

**5.1 NO. 54 (LOT: 7; PLAN: 4387) LINCOLN STREET HIGHGATE – PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE**

**Ward:** South

**Attachments:**

1. Consultation and Location Map
2. Development Plans
3. Determination Advice Notes
4. Summary of Submissions - Administration's Response
5. Summary of Submissions - Applicant's Response
6. Streetscape Perspectives

**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 and Alterations and Additions to Single House at No. 54 (Lot: 7; Plan: 4387) Lincoln Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 3:

**1. Development Plans**

This approval is for Alterations and Additions to Single House as shown on the approved plans dated 15 August 2023. No other development forms part of this approval;

**2. Amended Plans**

Prior to the lodgement of a building permit, amended plans shall be submitted to and approved by the City that show the retention of a frame of brickwork across the ceiling and down the sides of the walls in the demolition of the internal wall between the living and dining rooms. Development and demolition works must be undertaken in accordance with the amended plans approved by the City and prior to use of the approved development, to the satisfaction of the City;

**3. 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 boundary walls shall be finished in accordance with the as shown on the approved schedule of materials, or material as otherwise approved, to the satisfaction of the City;

**4. Colours and Materials**

The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval;

**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;

**6. 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; and

## 7. Photographic Record of Works

**Within 28 days of completion of the approved works, a photographic record of the works undertaken (internal and external) shall be submitted to the City for inclusion in its Historical Archive Collection, to the satisfaction of the City.**

### EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for proposed alterations and additions to a single house at No. 54 Lincoln Street, Highgate (the subject site) that is heritage listed under the City of Vincent's Heritage List (Management Category A). A location plan is included as **Attachment 1**.

The proposal would involve the partial demolition of internal and external walls, roofing, a patio and a deck to the rear of the existing dwelling to enable the construction of a two storey rear addition. Restoration works are also proposed to the front façade of the dwelling.

Renovations were undertaken to the dwelling in the 1990's including works to its rear. The proposed works to the rear of the dwelling would not impact the heritage significance of the place. The heritage protected place that forms a part of a row of dwellings referred to as the Police Cottages and that make an important contribution to the streetscape.

The proposed alterations and additions have been designed to meet all deemed-to-comply and acceptable development standards, with the exception of boundary wall heights.

The proposed boundary wall to the east has been located to align closely with the rear building line of the eastern neighbour, and the proposed boundary wall to the western boundary has been limited in length to 2.5 metres. The proposed boundary walls and presentation of the sides of the dwelling to its neighbours have been designed to incorporate diversity in colours, materials and articulation to effectively reduce their visual impact and would not unduly impact the amenity of both adjoining properties.

The proposed development is acceptable as considered against the planning framework inclusive of the City's Policy No. 7.1.1 – Built Form Policy and Local Planning Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties, which ensures the preservation of heritage value while enabling improvements to the dwelling.

### PROPOSAL:

The application proposes the demolition of walls and the roof of the rear of the dwelling to facilitate the construction of a two storey rear addition to an existing single house on a heritage protected place at No. 54 Lincoln Street, Highgate.

Conservation works are also proposed that are limited to the repair of mortar joints between brickwork across the street façade.

The proposed demolition works involve removal of the following:

- Decking and landscaping elements such as retaining walls in the backyard;
- A patio at the rear of the dwelling;
- Internal and external walls at the rear of the dwelling; and
- The roof at the rear of the dwelling.

The proposed development plans are included as **Attachment 2**.

**BACKGROUND:**

<b>Landowner:</b>	Drew McDonald and Elizabeth Langdon
<b>Applicant:</b>	Ecohabit
<b>Client:</b>	Drew McDonald and Elizabeth Langdon
<b>Date of Application:</b>	17 May 2023
<b>Zoning:</b>	MRS: Urban LPS2: Zone: Residential R Code: R80
<b>Built Form Area:</b>	Residential
<b>Existing Land Use:</b>	Single Dwelling
<b>Proposed Use Class:</b>	Single Dwelling – ‘P’
<b>Lot Area:</b>	205m <sup>2</sup>
<b>Right of Way (ROW):</b>	No
<b>City of Vincent Heritage List:</b>	Yes, Management Category A
<b>State Register of Heritage Places:</b>	No

Site Context and Zoning

The subject site is bound by Lincoln Street to the south, single houses to the east and west and a three storey apartment to the north. A location plan is included as **Attachment 1**.

The subject site and surrounding area are zoned Residential R80 under the City’s Local Planning Scheme No. 2 (LPS2) and are within the Residential Built Form Area under the City’s Policy No. 7.1.1 – Built Form (Built Form Policy) with a permitted building height of three storeys.

The subject site has a 10.0 metre frontage and 20.5 metre depth, and accommodates an existing single storey dwelling. The topography of the site is variable and generally slopes downwards from the street to the rear of the lot. At its greatest extent, the difference in levels from the front to the rear of the site is approximately 0.8 metres.

Heritage Listing

The subject site is in a row of dwellings on the City’s Heritage List comprising of seven closely set detached cottages, constructed in the Federation Georgian style and dating from the later years of the nineteenth century.

The [Statement of Significance](#) refers to the row of dwellings as the Police Cottages, which they were known as locally. This is because of their historic occupation by police officers of the Highgate Hill Police Station, located opposite the site on the southern side of Lincoln Street.

The Police Cottages have retained a high level of integrity in the design presenting to the streetscape. Each dwelling features a hipped roof with a bow or skillion style verandah supported by timber posts. The verandahs of each dwelling are constructed to the street boundary, with predominantly picket fencing forming a balustrade to the verandahs. The rhythm of repetitive form, scale and front fences makes an important contribution to the streetscape and character of the area and are the key elements of heritage significance.

The dwelling on the subject site has retained the majority of the original fabric of the building, with some internal and external alterations to the rear of the building undertaken in the 1990’s.

Key changes to the building from the 1990’s renovations included the following:

- Removal of a western internal passage wall between the rear two rooms;
- Removal of the rear wall and enclosure of a rear verandah to extend the living/dining area; and
- Construction of a new rear patio and decking area.

**DETAILS:****Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City's Policy No. 7.1.1 – Built Form, Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Management Policy) and the State Government's Residential Design Codes and the. 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 Setbacks	✓	
Lot Boundary Walls		✓
Building Height/Storeys	✓	
Open Space	✓	
Outdoor Living Areas	✓	
Landscaping (R Codes)	✓	
Privacy	✓	
Parking & Access	✓	
Solar Access	✓	
External Fixtures	✓	
Heritage Management Policy	✓	

**Detailed Assessment**

The R Codes and Built Form Policy have two pathways for assessing and determining a development application. These are through design principles and local housing objectives, or through deemed-to-comply standards.

Design principles and local housing objectives are qualitative measures which describe the outcome that is sought rather than the way that it can be achieved.

The deemed-to-comply standards are one way of satisfactorily meeting the design principles or local housing objectives and are often quantitative measures.

If a planning element of an application meets the applicable deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.

If a planning element of an application does not meet the applicable deemed-to-comply standard/s then Council's discretion is required to decide whether this element meets the design principles and local housing objectives.

The planning element of the application that do not meet the applicable deemed-to-comply standards and requires the discretion of Council is as follows:

Boundary Walls	
Deemed-to-Comply Standard	Proposal
<b>R Codes Volume 1 Clause 5.1.3 – Lot Boundary Setback</b>  Maximum boundary wall height: 3.5m	Maximum eastern boundary wall height: 3.7m  Maximum western boundary wall height: 4.0m

This element of the proposal does not meet the specified deemed-to-comply standards and is discussed in the Comments section below.

The Heritage Management Policy sets out that proposed development that complies with acceptable development standards will generally be approved, and that the performance criteria describe the desired outcome to be achieved.

Unlike the Built Form Policy and R Codes, the Heritage Management Policy also requires consideration of the proposal against performance criteria even though it complies with the prescribed acceptable development standards. This is also considered in the Comments section below.

#### CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days between 3 July 2023 and 17 July 2023. The method of consultation included a notice on the City's website and five letters being sent to the adjoining and adjacent landowners and occupiers, as shown in **Attachment 1** in accordance with the City's Community and Stakeholder Engagement Policy.

Five submissions were received at the conclusion of the consultation period. One submission was in support of the proposal and four objected to the proposal. The key comments in support of the proposal are summarised as follows:

- The proposal is a fair and balanced approach to improving the liveability of the property while preserving heritage.
- The visual impact from the front and sides appears to be limited and acceptable.

The key concerns raised during the community consultation period are summarised as follows:

- The additions should be designed to not be visible from the street to preserve the heritage streetscape.
- The western boundary wall height will reduce the amenity of adjoining properties, block sunlight and introduce obtrusively bulky and overbearing mass.
- Reduction to setbacks will impact existing openness and amenity.
- The proposal will adversely impact access to daylight for adjoining properties.
- Roots from existing trees on the site are damaging sewer connections on adjoining properties. Further landscaping will exacerbate this.

A summary of submissions received during the community consultation period along with Administration's responses to submissions is provided in **Attachment 4**. The applicant's response to the submissions received are provided as **Attachment 5**.

#### Amended Plans

The applicant submitted amended plans dated 15 August 2023 following the community consultation period. These amended plans reflect the following changes:

##### *Ground Floor*

- Eastern wall setback reduced from 0.69 metres to 0.04 metres and is treated as a boundary wall; and
- Western boundary wall height reduced from 4.5 metres to 4.0 metres.

##### *First Floor*

- Portion of southern wall setback from the street reduced from 10.7 metres to 9.2 metres;
- Eastern wall setback increased from 0.69 metres to 1.2 metres;
- Western wall setback reduced from 1.5 metres to 1.2 metres;
- First floor dwelling width reduced from 7.87 metres to 7.66 metres; and
- Roof form modified to include a shallow pitch. This reduces the overall building height by 0.1 metres and reduces the height of the street facing wall by 0.3 metres.

The amended plans were not readvertised. This is consistent with the City's Community and Stakeholder Engagement Policy because the amendments did not result in any new departures to the deemed-to-comply standards. Previous submitters have been notified of the changes to the plans.

**Design Review Panel (DRP):**

Referred to DRP: Yes

*Plans as Originally Submitted*

The plans as originally submitted was referred to the City's DRP Member who specialises in heritage conservation and architecture for comment. This referral requested comments on the appropriateness of the proposed development on a heritage protected place and as considered against the 10 principles of good design.

The DRP Member provided the following comments in respect to the positive aspects of the proposal:

- The proposed partial demolition is supported, as the section to be demolished does not contribute to the cultural heritage significance of the place.
- The alterations and additions do not alter the original façade or roof pitch. The position and size of the additions ensure that the prominence of significant sections of the place are not obscured and are being retained.
- The upper storey is sited and massed behind the principal façade so that it is not visually prominent from the street. The addition allows the use of the north facing backyard.
- The alterations and additions are clearly distinguishable from the original part of the heritage place to be conserved.
- The proposal indicates the extent of conservation works to be undertaken to the existing cottage. This conservation outcome is a positive for the Lincoln Street streetscape.
- It is recommended that a photographic archival record is prepared of the existing dwelling with a plan showing the direction of the photographs. It is also recommended that a photographic record of the completed works is provided to the City of Vincent.
- The proposed works are acceptable and whilst providing a contemporary residential addition, there is a conservation outcome that positively contributes to the Lincoln Street streetscape and the Houses, Nos. 54-66 Lincoln Street, Highgate (former Police Cottages). The cultural heritage values of the group of houses are maintained and the conservation works to the facade enhance and celebrate the heritage significance.

