

**5.2 NO. 10 (LOT: 37; D/P 4576) MOIR STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE**

**Ward:** South

**Attachments:**

1. Location Map
2. Development Plans
3. Heritage Impact Statement
4. Determination Advice Notes

**RECOMMENDATION:**

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to existing Single House at No. 10 (Lot: 37; D/P: 4576) Moir Street, Perth, in accordance with the plans shown in Attachment 2 dated 9 June 2021, subject to the following conditions, with the associated determination advice notes in Attachment 4:

**1. Development Plans**

This approval is for Alterations and Additions to existing Single House as shown on the approved plans dated 9 June 2021. No other development forms part of this approval;

**2. Boundary Walls**

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick, or material as otherwise approved, to the satisfaction of the City;

**3. External Fixtures**

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

**4. Colours and Materials**

The colours, materials and finishes of the development shall be in accordance with the approved schedule of finishes which forms part of this approval; and

**5. Stormwater**

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

**PURPOSE OF REPORT:**

To consider an application for development approval for alterations and additions to a single house at No. 10 Moir Street, Perth (subject site) that is listed on the State Register of Heritage Places.

**PROPOSAL:**

The subject site is located at No. 10 Moir Street, Perth as shown on the location plan included as **Attachment 1**.

The application proposes to remove an existing outbuilding and construct a 12 square metre, single storey addition at the rear of the subject site which would be detached from the existing dwelling. The addition

would not be visible from the street as it would be located behind the existing dwelling. The application does not propose any modifications or changes to the original dwelling.

The proposed development plans are included as **Attachment 2**. The applicant's supporting information including a Heritage Impact Statement is included as **Attachment 3**.

#### BACKGROUND:

<b>Landowner:</b>	Timothy Newton
<b>Applicant:</b>	Stephen Carrick Architects
<b>Date of Application:</b>	13 April 2021
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R25
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Dwelling (Single)
<b>Proposed Use Class:</b>	Dwelling (Single)
<b>Lot Area:</b>	299m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>Heritage List:</b>	The subject site and all adjoining properties are listed as Management Category A on the City's Municipal Heritage Inventory and included on the State Heritage Register.

#### Site Context

The subject site is bound by Moir Street to the north west and single storey single houses to the north east, south east and south west.

The subject site and adjoining properties are zoned Residential R25 under the City's Local Planning Scheme No. 2 (LPS2) and are located within the Residential built form area with a permitted building height of two storeys under Policy No. 7.1.1 – Built Form (Built Form Policy).

The subject site and all adjoining properties are subject to Clause 32(1) of the LPS2 which states that multiple dwellings are not permitted. This clause does not have any implications on the proposed development which would retain the existing single house.

#### Heritage Listing

The subject site and all adjoining properties are listed as Management Category A on the City's Municipal Heritage Inventory and included on the State Heritage Register. The proposal is subject to assessment against the provisions of the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Management Policy).

The subject site and all adjoining properties are located within the City's Brookman and Moir Streets Development Guidelines area. The proposal is subject to assessment against the provisions of the City's Appendix No. 6. Brookman and Moir Street Development Guidelines (Brookman Moir Guidelines).

#### Brookman and Moir Street Precinct

The Brookman and Moir Street Precinct is a State Heritage listed precinct for its intact, nineteenth century streetscape made up of Federation Queen Anne style residential buildings. The streets have 58 similarly constructed semi-detached dwellings that were used as rental accommodation for the working class in the late nineteenth to early twentieth centuries to service the Western Australian Gold Boom demand.

The residential buildings visually homogenous design, materials and colours provides a concentrated landmark area that provide a historically unique streetscape that are no longer constructed in inner-city residential areas.

**DETAILS:**Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the LPS2, the State Government's Residential Design Codes, the City's Built Form Policy, the City's Heritage Management Policy and the City's Brookman Moir Guidelines. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Street Setback	✓	
Lot Boundary Setback	✓	
Building Height	✓	
Open Space	✓	
Street Surveillance	✓	
Outdoor Living Areas	✓	
Visual Privacy	✓	
Solar Access for Adjoining Properties	✓	
External Fixtures, Utilities and Facilities	✓	
Heritage Management	✓	
Brookman Moir Guidelines	✓	

Detailed Assessment

Although the proposal satisfies all of the deemed-to-comply standards of the applicable planning framework, planning approval is required because the subject site is included on the State Register of Heritage Places.

The acceptability of the proposal is discussed in the Comments section below.

**CONSULTATION/ADVERTISING:**

Community consultation is not required in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Policy No. 4.1.5 – Community Consultation. This is because the proposal is fully compliant with the deemed-to-comply equivalent of the applicable policies.

Although formal community consultation is not required, on 5 August 2021 the City sent 77 notification letters to all owners and occupiers of properties within the Brookman and Moir Streets Design Guidelines area. The purpose of the notification letters was to inform the residents that a development application had been received, outline details of the proposal and that the application was intended to be determined at the September Ordinary Meeting of Council.

The letters invited the residents to contact the assessing officer for further details regarding the proposal. The City did not receive any verbal or written correspondence from owners or occupiers.

Heritage Council of Western Australia (HCWA)

The application was referred to the HCWA in accordance with Section 73 of the *Heritage Act 2018* for review and consideration. The HCWA advised that it is supportive of the proposal for the following reasons:

- The additions are proposed to be structurally independent from the existing dwelling and do not propose to modify the existing dwelling in any way;
- The additions would be setback sufficiently from the existing water closet at the rear of the site which is proposed to be retained;
- The existing shed at the rear of the site that is proposed to be demolished does not contribute to the significance of the heritage place; and
- The additions would not have any negative impact to the identified cultural significance of the registered precinct.

**Design Review Panel (DRP):**

Referred to DRP: Yes

The proposal was referred to the City's DRP Chairperson for comments. The comments provided were in respect to the development plans and heritage impact statement included in **Attachment 2** and **Attachment 3** respectively.

The DRP Chairperson advised that they are supportive of the proposal for the following reasons:

- The proposal is for a sensitive addition to the existing residence with a clearly defined outdoor area;
- The proposed addition is designed to respond to the rear of the home and the scale of the existing pergola; and
- The scale and proportion of the addition is acceptable given the existing rear yard setting.

**LEGAL/POLICY:**

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 7.3 – Residential Design Codes Volume 1;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.1 – Built Form;
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties; and
- Appendix 6 - Brookman and Moir Streets Development Guidelines.

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

**Delegation to Determine Applications:**

The application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments because the application proposes additions to a place that is included on the State Register of Heritage Places.

**RISK MANAGEMENT IMPLICATIONS:**

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

*We are open and accountable to an engaged community.*

**SUSTAINABILITY IMPLICATIONS:**

There are no sustainability implications from this report.

**PUBLIC HEALTH IMPLICATIONS:**

This report has no implication on the priority health outcomes of the City's *Public Health Plan 2020-2025*.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no finance or budget implications from this report.

**COMMENTS:**Heritage Management

The subject site is listed as Management Category A on the City's Municipal Heritage Inventory (MHI) and forms part of the Brookman and Moir Streets precinct which is included on the State Register of Heritage Places.

