

5.2 NO. 26 (LOT: 29; D/P: 4576) MOIR STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO SINGLE HOUSE

Ward: South

Attachments:

1. Location and Consultation Map
2. Final Development Plans
3. October OMC Deferred Development Plans
4. Lodged Development Plans
5. Applicant Justification
6. Shadow Reduction Diagram
7. Heritage Impact Statement
8. Summary of Submissions - Administration's Response
9. Summary of Submissions - Applicant's Response
10. State Heritage Council Comments
11. 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 development application for Alterations and Additions to Single House at No. 26 (Lot: 29; D/P: 4576) Moir Street, Perth in accordance with the plans in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 11:

1. Development Plans

This approval is for Alterations and Additions to a Single House as shown on the approved plans dated 22 October 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. Visual Privacy

Prior to occupancy or use of the development, all privacy screening shown on the approved plans shall be installed and shall be visually impermeable and is to comply in all respects with the requirements of Clause 5.4.1 of the Residential Design Codes (Visual Privacy) deemed to comply provisions, to the satisfaction of the City;

4. Colours and Materials

Prior to first occupation or use of the development, 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, and thereafter maintained, to the satisfaction of the City;

5. Landscaping

All landscaping works shall be undertaken in accordance with the approved plans dated 22 October 2021, prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

6. 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; and

7. Construction Management Plan

A Construction Management Plan shall be lodged with and approved by the City prior to the issue of a building permit. This plan is to detail how construction (including demolition and/or forward works) will be managed to minimise disruption in the area and shall include:

- The delivery of and delivery times for materials and equipment to the site;
- Parking arrangements for contractors and sub-contractors;
- Dilapidation report of nearby surrounding properties (including No. 24 and No. 28 Moir Street);
- Notification to affected landowners; and
- Construction times.

The approved management plan shall be complied with for the duration of the construction of the development.

PURPOSE OF REPORT:

To consider an application for development approval for alterations and additions to a single house.

PROPOSAL:

The application proposes partial demolition to the rear of the existing single house and the construction of new double storey additions.

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

BACKGROUND:

Landowner:	Alan Stewart and Sarah Schwikkard
Applicant:	Stewart Urban Planning
Date of Application:	4 November 2020
Zoning:	MRS: Urban LPS2: Residential R Code: R25
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Single House
Lot Area:	300m ²
Right of Way (ROW):	Not applicable
Heritage List:	City of Vincent Heritage List - Management Category A State Heritage Register

Site Context and Zoning

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

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. The site and adjoining properties have a permitted building height of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy).

The subject site and all adjoining properties are subject to Clause 32(1) of 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.

The subject site accommodates a single storey dwelling and is located within the Brookman and Moir Streets Precinct. The dwelling appears as a duplex development when viewed from Moir Street due to the shared boundary walls and chimneys with No. 28 Moir Street.

The existing extension at the rear of the property does not form part of the original residence.

Heritage Listing – Brookman and Moir Streets Precinct

The subject site falls within the Brookman and Moir Streets Precinct, which includes Nos. 1-32 Brookman Street, Nos. 2-28 Moir Street and No. 40 Forbes Road, Perth.

The Brookman and Moir Streets Precinct is listed on the City of Vincent Heritage List as Management Category A – Conservation Essential.

The Brookman and Moir Streets Precinct is also included on the State Heritage Register.

The Heritage Council's Statement of Significance for the Brookman and Moir Streets Precinct is:

Brookman and Moir Streets Precinct, two streets in Perth comprising 58 semidetached residences and one detached residence in two types of the Federation Queen Anne style, constructed of limestone and brick with corrugated-iron roofs in 1897-98, and a shop at the corner of Moir Street and Forbes Road built in 1940, has cultural heritage significance for the following reasons:

- *the historic precinct is an almost-complete example of two late 19th century streets of modestly-scaled residential buildings in the Federation Queen Anne style of architecture, built between 1897-98 in the wake of the rapid population expansion following the Western Australian gold boom;*
- *the historic precinct is a substantial section of the residential estate developed by the Colonial Finance Corporation in 1897-1898. This estate, comprising the historic precinct in Brookman and Moir Streets, and Baker's Terrace in Lake Street, was the largest estate of its type developed in Western Australia;*
- *the historic precinct is rare in Western Australia as two streets in which a single basic design was utilised for all the residences in a large estate, with the exception of Numbers 2 and 4 Brookman Street, which are Register of Heritage Places Permanent Entry Brookman and Moir Streets Precinct 8 May 2007 6 grander variations of the same pattern used throughout the precinct, that is relatively intact;*
- *the buildings contained within the precinct are representative of what was considered to be 'working class' rental accommodation from the late 19th and early 20th centuries;*
- *the one-way thoroughfares and modest lot sizes of the semi-detached dwellings contained within the precinct give it a particular character and sense of enclosure;*
- *the homogeneity of the modestly-scaled, semi-detached residential buildings creates a visually striking precinct in 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.*

Generally, the present property fencing and most plantings are of little significance.

Recent additions and modifications are of little significance, e.g. replacements of original details. Parking areas in the front of houses, and carports in the front setbacks, are intrusive.

A small number of high masonry construction fences in the precinct are intrusive.

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 proposal is also subject to assessment against the City's Brookman and Moir Streets Development Guidelines – Appendix No. 6 (Brookman and Moir Streets Development Guidelines).

The applicant has submitted a Heritage Impact Statement in support of the proposal, as included in **Attachment 7**.

Ordinary Meeting of Council 12 October 2021

The application was previously presented to the 12 October 2021 Council's Ordinary Meeting for determination. In its consideration of the application, the following procedural motion was carried by Council:

That the motion be deferred for a period of no longer than 65 days in order to allow the applicant to consider modification to the built form of the proposal, particularly the upper floor scale and design, in order to significantly reduce the level of overshadowing and to create a more modestly scaled built form outcome.

The development plans presented to Council on 12 October 2021 are included as **Attachment 3**.

Amended Plans Following Council's Deferral

The applicant submitted amended development plans to the City on 22 October 2021 that seek to address Council's reason for deferral. These development plans are included as **Attachment 2**.

The following changes to the proposed development have been incorporated into the amended plans:

- The two box windows have been deleted from the upper floor southern elevation and replaced with windows inset into mansard roof;
- Modification of mansard roof form on the southern elevation to provide a 2.0 metre setback from the southern boundary;
- The above two changes to the southern elevation would result in a reduction of overshadowing to the adjoining southern property by 1.9 percent of the site area (5.6 square metres); and
- The sliding doors to the ground floor living/dining/kitchen have been recessed to increase the subject site's open space provision by 0.5 percent.

The applicant provided written justification in support of the modifications made to the plans as included in **Attachment 5**.

The appropriateness of the proposed development as amended by the applicant following Council's deferral is the subject of this report and detailed in the Comments section.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent's LPS2, Built Form Policy, Heritage Management Policy, Brookman and Moir Streets Development Guidelines and the State Government's Residential Design Codes – Volume 1 (R Codes). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following this table.

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Street Setback	✓	
Lot Boundary Setbacks		✓
Boundary Walls	✓	
Building Height/Storeys	✓	
Open Space		✓
Outdoor Living Areas	✓	
Landscaping (R Codes)	✓	
Visual Privacy		✓
Solar Access		✓
Site Works/Retaining Walls	✓	
Essential Facilities	✓	
External Fixtures	✓	
Environmentally Sustainable Design	✓	
Heritage Management Policy		✓

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Brookman and Moir Streets Development Guidelines		✓

Detailed Assessment

The Built Form Policy, R Codes and local planning policies 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 an 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.

If an element of an application does meet the applicable the 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, R Codes and local planning policies.

The elements of the application that do not meet the applicable deemed-to-comply standards and require the discretion of Council are as follows:

Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
Built Form Policy Volume 1 Clause 5.2	
<u>Southern Lot Boundary</u>	<u>Southern Lot Boundary</u>
<i>Ground Floor</i> Existing Bedroom – Kitchen: 4 metres	<i>Ground Floor</i> Existing Bedroom - Kitchen: 1.1 metres
<i>Upper Floor</i> Stair – Master Suite: 1.2 metres	<i>Upper Floor</i> Stair – Master Suite: 1.1 metres
Open Space	
Deemed-to-Comply Standard	Proposal
R Codes Clause 5.1.4	
50 percent open space	46.9 percent open space
Visual Privacy	
Deemed-to-Comply Standard	Proposal
R Codes Clause 5.4.1	
<u>Northern Lot Boundary</u>	<u>Northern Lot Boundary</u>
4.5 metre cone-of-vision from bedrooms and studies to adjoining properties	4.1 metre cone-of-vision from upper floor study
Solar Access	
Deemed-to-Comply Standard	Proposal
R Codes Clause 5.4.2	
25 percent overshadowing permitted (76.25 square metres permitted overshadowing)	35.1 percent overshadowing to southern property (107.3 square metres proposed overshadowing)
Heritage Management Policy	
Acceptable Development Standards	Proposal

<p>Heritage Management Policy – Part 4 – Development to Heritage Listed Buildings</p> <p>Various prescribed acceptable development standards relating to physical works.</p>	<p>The proposal satisfies the acceptable development standards.</p> <p>The Heritage Management Policy requires new development to meet prescribed performance criteria and this is performance based.</p> <p>The proposal as considered against the objectives and performance criteria of the Heritage Management Policy is detailed in the Comments section.</p>
<p>Heritage Management Policy- Part 5 – Development Adjacent to Heritage Listed Properties</p> <p>Height of new build to be compatible to adjacent heritage listed building.</p> <p>Single storey dwellings to the northern and southern properties.</p>	<p>Two storey additions proposed.</p>
Brookman and Moir Streets Development Guidelines	
Essential Controls	Proposal
<p>Various prescribed essential controls relating to physical work</p>	<p>The proposal satisfies the essential controls.</p> <p>The Brookman and Moir Streets Development Guidelines contain discretionary controls, encouragement and advice, and is performance based.</p> <p>The proposal as considered against the discretionary controls, encouragement and advice, as well as the objectives of the Brookman and Moir Streets Development Guidelines is detailed in the Comments section.</p>

The above elements of the proposal do not meet the specified deemed-to-comply standards. These elements have been assessed against the design principles and local housing objectives in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation has been undertaken on three separate occasions in respect to different iterations of development plans during the course of the application process and in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

A summary of each community consultation period is provided below.

First Community Consultation

The first community consultation was undertaken on the lodged development plans, as included in **Attachment 4**, for a period of 14 days commencing on 26 February 2021 and closing on 12 March 2021. Community consultation was undertaken by means of written notification and a notice on the City's website. Written notification included 78 letters being sent to all landowners and occupiers located within the Brookman and Moir Streets Precinct, as shown in **Attachment 1**.

At the conclusion of the community consultation period a total of 13 submissions were received, including three submissions of support, three submissions neither supporting or objecting to the proposal but raising concerns, and seven submissions objecting to the proposal.

Comments raised in support are summarised as follows:

- Privacy is respected to the southern aspect of the proposed extension;
- Works provide a good example of dwellings within the Brookman and Moir Streets Precinct being adapted for modern living;
- The proposal retains the streetscape and front five rooms of the dwelling; and
- Additions to the dwelling for practical use instead of dwellings becoming derelict and used for other land uses such as AirBnB's.

Comments raised in objection are summarised as follows:

- Development is for two storeys in a single storey precinct;
- Two storey height of the extension would be visible from the street and neighbouring dwellings;
- Development would set precedence for future development in what is a unique and protected precinct;
- Scale of the development is inconsistent with the homogenous appearance of the precinct;
- Proposed additions are not compatible with neighbours amenity and heritage outcomes; and
- Overdevelopment of the site resulting from the scale and height of the additions.

In response to comments received during the first round of community consultation, the applicant made the following changes to the proposal:

- Pitched roof revised to concealed roof with mansard detail;
- Revised internal layout;
- Finished floor level of additions reduced from 12.75 to 11.55 meters, reducing the overall building height; and
- Red brick incorporated to southern elevation.

Second Community Consultation

The amended plans were advertised to properties that had previously provided submissions. The second community consultation was for a period of seven days from 2 September 2021 to 9 September 2021. Two submissions of objection were received for the revised proposal, as summarised below:

- Precedent for future two storey development and long-term impacts on the precinct;
- Geotechnical risks; and
- Development departs from the homogeneity of the single storey workers cottages.

Third Community Consultation

Modified development plans received from the applicant following Council's October 2021 Ordinary Meeting were advertised to properties that had previously provided submissions. The third community consultation was for a period of 14 days from 27 October 2021 to 10 November 2021. Seven submissions of objection and one expressing concern were received for the revised proposal, as summarised below:

- Shadow will impact current and future occupants;
- Shadow will reduce already limited access to sunlight;
- Precedent for future two storey development and long-term impacts on the precinct;
- Contemporary nature is supported, but concern with scale; and
- Development departs from the homogeneity of the single storey workers cottages.

A summary of all submissions received across all three consultation periods along with Administration's responses to each comment is provided in **Attachment 8**. The applicant's response to the submissions received are provided as **Attachment 9**.

A copy of the final set of development plans to be considered by Council is included within **Attachment 2**, and supporting justification provided by the applicant is included in **Attachment 5**.

State Heritage Referral

The proposal was referred to the Heritage Council at the Department of Planning, Lands and Heritage (DPLH) for review and consideration in accordance with Section 73 of the *Heritage Act 2018*.

The proposal was referred to the Heritage Council on three occasions, on the initially lodged development plans, deferred development plans and final development plans. The proposal was supported by the Heritage Council on all three occasions.

A summary of the comments received from the Heritage Council is as follows:

- The existing extension does not form part of the original residence, and its removal would have no negative impact on the cultural heritage significance of the Precinct;
- Additions do not exceed the height of the original residence and are concealed from the street;
- Colours and materials are modern and subdued and are suitable;
- Visibility of the additions on approach from the south and Robinson Avenue is minor due to the selected materiality and simple form;
- Solar panels located so they would not be visible from the streetscape; and
- Mansard roof form to sit below the roof line of the existing house, reducing building massing.

The full referral comments provided by the Heritage Council on all referrals are provided as **Attachment 10**.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred to the City's Design Review Panel Heritage Architect on three occasions for comment on the development plans as originally submitted to the City, revised plans after advertising and on the modified development plans following the application being deferred by Council. This DRP member has expertise in heritage conservation, and experience in dealing with additions and alterations to heritage buildings. The proposal was supported by the DRP member on all three instances.

The following comments from the DRP member were provided on the originally lodged development plans:

- Proposal retains the significant building and building fabric and does not negatively impact on the cultural heritage values of the Brookman and Moir Streets Precinct. The Federation Queen Anne architectural style is retained and still evident;
- The proposal is set well back from the significant front elevation that contributes to the Brookman and Moir Streets Precinct;
- Two storey scale is not already existing, but the siting and form of the proposal is respectful of the overall precinct;
- Minor views of the proposal from Moir Street would be minimal and would not dominate the streetscape;
- Additions are distinguishable from the heritage place and the contemporary materials and colours are respectful of the existing material palette; and
- The proposed gable roof forms would be visible as part of the roofscape when viewed from Robinson Avenue, but are already within the existing single storey dwellings of the Precinct.

The applicant submitted amended plans in response to the abovementioned DRP member comments and community consultation comments. The following DRP member comments were provided in respect to the amended plans:

- Contemporary design approach, sited to the rear of the existing building and below the ridge line of the existing roof. The cultural heritage values of the Precinct would remain;
- The 'Mansard style' roof profile matches the colour and materiality of the existing roof which is sympathetic to the heritage place;
- Red face brick to the south following the height line of the existing wall assists with the integration of the scale and massing of the proposal;
- The massing is contemporary in design approach and is clearly distinguishable from the massing of the place and other heritage places in the overall Precinct;
- The material and colour palette have been kept relatively simple and respectful to the existing material and colour palette within the Precinct. The contemporary approach to the rear distinguishes the new from the old and is a sound built form outcome; and
- Suggest that red face brick is incorporated to the northern elevation.

To address the second set of comments provided by the DRP member, the applicant revised the northern elevation of the proposal to incorporate a red face brick finish. These plans were the subject of Council's deferral of the application.

Following deferral of the application by Council, the applicant prepared plans (**Attachment 2**) seeking to address Council's deferral reason, specifically the revision of the southern window forms, height of the walls and roof. The City sought comments on the amended proposal from the DRP member which are summarised as follows:

- Southern windows are now recessed rather than aligned with the brick wall, and the roof adjusted from the previous dormer form. The adjustments assist with reducing the potential impact of view lines from Moir Street and the building to the south;
- The previous comments as provided below remain relevant:
 - The proposal is sited to the rear of the existing heritage building and is set well back from Moir Street;
 - The southern elevation incorporates windows, flat roof and corrugated steel cladding in the same colour as the existing roof, a clearly distinguishable design which remains sympathetic to the heritage place; and
 - The materiality of the existing building is being respected and the limited sight lines of the proposal from Moir Street will not negatively detract from the overall precinct.

The amended proposal is supported by the DRP member and all of their recommendations are reflected in the final development plans.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Heritage Act 2018*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- Burra Charter;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.5 – Historic Heritage Conservation;
- State Planning Policy 7.3 – Residential Design Codes Volume 1;
- Consultation and Stakeholder Engagement Policy;
- Policy No. 7.1.1 – Built Form;
- Policy No. 7.6.1 – Heritage Management: Development Guidelines for Heritage and Adjacent Properties; and
- Brookman and Moir Streets Development Guidelines - Appendix 6.

Matters to be Considered by Local Government

The following matters set out in Schedule 2, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* are relevant matters that Council is to have due regard to as part of determining this application:

- (k) *the built heritage conservation of any place that is of cultural significance;*
- (l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following –*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality; and*
 - (iii) *social impacts of the development.*
- (y) *any submissions received on the application;*
- (zb) *any other planning consideration the local government considers appropriate.*
- (zc) *any advice of the Design Advisory Committee.*

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.

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.

Delegation to Determine Applications:

This matter is being referred to Council in accordance with the City's Register of Delegations, Authorisations and Appointments as:

- The application received more than five objections during community consultation of the application; and
- The application proposes alterations and additions to a place 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:

The City has assessed the application against the environmentally sustainable design provisions of the City's 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.

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 budgeted implications from this report.

COMMENTS:Southern Lot Boundary Setbacks

The ground floor of the dwelling, from the existing bedroom to proposed kitchen is setback 1.1 metres from the southern lot boundary in lieu of 4 metres required under the R Codes deemed-to-comply standards.

The stair to the master suite portion of the first floor is proposed to be setback 1.1 metres from the southern lot boundary in lieu of 1.2 metres as set out under the R Codes deemed-to-comply standards.