The DRP Member provided the following comment for further consideration:

- As a Management Category A place, the proposed alterations/removal of the interior wall from the proposed living to dining room is considered acceptable; however, details of the extent of removal and materials should be provided for the City's consideration.

*Amended Plans*

The applicant provided amended plans on 15 August 2023. This identified the extent and materials of interior walls to be demolished and removed, being brick material to be removed for the full extent of the wall.

The amended plans were referred to the DRP member for further comment on 19 September 2023 in relation to the extent and materials of interior walls proposed to be demolished and seeking further comment in relation to building bulk, streetscape impacts and the colours and materials proposed.

The DRP Member provided the following comments on the amended plans:

- The addition is proposing a contemporary and consistent colour palette and scheme. The materials and colours will not compete with the existing cottage (and cottages) materials and colours. The grey colour, timber colour and textures of the finishes of the additions are complementary to the existing and are acceptable.
- Whilst there are glimpses of the rear addition from the street it is clear from these views that the addition is not prominent in the Lincoln Street streetscape. From the information and detail provided, the upper floor addition would not have a negative impact on the streetscape.
- The upper floor cantilever design is set well back from the significant cottage and the existing south elevation. The cantilevered detail over the alfresco area and the rear elevation is a contemporary design element and does not contribute to a negative impact on building bulk.

- As the place is a Management Category A on the Local Heritage Survey, it is recommended that brickwork nibs are retained to each end of the opening as well as to the head of the opening to allow an interpretation that the space was previously two rooms.

The DRP Member confirmed their support for the proposal, subject to brickwork nibs being retained as outlined above.

The City has communicated this recommendation from the DRP Member to the applicant who is accepting of a condition of approval requiring this modification.

A condition of approval has accordingly been recommended requiring brickwork elements to be retained in accordance with the DRP Member's advice.

A summary of the design review progress is shown in the table below.

Design Review Progress		
	<i>Supported</i>	
	<i>Pending further attention</i>	
	<i>Not supported</i>	
	<i>Not relevant to this proposal</i>	
	DRP Member	
	Referral 1 on 6 August 2023	Referral 2 on 19 September 2023
Principle 1 – <b>Context &amp; Character</b>		
Principle 2 – <b>Landscape Quality</b>		
Principle 3 – <b>Built Form and Scale</b>		
Principle 4 – <b>Functionality &amp; Built Quality</b>		
Principle 5 – <b>Sustainability</b>		
Principle 6 – <b>Amenity</b>		
Principle 7 – <b>Legibility</b>		
Principle 8 – <b>Safety</b>		
Principle 9 – <b>Community</b>		
Principle 10 – <b>Aesthetics</b>		

#### LEGAL/POLICY:

- Planning and Development Act 2005*;
- Heritage Act 2018*;
- Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Burra Charter;
- State Planning Policy 3.5 – Historic Heritage Conservation;
- State Planning Policy 7.3 – Residential Design Codes;
- Community and Stakeholder Engagement Policy;
- Policy No. 7.1.1 – Built Form Policy; and
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.

#### *Planning and Development Act 2005*

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.

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with [Clause 67\(2\)](#) of the Deemed Provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015* (Planning Regulations) and in determining a development application, Council is to have due regard to a range of matters to the extent that these are relevant to the development application.

The matters for consideration relevant to this application relate to the compatibility of the development within its setting, amenity and character of the locality, heritage significance, consistency with planning policies, submissions received during community consultation and advice from the DRP.

Local Planning Scheme No. 2

The objectives of the Residential zone under LPS2 are a relevant consideration for the application. These objectives are:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community;*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas;*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development;*
- *To promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, water conservation, waste management and recycling;*
- *To enhance the amenity and character of the residential neighbourhood by encouraging the retention of existing housing stock and ensuring new development is compatible within these established areas;*
- *To manage residential development in a way that recognises the needs of innovative design and contemporary lifestyles; and*
- *To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.*

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. 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.

State Planning Policy 3.5 – Historic Heritage Conservation

State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5) sets out principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage. These principles inform the heritage management standards of local planning policies.



Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties

As the subject site and adjoining properties to the west are heritage listed properties, the proposal is required to be assessed against both Parts 4 and 5 of the Heritage Management Policy.

The objectives of the Heritage Management Policy are to:

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.*

Part 4 of the Heritage Management Policy relates to development to heritage listed buildings. The policy includes 'acceptable development' criteria as well as the following three performance criteria:

- P1 Development is to comply with the statement of significance outlined in Heritage Assessment, Heritage Impact Statement and/or Place Record Form.*
- P2 Alterations and additions to places of heritage value should be respectful of and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place.*
- P3 To ensure the cultural heritage significance of a place is conserved and the majority of the significant parts of the heritage place and their relationship to the setting within the heritage place should be retained.*

Part 5 of the Heritage Management Policy relates to development adjacent to heritage listed buildings. The policy includes 'acceptable development' criteria as well as the following three performance criteria:

- P1 New development maintains and enhances existing views and vistas to the principal façade(s) of the adjacent heritage listed place.*
- P2 New development maintains and enhances the visual prominence and significance of the adjacent heritage listed place.*
- P3 New development is of a scale and mass that respects the adjacent heritage listed place.*

**Delegation to Determine Applications:**

This application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to proposals for the demolition of any structure or building on a heritage protected place.

The subject site is a heritage protected place. The application proposes the demolition of an existing patio, deck, roof and external and internal walls at the rear of the existing building.

**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:**

The City has assessed the application against the environmentally sustainable design provisions of the Built Form Policy. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

The applicant has provided information about the environmental sustainability performance of the proposed development. The proposed development incorporates sustainability initiatives with the northern orientation of the proposed additions, north-facing openings for sunlight access with awnings provided over these, installation of a skylight to the living room, and incorporation of 12 roof mounted solar panels.

**PUBLIC HEALTH IMPLICATIONS:**

This is in keeping with the following 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:**Summary Assessment

In assessing the application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- The demolition of structures in the backyard of the subject site and partial demolition of the rear of the dwelling would not impact on the heritage significance of the place.
- The rear location and design of the proposed alterations and additions are respectful and compatible with buildings on-site and on the adjoining property that is of heritage value.
- The form and scale of the proposed alterations and additions is consistent with that expected of a R80 high density coded site that has a three storey height standard under the Built Form Policy and is supported by the City's DRP Member.
- The proposed alterations and additions would ensure visual compatibility with the surrounding properties and streetscape, meets overshadowing and visual privacy deemed-to-comply standards, and would not adversely affect the amenity of adjoining properties.

Boundary Walls

The proposed boundary walls would satisfy the [Design Principles](#) of the R-Codes and [Local Housing Objectives](#) of the Built Form Policy for the following reasons:

- Reducing Building Bulk:
  - Site Characteristics and Compatibility: The proposed rear addition has been designed to respond to the characteristics of the site that includes a narrow 10.0 metre frontage, shallow 20.5 metre lot depth and sloping topography from the front to rear of approximately 0.8 metres. The siting of the addition aligns closely with the rear building lines of both adjacent dwellings, creating visual consistency, preserving view lines across the backyards from each dwelling and minimising the impact of building bulk on outdoor living areas.
  - Western Boundary Wall: The proposed western boundary wall measures 2.5 metres in length and presents a 0.5 metre departure to the boundary wall height deemed-to-comply standard under the R Codes. The neighbouring dwelling to the west is one of the Police Cottages and the proposed boundary wall extension would be located adjacent to the outdoor living area at the rear of the neighbouring dwelling. The neighbouring dwelling's outdoor living area has a depth of 7.7 metres from the rear lot boundary, of which 2.5 metres would interface with the proposed boundary wall. This proposed boundary wall length would be finished in natural timber cladding and would incorporate a flat roof form. This would contrast with the red brick of the existing dwelling. The limited length of the proposed boundary wall extension together with the use of contrasting colours and materials would assist in mitigating the impact of building bulk as it presents to the adjoining western property and their adjacent outdoor living area.

- Eastern Boundary Wall: The proposed eastern boundary wall presents a 0.2 metre departure to the deemed-to-comply standard for boundary wall height under the R Codes. The proposed boundary wall aligns closely with the rear building line of the eastern adjoining dwelling and extends 0.36 metres beyond the rear of that dwelling. The proposal incorporates articulation across the proposed boundary wall and features variance in roof form, colours and materials. The existing boundary wall is setback 0.58 metres from this side boundary, is constructed of red brick and presents a skillion roof form. The proposed boundary wall extension would be located up to the lot boundary, finished with a fine texture cladding in dark grey and presents a flat roof form. The contrasting setbacks, materials, colours and forms between the two walls visually distinguishes the two sections of wall and effectively mitigates the impression of bulk.
- Impact on Solar Access: Overshadowing is assessed based on shadow cast on 21 June at winter solstice when shadowing is at its worst, as per the deemed-to-comply standard in the R Codes. The shadow cast measured at winter solstice falls in a southern direction and due to the orientation of the property, shadow cast from the proposed eastern boundary wall would fall over a portion of the eastern adjoining property. The proposed eastern boundary wall is located adjacent to a kitchen window on the eastern adjoining property. This kitchen window is setback 1.6 metres from the lot boundary. Direct western sunlight into the kitchen window is currently limited by an awning located above the window and the canopy of the Jacaranda tree located in the backyard of the subject site. This means that access to direct sunlight for the kitchen window is already limited and the 0.2 metre portion of boundary wall that exceeds the deemed-to-comply height would not unduly impact the amenity of the adjoining property. The shadow from this boundary wall would also largely fall within the shadow cast from the upper floor addition and which has a side lot boundary setback that is compliant with the deemed-to-comply standards of the R Codes.
- Ventilation: The proposed boundary walls interface with the side setback and open space areas of the adjacent dwellings and would retain adequate access to air flow and natural ventilation.
- Visual Privacy: The proposed boundary walls do not feature any major openings and would not result in overlooking or loss of privacy of neighbouring properties.

#### Heritage Management Policy

Parts 4 and 5 of the Heritage Management Policy set out development standards for development to heritage places and adjacent to heritage places, respectively. The Policy requires the proposal to be considered against the performance criteria.

Comments are included below relating to how the proposed development to a heritage listed place meets the performance criteria and objectives of the Heritage Management Policy.