The application proposes the construction of a 12 square metre single storey addition at the rear of the subject site which would be detached from the existing dwelling and would not be visible from the street.

*Brookman Moir Guidelines and Heritage Management Policy*

The City's Brookman Moir Guidelines and Heritage Management Policy provides acceptable development standards that apply to any works to existing dwellings as well as any new additions. The proposed development would satisfy all of these acceptable development standards.

The City's Heritage Management Policy outlines that additions to a place listed as Management Category A on the City's MHI are required to obtain development approval even when they are fully compliant with the relevant provisions of the planning framework.

The statement of heritage significance for the Brookman and Moir Streets precinct is summarised as follows:

- The precinct is an example of two late nineteenth century streets comprising of Federation Queen Anne style, architectural, residential buildings;
- The buildings were constructed between 1897 and 1898, in the wake of the rapid population growth following the Western Australian gold boom;
- Almost all of the buildings within the two streets were constructed with a single basic design representative of the working class rental accommodation in the late nineteenth and early twentieth centuries;
- The originally one-way thoroughfares and modest lot sizes of the semi-detached dwellings provides character and a sense of enclosure;
- The fact that the buildings share a similar design, creates a visually striking precinct within an inner city residential area; and
- The historic precinct was developed by the Colonial Finance Corporation who named Brookman and Moir Streets after two of the principal investors in the company who were prominent Western Australians.

The applicant has submitted a heritage impact statement which is included in **Attachment 3** and outlines the following:

- The proposed single storey addition does not propose any alterations or additions to the existing dwelling and therefore has little impact on the aesthetic value of the place;
- All of the physical features that contribute to the heritage value of the site are found when viewed from the streetscape. As the proposed addition is located to the rear of the lot, the existing house will obstruct views from the street and therefore not impact the cultural heritage value;
- The proposed demolition of the existing outbuilding will not negatively affect the overall cultural heritage value of the place as it does not contribute to the historical significance of the place; and
- The proposed materials (masonry, render, weatherboard profile and corrugated steel) are sympathetic to the existing materials and colours of the heritage place.

The key design features of the proposal that result in its compliance with the relevant planning framework are as follows:

- The development does not propose any modifications or changes to the existing house;
- The development would be at the rear of the lot and not visible from the street;
- The development is single storey and does not protrude above the existing dwelling roof line;
- The development incorporates differentiating materials and colours to the existing dwelling which ensures the development is readily identifiable as new work;
- The existing shed is noted in the Heritage Council's recommendation as having no cultural significance to the heritage place and is therefore acceptable to be demolished; and

- The development satisfies the deemed-to-comply standards of the Residential Design Codes Volume 1 and the City's Built Form Policy.

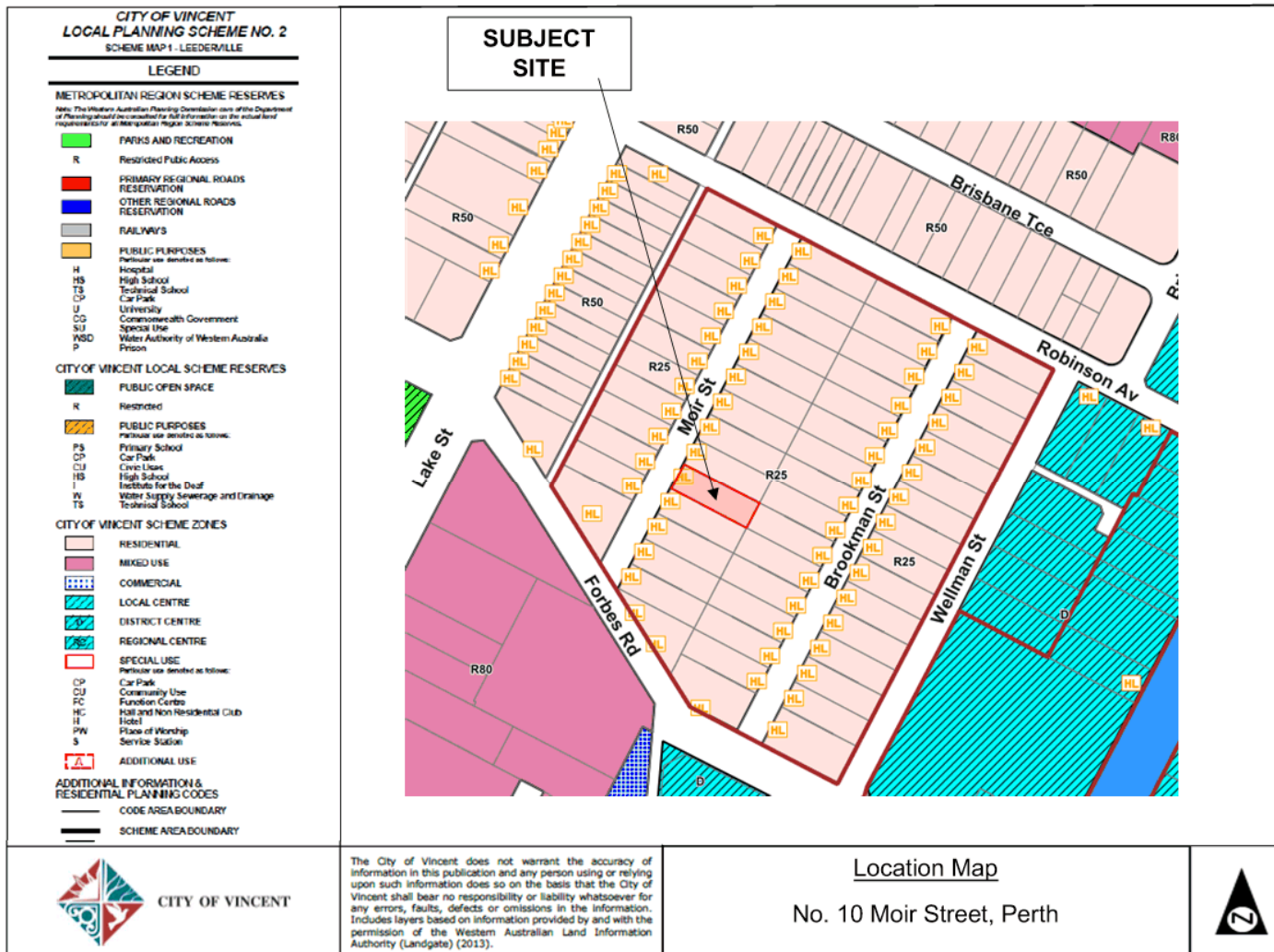
The application has been referred to the Heritage Council and the Chairperson of the City's DRP who have provided comments in support of the proposal.

#### *Burra Charter*

The *Australia ICOMOS Charter for Places of Cultural Significance, the Burra Charter 2013* (the Burra Charter) sets a standard of practice for those who provide advice, make decisions about, and undertake work to places of cultural significance. The Burra Charter applies to all types of places of cultural significance, including the subject site.

In accordance with Article 22.1 of the Burra Charter, 'new work' is acceptable where it respects the cultural significance of the place. This can be done through consideration of its siting bulk, form, scale, character, colour, texture and material. The proposed addition is located at the rear of the dwelling with a maximum height of one storey high. As the works are located out of view from the streetscape and behind the existing dwelling, the development proposed does not obscure the cultural significance of the place when viewed from the street.