The lot boundary setback departures to the southern lot boundary meet the design principles of the R Codes for the following reasons:

- Building bulk impacts to the southern property's major openings and active habitable spaces would be mitigated through the following measures:
 - The 4.4 metre wall height of the additions are consistent with the wall heights of the existing portions of the dwelling and the overall height of the two-storey addition provides a maximum height of 6.2 metres;
 - Openings to the stair and master of the southern elevation assist in breaking up areas of solid blank wall, and reducing building bulk impacts to the southern property; and
 - Design features such as the provision of contrasting materials and colours, articulated wall heights and differing roof forms further assist in reducing impacts of building bulk of the ground floor and upper floor when viewed from the southern adjoining property;
- The ground floor setback deemed-to-comply departure is a result of the bulk wall length, existing and proposed 4.4 metre wall heights, and the major openings to the existing study and bedrooms. The proposed 1.1 metre setback is consistent with the existing dwelling setback and would provide a consistent building alignment to the southern boundary on the ground floor, as viewed from Moir Street and the adjoining property;
- The upper floor deemed-to-comply setback departure proposed is 0.1 metres and the additional shadow cast from this would not detrimentally impact the southern property's established outdoor living area. This is because the proposed setback would result in an additional 1.2 square metres of shadow (equivalent to 0.4 percent of southern property's site area) when compared to the amount of overshadowing that would be created from a setback consistent with the deemed-to-comply standard on the upper floor. The area that would be overshadowed on the southern adjoining property is not the primary outdoor living area. Access to direct sunlight and ventilation would be maintained on the adjoining southern property to approximately 66 square metres of uncovered outdoor area. This is demonstrated in the shadow diagram prepared by Administration and included as **Attachment 6**. The shadow cast from the proposed ground floor setback to this southern boundary would be contained within this shadow cast by the upper floor and similarly would not unduly impact the southern adjoining property's primary outdoor living area; and
- The southern elevation of the development satisfies the deemed-to-comply visual privacy requirements of the R Codes, resulting in no overlooking and associated loss of privacy to the southern adjoining property.

Open Space

The deemed-to-comply standards of the R Codes requires developments on lots coded R25 to provide a minimum of 50 percent of the site area as open space.

The proposed amount of open space provision has increased from 46.4 percent to 46.9 percent following deferral of the application at the October 2021 Ordinary Meeting of Council. This has been achieved by the applicant revising the rear of the addition to reduce the ground floor footprint, specifically by modifying the alignment of the rear living/kitchen/dining doors.

The amount of open space proposed would meet the design principles of the R Codes for the following reasons:

- A total of 76.0 square metres of outdoor living areas would be provided, exceeding a minimum deemed-to-comply standard of 30 square metres under the R Codes. This would ensure that the open space areas provided are suitable for private recreation and passive use for occupants. The outdoor living areas for the dwelling are both covered and uncovered, providing accessible areas that can be well utilised year round;
- Outdoor living areas are open to the northern aspect that would maximise access to natural sunlight;
- Landscaping and tree planting is proposed to the front and rear setback areas of the lot. This would provide for landscaping amenity and urban greening, and would contribute towards a sense of open space and building separation; and
- The existing front verandah provides an area external to the dwelling that is capable of use in conjunction with habitable rooms of the dwelling, and that is open as it presents to the street. This verandah is enclosed to more than two sides and would not contribute to open space as defined under the R Codes, although would function as an additional outdoor area.

Visual Privacy

The R Codes deemed-to-comply standards require a 4.5 metre cone of vision setback to be provided from a major opening of a study to the adjoining property's lot boundary. The proposal would provide for a 4.1 metre cone of vision setback from the upper floor study to the northern boundary.

The visual privacy deemed-to-comply departure relating to the upper floor study to the northern property meets the design principles of the R Codes for the following reasons:

- The cone of vision from the study falls to the roof of the neighbouring development at No. 28 Moir Street which is constructed to the boundary. The dwelling on this neighbouring property has a boundary wall adjacent to the study of the proposed development. This means that the cone of vision from the study would not provide a horizontal or vertical line of sight to major openings or active habitable spaces of the neighbouring property; and
- The existing brick chimney on the subject site located to the northern boundary would restrict a portion of the cone of vision from the study to the adjoining northern property's roofline.

Solar Access

The deemed-to-comply standards of the R Codes permits developments on lots coded R25 to overshadow a maximum of 25 percent of the adjoining property.

The amount of shadow that would be cast onto the southern adjoining property has reduced from 37.0 percent (112.8 square metres) to 35.1 percent (107.3 square metres) following deferral of the application at Council's October 2021 Ordinary Meeting. This has been achieved by the applicant modifying the mansard roof form to achieve a 2.0 metre setback to the southern boundary, and removing the window hoods of openings to the southern boundary and inseting the upper floor windows into the mansard roof to this boundary.

An overlay of the shadow that would be cast by the proposal that was previously deferred by Council in comparison to the shadow that would be cast by the amended proposal is provided as **Attachment 6**. This overlay shows the locations to the rear open space of the southern adjoining property where the extent of shadow cast would be reduced.

The R Codes Volume 1 were amended in July 2021 which included modifications to Clause 5.4.2 Solar Access. One of these changes sought to exclude dividing fences up to 2 metres in height from overshadowing calculations. Administration's assessment of the overshadowing from the existing dwelling and proposed additions excludes portions of the dividing fence consistent with the R Codes standard. The remainder of the shadow cast over the adjoining property by the remainder of the dividing fence would have a shadow cast from either the existing dwelling or proposed additions in any instance and these have not been excluded from overshadowing calculations.

The amount of overshadowing from the subject site to the southern adjoining property satisfies the design principles of the R Codes for the following reasons:

- The shadow cast would not unduly impact the southern adjoining property for the following reasons:
 - Sufficient access to direct sun and ventilation for the neighbouring occupants would be maintained. The overshadowing from the proposed additions would fall to the rear of the neighbouring property at No. 24 Moir Street. Of the approximate 100 square metres of open space to the rear of No. 24 Moir Street, 34 square metres would be overshadowed. This affected area to the rear of the site that would be overshadowed includes a covered verandah, and open space with an established tree, landscaped area and clothes drying area. The majority of the adjoining southern property's rear yard of approximately 66 square metres that provides for an established garden and outdoor living area would remain unshadowed, as demonstrated in Administration's shadow diagram in **Attachment 6**;
 - The additional shadowing cast in part falls over the existing verandah on the adjoining southern property and would not be detrimental as it is already covered. The verandah on the southern property is approximately 20 square metres in area. The existing shadow cast over the verandah is 5 square metres in area. The proposed additions would result in 10.2 square metres of the verandah area being overshadowed; and
 - The additional overshadowing would not fall to or impact solar collectors on the roof of the neighbouring property;
- The southern adjoining property is highly vulnerable to being overshadowed. This is because the

subject site is an east-west orientated lot and the ground levels across the site slope down 0.5 metres to the south. The shadow cast by the existing dwelling is 23.0 percent of the southern adjoining property. The proposed additions have been designed sensitively to reduce its impact and would contribute an additional 12.1 percent overshadowing to the southern property; and

- The 6.2 metre building height proposed is less than the 8.0 metres high, two storey height limit permitted for the subject site under the City's Built Form Policy. The proposed additions would be in line with the southern lot boundary setbacks of the existing dwelling and does not step closer to the boundary or incorporate lot boundary walls. Maintaining the building wall setbacks to the southern elevation would assist in reducing the impacts of the location and extent of shadow cast to the southern adjoining property.

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

The proposed development complies with the acceptable development standards of the Heritage Management Policy. The Heritage Management Policy sets out that development will generally be approved where it complies with the acceptable development standards.

The Heritage Management Policy includes performance criteria also. The Heritage Management Policy sets out that new development is to meet these criteria. There are three performance criteria that are listed as follows:

- 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.*

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.*

The applicant submitted a Heritage Impact Statement, as included in **Attachment 7**, in support of the proposal. The Heritage Impact Statement addresses how the development introduces contemporary features that complement and contrast positively with the heritage character of the area.

The proposed additions are consistent with the Heritage Management Policy performance criteria and objectives, and are acceptable for the following reasons:

- The Heritage Council confirmed that areas to be demolished do not contribute to the cultural significance of the place or precinct and are acceptable to be demolished. Partial demolition is proposed only to the previous additions made to the rear of the existing dwelling. These previous additions relate to a sleep out extension and concrete paving to laundry area;
- Additions are proposed to the rear of the existing dwelling. They do not alter the front façade and presentation of the dwelling to the street. The pitched roof, tuck pointed red brick and gable and finial details of the existing dwelling are retained;
- The built form of the dwelling remains single storey as viewed from Moir Street, consistent with adjacent properties. The two storey additions are sited behind the principal façade to maintain the existing streetscape presence and single storey modest forms of Moir Street. Line of sight diagrams provided by the applicant are included in **Attachment 2**. These diagrams demonstrate that due to the height of the existing dwelling's pitched roof, the proposed new additions would not be visible from Moir Street as

viewed from in line with the ridgeline;

- The roof form of the proposed additions would be partially visible down the side of the lot between the subject site and No. 24 Moir Street to the south, as well as from Robinson Avenue. The applicant's modelling in **Attachment 5** demonstrates the visibility of the additions. The visual impact is minor due to the selected materiality and simple form, and is supported as advised by the State Heritage Council and the City's DRP member;
- In line with Article 22 of the Burra Charter, the additions proposed are readily identifiable as new work and imitation of the existing dwelling has been avoided. The siting, bulk, form, scale, colours and materials of the proposed additions would respect the significance of the existing dwelling, as confirmed by the State Heritage Council and the City's DRP member;
- The proposed additions are of a scale and mass that respects the adjacent heritage dwellings. This is provided through the side setbacks that are consistent with those of the existing dwelling. The building heights proposed also appropriately respond to the north-south slope of the site and are compatible with heights of adjacent buildings. The finished floor level of the proposed additions are stepped 1 to 1.2 metres below the finished floor level of the retained dwelling to stagger building heights and reduce building bulk and shadow impacts to neighbouring properties;
- Solar panels are proposed to the existing dwelling, and are sited behind the Moir Street frontage and behind the pitched roof facing south-east. As the solar panels sit flush with the angle of the roofline, views to the panels from Robinson Street are reduced. The location and extent of the solar panels would not distort, obscure or detract from the significance of the heritage place or precinct; and
- The proposed additions provide increased living spaces to adapt and respond to the growing needs of the occupants. The development meets the Residential zone objective of LPS2 that seeks to provide for development that recognises the needs of innovative design and contemporary lifestyles, as well as range of housing and residential densities to meet the needs of the community.

Brookman and Moir Streets Development Guidelines

The proposed development complies with the essential criteria in the Brookman and Moir Streets Development Guidelines. The Brookman and Moir Streets Development Guidelines sets out that these essential controls are aimed at preserving the Brookman and Moir streets area as a whole and ensuring its integrity. These controls are not flexible and the proposed development satisfies these.

The Brookman and Moir Streets Development Guidelines also provides for discretionary controls, encouragement and advice in relation to proposed development. These are performance based provisions. Discretionary controls allow certain alterations to be made, provided it can be demonstrated that the application of the control will result in a good conservation outcome and be in harmony with the Brookman and Moir Streets area. Encouragement is a set of information that would assist in enhancing individual properties and the Brookman and Moir Streets area. Advice is offered as to the way improvements can be made.

Objectives of the Brookman and Moir Streets Development Guidelines are as follows:

- *Maintain consistency of the streetscape and valued character of the area.*
- *To allow alterations and additions to interpret the heritage significance of the dwellings in a contemporary design approach, ensuring consideration is given to the existing built form, context of the streetscape, roof form, and public domain and building proportion in the new building design.*
- *To allow for future upgrade of infrastructure elements to consider the heritage character of the area.*
- *Access to sunlight and privacy where already existing should be maintained with particular attention to overshadowing, with regard to the 'Residential Design Codes'.*
- *Strengthen the settings of the front setback, side setbacks at the end of blocks and rear settings of dwellings to become more compatible to the heritage significance of the area. With importance placed on development adjacent to rights of way and Wellman Street.*
- *Ensure development along right of ways is compatible with right of way character and scale.*
- *Allowance for properties with secondary street frontage adjacent to 'Forbes Street' and to be assessed with reference to the unique location and as well as in conjunction with the development guidelines.*

The proposed additions are consistent with the Brookman and Moir Streets Development Guidelines performance based provisions and objectives, and are acceptable. This is detailed below.

Built Form, Siting and Scale of Development

The Brookman and Moir Streets Development Guidelines and the Heritage Management Policy do not

specify maximum building height provisions for the Brookman and Moir Precinct, and two storey additions are not prohibited. The height of new development in the precinct is guided by the moderation of building scale, form and setbacks, as well as the impact of the additions on the heritage fabric of the subject and adjoining properties.

The overall scale of the proposed additions is acceptable for the following reasons:

- The development maintains a single storey presence as viewed from Moir Street given the additions cannot be viewed directly from Moir Street in line with the ridge. This is shown in the line of sight drawings included in **Attachment 2**;
- The visibility of the dwelling from Brookman Street would clearly read as new work and contains materials that are sympathetic to the existing materials of the precinct, further mitigated by the consistent southern setbacks of the existing and proposed additions;
- The Brookman and Moir Streets Development Guidelines does not include a development standard or requirement relating to modestly scaled development. Rather, the introduction of the Guidelines refers to the modestly scaled residential dwellings in the precinct. Administration has considered site cover, building height, building setbacks and the overall scale and form of the proposed additions are the key considerations when determining whether the proposal is compatible in the setting, and whether it would contribute towards maintaining homogeneity of the Brookman and Moir Streets streetscape;
- The additions are of a scale and mass that respects the adjacent heritage dwellings. This is provided through the side setbacks that are consistent with those of the existing dwelling. The building heights provided also appropriately respond to the slope of the site and are compatible with heights of adjacent buildings;
- The Brookman and Moir Streets Development Guidelines require new additions to not be visible when viewed from the front property line on the opposite side of the road with a viewing height of 1.65 metres above the pavement level in line with the ridge height of the dwelling. The line-of-sight modelling provided by the applicant, as included in **Attachment 2**, shows the additions would be concealed behind the pitched roof form of the existing dwelling as viewed from the public domain view on the opposite side of Moir Street in accordance with the prescribed viewing standards of the Brookman and Moir Streets Development Guidelines;
- The Brookman and Moir Streets Development Guidelines clarify that additions to the rear must be unobtrusive and meet the requirements of the R Codes, and advises that the City will exercise some discretion in relation to this to achieve improved dwellings and good conservation outcomes. The proposed additions satisfy the deemed-to-comply and/or design principle requirements of the R Codes as detailed earlier in the Comments section of this report. The development would ensure the conservation and retention of the existing dwelling on-site with heritage value, whilst providing a home for its occupants to age in place and meet their living needs;
- A minor portion of the corner of the roof form of the proposed additions would be visible through the side setback areas between the subject site and No. 24 Moir Street to the south from the side of the ridge line. The visibility of the roof from this angle is acceptable and unobtrusive because:
 - Corrugated roof sheeting is provided to the proposed additions that is consistent with the corrugated roof sheeting of the existing dwelling. The proposed materiality is consistent with both the existing dwelling on the site and dwellings in the street;
 - The proposed additions are located to the rear of the property, approximately 11 metres behind the ground floor building line to the street. The setback of the proposed additions from the street would reduce its streetscape presence and any associated impacts the new roof may have on the street;
 - The proposed additions are of a scale and mass that respects the adjacent heritage dwellings. Side setbacks are consistent with those of the existing dwelling on the site. The building height proposed also appropriately responds to the slope of the site, is less than the height of the existing dwelling and would be compatible and congruent with heights of adjacent buildings; and
 - The State Heritage Council and the City's DRP member support the proposal and confirm the visual impact to Moir Street is minor due to the selected materiality and simple form;
- The proposed additions are stepped below the existing floor level to mitigate the extent of works which would be visible from Robinson Avenue, and are not obtrusive or dominant to the streetscape;
- The proposal would not compromise the cultural heritage significance of the Brookman and Moir Streets Precinct, as detailed within the Statement of Significance. The homogeneity of the precinct would be maintained while accommodating for increased living spaces to adapt and respond to the growing needs of the occupants; and
- The proposed additions has been designed and adequately setback from adjoining properties to maintain consistency with the existing dwelling setbacks, as well as to respond to the siting of dwellings, boundary walls and open space to neighbouring properties.

Advice received from the State Heritage Council and the City's DRP member affirm that the siting, scale and

form of the proposal is appropriate as the proposed additions are integrated into the overall form of the existing dwelling while maintaining a distinguishable massing and scale to the additions which is respectful of the heritage precinct.

Design

The Brookman and Moir Streets Development Guidelines highlight the simple basic forms of the existing dwellings. The proposal replicates the simple development form through the rectangular scale, side setback massing and concealed roof form of the development.

The overall design and aesthetics of the proposal is acceptable for the following reasons:

- The additions to the middle of the lot provide a legible separation between the existing dwelling and proposed additions, resulting in development which reads as a congruent building form as viewed from neighbouring properties;
- The concealed roof form is a contemporary design approach which is located behind the predominant building line and pitched roof façades of Moir Street;
- Corrugated sheet cladding to the roof line ties in with the existing corrugated roof sheeting of the pitched roof to maintain a level of continuity;
- The chimney to the northern portion of the roof is retained and maintains a point of reference to the dwelling as viewed from Moir and Brookman Streets as well as Robinson Avenue;
- Side setbacks of the proposed additions are consistent with the existing dwelling to maintain building proportion across the site; and
- Existing brickwork of the dwelling and neighbouring properties are of a 'heritage red' colour. The proposed additions are of a white brick with white mortar details, red heritage brick as well as a light grey corrugated roof. The changes in colour and material ensures distinction between the existing and new components of the dwelling removing any ambiguity. The colours and materials of the proposed additions would complement, rather than mimic the existing dwelling.

Advice received from the State Heritage Council and the City's DRP member confirm that the design of the proposed additions is modern and reflects the key design language and materiality of the existing dwelling. The colours, materials and design of the additions are subdued and preserve the cultural heritage values of the precinct.

Demolition & Internal Planning

The internal configurations and use of dwellings within the precinct have been altered and extended under the skillion roof additions at the rear, to improve the basic amenity and living standards for the occupants. Minor demolition works proposed to the rear would not impact the cultural significance and character of the dwelling as these are obscured from the primary street.

Most houses within the Brookman and Moir Streets Precinct have been altered to some extent, but their primary street frontage and distinctive repeated features of the streetscape remain today. The five original rooms and corridor to the front of the dwelling which form an integral historical form are retained. The proposed alterations do not alter the front façade and presentation of the existing dwelling to the street.

Open Space

The Brookman and Moir Streets Development Guidelines recognise that most dwellings within the precinct would not achieve the required percentage of open space on their respective lots due to historical development. The Brookman and Moir Streets Development Guidelines goes on to set out that development should meet the performance criteria (being the design principles) of the R Codes relating to Open Space and that the provision of compliant outdoor living areas consistent with the deemed-to-comply standards of the R Codes is essential.

Open space provision as it relates to R Codes assessment has been detailed earlier in the report and would meet the design principles of the R Codes. The open space proposed would also satisfy the requirements of the Brookman and Moir Streets Development Guidelines. This is because a shortfall of 46.9 percent of open space in lieu of 50 percent open space as per the deemed-to-comply standards of the R Codes as supported by the Brookman and Moir Streets Development Guidelines on the basis that a total of 76 square metres of outdoor living areas would be provided, exceeding a minimum deemed-to-comply standard of 30 square metres under the R Codes.