- Demolition Acceptability: The proposed demolition is limited to the rear portion of the building which has already been subject to renovations in the 1990's and does not contribute to the heritage significance of the place.
- Sympathetic to Existing Heritage Values: The proposed additions presents a contemporary design situated to the rear of the dwelling. The location of the additions to the rear of the dwelling minimises their visibility and preserves the rhythm of the streetscape that forms part of the heritage value of the Police Cottages. Streetscape perspectives showing the visibility of the rear additions from the street are included in **Attachment 6**.
- Materials & Finishes: The proposed materials and finishes to the rear additions comprise of a contemporary dark grey and brown colour palette. This provides contrast to the existing building whilst remaining sympathetic in colour and texture to the existing red brickwork. The proposed materials and colours are contemporary in nature, allowing the additions to be distinguished as 'new work' while not mimicking or replicating historic styles. The use of a darker colour for the second storey addition contrasts it from the light colour of the existing roof. This-assists in concealing it and preserves the view of the heritage street façade, ensuring that it is complimentary to the heritage elements of the existing building.
- DRP Support: The City's DRP Member specialising in heritage conservation advised that the proposed works are compatible with the existing heritage building and row of heritage dwellings forming the Police Cottages heritage place. This is due to the siting and design of the additions, which do not detract from the visual prominence of the heritage façade of the dwelling presenting to the Lincoln Street streetscape. The DRP Member advised that the contemporary design, colour palette and scheme is distinguishable from and does not compete with the materials and colours of the existing dwelling. The DRP Member also advised that the use of grey colour, timber colour and textures and finishes of the proposed additions are complimentary to the existing dwelling and are acceptable.

**CITY OF VINCENT  
LOCAL PLANNING SCHEME NO. 2  
SCHEME MAP 1 - LEEDERVILLE**

**LEGEND**

**METROPOLITAN REGION SCHEME RESERVES**

*Note: The Western Australian Planning Commission care of the Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves.*

- PARKS AND RECREATION**
- R Restricted Public Access
- PRIMARY REGIONAL ROADS RESERVATION**
- OTHER REGIONAL ROADS RESERVATION**
- RAILWAYS**
- PUBLIC PURPOSES**  
Particular use denoted as follows:
- H Hospital
- HS High School
- TS Technical School
- CP Car Park
- U University
- CG Commonwealth Government
- SU Special Use
- WSD Water Authority of Western Australia
- P Prison

**CITY OF VINCENT LOCAL SCHEME RESERVES**

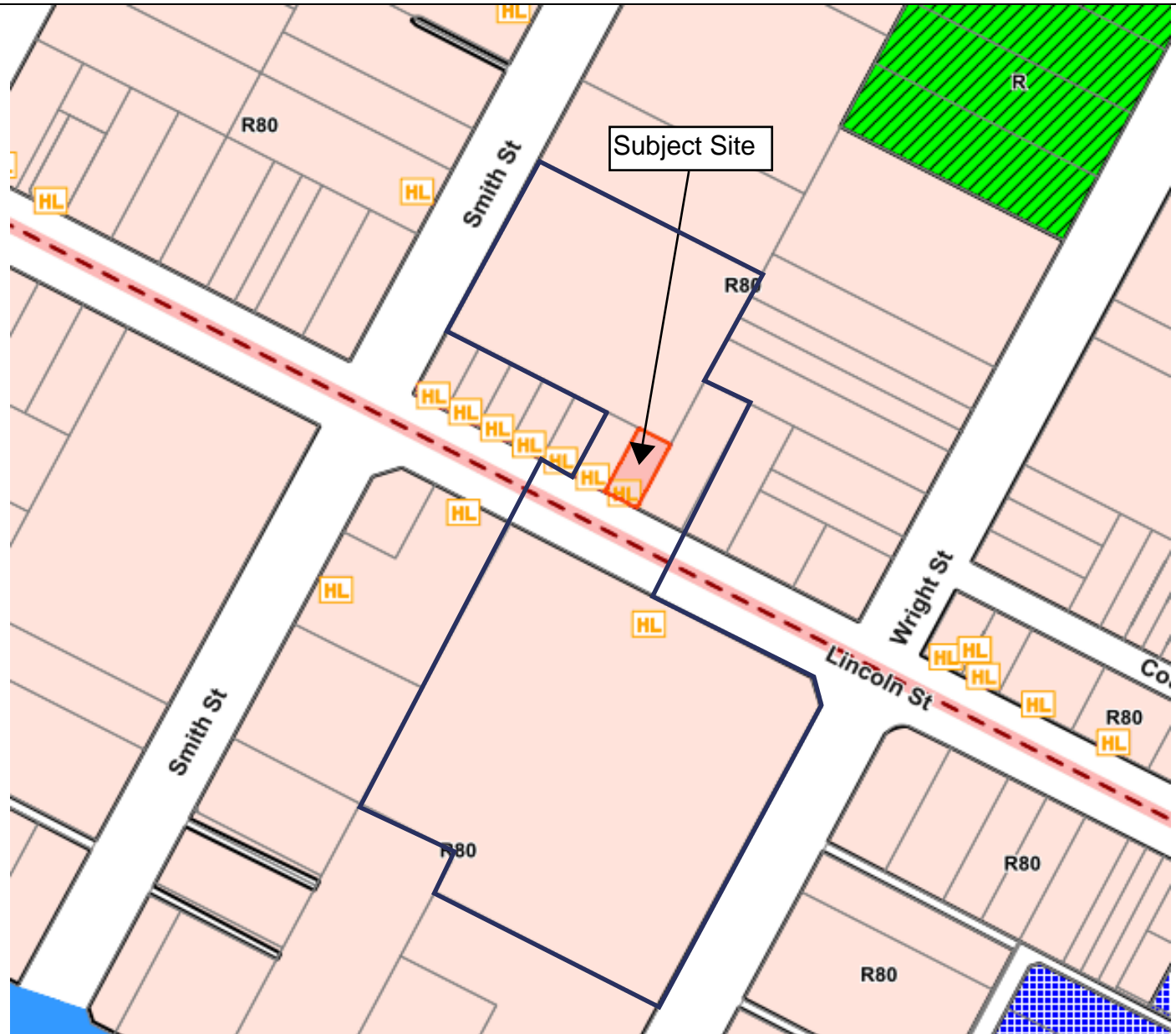
- PUBLIC OPEN SPACE**
- R Restricted
- PUBLIC PURPOSES**  
Particular use denoted as follows:
- PS Primary School
- CP Car Park
- CU Civic Uses
- HS High School
- I Institute for the Deaf
- W Water Supply Sewerage and Drainage
- TS Technical School

**CITY OF VINCENT SCHEME ZONES**

- RESIDENTIAL**
- MIXED USE**
- COMMERCIAL**
- LOCAL CENTRE**
- DISTRICT CENTRE**
- REGIONAL CENTRE**
- SPECIAL USE**  
Particular use denoted as follows:
- CP Car Park
- CU Community Use
- FC Function Centre
- HC Hall and Non Residential Club
- H Hotel
- PW Place of Worship
- S Service Station

**ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES**

- CODE AREA BOUNDARY**
- SCHEME AREA BOUNDARY**
- DENSITY CODE**



CITY OF VINCENT

The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).

Consultation and Location Map  
No. 54 Lincoln Street, Highgate

Extent of Consultation







**SUBJECT  
SITE**

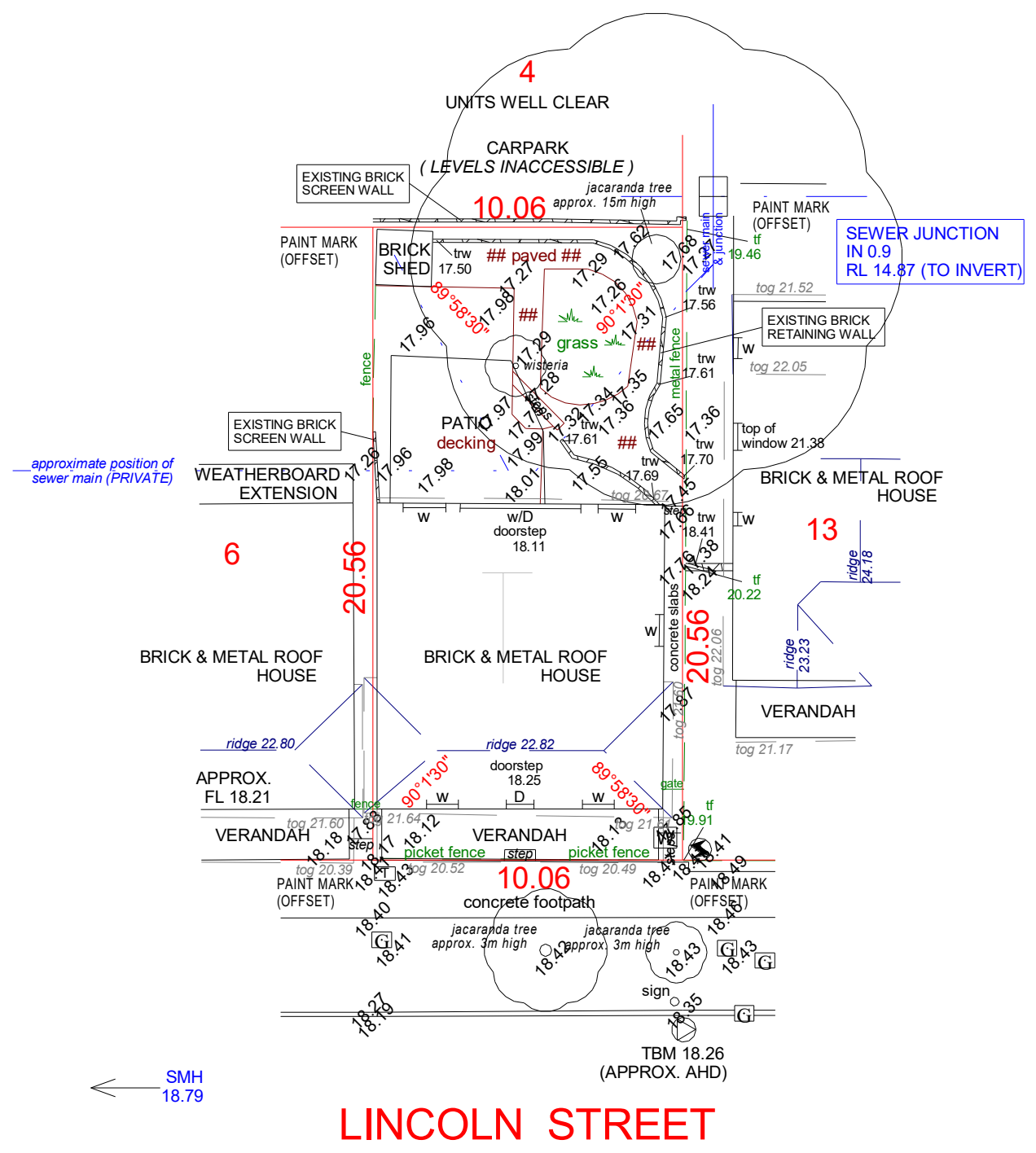


**CITY OF VINCENT**

The City of Vincent does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the City of Vincent shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Includes layers based on information provided by and with the permission of the Western Australian Land Information Authority (Landgate) (2013).