In accordance with Article 22.2 of the Burra Charter, the works should be readily identifiable but should respect the cultural significance of the place. As the proposed addition is constructed from high quality materials and colours that are identifiable as new works, it would have minimal impact on the cultural significance of the heritage place.

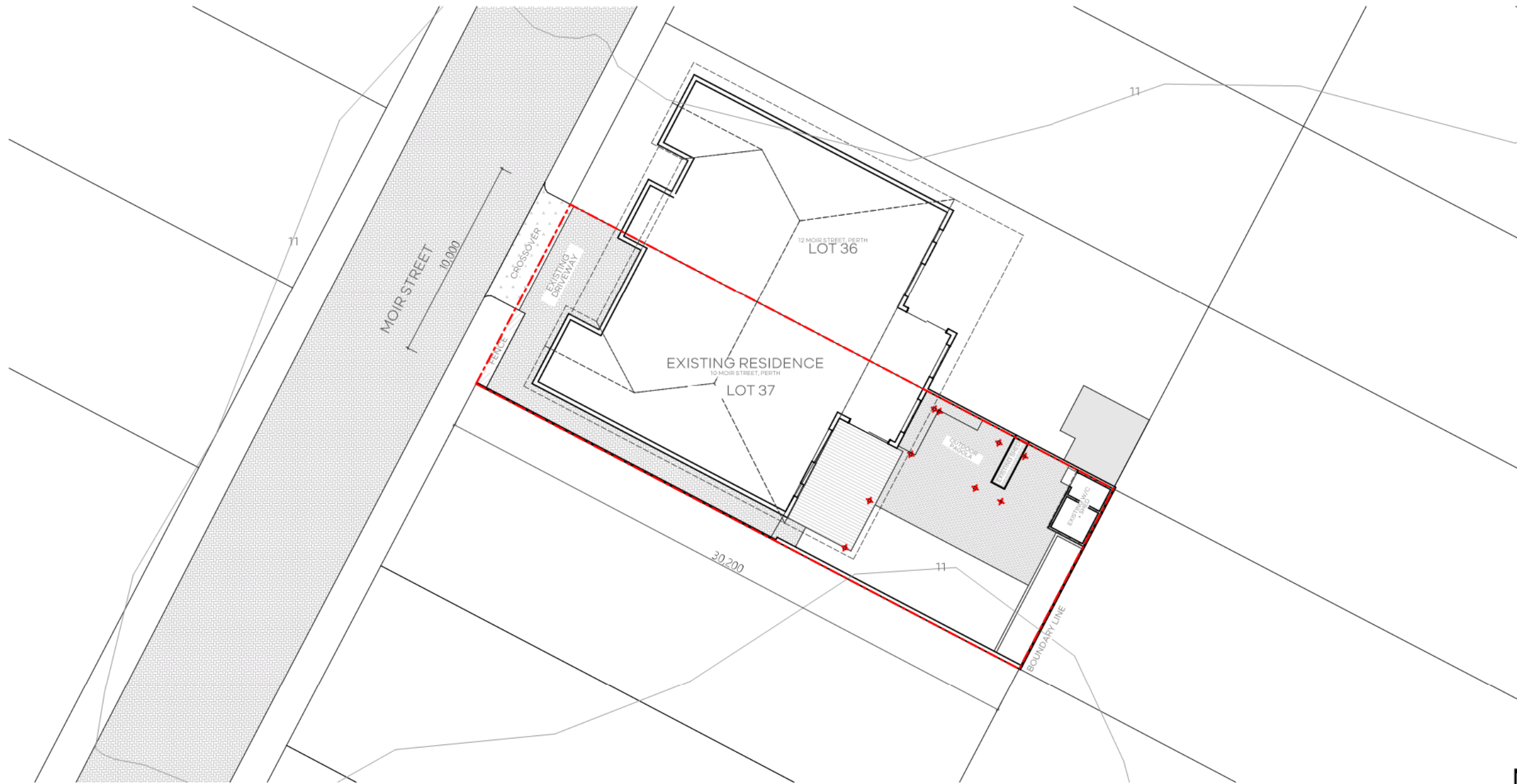




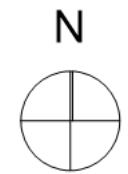




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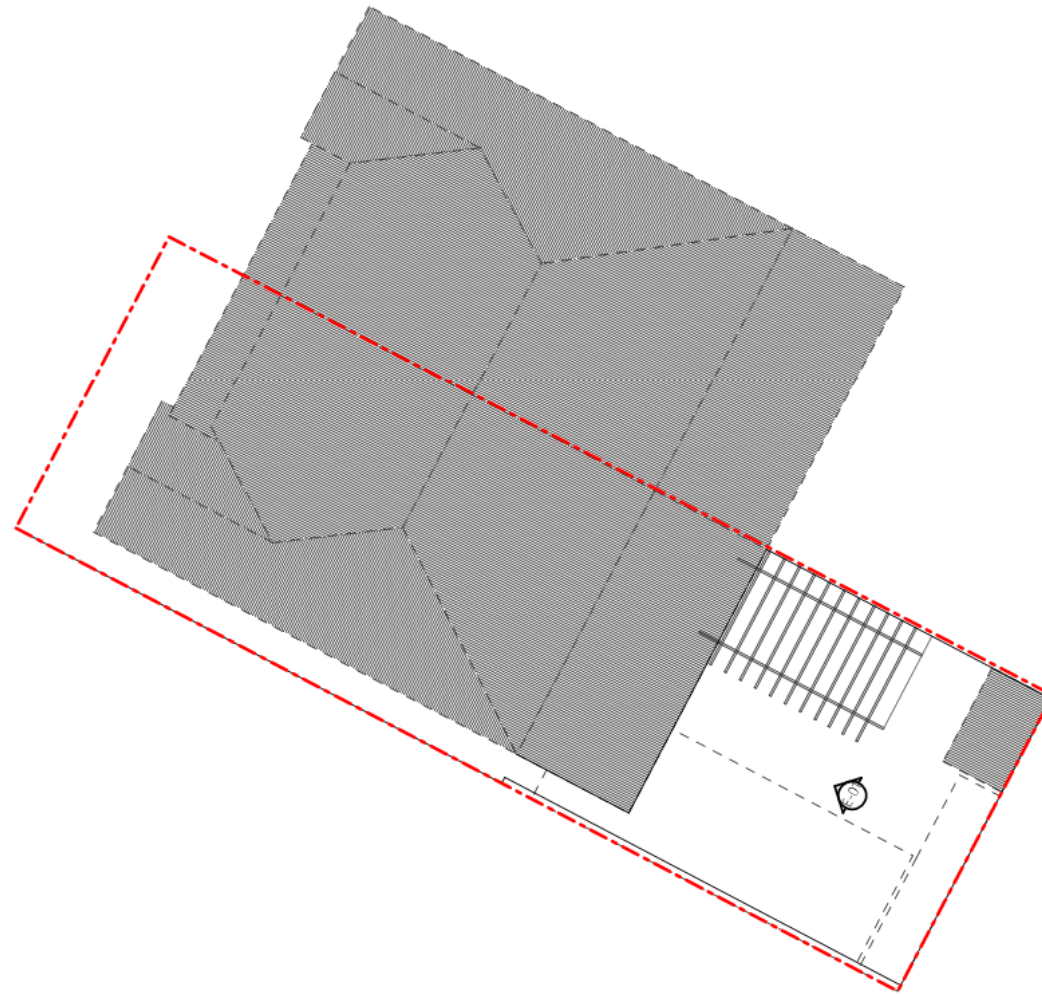
