator |
| Date: | 10 January 2013 |
| File ref: | N/A |
| Subject: | Proposed Four Multiple Dwellings - #3 Gwentyfred Road, Kensington |

Hi Mark,

Please see comments below, regarding the above mentioned Planning Application.

Stormwater Drainage Design Requirements

The development is located within the South Perth Drainage Precinct and classified as a Type 2 Residential Building as defined in Policy P354 (*Stormwater Drainage Requirements for Proposed Buildings*) and Management Practice M354.

A separate Stormwater disposal application is required to detail all conditions relating to the design and installation of stormwater apparatus, as well as a Certification from the designer that the treatment satisfies contemporary standards and/or the requirements of the Management Practice.

Although a separate stormwater disposal application is not required at this stage, it is worth noting the importance for the designer/ Architect to provide proposed external levels on the Site Plan. Without this information, it is impossible for the City's to determine overland flow paths. This level of detail is not required at the Planning stage but would give an excellent opportunity to provide the developer with direction on its stormwater design.

Street Tree

The removal of the existing street tree must only be undertaken upon the completion of the necessary application and subsequent approvals provided by City Environment.

Trees on private property

Existing trees are being removed for the development, and a requirement of the new development should be the planting of a new tree within the property, with a minimum mature canopy of 3-4m diameter. Location and species of this tree should be indicated on the plan.

Crossings

The proposed Crossing dimensions and alignments do not comply with the requirements of the City's Management Practice, M353 Crossing (Crossover) Construction.

Please refer to the link below

<http://www.southperth.wa.gov.au/Services/Crossovers/>

Application for Planning Approval Requiring Engineering Comments



Traffic Management Device (Slow Point).

For Engineering to endorse the proposed location of the crossing it would require a condition of development that the existing single lane (one way) traffic management device be removed in its entirety and replaced with a newly constructed "two way" road section which would then be complemented by a Main Roads endorsed raised pavement treatment located directly outside of the property.

These broad guidelines are provided to give the Developers appointed Traffic Engineer an initial scope for the required works and it would be a further requirement that all proposed designs are presented to Engineering for comment and ultimate approval. All costs involved in the design and subsequent construction of the road section and adjoining landscaping are to be borne by the Developer as part of this condition of approval.

The identified reasons for the mandatory redesign and reconstruction of the slow point (and associated section of road) are as follows;

1. **Removal of existing street tree.** The required removal of the Spotted Gum at the entrance to the Device would diminish the effectiveness of the device for vehicles traversing through the slow point. This will increase the speed of vehicles travelling through the device and in turn increase the potential for conflict.
2. **Increased volume of vehicle movements in this location.** The proposed four unit development would lead to approximately 80 vehicle movements in and out of the property daily.
3. **Opposing Crossing.** Directly opposite to the proposed location of the crossing is another crossing that services a unit on the other side of the street. The proposed new location will now increase the possibility of conflict due to the very narrow road width (approximately three metres) and the lack of formal controls requiring one vehicle to give way to another.
4. **Decreased sight lines in this location.** Due to the newly proposed crossing's location within the slow point the sight lines for a vehicle exiting the property via a crossing in this location have been determined to be less than the sight lines if exiting via the existing crossing at the property. Due to the "one way" (single lane) nature of the road section any decrease in sight lines for drivers exiting the property would lead to an unacceptable increase in risk of conflict with any through traffic.

Possible retention of current crossing

If an approved redesign of the internal structures leads to the retaining of the existing crossing location, upon review by Engineering it would be anticipated that the Traffic Management Device could be largely retained in its current form.

Proposed Verge Parking

The proposed formalised verge parking arrangement in this location is not permitted and due to the possible road safety ramifications it must be presumed by the Developer that no formal/informal parking of any description will be permitted within the road reserve abutting the property.

As a result of this finding any statutory requirements relating to the number of required parking bays must be fulfilled within the property.

Regards
PAUL EDWARDS, TRAFFIC & DESIGN COORDINATOR



Environmental Health Services Planning Approval Comments

| Details | |
|--|--|
| Proposed Development: (Property address) | 8 & 9 (No.1 & 3) Gwenyfred Road, Kensington |
| Application: (Type) | Proposed 4 -Storey Building - 17 Multiple Dwellings |
| Officer: | Jason Jenke |
| Department: | Environmental Health Services |
| Date: | 3 July 2015 |

Hi Trinh

Please be advised that the following comments apply;

Waste Management & Bin Enclosure

The bin enclosure indicates 16 x bins with no further details provided.

In assessing the volume of general waste and recycling required for a development of this size, using the City of Melbourne guidelines for preparing a waste management plan – 2014. The volume of waste produced by (4) x 1 bed & (13) x 2 bed is as follows;

| Units | General Waste (Weekly) | Recycling (Fortnightly) |
|----------------------|------------------------|-------------------------|
| 1 bed | 320l | 320l |
| 2 bed | 1300l | 1560l |
| Total 240l bins/week | 7 | 8 |

Based on the calculations above, space for 16 bins is sufficient.

Please note: currently the City only collects general waste via 240l or 1,100l bins and can only collect recycling via 240l bins.

In accordance with the City's draft Waste Guidelines for New Developments "The space required for collection from the verge must not exceed one third of the property frontage or 15 receptacles".

With a frontage of 24m the space for bin collection must not exceed 8m.

Please provide a waste management plan to the City that demonstrates how the above requirements will met, including bin size and collection details. If the 8m space required cannot be met, onsite waste collection must be undertaken.

Noise Generally

All mechanical ventilation services, motors and pumps e.g. air conditioners to be located in a position so as not to create a noise nuisance as determined by the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997*.

Regards

Jason Jenke
Environmental Health Officer