No. 54 Lincoln Street, Highgate





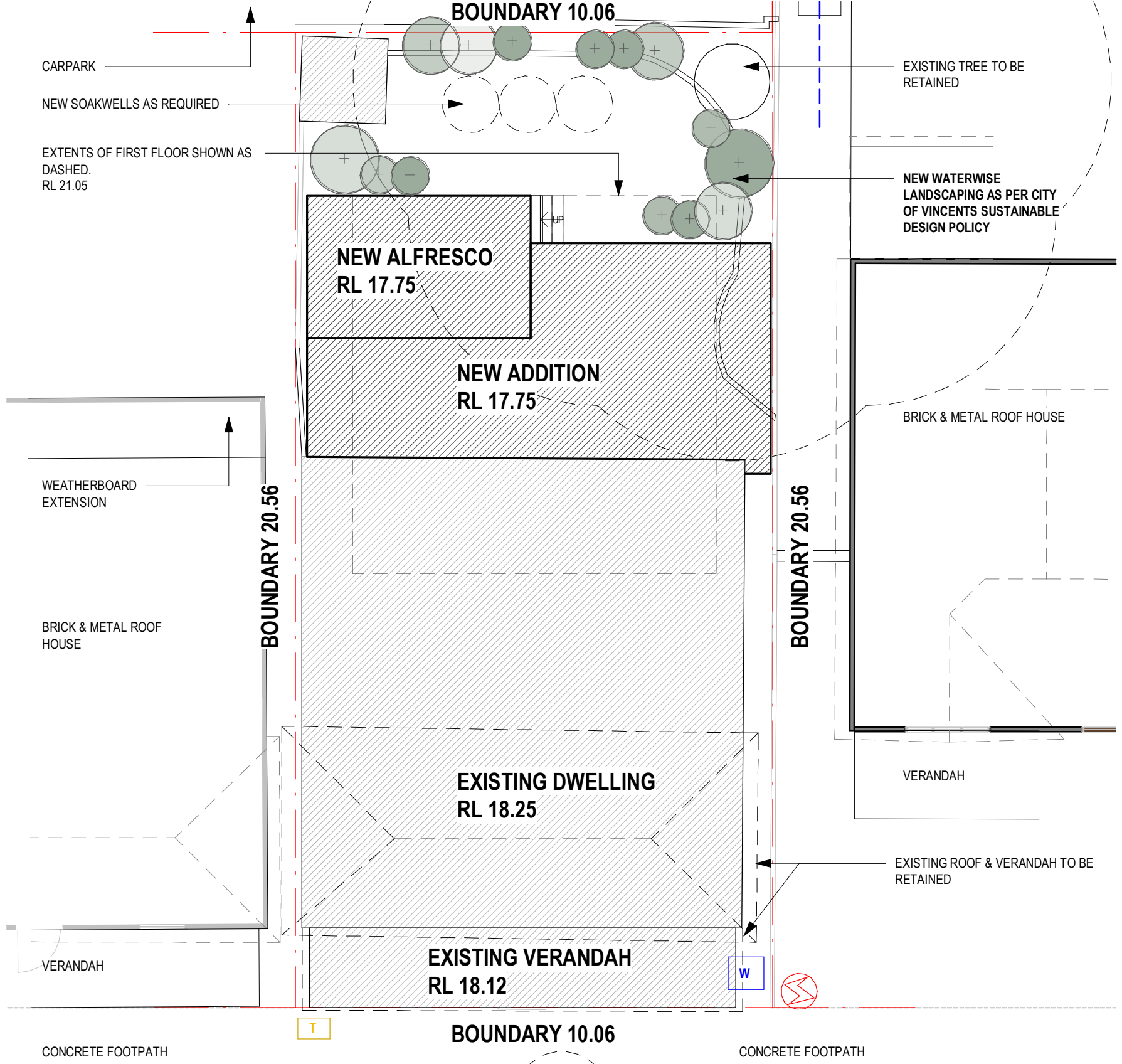
CITY OF VINCENT  
RECEIVED  
15 August 2023

**Amended Plan**

**1** SURVEY PLAN  
SCALE 1 : 200

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design
2	18.01.2022	SC	RL	Concept Design

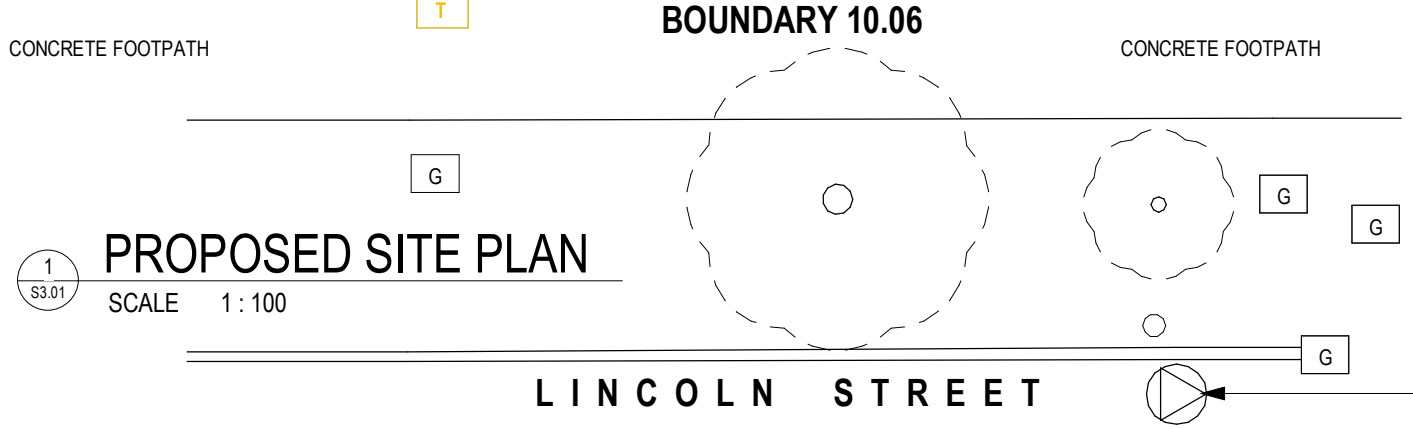




SITE INFORMATION TABLE	
LOT AREA	206 m <sup>2</sup>
COUNCIL	City of Vincent
R-CODE	R80
MIN. OPEN SPACE	30%
MIN. OUTDOOR SPACE	16m <sup>2</sup>
SETBACKS	
PRIMARY STREET	1m
SECONDARY STREET	1m
OTHER/REAR	
MAX. BUILDING HEIGHTS	
TOP OF WALL	7m
TOP OF PARAPET	7m
TOP OF PITCHED ROOF	10m
BUSHFIRE PRONE AREA?	N/A

SITE PLAN LEGEND	
23.30	EXISTING NATURAL GROUND LEVEL
RL	PROPOSED LEVEL
	EXISTING DWELLING
	NEW ADDITION
	WATER METER
	TELECOM PIT
	POWER DOME
	GAS
	SEWER MAIN

INDICATIVE AREAS	
GROUND FLOOR AREA	124
FIRST FLOOR AREA	48
OUTDOOR LIVING	29
<b>TOTAL</b>	<b>148</b>
OPEN SPACE	(82) 39%

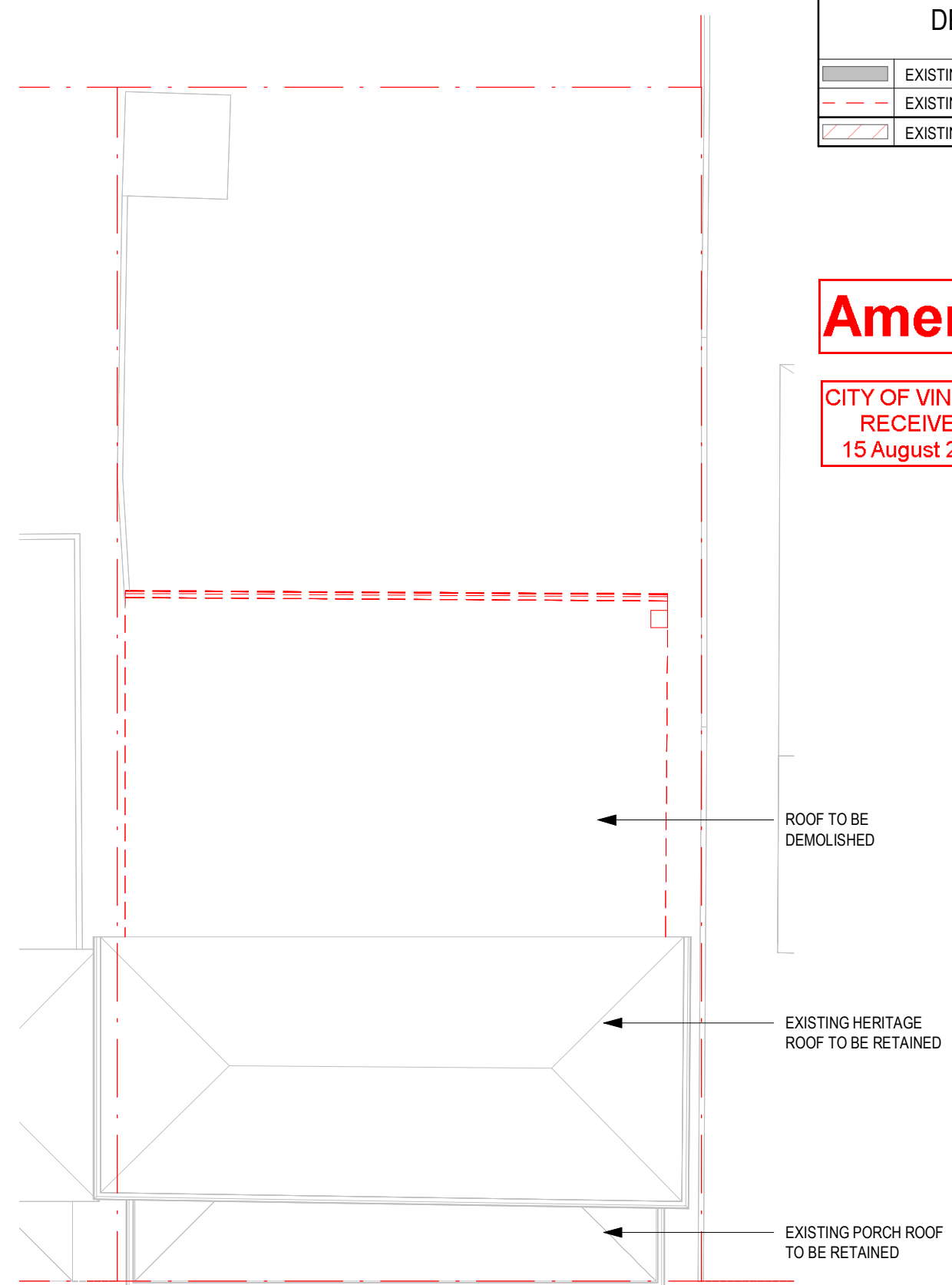
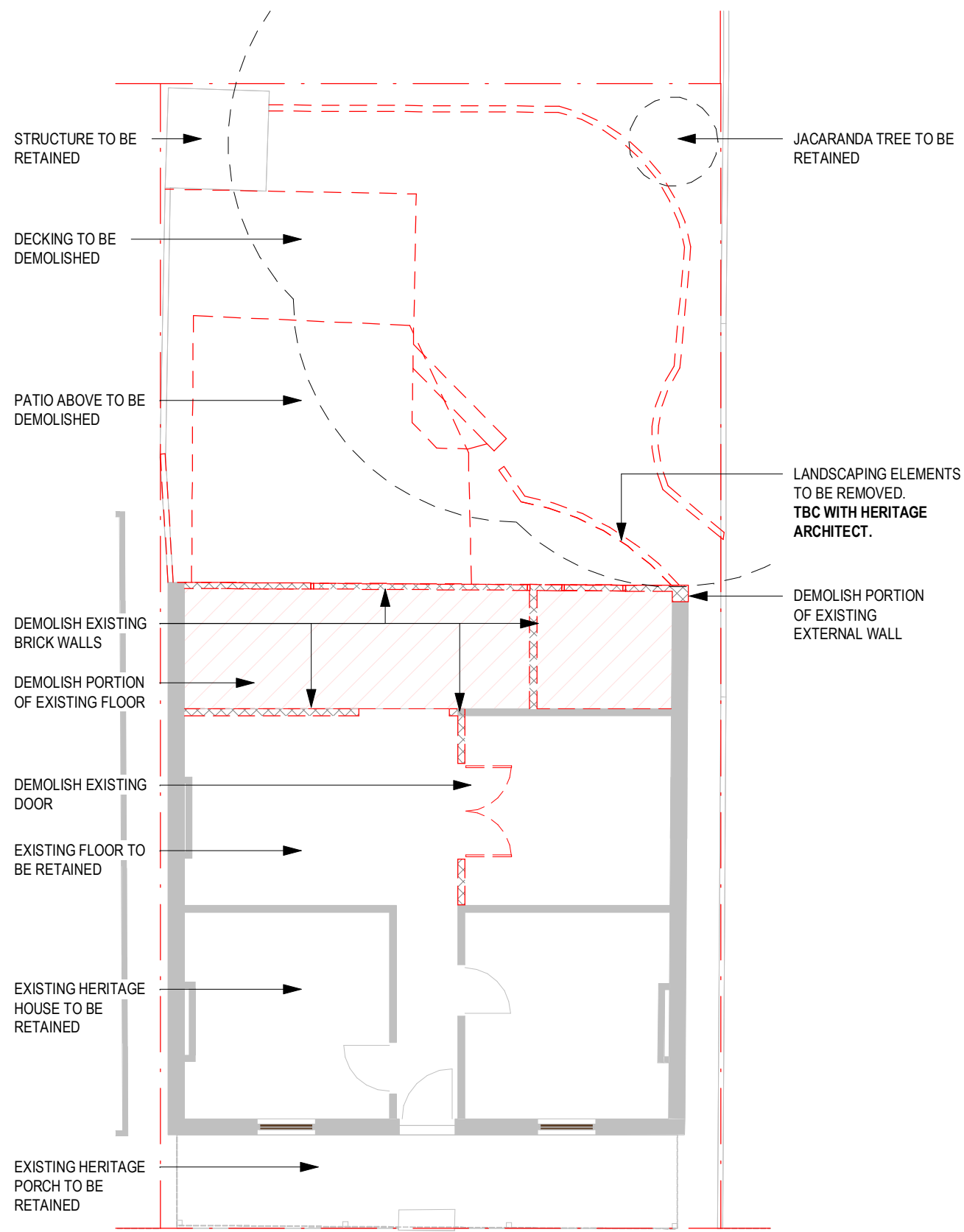