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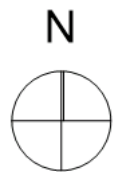
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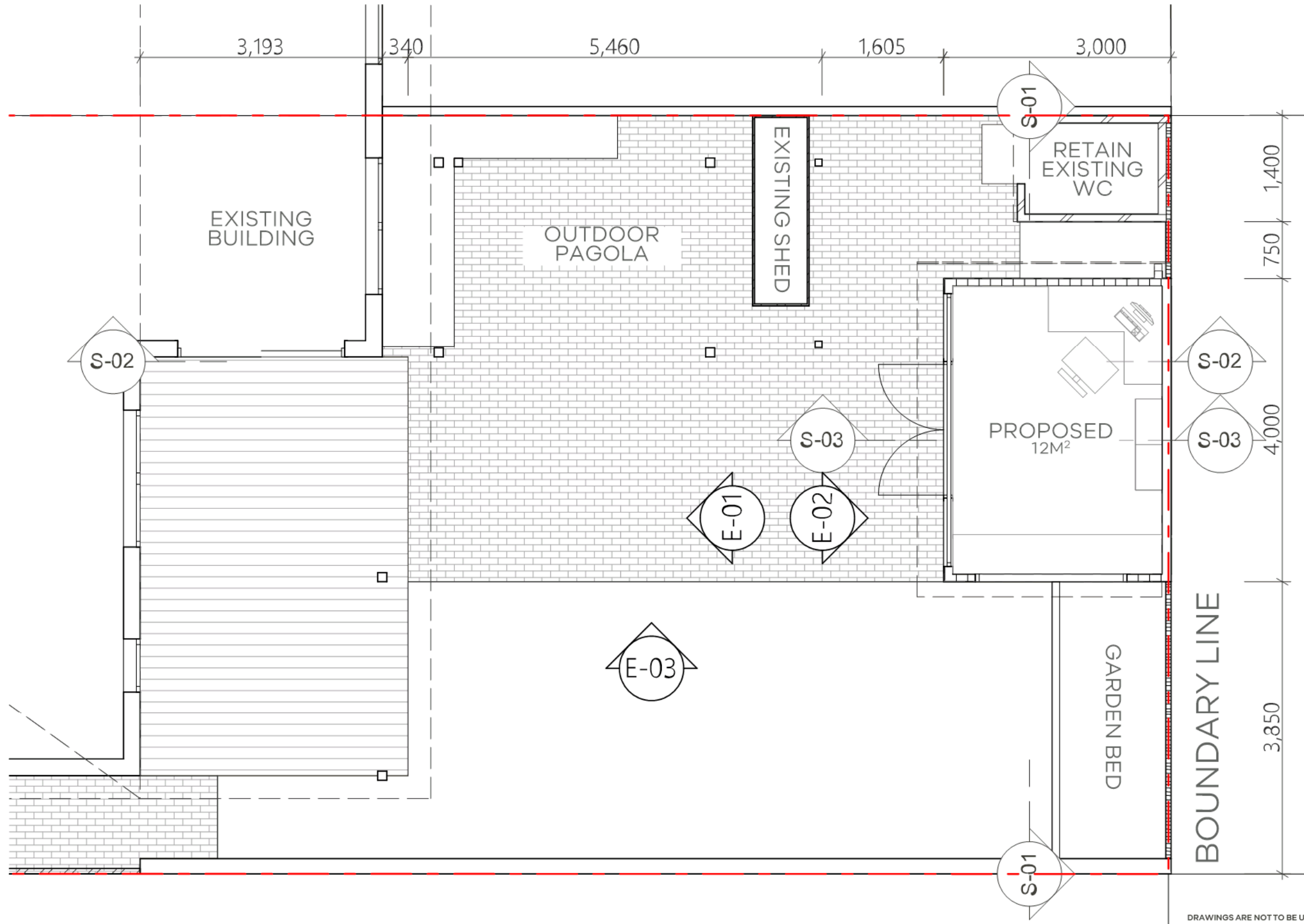
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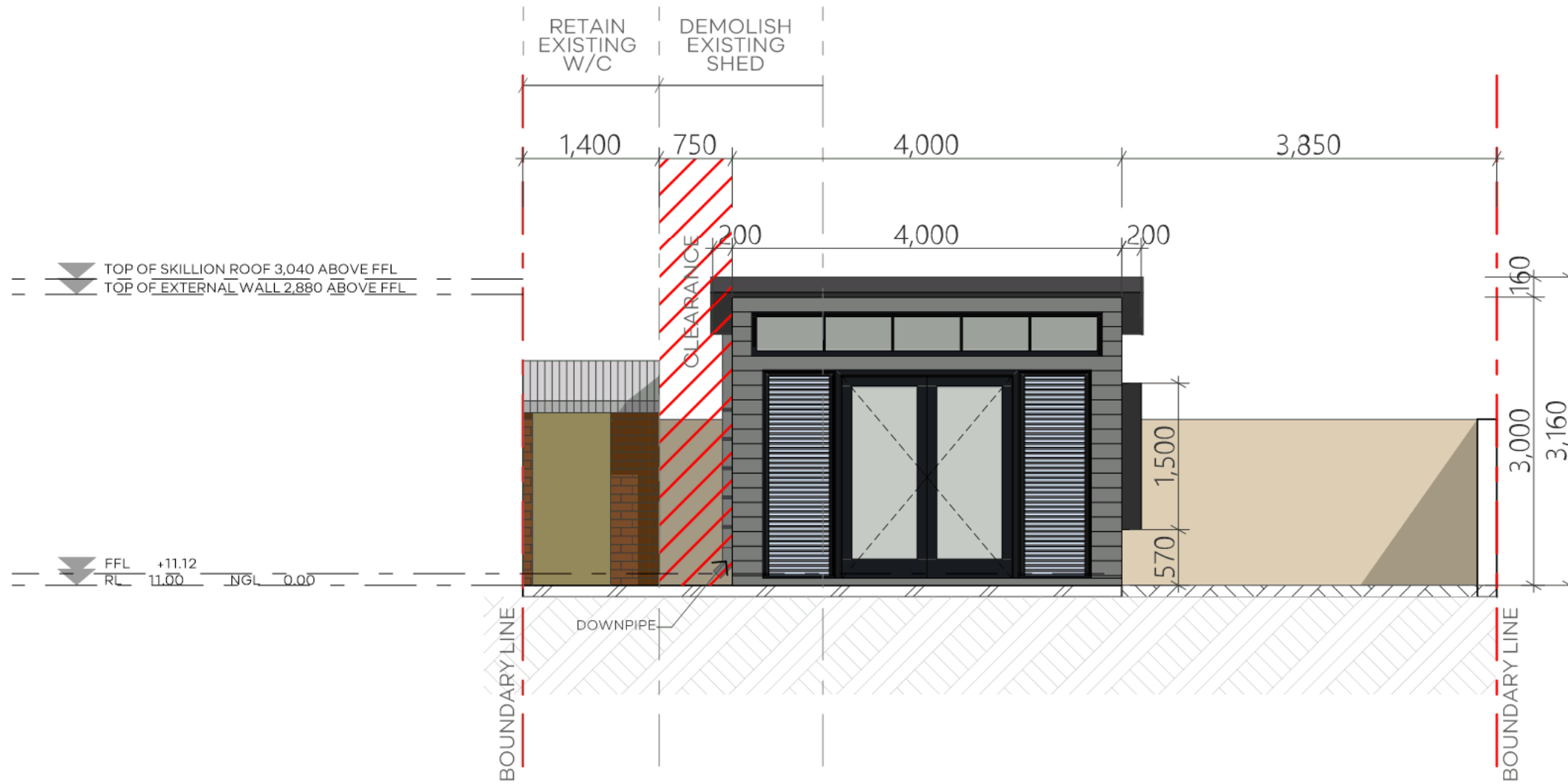
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Proposed Floor Plan  
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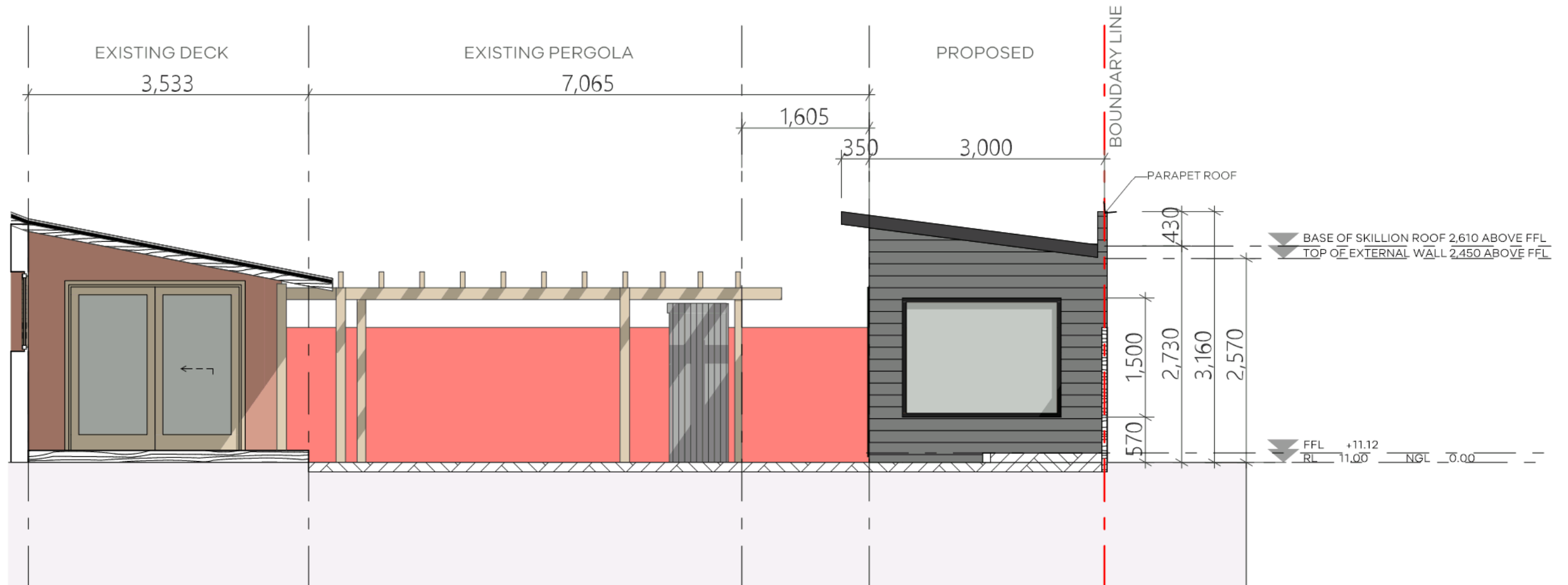
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Proposed West Elevation