A review of the subject site and other properties within the Brookman and Moir Streets Precinct also found that:

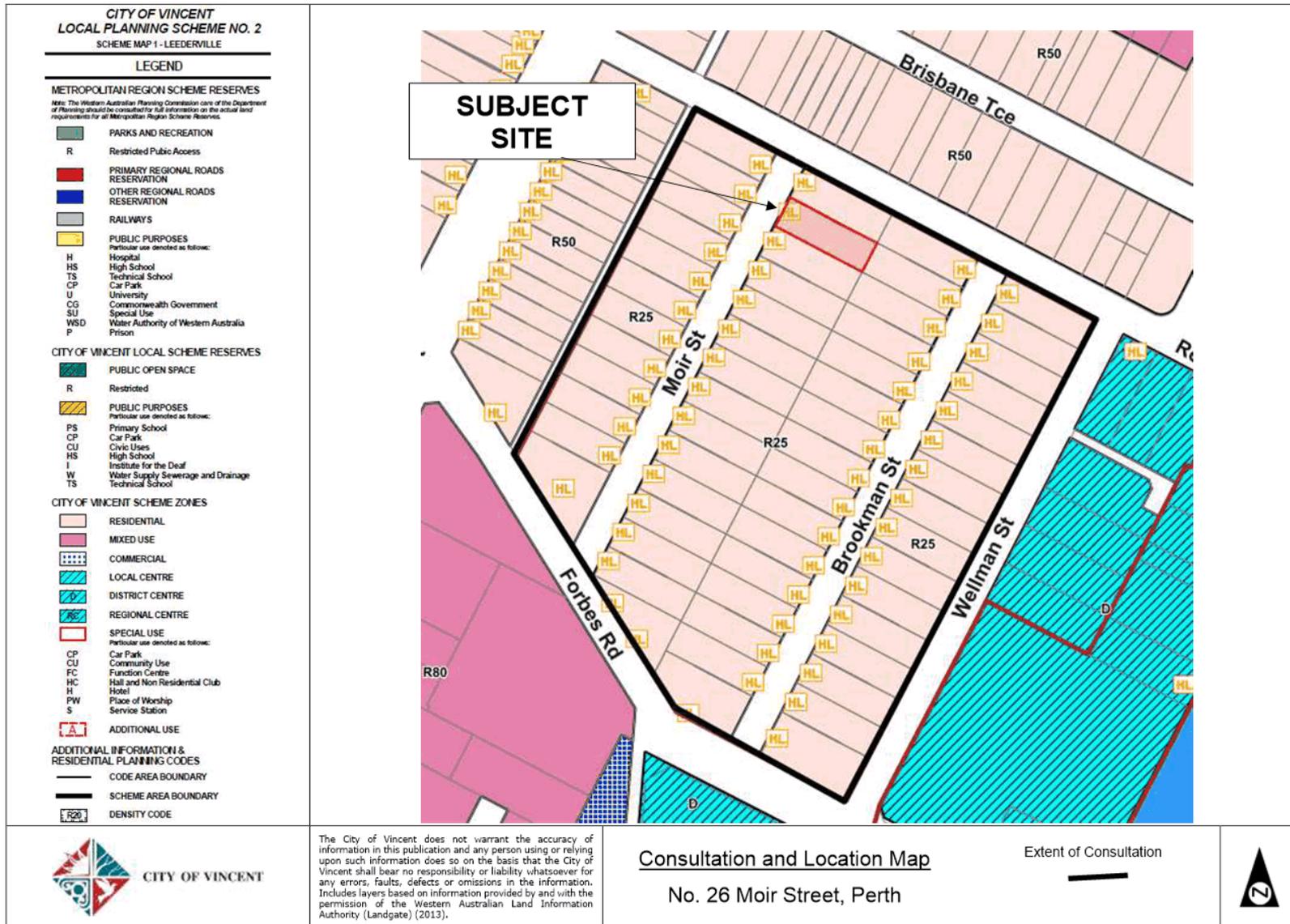
- A desktop review shows that there is an average open space provision of approximately 43.8 percent for properties within the Precinct. This is calculated on the total site coverage inclusive of dwellings, garages and outbuildings for each individual property within the Precinct. The open space proposed for the subject site at No. 26 Moir Street would be 46.9 percent and would be greater than the average for other properties. The existing dwelling and additions are of an appropriate scale within the Precinct; and
- The building footprint of the dwelling inclusive of the proposed additions would be 161.2 square metres or 53.7 percent of the site area. Excluding any ancillary structures and outbuildings, the development would be of a comparable scale to existing dwellings within the Brookman and Moir Streets Precinct. This includes No. 15 Brookman Street, and Nos. 15 and 21 Moir Street with a building footprint of more than 52 percent of their respective site areas.

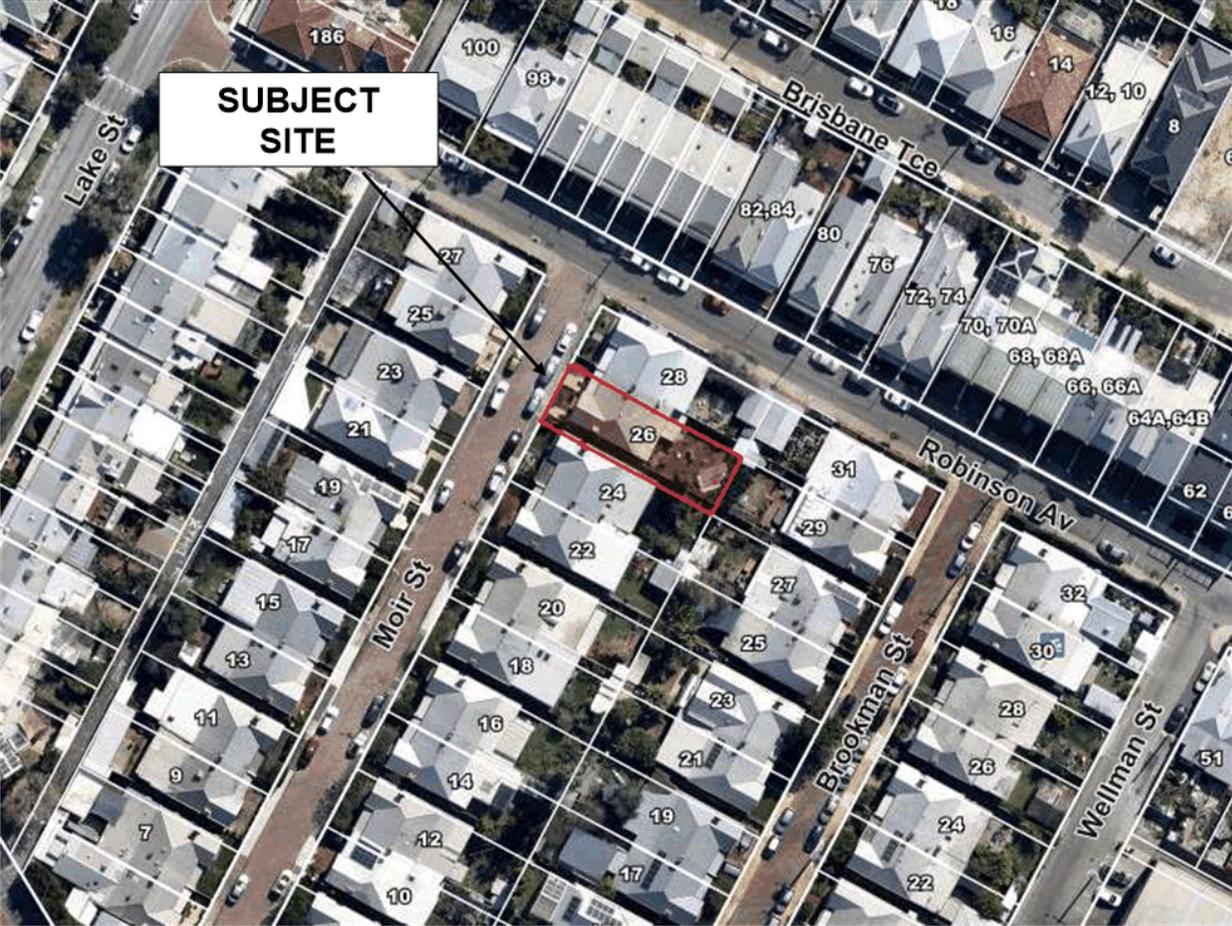
Matters to be Considered by Local Government

Clause 67(2) in the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* contains matters to be given due regard in the consideration of an application for development approval. This includes matters listed in the Legal/Policy section of this report that would be relevant to the nature of this application, such as the compatibility of the development within its setting, the amenity and character of the locality, cultural significance of the Precinct and advice from the Design Review Panel.

The following comments are provided in relation to matters to be considered by Council in determining this application:

- The proposed additions provide increased living spaces to adapt and respond to the growing needs of the dwelling and broader community. As recognised by the State Heritage Council, the proposed additions provide development that recognises the needs of innovative design and contemporary lifestyles as well as a range of housing and residential densities to meet the needs of the community;
- Modulation of wall heights and lengths behind the existing dwelling would not compromise the significance of the existing dwelling, adjoining properties and the broader Brookman and Moir Streets Precinct. Colours and materials are proposed to the side and rear elevations addressing Robinson Avenue and Brookman Street to reference the traditional built form vernacular and character of the locality;
- The proposal achieves a development that is consistent with the objectives of LPS2 by achieving high quality design outcomes for its presentation to the neighbouring streets and properties. As per comments from the DRP member and State Heritage Council, the works consider its context of place and compatibility of the development within its setting, as well as existing and future amenity of the area;
- Advice from the City's DRP member outlines that the proposal facilitates development which is responsive to the size and geometry of the site, scale and design of neighbouring dwellings. The recommendations and comments from the DRP member affirm the acceptability of the proposed development; and
- The proposed works are designed and sited to respect and complement the heritage significance of the area. The built form of the proposed additions would be suitable in scale, massing, form and materiality to ensure compatibility with the Brookman and Moir Streets Development Guidelines area, while enhancing the quality of the built environment. This is consistent with the principles of State Planning Policy 3.5 – Historic Heritage Conservation.





SUBJECT SITE



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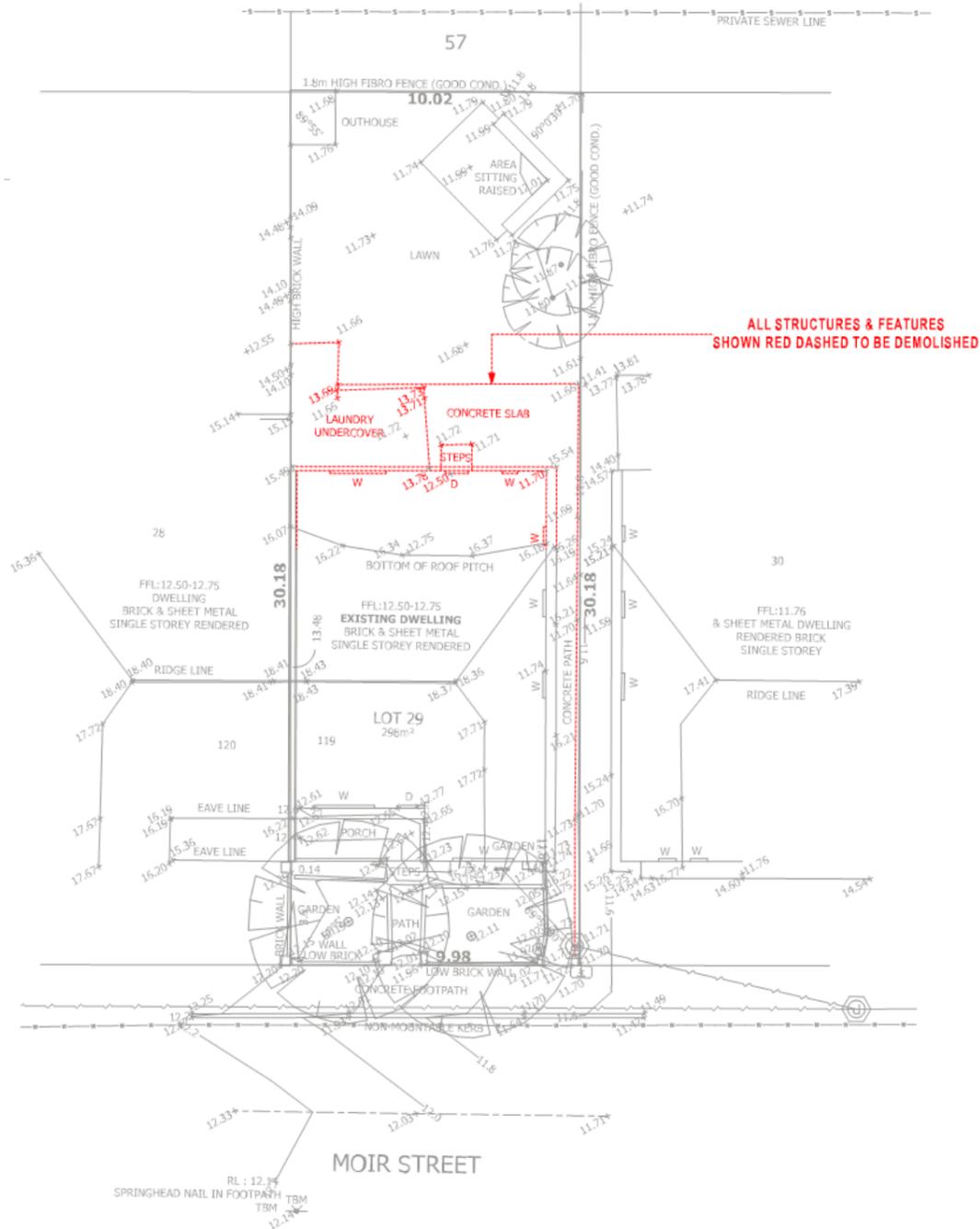
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No. 26 Moir Street, Perth



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Project
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 Drawing DEMO SITE PLAN
 Drawing No. Issue Issue Date
A.01 A 21/10/2021