**Amended Plan**

CITY OF VINCENT  
RECEIVED  
15 August 2023

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design

S1.01 PROPOSED SITE PLAN



DEMOLITION KEY	
	EXISTING STRUCTURE TO BE RETAINED
	EXISTING TO BE DEMOLISHED
	EXISTING FLOOR TO BE DEMOLISHED

**Amended Plan**

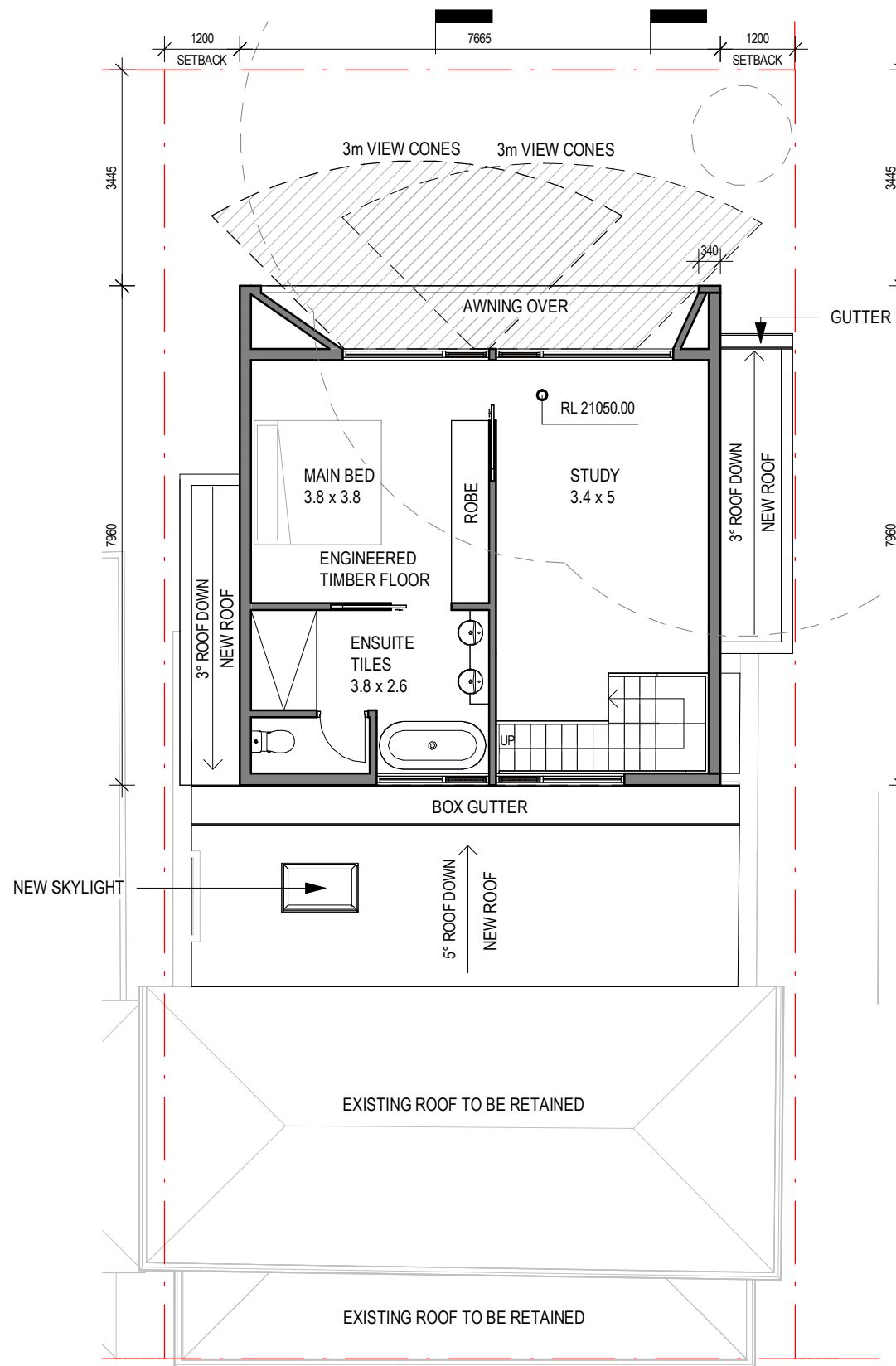
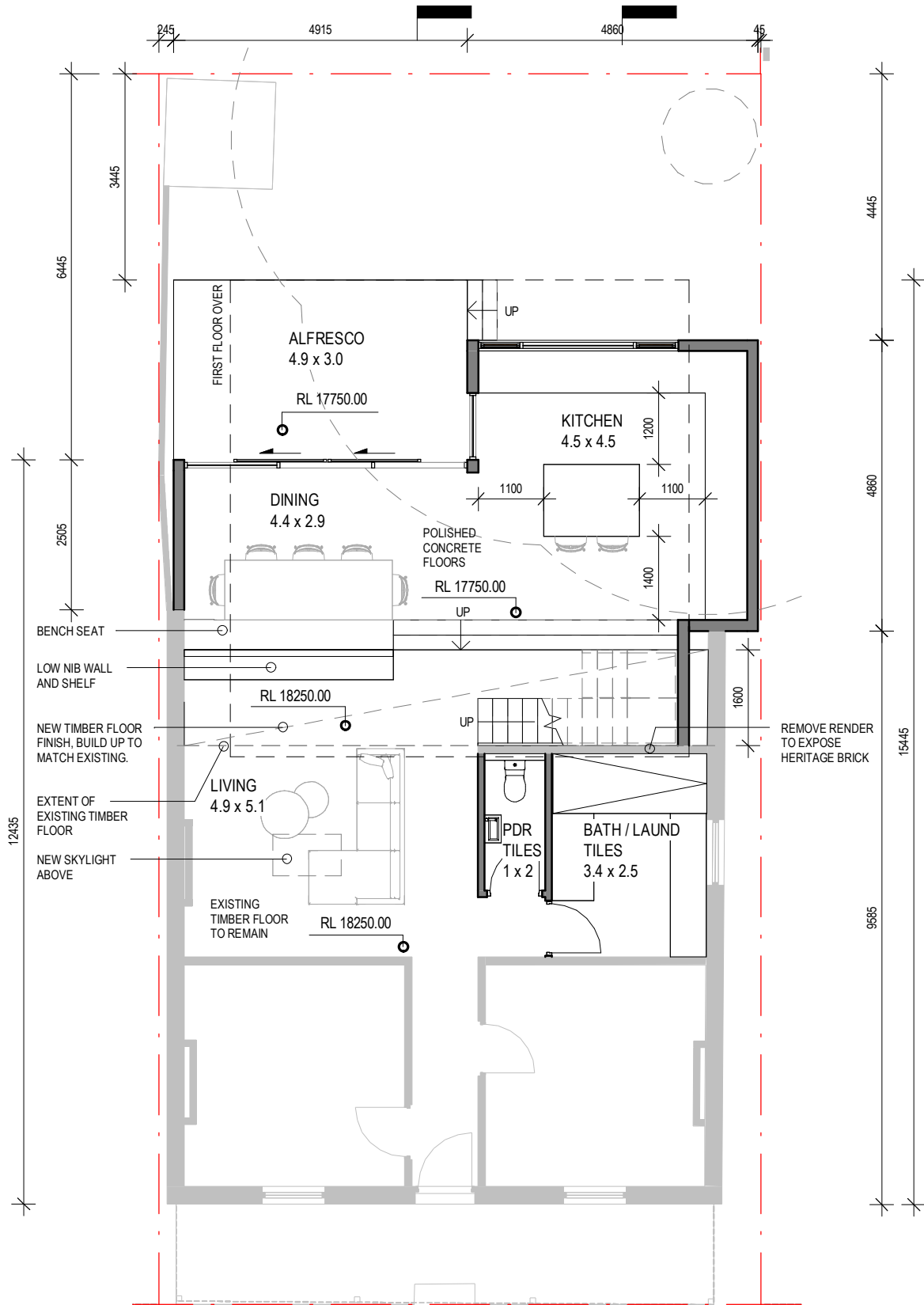
CITY OF VINCENT  
RECEIVED  
15 August 2023

1 DEMOLITION - GROUND FLOOR PLAN  
SCALE 1:100

2 DEMOLITION - ROOF PLAN  
SCALE 1:100

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design
2	18.01.2022	SC	RL	Concept Design