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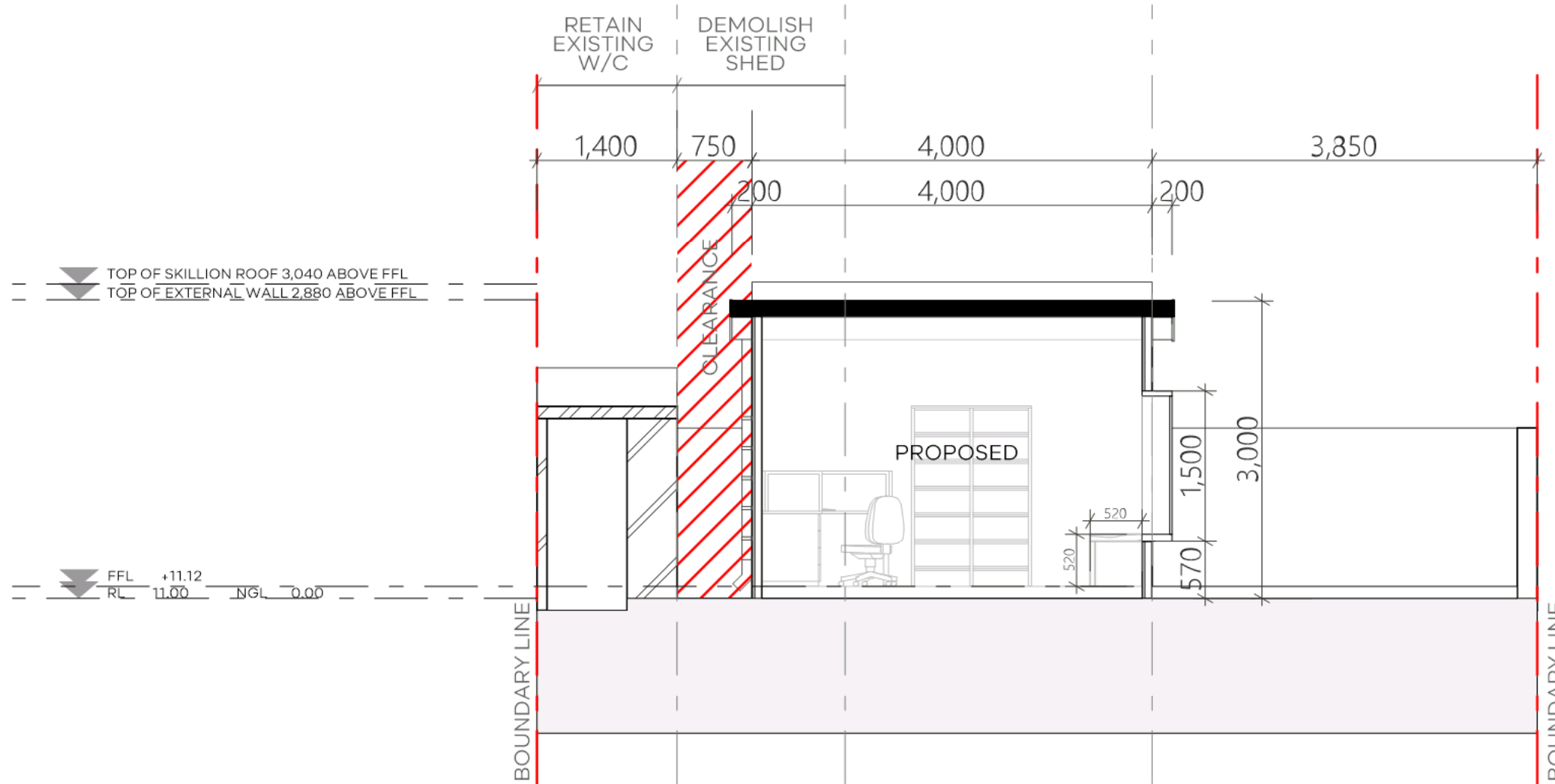
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Proposed South Elevation  
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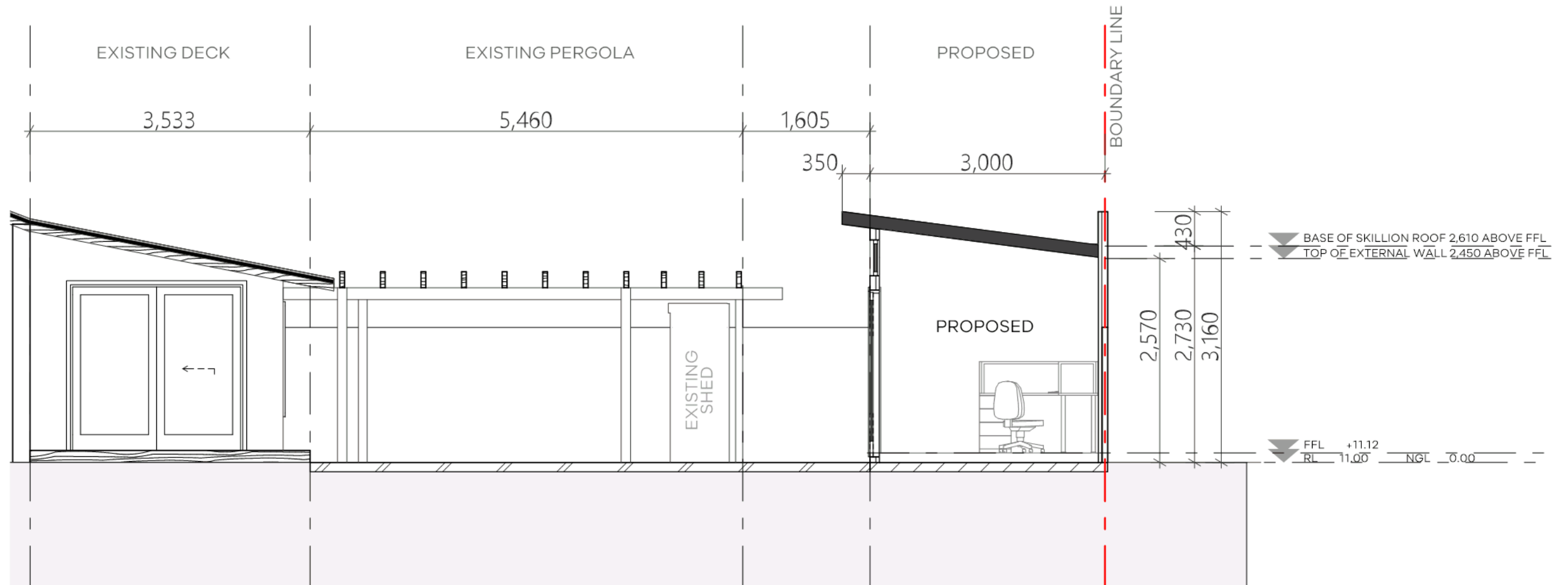