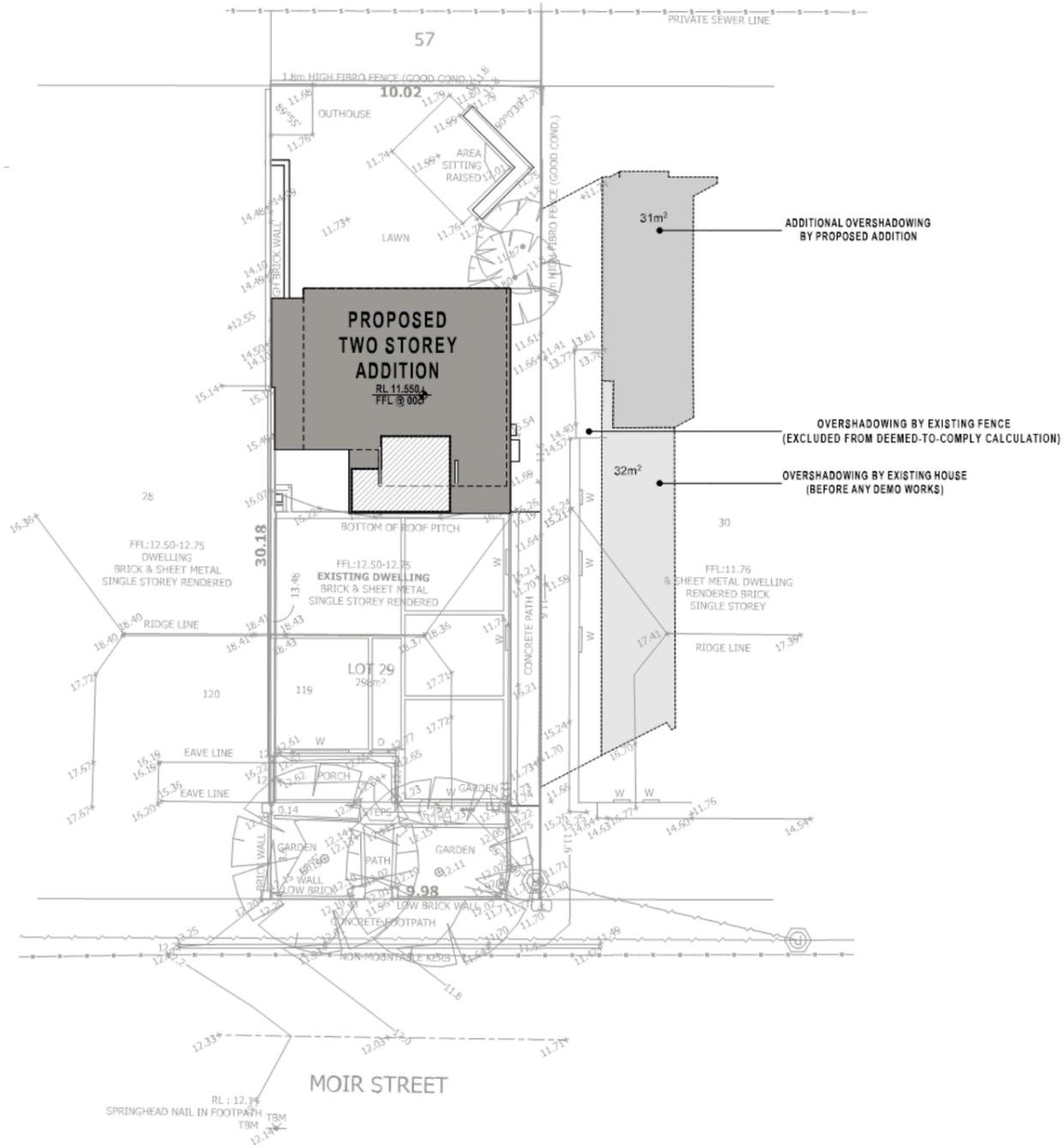
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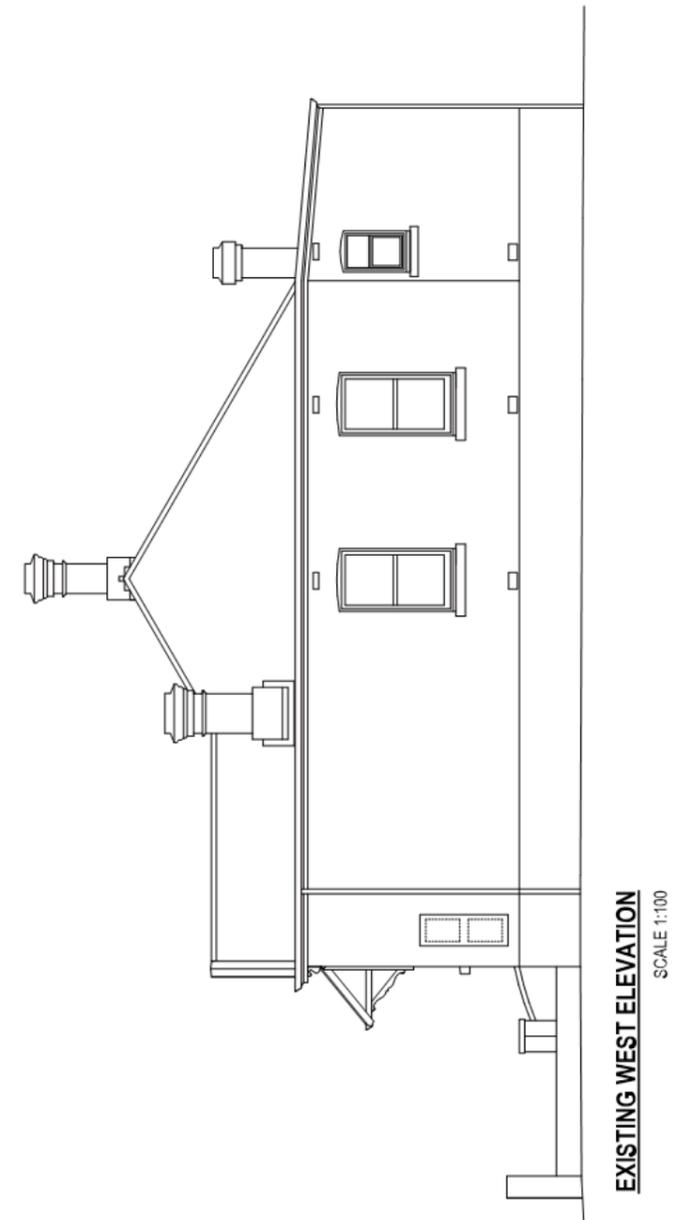
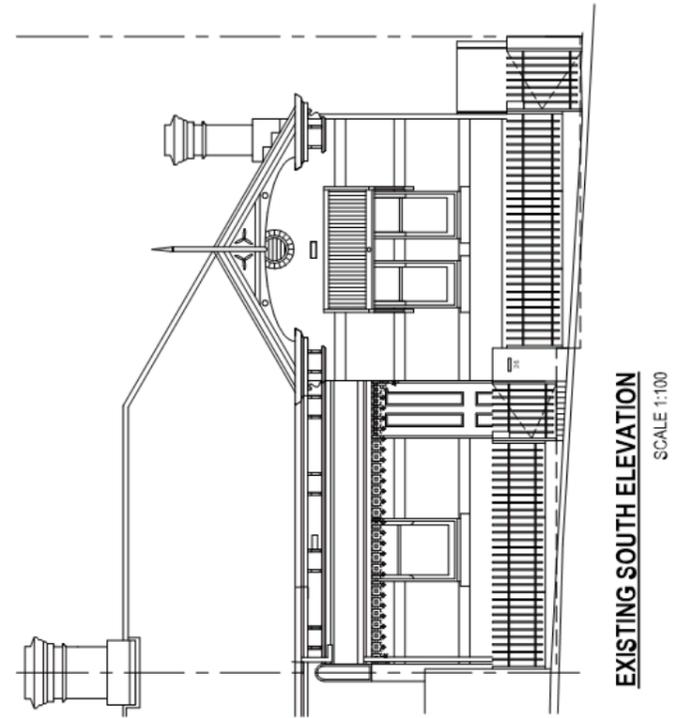
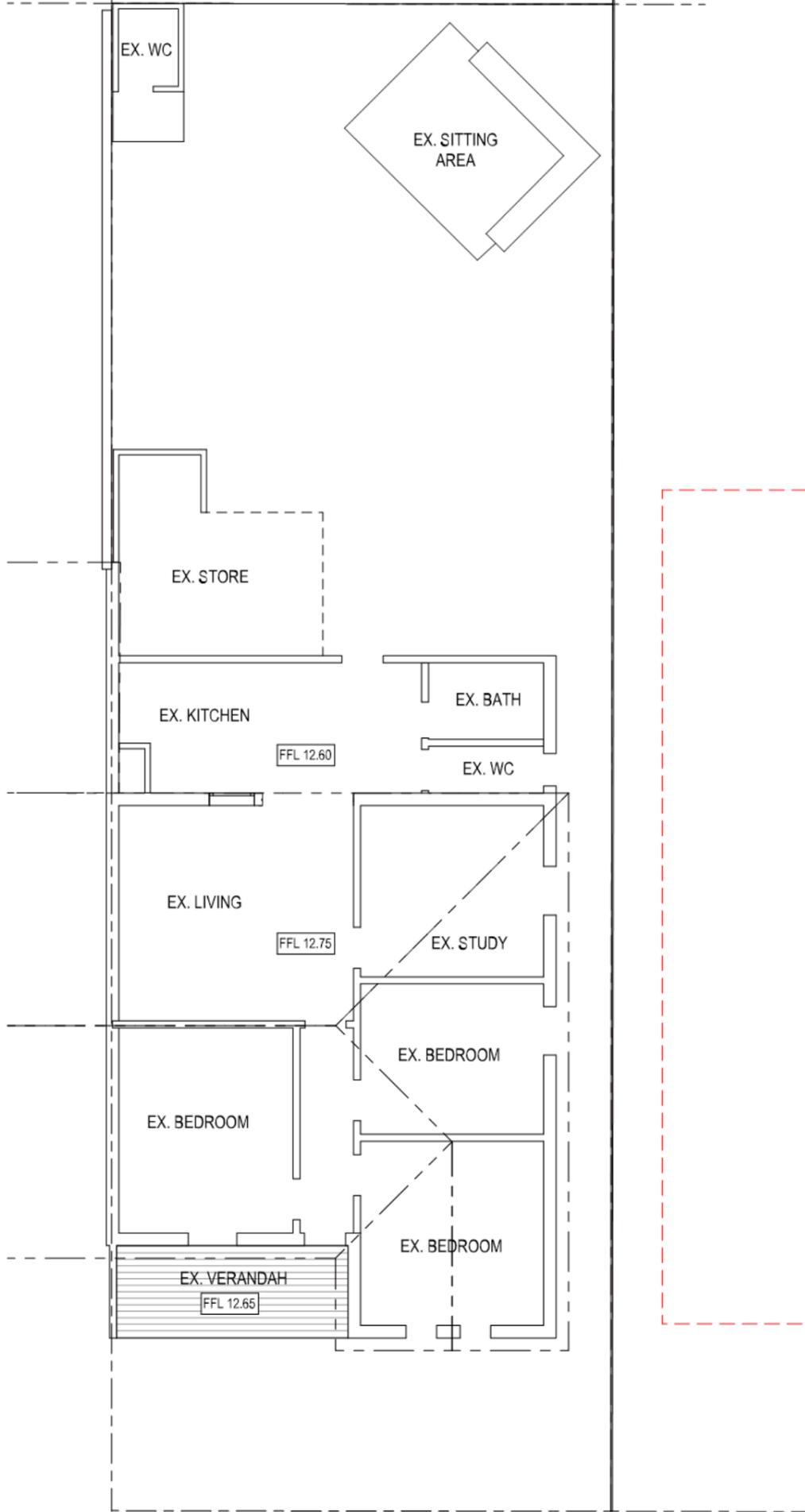
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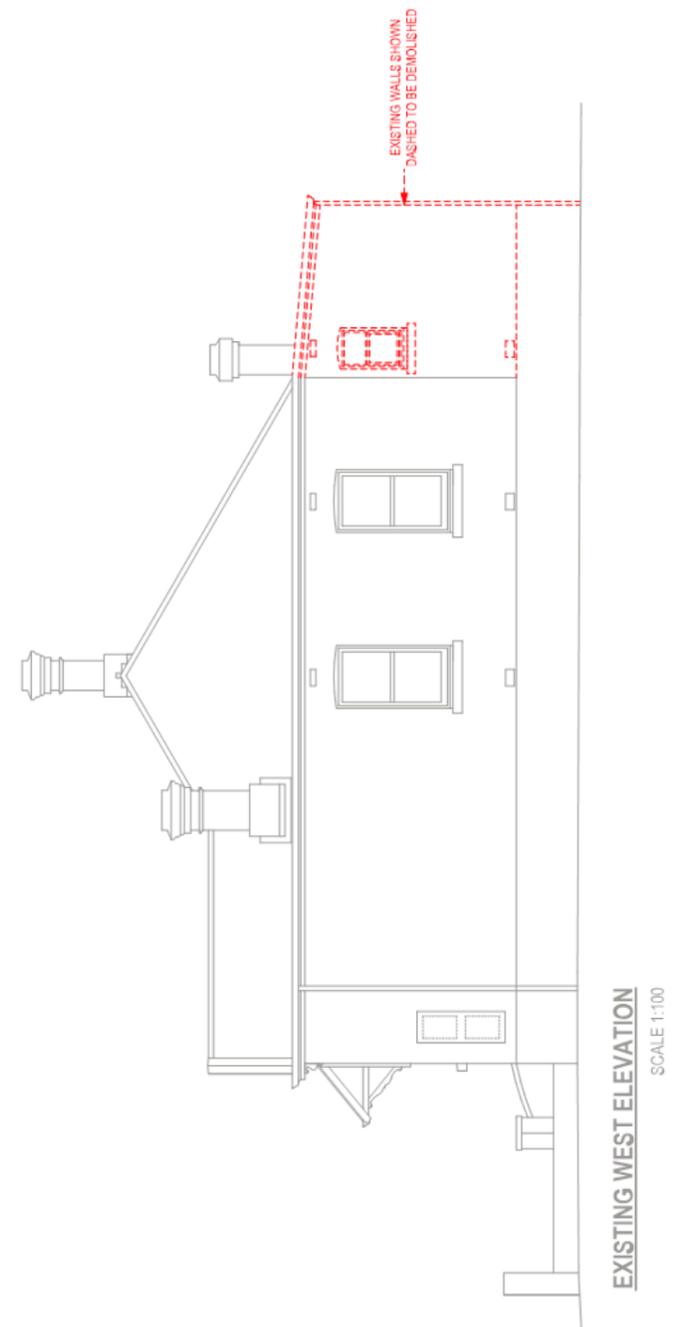
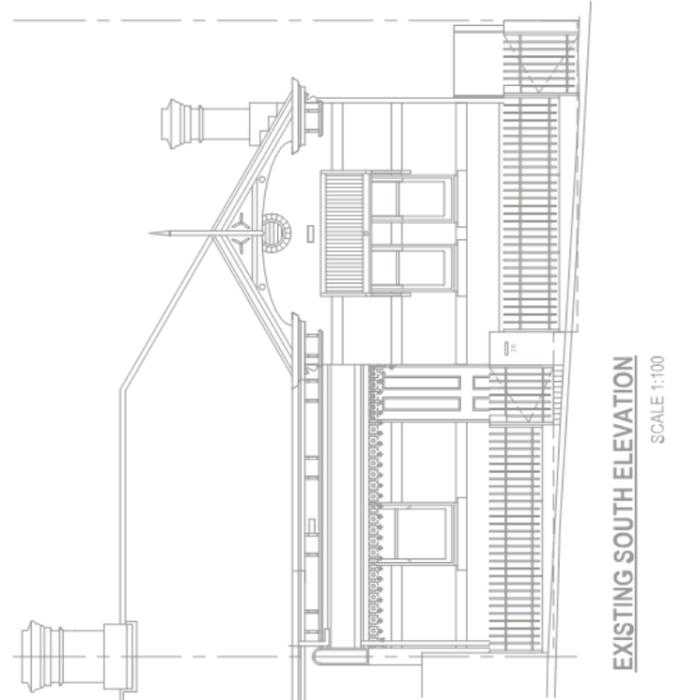
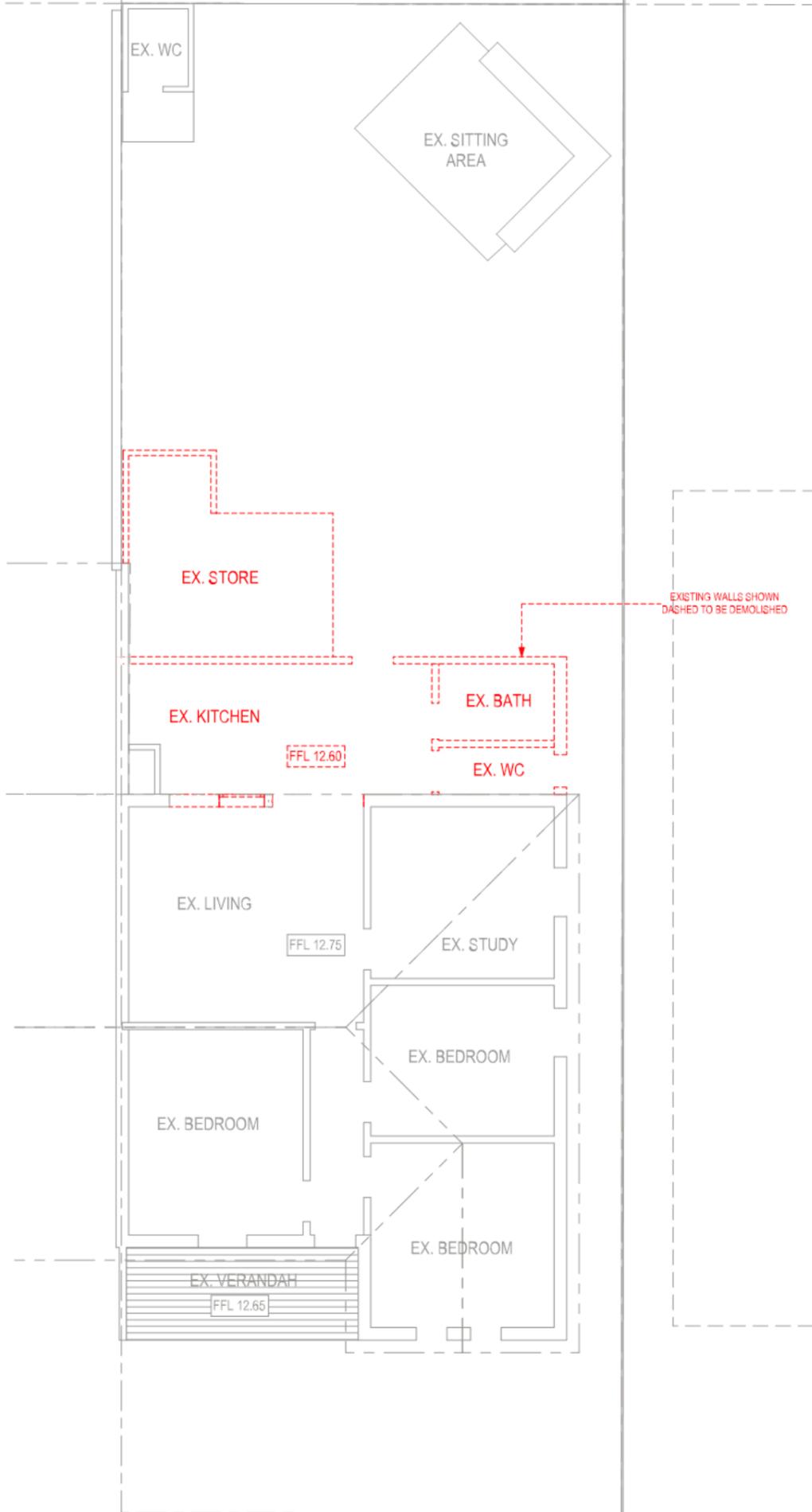
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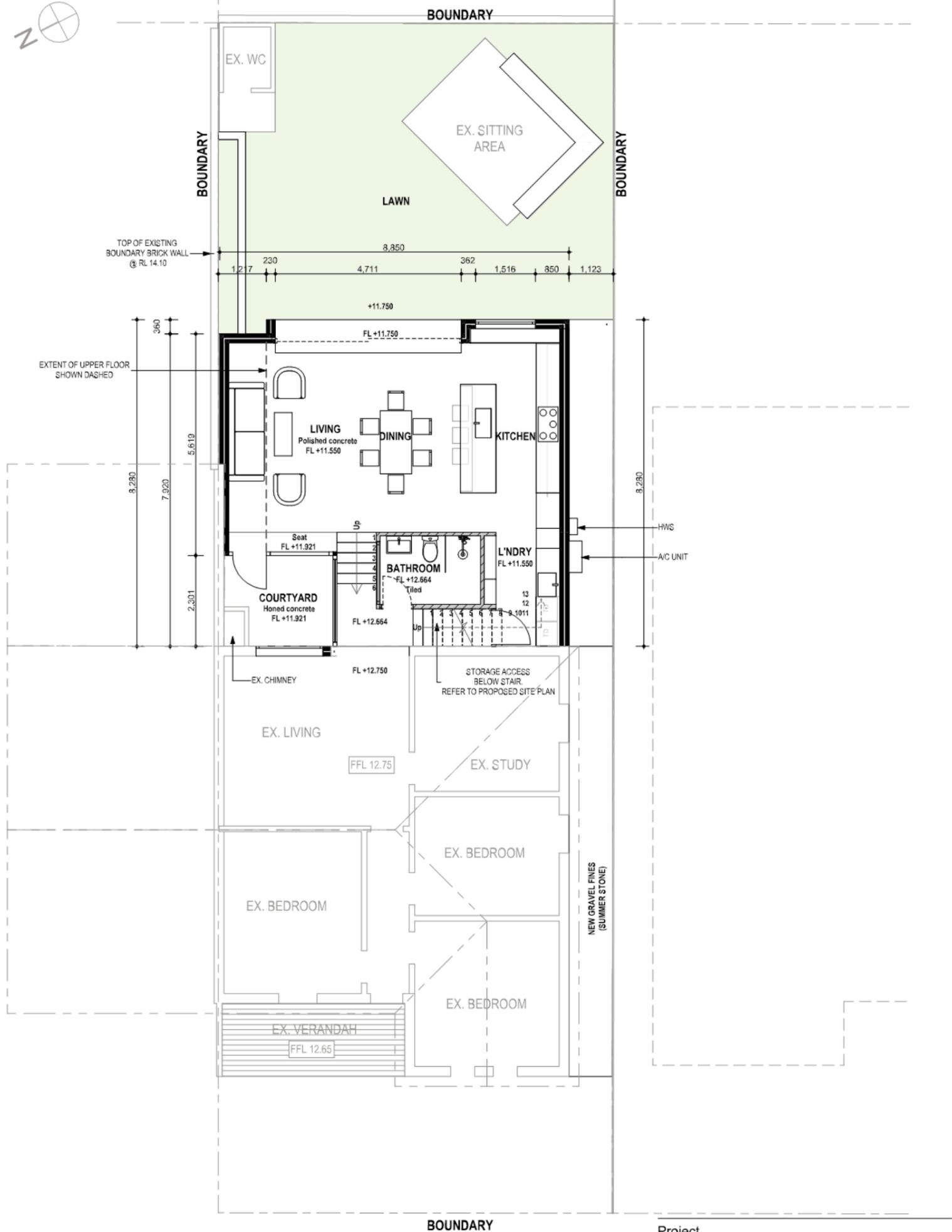
AREAS:

STORE BELOW BATHR'M	= 9.43m ²
GROUND FLOOR	= 66.25m ²
UPPER FLOOR	= 51.42m ²
TOTAL	= 127.1m²

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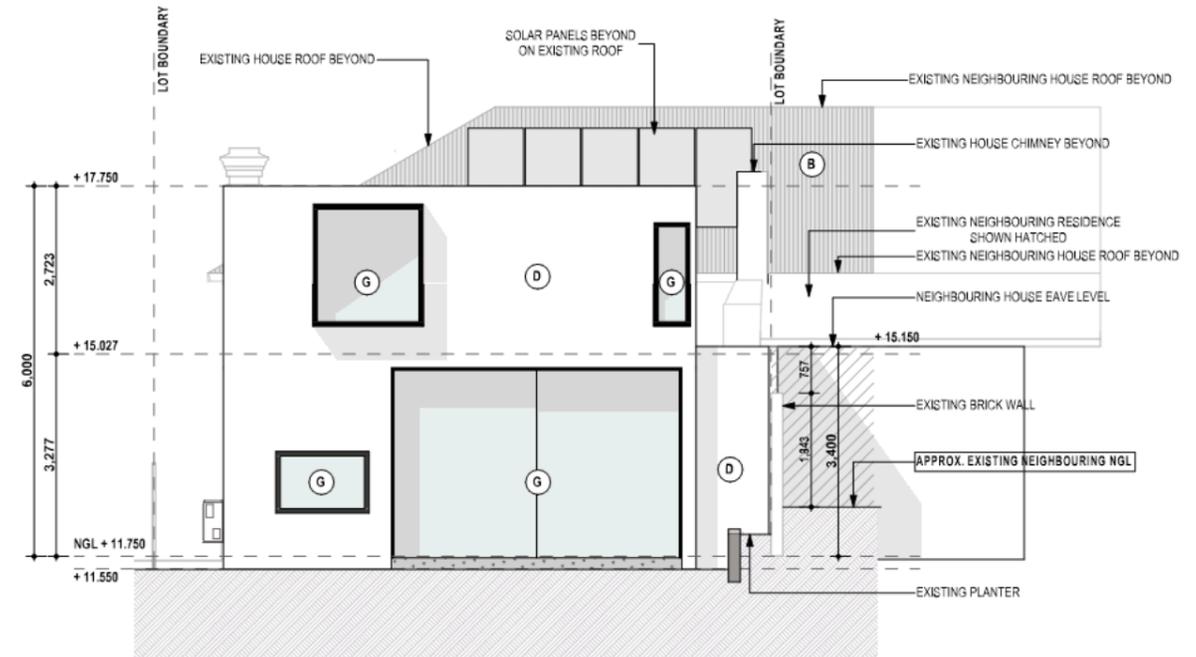
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FINISHES SCHEDULE:

- (A) - EXISTING 1c BRICKWORK
COLOUR: HERITAGE RED
- (B) - EXISTING CORRUGATED ROOF
COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - PROPOSED PAINTED RENDER
COLOUR: WHITE
- (E) - PROPOSED BRICKWORK
COLOUR: HERITAGE RED TO MATCH EXISTING
- (F) - CORRUGATED SHEET CLADDING
COLOUR: TO MATCH EXISTING CORRUGATED ROOF SHEET
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE

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EAST ELEVATION 1:100

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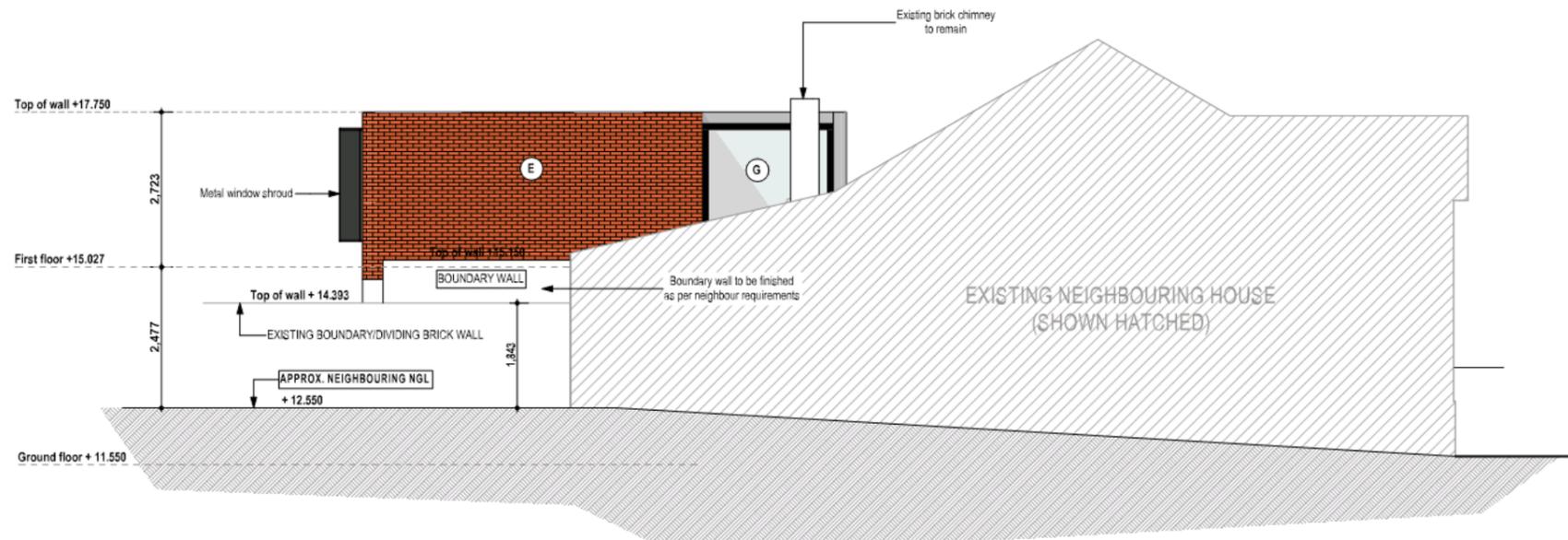
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COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - PROPOSED PAINTED RENDER
COLOUR: WHITE
- (E) - PROPOSED BRICKWORK
COLOUR: HERITAGE RED TO MATCH EXISTING
- (F) - CORRUGATED SHEET CLADDING
COLOUR: TO MATCH EXISTING CORRUGATED ROOF SHEET
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE

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NORTH ELEVATION 1:100

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LEGEND

Trees & Shrubs Retained

1. Existing Frangipani (3)
2. Existing Jasmine in Raised Planter (3)
3. Existing Viburnum Hedge (16)
4. Existing Magnolia Tree (1)
5. Existing Crepe Myrtle Tree (1)
6. Existing Grass Tree (1)
7. Existing Lemon Tree (1)
8. Existing Wisteria (1)

Trees Removed

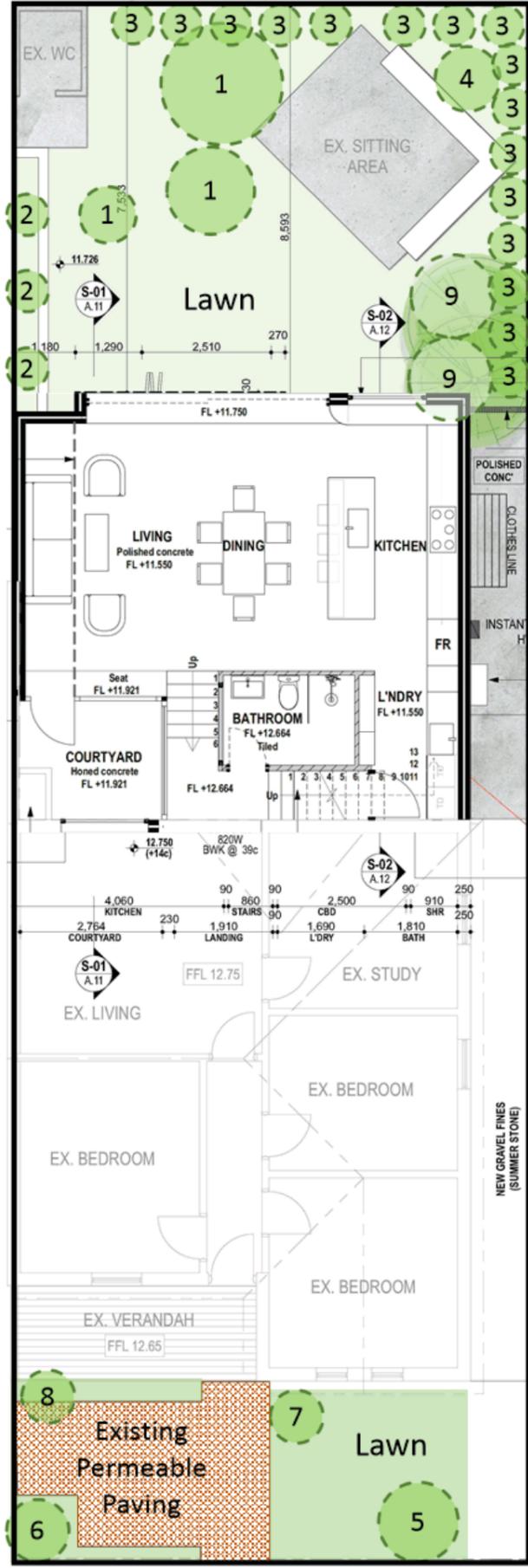
9. Pencil Pines (2)

Lawns

Existing lawn area at front to be retained.
Rear lawn to be reinstated following works

Irrigation

All areas are presently irrigated.
Reticulation to be retained and made good after completion of works.

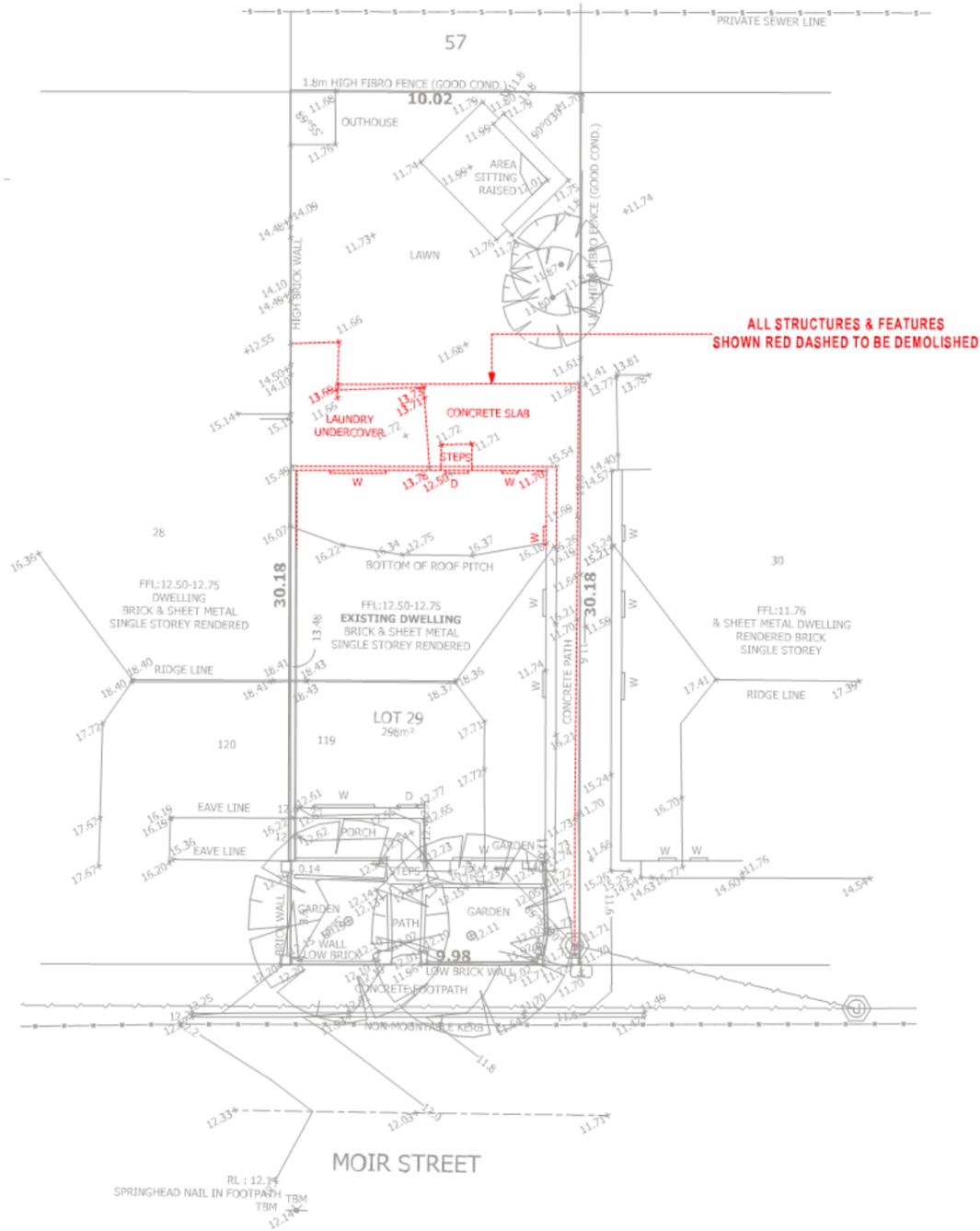


LANDSCAPE PLAN
PROPOSED ADDITIONS TO SINGLE HOUSE
26 MOIR STREET
PERTH

Deferred Development Plans

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Project LOT 29 (#26) MOIR STREET PERTH
 Job No. 1021
 Scale 1:100 @ A3 Drawn KY
 Status **Development Application** Approved BM
 Drawing DEMO SITE PLAN

Drawing No. Issue Issue Date
A.01 A 30/08/2021

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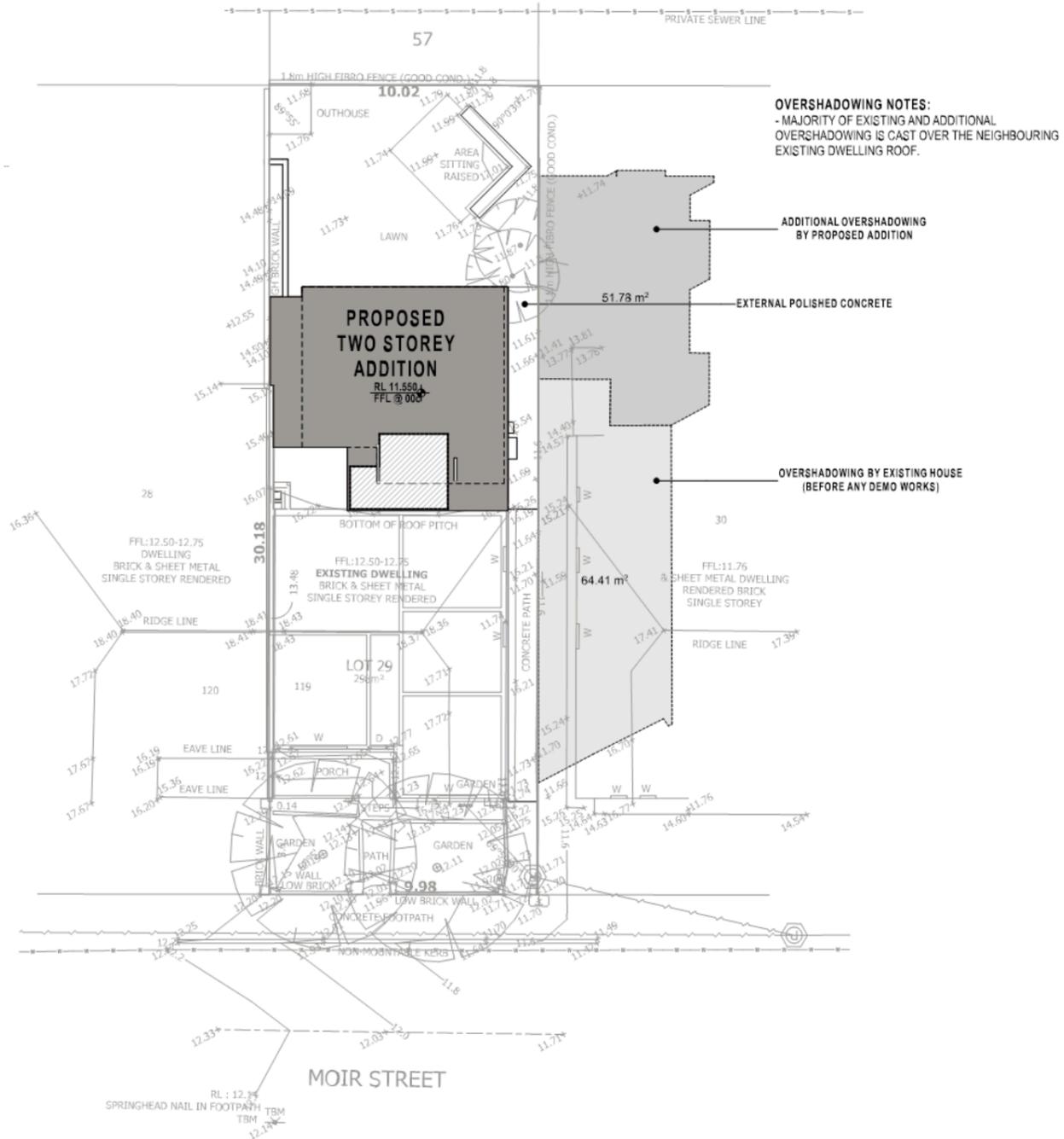
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Project LOT 29 (#26) MOIR STREET PERTH
 Job No. 1021
 Scale 1:100 @ A3 Drawn KY
 Status **Development Application** Approved BM
 Drawing PROPOSED SITE PLAN