**Amended Plan**

CITY OF VINCENT  
RECEIVED  
15 August 2023

INDICATIVE AREAS	
GROUND FLOOR AREA	124
FIRST FLOOR AREA	48
OUTDOOR LIVING	29
<b>TOTAL</b>	<b>148</b>
OPEN SPACE	(82) 39%

PLAN KEY	
	EXISTING STRUCTURE TO BE RETAINED
	NEW CONSTRUCTION

1 S3.01  
2 S4.01  
**GROUND FLOOR PLAN**  
SCALE 1:100

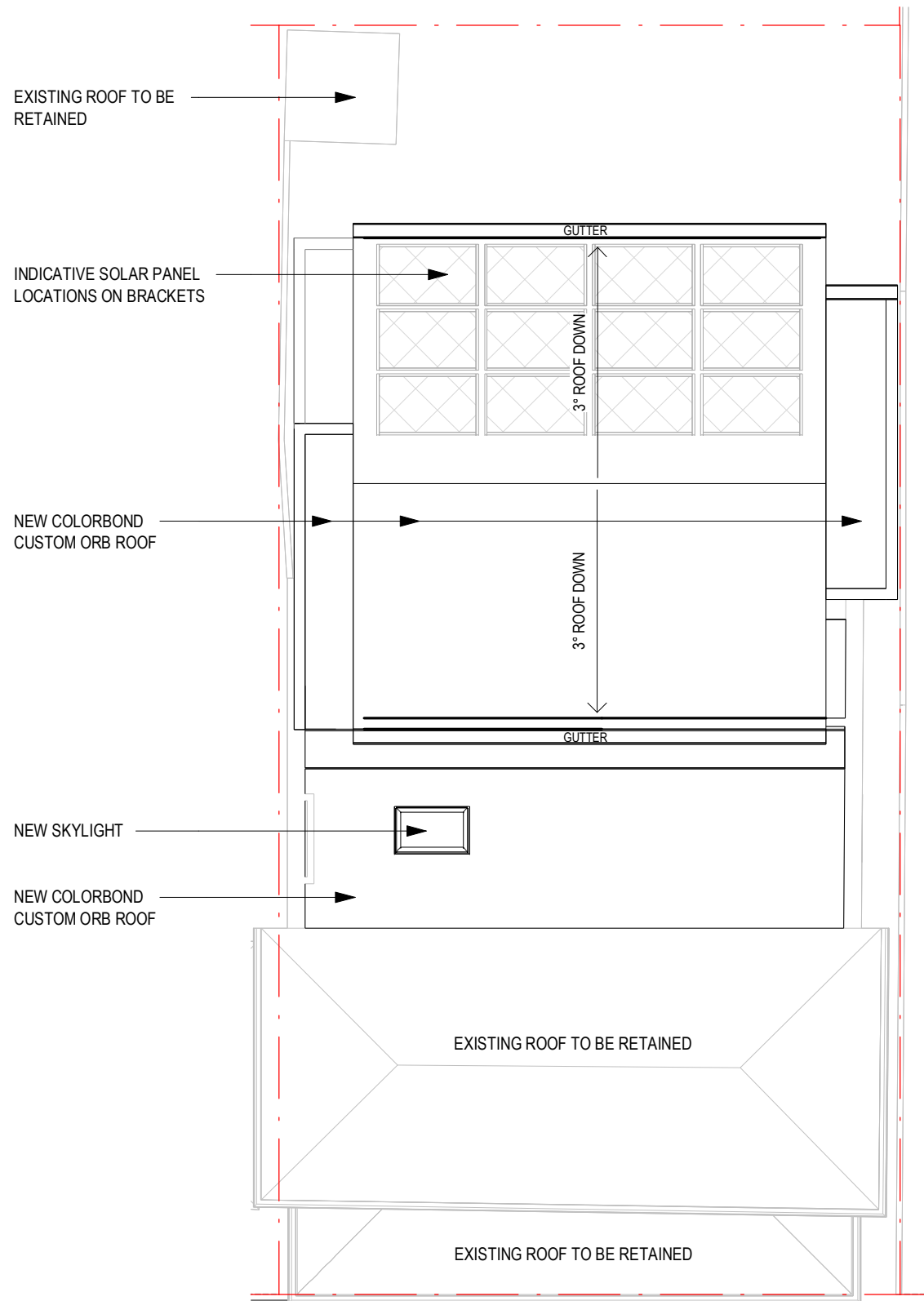
1 S3.01  
2 S4.01  
**FIRST FLOOR PLAN**  
SCALE 1:100

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design
2	18.01.2022	SC	RL	Concept Design



**Amended Plan**

CITY OF VINCENT  
RECEIVED  
15 August 2023



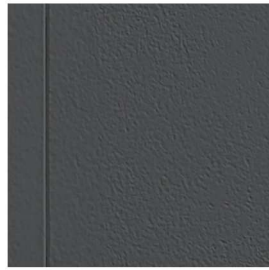
1  
S3.01

**PROPOSED ROOF PLAN**

SCALE 1 : 100

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023	SC	SC	Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design
2	18.01.2022	SC	RL	Concept Design





# Amended Plan

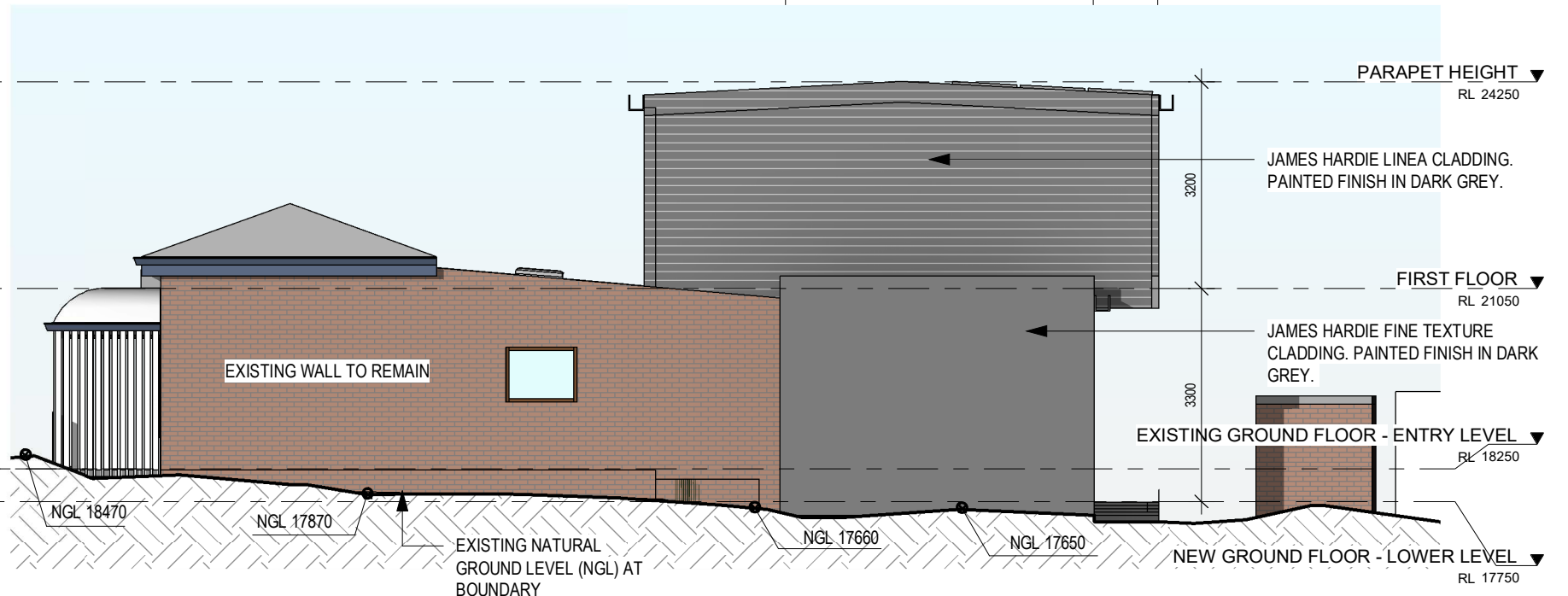
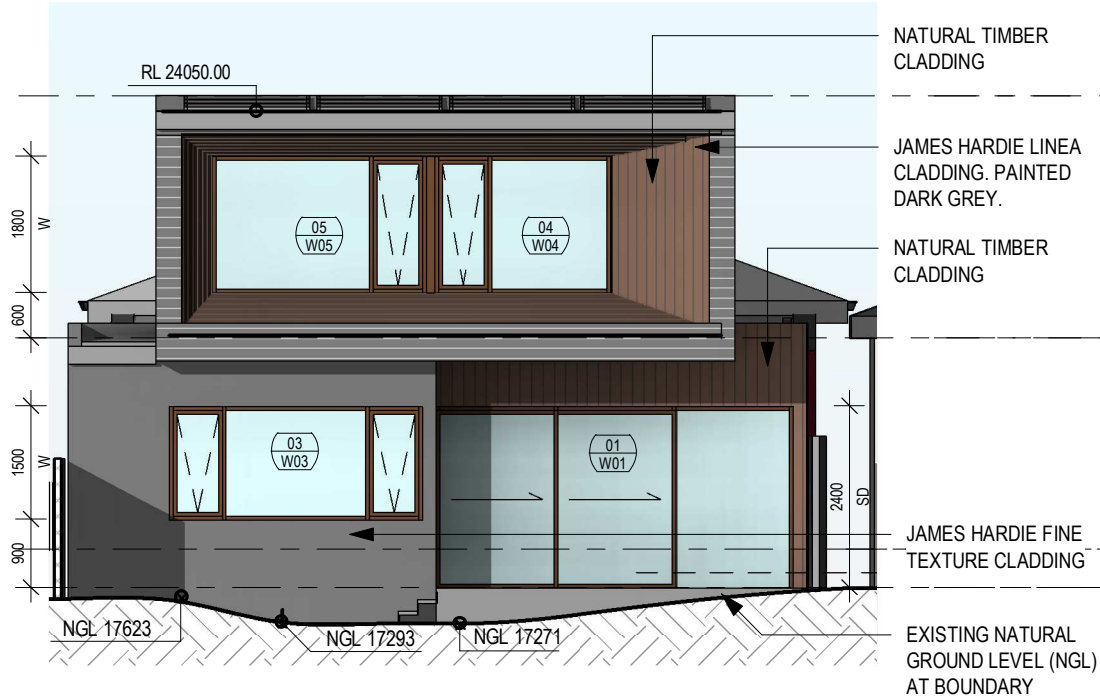
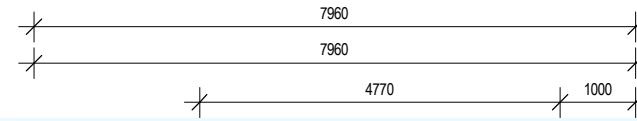
CITY OF VINCENT  
RECEIVED  
15 August 2023