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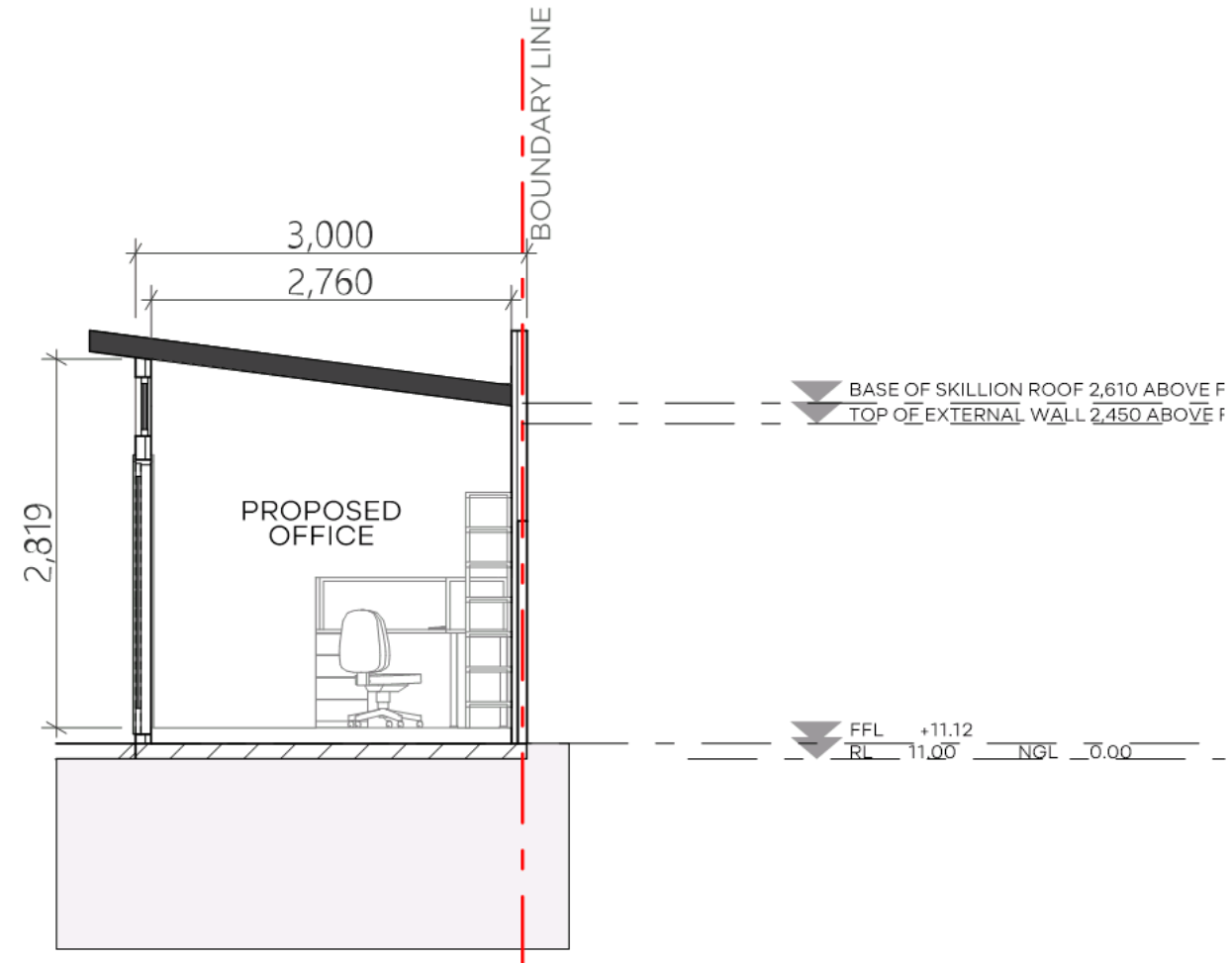
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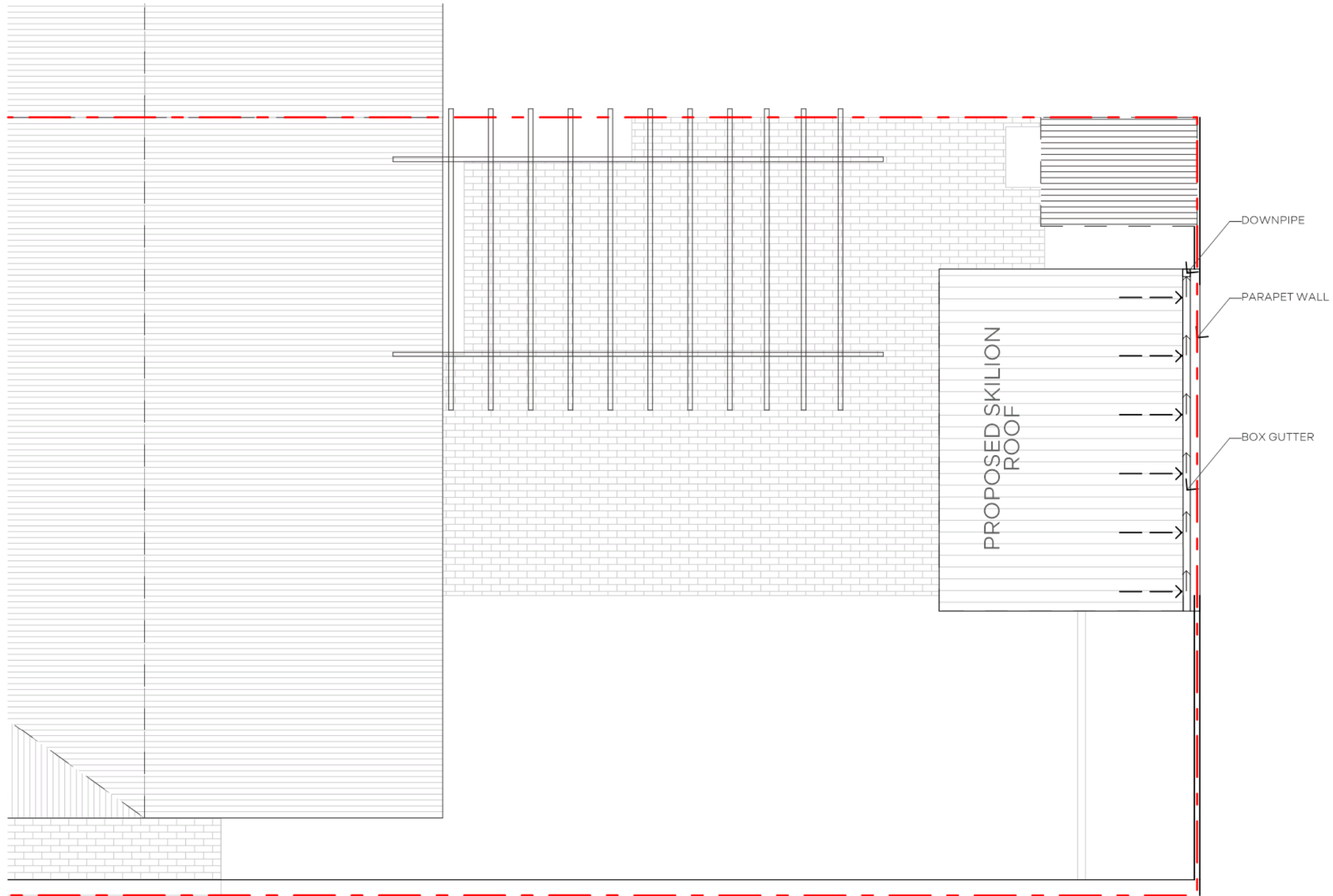
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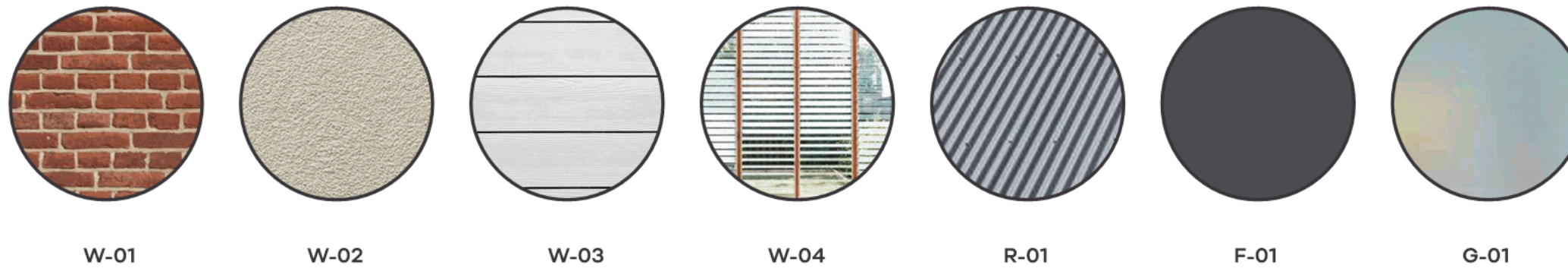
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Proposed Roof Plan