Drawing No. **A.02** Issue **A** Issue Date **30/08/2021**

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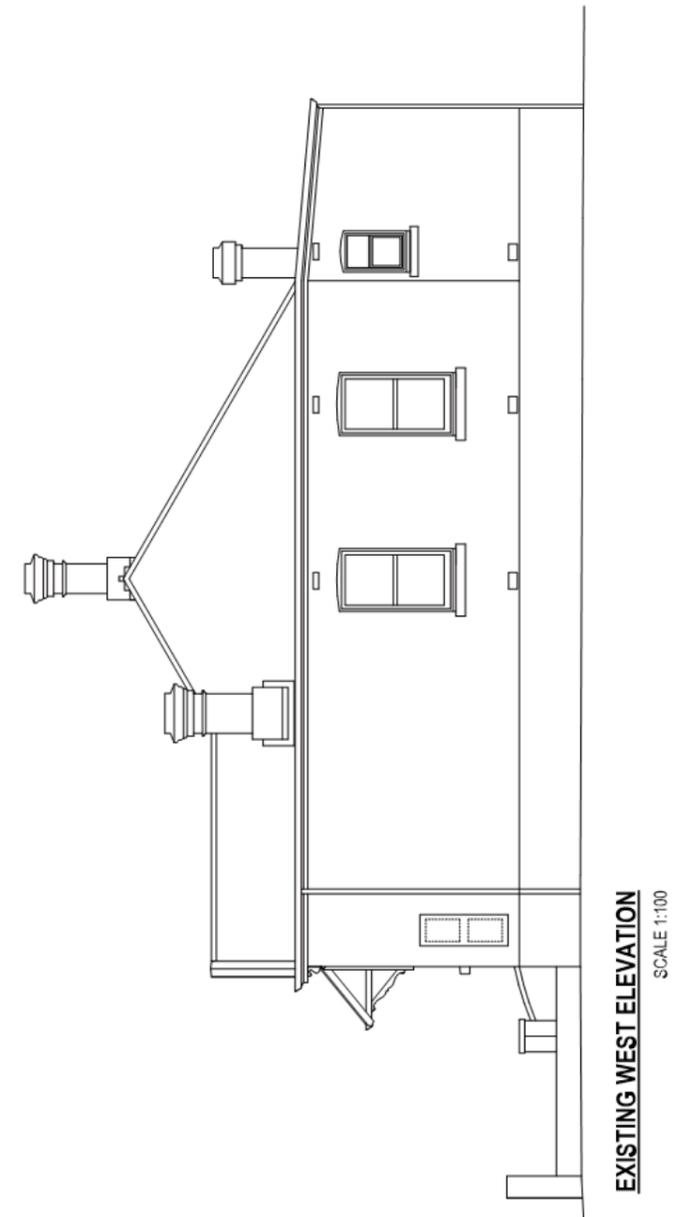
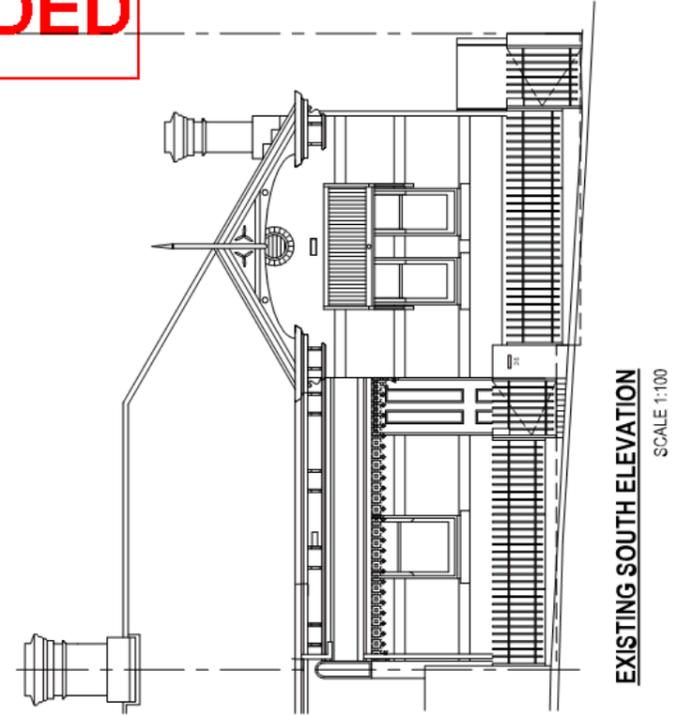
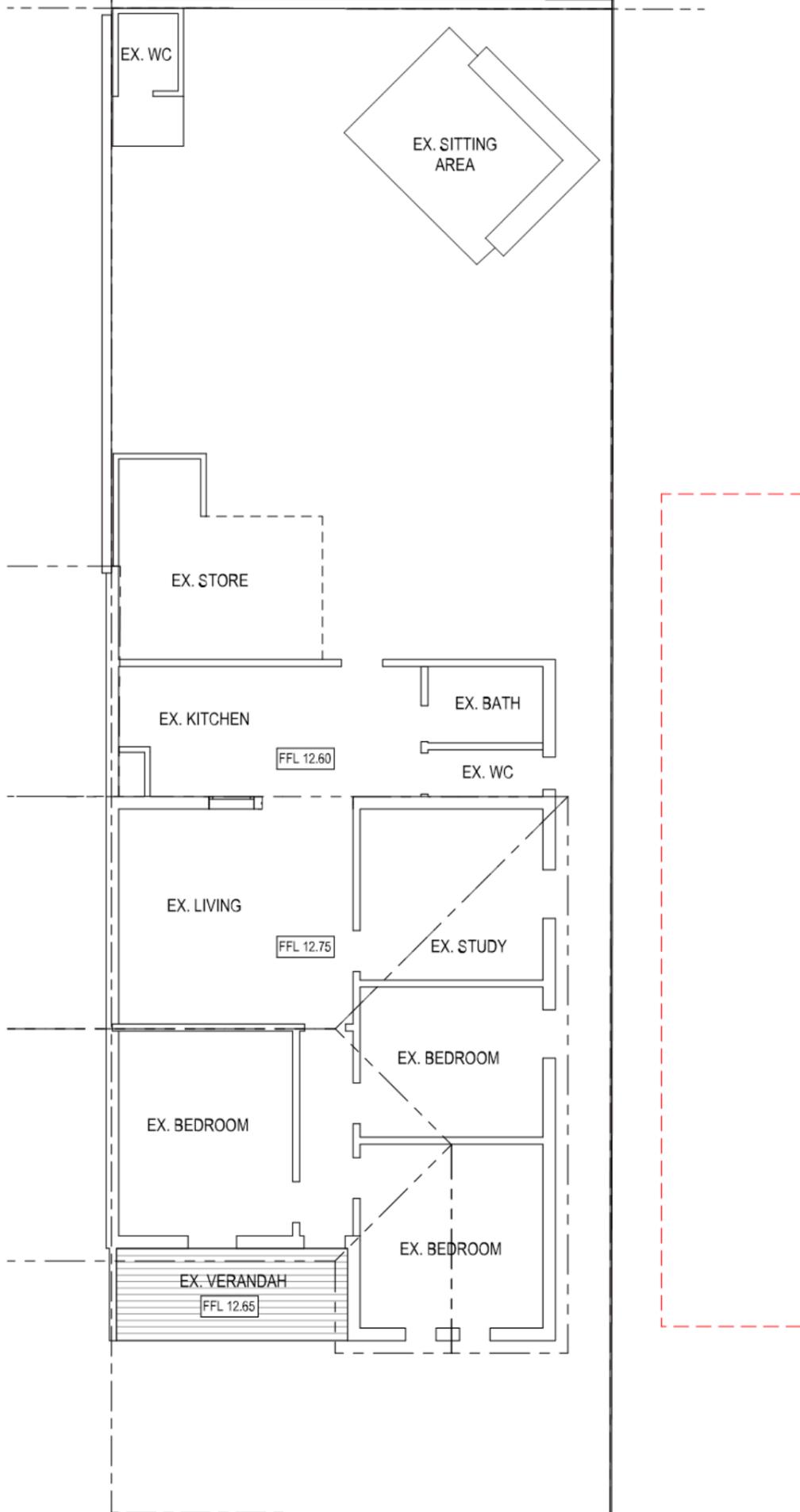
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Project LOT 29 (#26) MOIR STREET PERTH
 Job No. 1021
 Scale 1:100 @ A3 Drawn KY
 Status **Development Application** Approved BM
 Drawing EXISTING

Drawing No. Issue Issue Date
A.03 A 30/08/2021

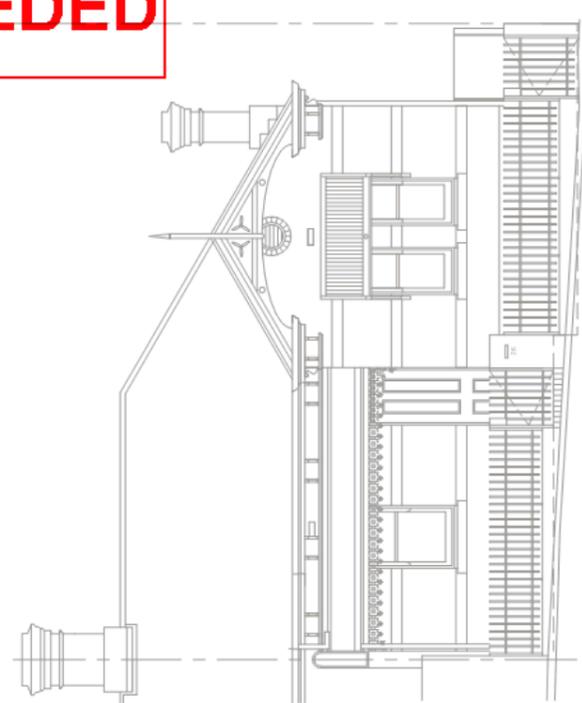
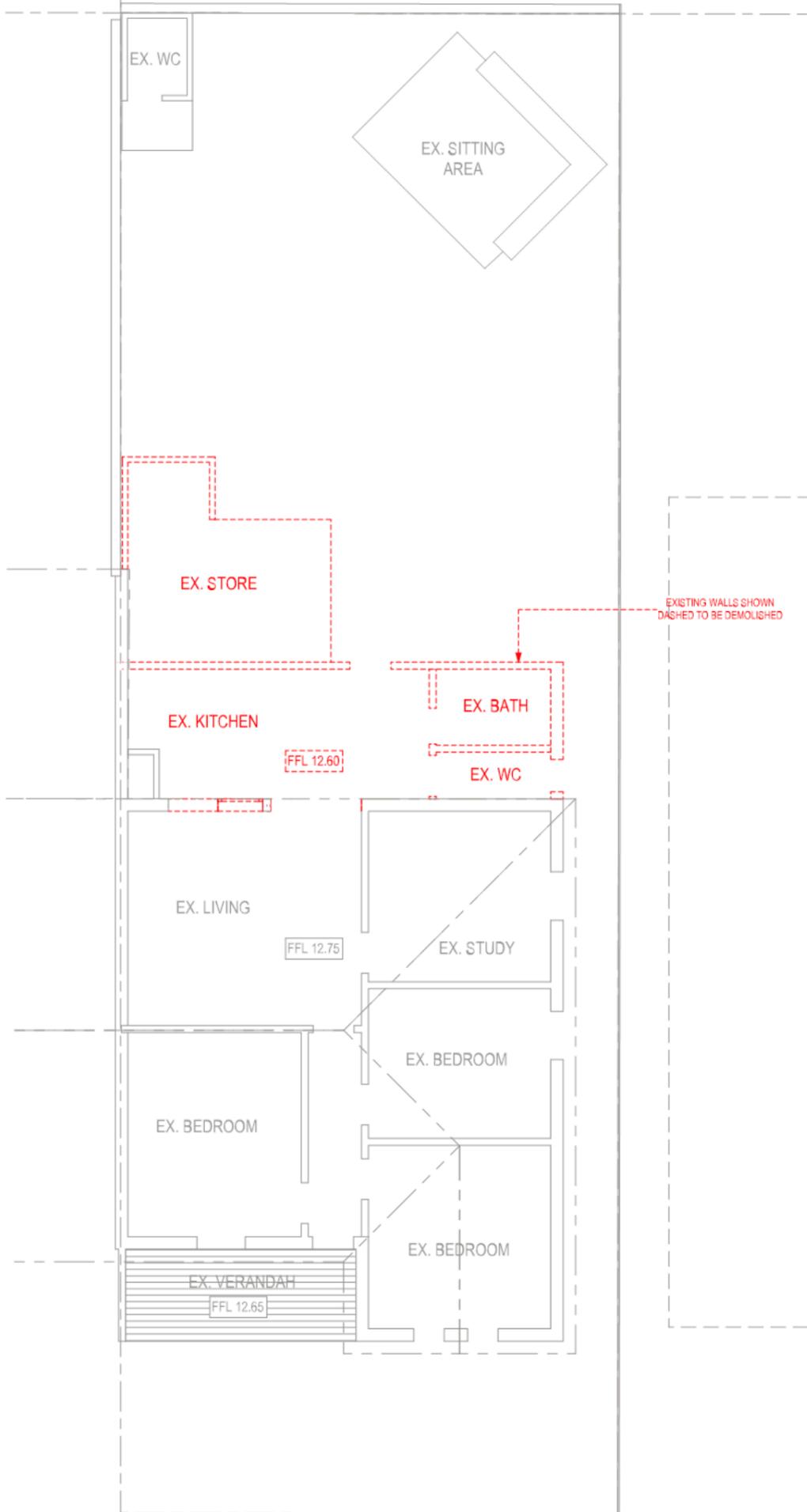
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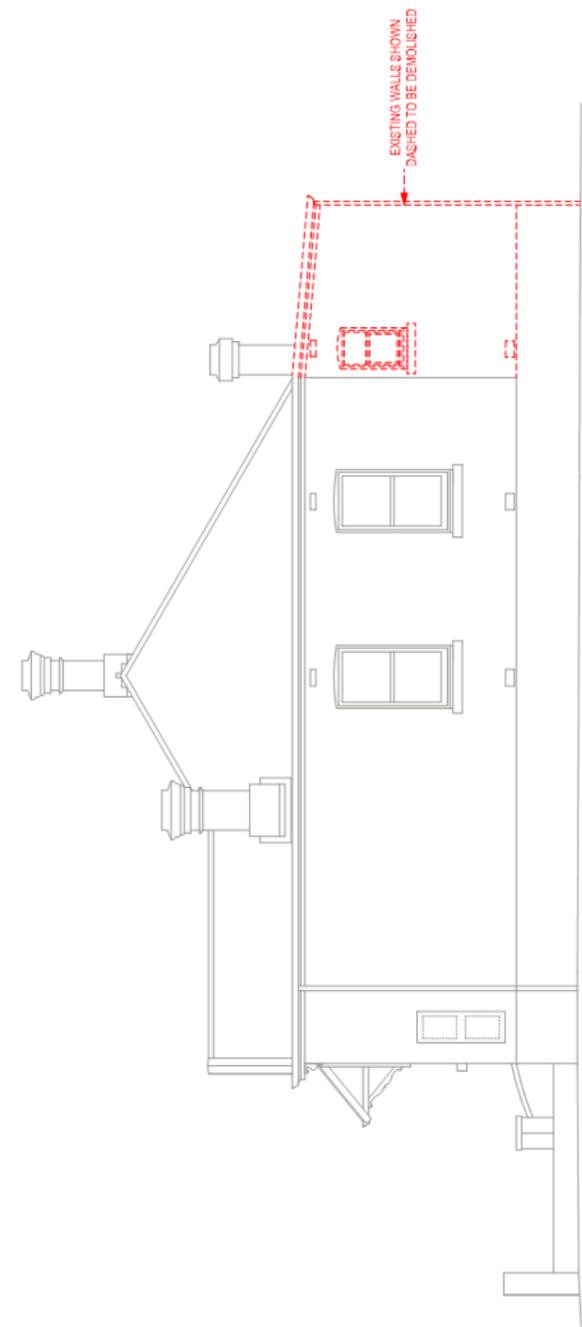
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EXISTING SOUTH ELEVATION
SCALE 1:100



EXISTING WEST ELEVATION
SCALE 1:100

Project LOT 29 (#26) MOIR STREET PERTH
 Job No. 1021
 Scale 1:100 @ A3 Drawn KY
 Status **Development Application** Approved BM
 Drawing DEMO PLAN

Drawing No. Issue Issue Date
A.04 A 30/08/2021

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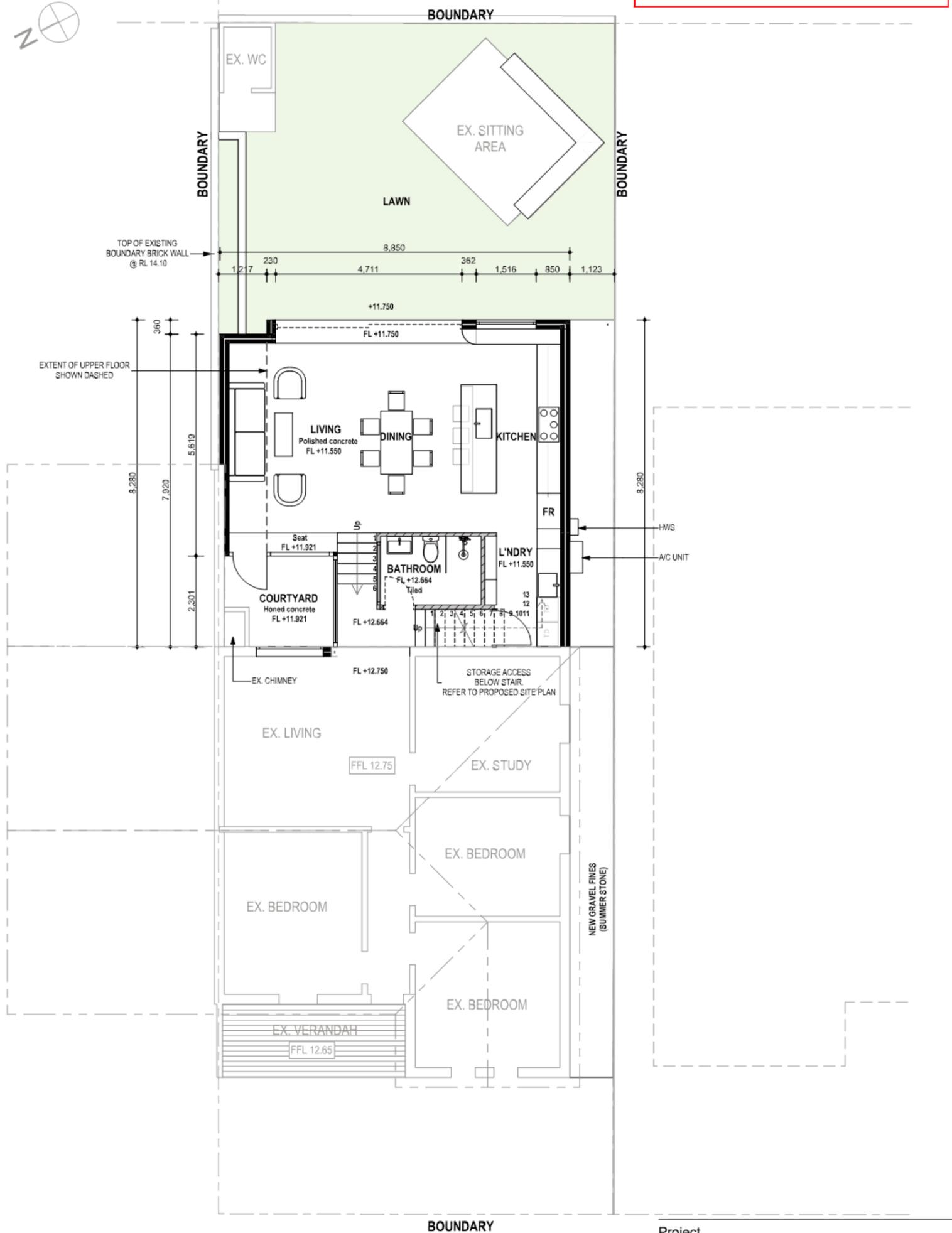
AREAS:

STORE BELOW BATHR'M	= 9.43m ²
GROUND FLOOR	= 66.25m ²
UPPER FLOOR	= 51.42m ²
TOTAL	= 127.1m²

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Project LOT 29 (#26) MOIR STREET PERTH
 Job No. 1021
 Scale 1:100 @ A3 Drawn KY
 Status **Development Application** Approved BM
 Drawing PROPOSED GF PLAN
 Drawing No. Issue Issue Date
A.05 A 30/08/2021