01. JAMES HARDIE FINE  
TEXTURE CLADDING

02. JAMES HARDIE LINEA  
CLADDING

03. NATURAL TIMBER  
CLADDING

04. EXISTING RED BRICK  
CLADDING

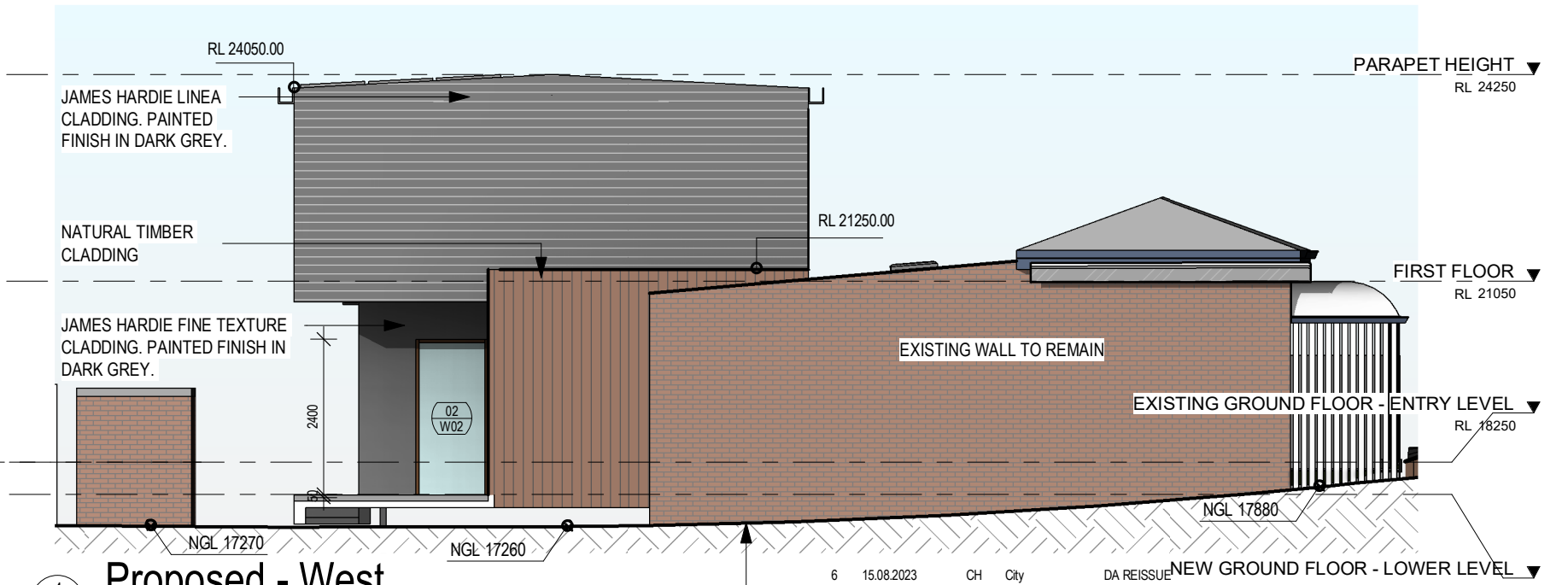
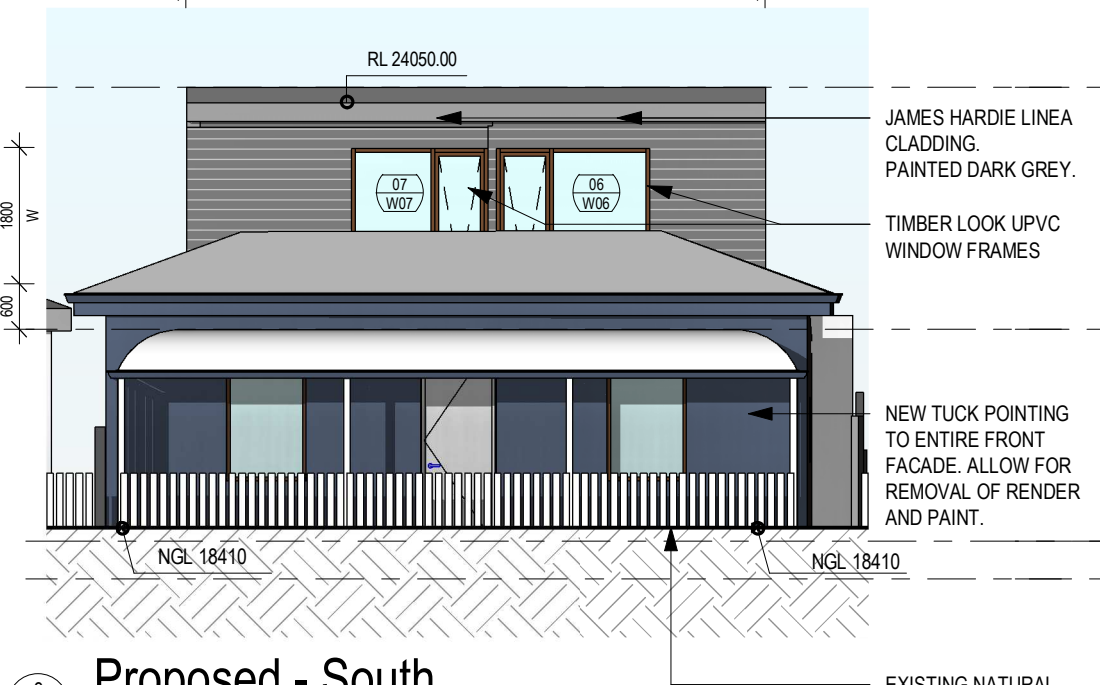


2 Proposed - North

SCALE 1 : 100

1 Proposed - East

SCALE 1 : 100



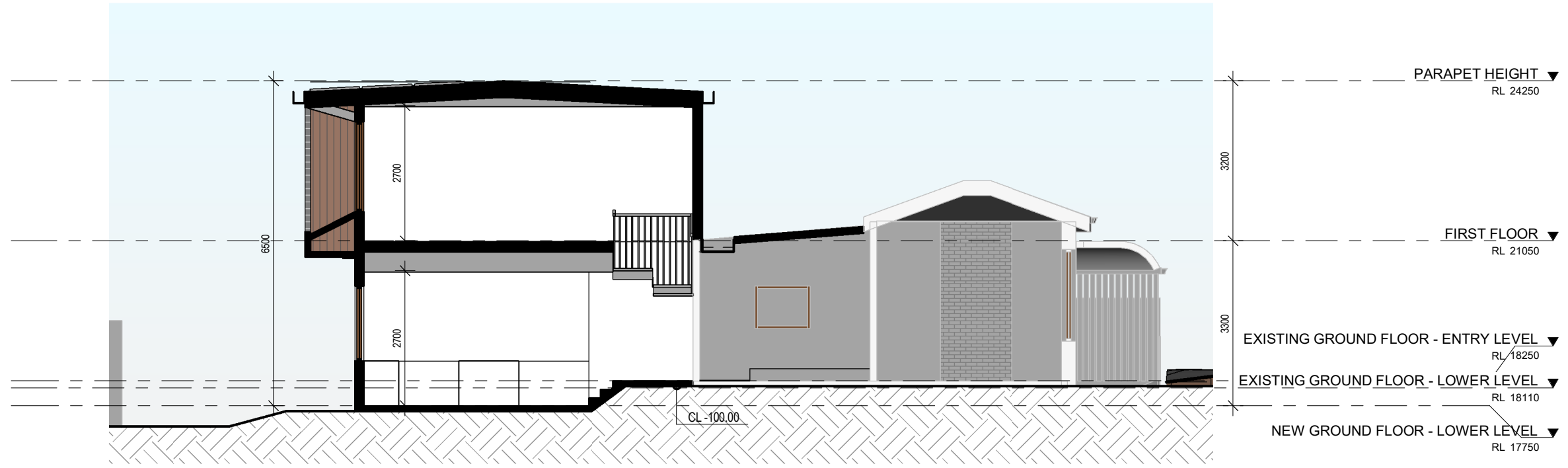
3 Proposed - South

SCALE 1 : 100

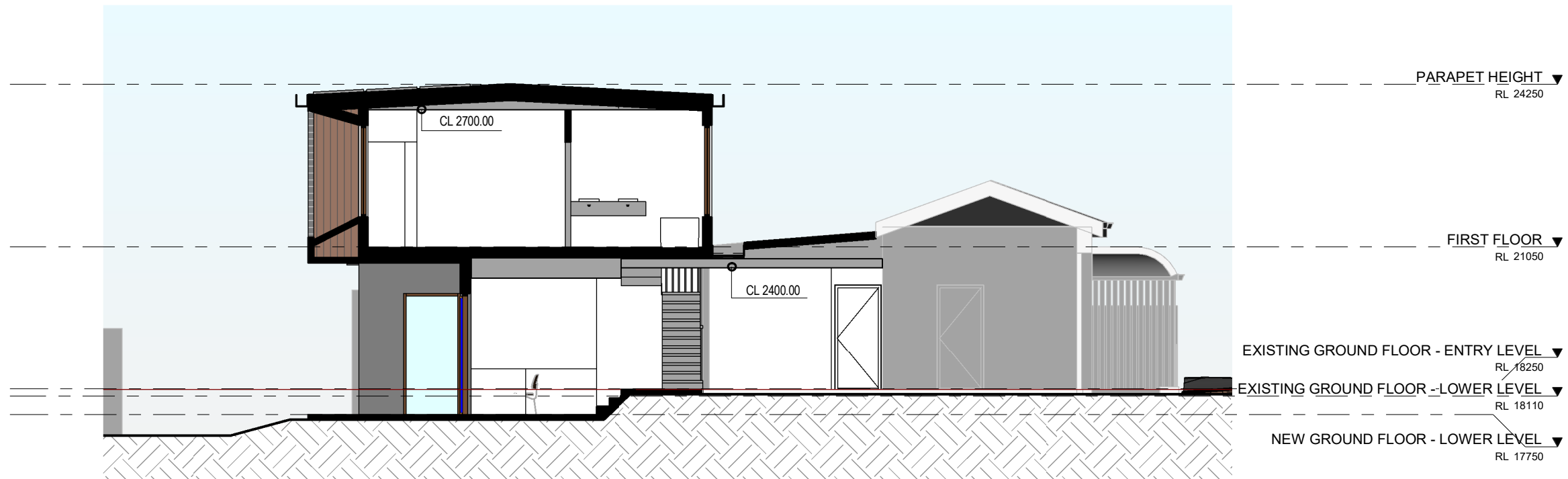
4 Proposed - West

SCALE 1 : 100

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review
3	31.01.2023	SC	SC	Schematic Design
2	18.01.2022	SC	RL	Concept Design



2 SECTION 02  
S2.01 SCALE 1:100



1 SECTION 01  
S2.01 SCALE 1:100

**Amended Plan**  
CITY OF VINCENT  
RECEIVED  
15 August 2023

REV	DATE	BY	CHKD	REVISION DESCRIPTION
6	15.08.2023	CH	City	DA REISSUE
5	15.05.2023			Issue for Development Application
4	17.04.2023			Schematic Design Review

### **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 two 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. 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.
6. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. NO verge trees shall be removed. The verge trees shall be **RETAINED** and **PROTECTED** from any damage including unauthorised pruning.
8. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will 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 shall be made in writing. The bond is non-transferable.
9. 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 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
10. All stormwater 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 stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.
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. The applicant is advised that the boundary walls, including but not limited to the cladding materials, are required to achieve a minimum Fire-Resistant Level (FRL) not less than FRL 60/60/60. Evidence of suitability, such as CodeMark Certificate of Conformity, should be provided at building permit stage in order to verify the FRL, alternatively the applicant may consult with a private building surveyor for a performance solution.

## Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with Administration's responses to each comment.

Comments Received in Support:	Administration Comment:
<p><u>General</u></p> <ul style="list-style-type: none"> <li>The proposal is a fair and balanced approach to improving the liveability of the property while preserving heritage.</li> <li>The visual impact from the front and sides appears to be limited and acceptable.</li> </ul>	<p>Noted.</p>
Comments Received in Objection:	Administration Comment:
<p><u>Building Height</u></p> <p>The additions should be designed to not be visible from the street in order to preserve the heritage streetscape.</p>	<p>The applicant has amended the plans, modifying the roof form to include a shallow pitch from the centre of the roof. This has resulted in a reduction in the overall height by 0.1 metres and reduction in the front facing wall of the second storey addition by 0.3 metres. The second storey addition has also been shifted to sit centrally within the lot, aligning with the pitch of the existing street fronting roof. While a portion of the roof form would remain visible from the street, the bulk of the addition would be obscured from view due to its location to the rear of the existing dwelling (refer to streetscape perspectives included in <b>Attachment 6</b>). The additions have been designed and finished to in a contemporary nature and would be sympathetic to the existing dwelling, ensuring that it does not detract from the visual prominence of the heritage façade of the place.</p>
<p><u>Lot Boundary Setbacks</u></p> <ul style="list-style-type: none"> <li>The western boundary wall height will reduce the amenity of adjoining properties, block sunlight and introduce obtrusively bulky and overbearing mass.</li> <li>Reduction to setbacks will impact existing openness and amenity.</li> </ul>	<ul style="list-style-type: none"> <li>The applicant has amended the plans, reducing the height of the western boundary wall by 0.5 metres. The extent of the wall that would be visible from the western neighbours property is limited to 2.5m in length, as the remainder of the boundary wall exists on-site and abuts an existing boundary wall on the western neighbouring lot. The 2.5 metre length of the proposed western boundary wall, the use of contrasting colours and materials, and orientation of the lots would reduce the impact of visual bulk associated with the additional 0.5 metres in height sought for the boundary wall that exceeds the deemed-to-comply standard and would maintain solar access for the adjoining western neighbour.</li> <li>The applicant has amended the plans, shifting the second storey addition to sit centrally within the lot and to comply with the deemed-to-comply lot boundary setbacks to both the east and west.</li> </ul>

## Summary of Submissions:

<b>Comments Received in Objection:</b>	<b>Administration Comment:</b>
<p><u>Access to Daylight</u></p> <p>The proposal will adversely impact access to daylight for adjoining properties.</p>	<p>The subject site has a slightly skewed northern orientation, resulting in some overshadowing to the south-east as measured at 21 June winter solstice in accordance with the R Codes. The length of the proposed eastern boundary wall aligns closely with the rear building line of the eastern adjoining dwelling, ensuring the outdoor living areas of the eastern adjoining property are not affected. Major openings facing this side lot boundary in the eastern adjoining dwelling feature awnings to protect it from the western afternoon sun. This means that the 0.2 metre portion of boundary wall that exceeds the deemed-to-comply height would have a negligible impact on daylight access for the eastern neighbouring property. The shadow from this boundary wall would also largely fall within the shadow cast from the upper floor addition and which has a side lot boundary setback that is compliant with the deemed-to-comply standards of the R Codes.</p>
<p><u>Landscaping</u></p> <p>Roots from existing trees on the site are damaging sewer connections on adjoining properties. Further landscaping will exacerbate this.</p>	<p>There are no planning standards under the planning policy framework that restricts planting of trees in proximity to lot boundaries. Impacts from vegetation on private property is a civil matter and not regulated under the planning framework.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.



**Summary of Submissions: DA5.2023.140.1 No. 54 Lincoln Street, Highgate – Alterations and Additions to Single House**

The tables below summarise the comments received during the advertising period of the proposal. Please provide your comment against each item in the ‘Applicant Comment’ section.

Overall, the City received five submission during the consultation period. The City received four comments of objection and one comment of support.

Comments Received in Support:	Applicant Comment:
<p><u>General</u></p> <ul style="list-style-type: none"> <li>The proposal is a fair and balanced approach to improving the liveability of the property while preserving heritage.</li> <li>The visual impact from the front and sides appears to be limited and acceptable.</li> </ul>	<p>Improving the liveability of the property will increase the building lifespan hence allowing for the retention of the heritage structure for many more years. This is an environmentally sustainable response that reduces embodied carbon by the reuse of as much of the existing structure as possible while offering better oriented and constructed (and therefore more comfortable) spaces to be used as the primary living areas of the house.</p>

Comments Received in Objection:	Applicant Comment:
<p><u>Building Height</u></p> <ul style="list-style-type: none"> <li>The additions should be designed to not be visible from the street in order to preserve the heritage streetscape.</li> </ul>	<p>The development to the rear of the property leaves the original house intact, maintaining the appearance of the cottage and the integrity of the streetscape. We have ensured that the new addition remain as low as possible so as not to impose on the cottage, the minimum ground floor height is set by the existing cottage meaning that the building is visible slightly above the house from the street view. The cladding on the upper storey of the cottage is a dark colour to reduce the visual dominance of the new structure.</p>  <p>VIEW FROM THE SOUTH AT EYE LEVEL (LINCOLN STREET)</p>



**Summary of Submissions: DA5.2023.140.1 No. 54 Lincoln Street, Highgate – Alterations and Additions to Single House**

**Lot Boundary Setbacks**

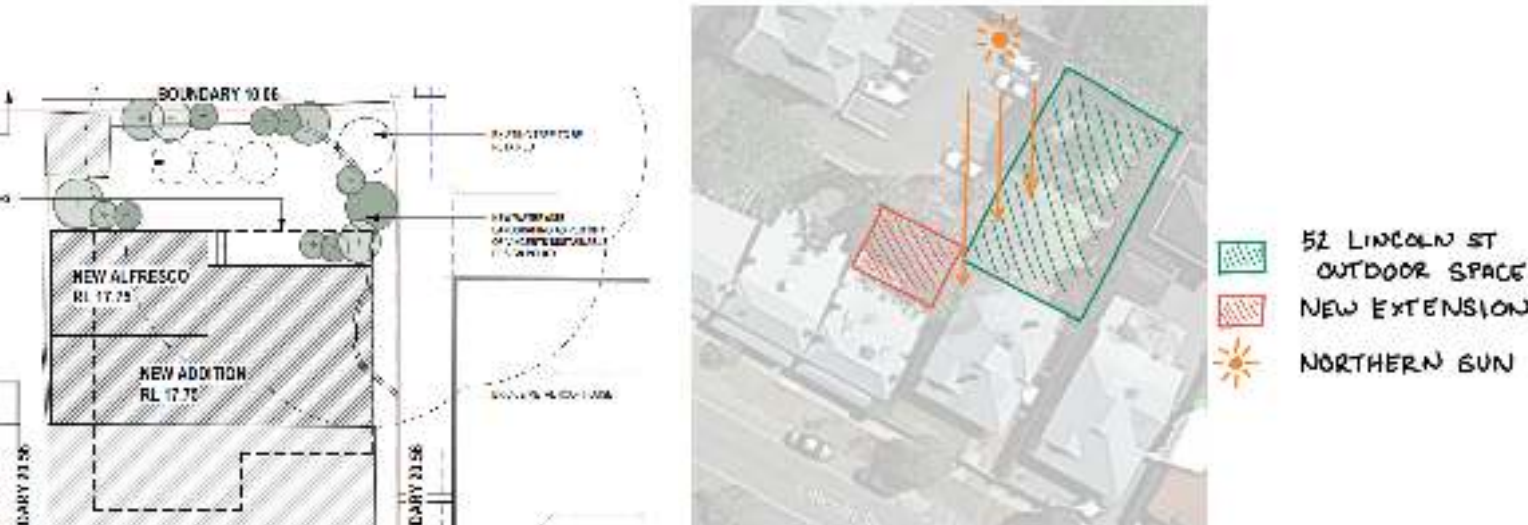
- The western boundary wall height will reduce the amenity of adjoining properties, block sunlight and introduce obtrusively bulky and overbearing mass.
- Reduction to setbacks will impact existing openness and amenity.

The western wall of the extension is stepped in the vertical plane. The lower floor wall follows the line of the existing house which has no material setback as currently built. The upper floor, however, is set back by 1500mm. This ensures that the upper floor does not block light or impact the amenity of the western neighbour. This is demonstrated in the below render showing the location of the western neighbour in relation to the new development (also in application submission documents).



VIEW FROM THE BACKYARD AT 54 LINCOLN STREET

**Summary of Submissions: DA5.2023.140.1 No. 54 Lincoln Street, Highgate – Alterations and Additions to Single House**

<p><u>Access to Daylight</u></p> <ul style="list-style-type: none"> <li>The proposal will adversely impact access to daylight for adjoining properties.</li> </ul>	<p>The rear wall of new addition sits almost in line with the rear wall of the house to the East and thus wont effect the daylight to the outdoor space to the back of this property (refer image below). We note that two of the windows on the western façade of this property are small windows most likely to WC or Laundry and that the current larger window looks directly into the yard at 54 Lincoln street which affects the amenity of the yard space.</p> <p>We believe that the reduced setbacks to both sides of the property are in line with the existing housing in the area and are not unreasonable in such a high density area (R80). The reduction of setbacks allows for better adaptive reuse of the existing property which allows for the retention of heritage structures and a more environmentally sustainable outcome.</p>  <p>The image contains two main parts. On the left is a technical architectural drawing of a property layout. It shows a 'NEW ALFRESCO' area (RL 17.75) and a 'NEW ADDITION' (RL 17.70) situated between 'BOUNDARY 10 EE' and 'BOUNDARY 11 SE'. A 'NEW EXTENSION' is also indicated. On the right is an aerial photograph of the property at 52 Lincoln St. A green hatched area represents the '52 LINCOLN ST OUTDOOR SPACE', a red hatched area represents the 'NEW EXTENSION', and orange arrows with sun icons represent the 'NORTHERN SUN' path.</p>
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> <li>Roots from existing trees on the site are damaging sewer connections on adjoining properties. Further landscaping will exacerbate this.</li> </ul>	<p>The existing Jacaranda tree to the rear of the property appears on the City of Vincent trees of significance inventory. The tree is established and healthy and adds to the amenity of the property and surrounding spaces. Any new landscaping proposed is waterwise planting in line with the City of Vincent’s Sustainability Policy and is proposed where existing garden is already located.</p> <p>Many studies show green spaces in and near urban areas play and important role in harbouring biodiversity and promoting human well-being. We would like to note that it is particularly important to retain landscaping wherever possible in high density areas such as this. This is well supported and encouraged in many of the City of Vincent’s policies.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter.





LINCOLN ST VIEW 1  
South - Road  
at eye level



LINCOLN ST VIEW 2  
South - Path  
at eye level



LINCOLN ST VIEW 3  
South East - Verge  
at eye level



LINCOLN ST VIEW 4  
South East - Path  
at eye level



LINCOLN ST VIEW 5  
South West - Verge  
at eye level



LINCOLN ST VIEW 6  
South West - Path  
at eye level