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ID.	Material	Location	Notes:
W-01	Masonry Double Brick	External walls	FRL of 60/60/60. To be constructed to BCA standards - minimum cavity width of 50mm
W-02	Render	North and East external walls	Finish to match existing render of fence - colour: terra cotta
W-03	Weatherboard Profile	South and West external walls	Compressed fibre cement board
W-04	Louvre Wall	West Elevation	Glazing to be tinted
R-01	Corrugated Galvanised (Z600) Steel	Roof Plan	-
F-01	Aluminium framed Windows and Doors		Colour: Grey
G-01	Double Glazing	To all openings - excl. louvred wall	Glazing to be tinted

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**10 MOIR STREET, PERTH  
WA6000**  
 Project No. 7289  
 10 MOIR STREET, PERTH, CITY OF VINCENT,  
WA6000

RevID	Change Name	Date

Material/Colour  
**A1.13**  
 Scale : @ A3

CITY OF VINCENT  
RECEIVED  
16 March 2021



8 March 2021

Chief Executive Officer  
City of Vincent  
PO BOX 82  
LEEDERVILLE WA 6902

Dear Sir,

**HERITAGE IMPACT STATEMENT  
PROPOSED ANCILLARY DWELLING  
10 MOIR STREET, PERTH WA**

Following is a Heritage Impact Statement regarding the proposed Development Application for an Ancillary Dwelling to the rear of the property at 10 Moir Street, Perth.