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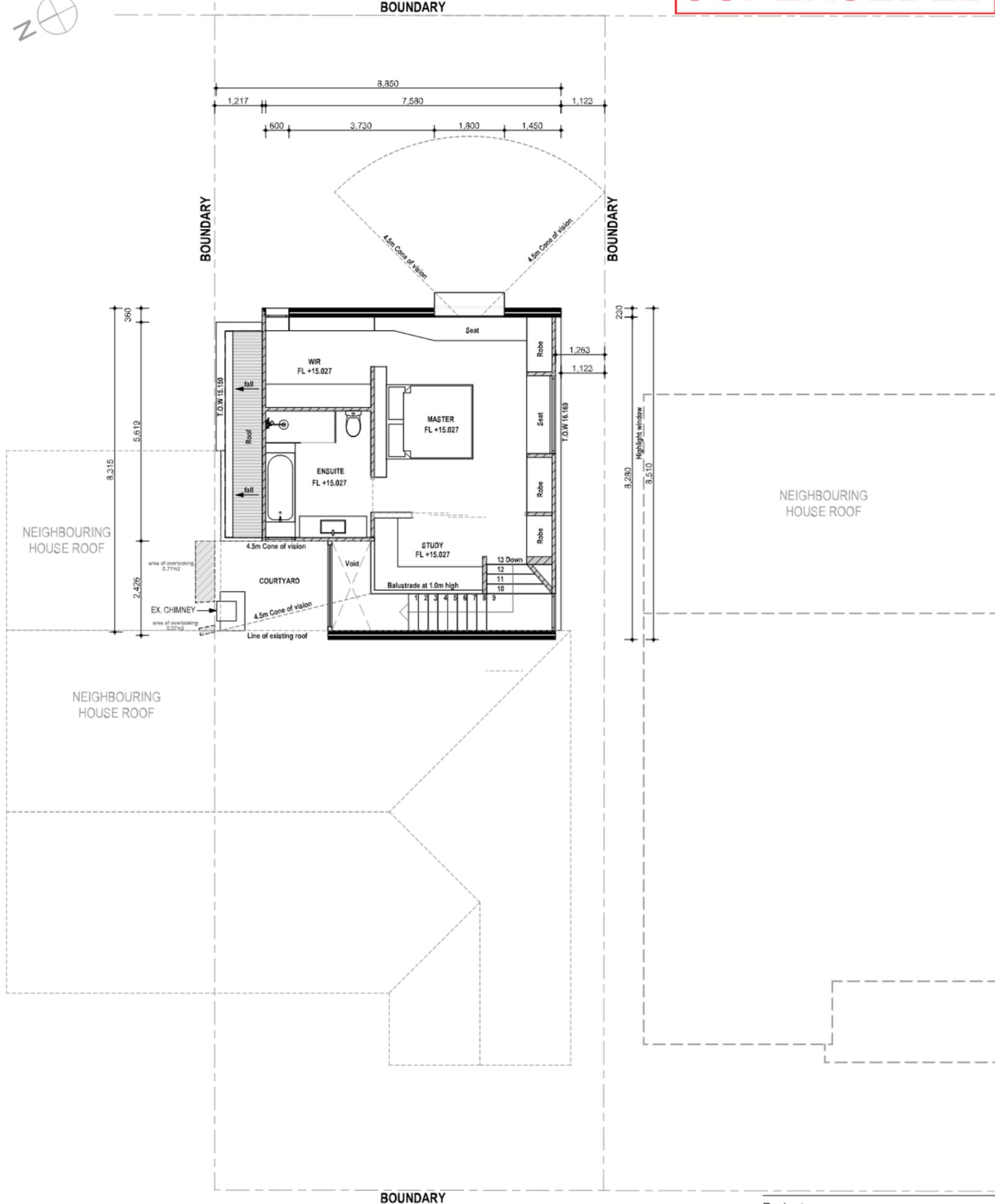
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AREAS:

STORE BELOW BATHR'M = 9.43m²
GROUND FLOOR = 66.25m²
UPPER FLOOR = 51.42m²
TOTAL = 127.1m²



Project LOT 29 (#26) MOIR STREET PERTH
Job No. 1021
Scale 1:100 @ A3 Drawn KY
Status **Development Application** Approved BM
Drawing PROPOSED UF PLAN
Drawing No. Issue Issue Date
A.06 A 30/08/2021

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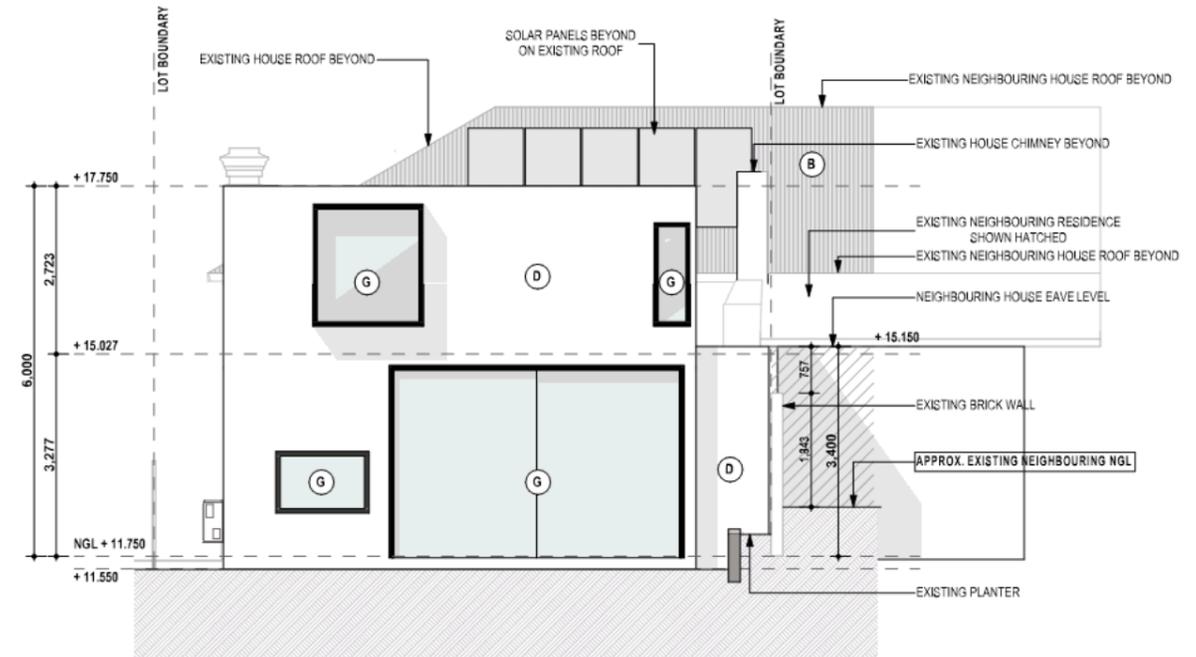
FINISHES SCHEDULE:

- (A) - EXISTING 1c BRICKWORK
COLOUR: HERITAGE RED
- (B) - EXISTING CORRUGATED ROOF
COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - PROPOSED PAINTED RENDER
COLOUR: WHITE
- (E) - PROPOSED BRICKWORK
COLOUR: HERITAGE RED TO MATCH EXISTING
- (F) - CORRUGATED SHEET CLADDING
COLOUR: TO MATCH EXISTING CORRUGATED ROOF SHEET
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE

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Deferred Development Plans

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EAST ELEVATION 1:100

Project LOT 29 (#26) MOIR STREET PERTH
 Job No. J20-03
 Scale as shown @ A3 Drawn
 Status **Design Development** Approved BM
 Drawing ELEVATIONS
 Drawing No. Issue Issue Date
A.07 A 30/08/2021

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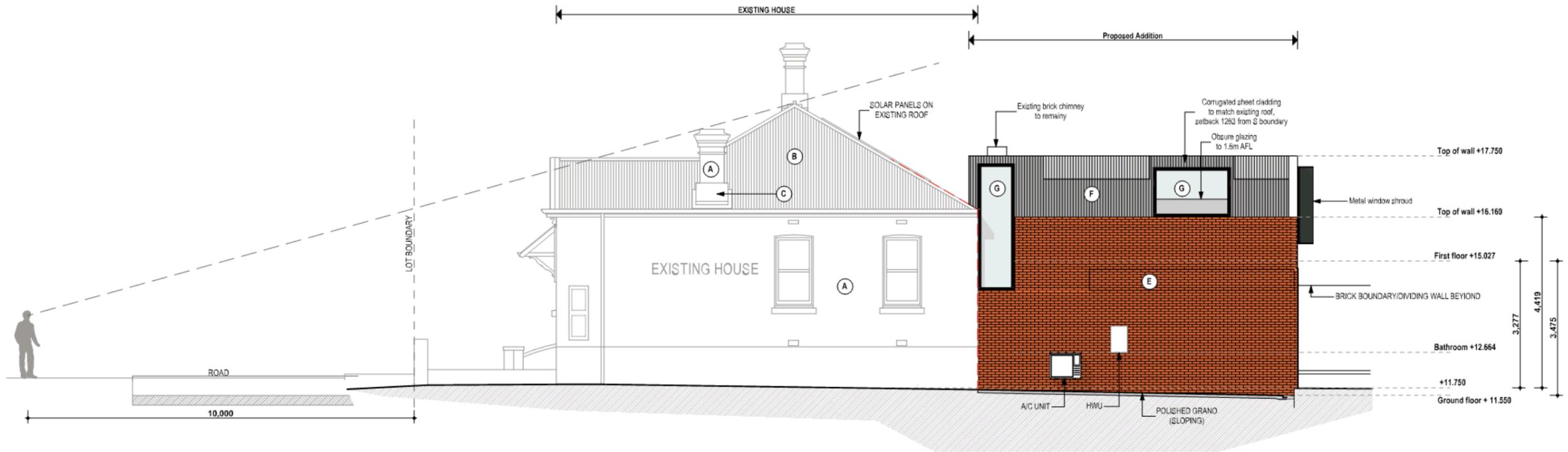
FINISHES SCHEDULE:

- (A) - EXISTING 1c BRICKWORK
COLOUR: HERITAGE RED
- (B) - EXISTING CORRUGATED ROOF
COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - PROPOSED PAINTED RENDER
COLOUR: WHITE
- (E) - PROPOSED BRICKWORK
COLOUR: HERITAGE RED TO MATCH EXISTING
- (F) - CORRUGATED SHEET CLADDING
COLOUR: TO MATCH EXISTING CORRUGATED ROOF SHEET
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE

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SOUTH ELEVATION 1:100

Project LOT 29 (#26) MOIR STREET PERTH
 Job No. J20-03
 Scale as shown @ A3 Drawn
 Status **Design Development** Approved BM
 Drawing ELEVATIONS
 Drawing No. Issue Issue Date
A.08 A 30/08/2021

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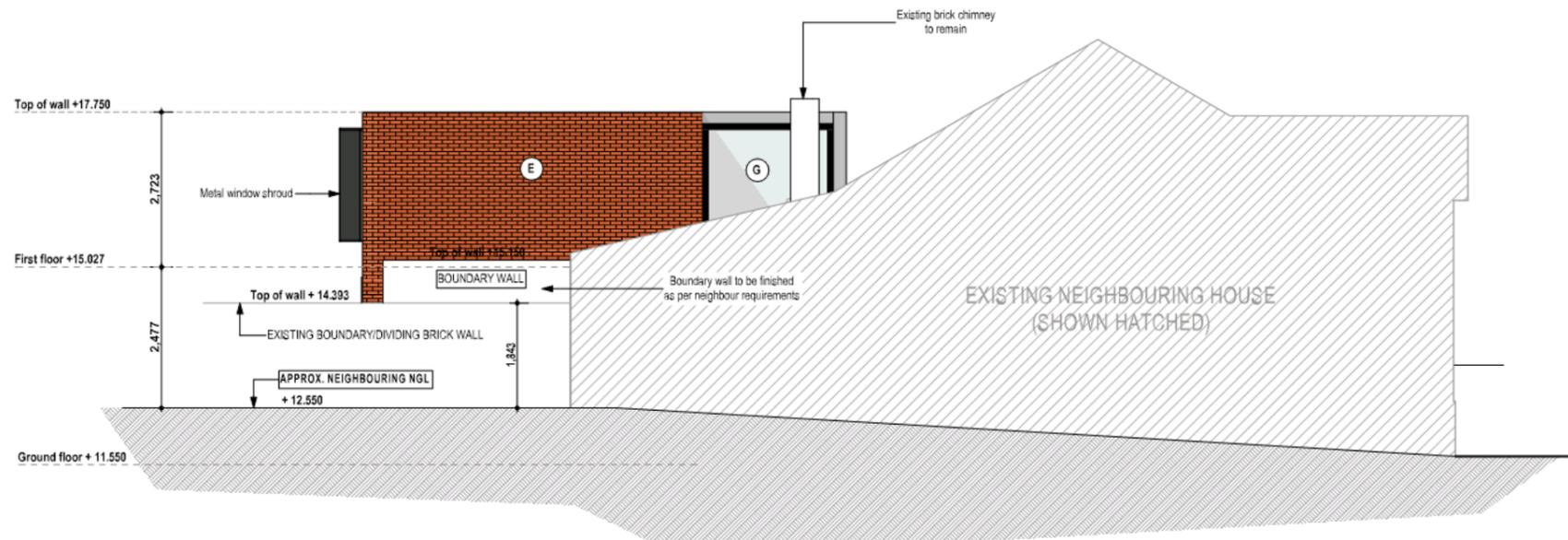
FINISHES SCHEDULE:

- (A) - EXISTING 1c BRICKWORK
COLOUR: HERITAGE RED
- (B) - EXISTING CORRUGATED ROOF
COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - PROPOSED PAINTED RENDER
COLOUR: WHITE
- (E) - PROPOSED BRICKWORK
COLOUR: HERITAGE RED TO MATCH EXISTING
- (F) - CORRUGATED SHEET CLADDING
COLOUR: TO MATCH EXISTING CORRUGATED ROOF SHEET
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE

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NORTH ELEVATION 1:100

Project LOT 29 (#26) MOIR STREET PERTH
 Job No. J20-03
 Scale as shown @ A3 Drawn
 Status **Design Development** Approved BM
 Drawing ELEVATIONS
 Drawing No. Issue Issue Date
A.09 A 30/08/2021

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Project LOT 29 (#26) MOIR STREET PERTH
 Job No. J20-03
 Scale as shown @ A3 Drawn
 Status **Design Development** Approved BM
 Drawing PERSPECTIVE
 Drawing No. Issue Issue Date
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LEGEND

Trees & Shrubs Retained

- Existing Frangipani (3)
- Existing Jasmine in Raised Planter (3)
- Existing Viburnum Hedge (16)
- Existing Magnolia Tree (1)
- Existing Crepe Myrtle Tree (1)
- Existing Grass Tree (1)
- Existing Lemon Tree (1)
- Existing Wisteria (1)

Trees Removed

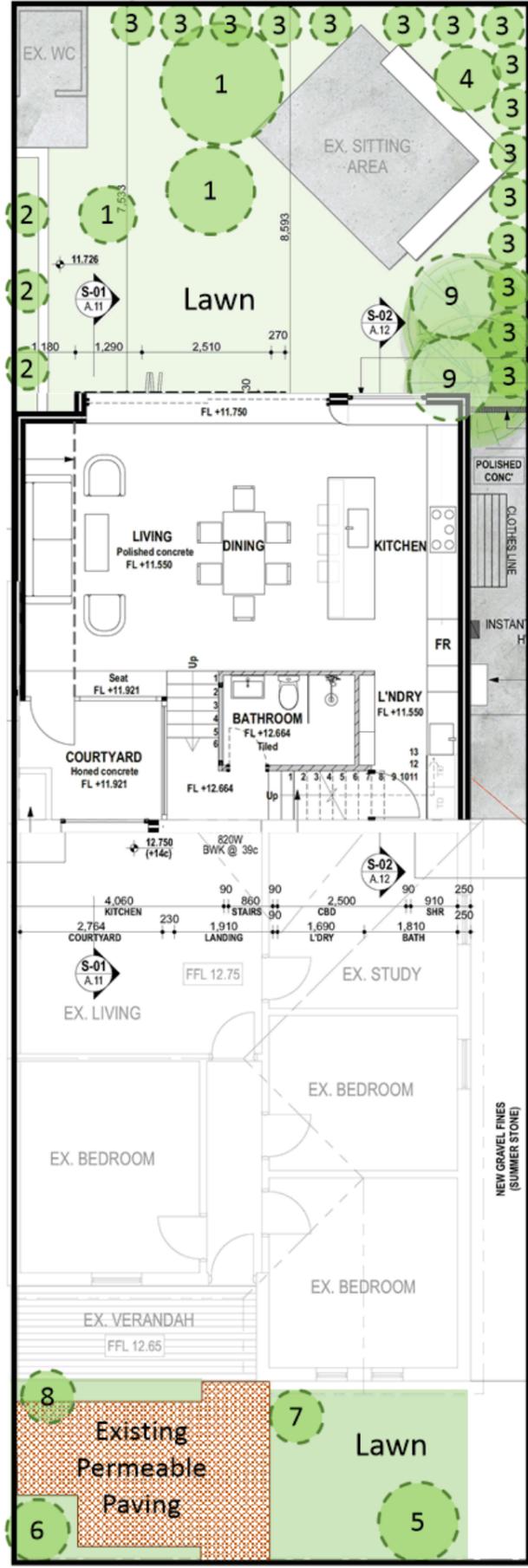
- Pencil Pines (2)

Lawns

Existing lawn area at front to be retained.
Rear lawn to be reinstated following works

Irrigation

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Reticulation to be retained and made good after completion of works.