**Background**

10 Moir Street, Perth is a residential semi-detached house located on a 299 square metre site.

The development application is for a simple single storey ancillary dwelling proposed to the rear of the property in the north-east corner along the boundary.

At present, an existing brick and corrugated roof WC and shed is sited at the proposed location of the ancillary dwelling. An existing timber framed pagola is located to the west of the existing W/C and shed. Adjacent to the WC and shed to the east is a garden bed and children's play area. The rear of the property is predominantly brick and grass. The site is level.

We understand that the semi-detached House at 10 Moir Street is located within the Brookman and Moir Streets Precinct.

The Brookman and Moir Streets Precinct is a State Registered Place (Place No. 03992) and is included on the City of Vincent's Local Heritage Inventory (formerly Municipal Heritage Inventory) and has been allocated a Management Category A - Conservation Essential. This Management Category means that the proposed development requires planning approval from the City and is to be carried out in accordance with that approval.

Stephen Carrick Architects discussed the proposed Development Application with the Duty Planner on Tuesday, 16 February 2021.

**Experience**

Stephen Carrick Architects is an award winning architectural firm that has completed a variety of projects across Western Australia.

Our practice specialises in all aspects of heritage and conservation architecture, residential architecture with specific expertise in conservation works, conservation planning (including



heritage assessments and conservation plans), heritage impact statements, adaptive reuse of buildings and structures and infill in heritage streetscapes.

Stephen Carrick Architects has been commissioned by Tim Newton, owner of the property at 10 Moir Street, Perth to assist with the proposed development application. This includes the preparation of a brief Heritage Impact Statement to be submitted with the application.

#### **Significance**

10 Moir Street, Perth is located within the State Registered Brookman and Moir Streets Precinct.

This extract is sourced from the Heritage Council of Western Australia's Register Entry for P03992.

The Brookman and Moir Streets Precinct has cultural heritage significance for the following reasons:

- The Brookman and Moir Streets Group is a complete and intact residential development of 1897, undertaken by prominent citizens under William Brookman.
- The intact working class semi detached houses were constructed in the Federation Queen Anne Style.
- It demonstrates the social mores and way of life in the developing area north of Perth, at the commencement of the Gold Boom period.
- It provides a notable example of a late 19th century townscape with its repetitive building forms and development patterns.
- It is a unique example of a housing estate that includes: The scale of the subdivision and development by a speculative development company notable to the historic and social event of its time.
- Duplex, 2-4 Brookman Street are integral elements of the Brookman and Mori Streets Group. The form and scale of the typical Federation Queen Anne workers housing was varied in the case of this duplex, with the introduction of the bay windows. This differentiated the duplex pair from the other semi-detached workers housing within the development. It demonstrated the possibility of personalising properties without disturbing the consistent development patterning of the whole development.

#### **Proposal**

The development application proposal is for a simple single storey skillion roof ancillary dwelling to the rear of the property at 10 Moir Street, Perth. The proposed dwelling is to be 18 square meters in total floor area and will include a bathroom and flexible space.

The design proposes no alterations or additions to the existing semi-detached house.

Demolition to the existing WC and shed to the north-east corner of the site is proposed. Existing plumbing to the site of the proposed ancillary dwelling is to be retained and integrated with the design for a future bathroom.

A short summary from the client, Tim Newton has been provided to describe the use of the proposed:

*The proposed ancillary dwelling is primarily a home-office that will enable working from home in a suitable environment and without undue disturbances. It will also provide some extra living space and function as a second TV / reading room or a music room. Occasionally, it may be used as a guest room for visitors to stay. The second bathroom will also be convenient during the morning rush.*



**Consideration**

The City of Vincent's Development Guidelines for Heritage and Adjacent Properties include objectives of the guidelines. There are 5 objectives. All 5 objectives have been listed below:

1. Encourage the appropriate conservation and restoration of places listed on the City of Vincent Municipal Heritage Inventory (The Heritage List) in recognition of the distinct contribution they make to the character of the City of Vincent.
2. Ensure that works, including conservation, alterations, additions and new development, respect the cultural heritage significance associated with places listed on the City of Vincent Municipal Heritage Inventory.
3. Promote and encourage urban and architectural design that serves to support and enhance the ongoing significance of heritage places.
4. Ensure that the evolution of the City of Vincent provides the means for a sustainable and innovative process towards integrating older style buildings with new development.
5. Complement the State Planning Policy No. 3.5 'Historic Heritage Conservation' and the City of Vincent Residential Design Elements Policy and other associated Policies.

**Impact**

The following summary of comments and potential impacts are provided in consideration of the City of Vincent's Guidelines for Heritage and Adjacent Properties and the State Register Entry P03992 Statement of Significance:

- The existing residential building at 10 Moir Street is located within the Brookman and Moir Streets Precinct. The building is a representative example of a working semi-detached house constructed in the Federation Queen Anne Style within the Precinct. The proposed single storey ancillary dwelling does not propose any alterations or additions to the existing building and therefore, is considered to have little impact on the aesthetic value of the place;
- Residential development within the Brookman and Moir Streets Precinct is notable for the repetitive building forms and development patterns. The predominantly single storey developments within the area feature tuck-pointed red brick and stucco banding, pairs of windows on the gable fronted projections, chimneys and decorative cornices under the eaves line. All of these physical features contribute to the streetscape aesthetic which reinforces the character of the Brookman and Moir Streets Precinct. The proposed ancillary dwelling is to be located to the rear of the property at 10 Moir Street. The dwelling will not be visible from the street and therefore will not impact upon this cultural heritage value;
- The proposed ancillary dwelling will support and enhance the current liveability of the place for the client;
- The proposed ancillary dwelling is structurally independent from the existing house and will not impose any physical changes to the existing residential building;
- The proposed demolition works to the existing outbuildings will not impact negatively upon the overall cultural heritage values of the place. The existing structure does not contribute to the historical significance of the place;
- The proposed materials (masonry, render, weatherboard profile and corrugated steel) are sympathetic towards the existing material palette and colour of the existing place.

Based on the cultural heritage values of the Brookman and Moir Streets Precinct the proposed ancillary dwelling in our professional opinion, will have little impact on the existing building and precinct. The proposed ancillary building is a sympathetic, yet contemporary structure that will not be confused as part of the original building and will provide required space to supplement the existing modest semi-detached house.



CITY OF VINCENT  
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16 March 2021  
Stephen Carrick Architects

Please do not hesitate to contact me on 0457 309 201 or email (stephen@stephencarrickarchitects.com.au) if any clarification of this proposal or any additional information is required.

Yours Sincerely,

**Stephen Carrick**  
Director

**Determination Advice Notes:**

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. In relation to Advice Note 2 a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020.
6. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
7. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
8. No verge trees shall be REMOVED. The verge trees shall be RETAINED and PROTECTED from any damage including unauthorized pruning.
9. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to commencement of all building/development works, and shall be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond must be made in writing. This bond is non-transferable.
10. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
11. With reference to Condition 2, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
12. In regards to Condition 5, all storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.