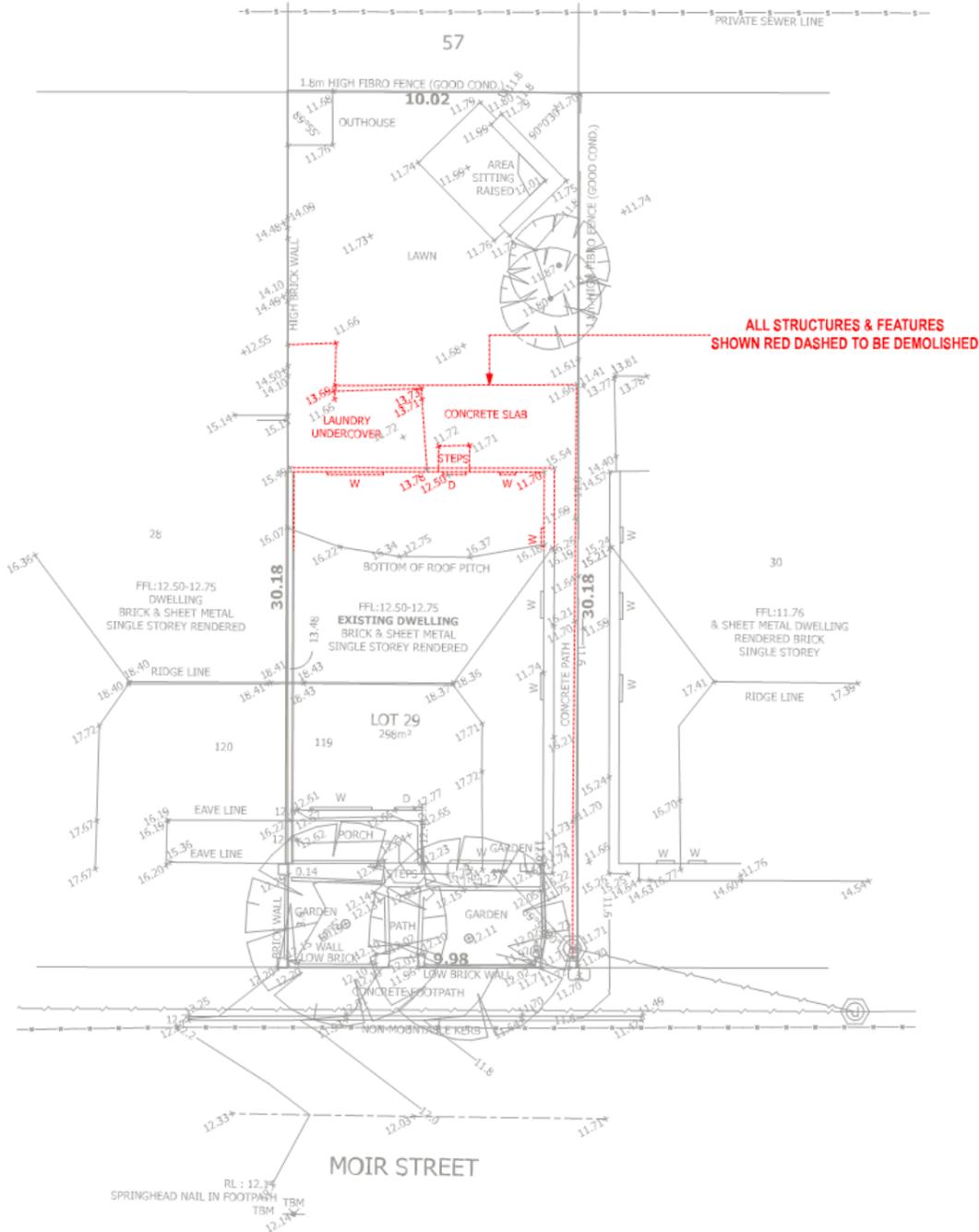


LANDSCAPE PLAN

PROPOSED ADDITIONS TO SINGLE HOUSE
26 MOIR STREET
PERTH



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REV	REVISION	DATE	TITLE	JOB No.
A	CONCEPT DESIGN	28/02/2020	DEMO SITE PLAN	J20-03
B	REVISED CONCEPT DESIGN	21/04/2020	CLIENT	
C	REVISED CONCEPT DESIGN	20/06/2020	A. STEWART	SIZE ISO A3
D	REVISED CONCEPT DESIGN	02/07/2020	ADDRESS	SCALE 1:100
E-G	ISSUED FOR DEVELOPMENT APPLICATION	03/11/2020	LOT 29 (#26) MOIR STREET PERTH	SHEET REV.
H	AMENDED DRAWINGS	19/02/2021	CITY OF VINCENT	A.01 H

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AREAS:

BASEMENT = 17.91m²
GROUND FLOOR = 61.81m²
UPPER FLOOR = 50.64m²
TOTAL = 130.36m²

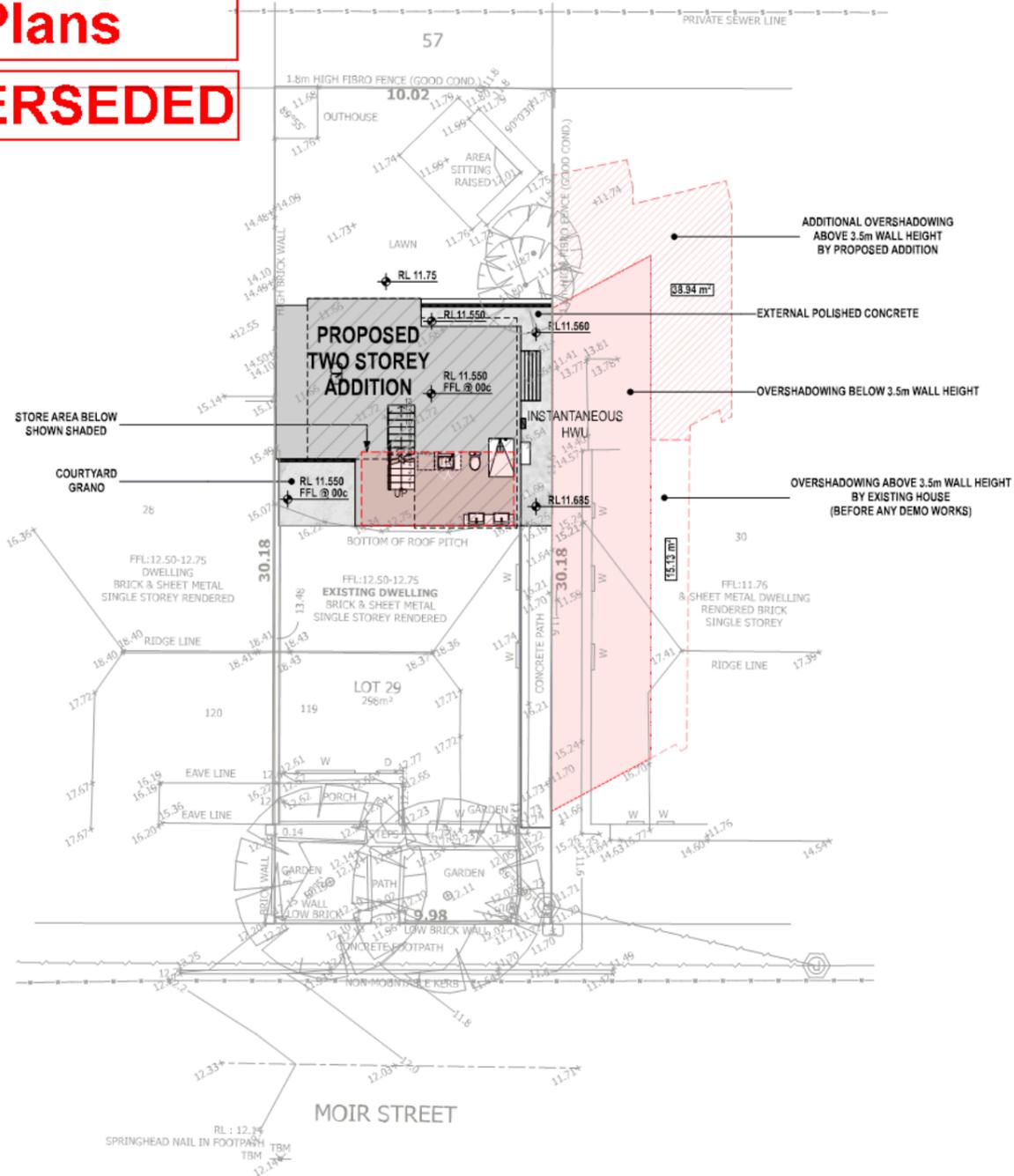
OVERSHADOWING CALCULATIONS:

(MIDDAY 21st JUNE)
 SOUTH-WEST NEIGHBOURING LOT No. = 30
 SOUTH-WEST NEIGHBOURING LOT AREA = 305m²
 SHADOW CAST AREA = 54.07m²
 SHADOW CAST PERCENTAGE = 17.73%

OVERSHADOWING NOTES:
 - MAJORITY OF EXISTING AND ADDITIONAL OVERSHADOWING IS CAST OVER THE NEIGHBOURING EXISTING DWELLING ROOF.

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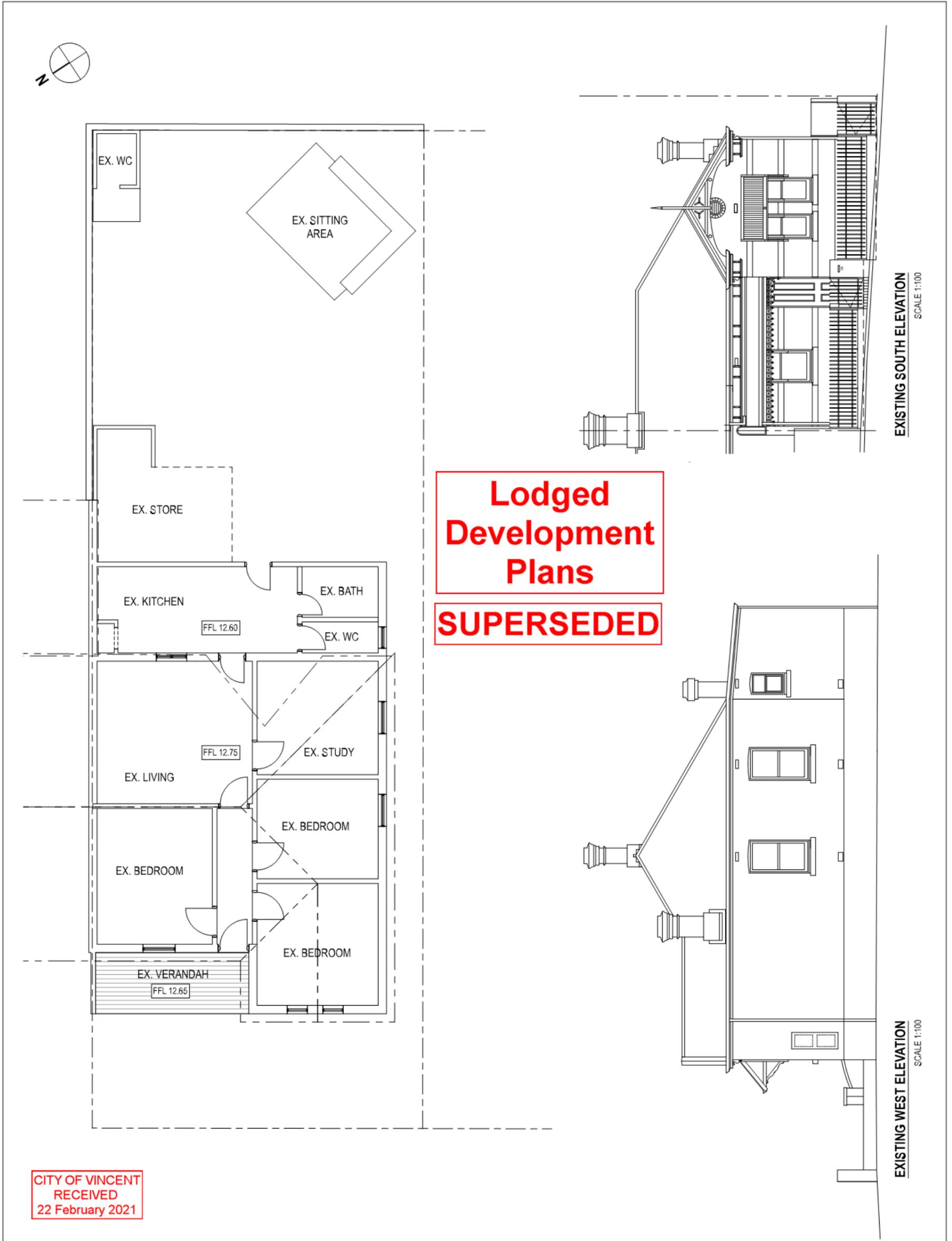
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A	CONCEPT DESIGN	28/02/2020	PROPOSED SITE PLAN	J20-03
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E-G	ISSUED FOR DEVELOPMENT APPLICATION	03/11/2020	LOT 29 (#26) MOIR STREET PERTH	SHEET REV.
H	AMENDED DRAWINGS	19/02/2021	CITY OF VINCENT	A.02 H

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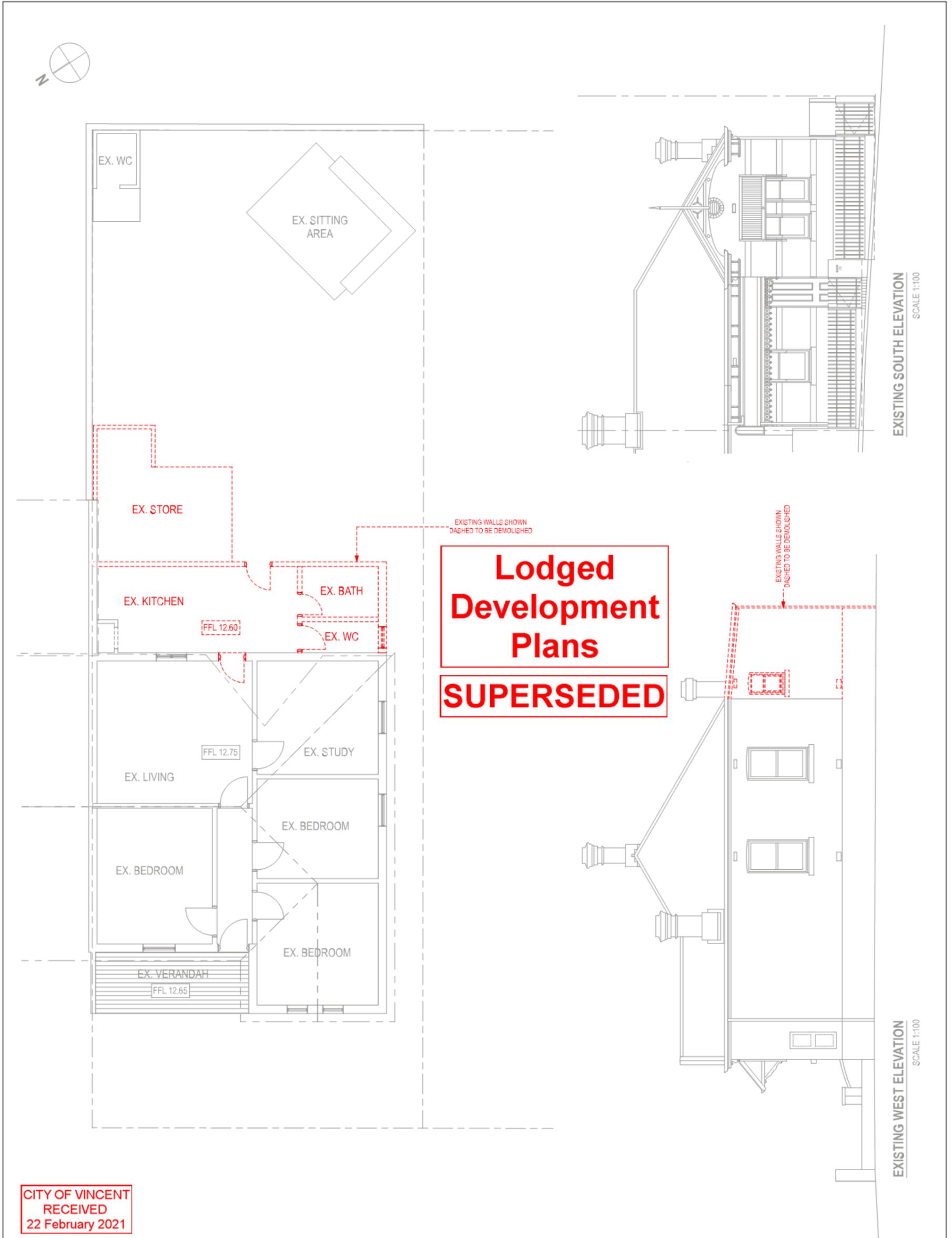
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H	AMENDED DA DRAWINGS	19/02/2021	CITY OF VINCENT	A.03 H

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A	CONCEPT DESIGN	28/02/2020	DEMO PLAN	J20-03
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D	REVISED CONCEPT DESIGN	02/07/2020	ADDRESS	SCALE 1:100
E-G	ISSUED FOR DEVELOPMENT APPLICATION	03/11/2020	LOT 29 (#26) MOIR STREET PERTH	SHEET 1:100
H	AMENDED DRAWINGS	19/02/2021	SHIRE CITY OF VINCENT	REV. A.04 H

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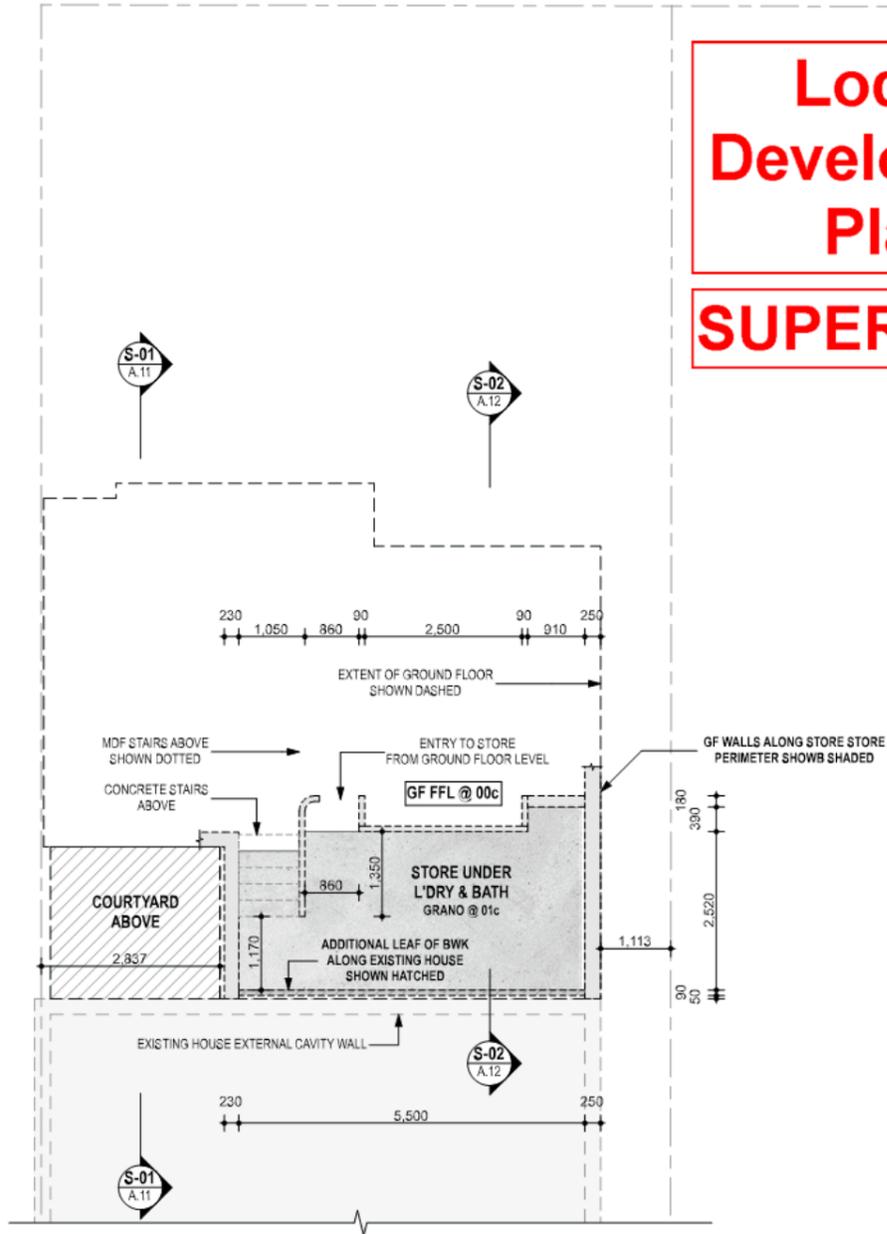
AREAS:

BASEMENT = 17.91m²
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 UPPER FLOOR = 50.64m²
 TOTAL = 130.36m²



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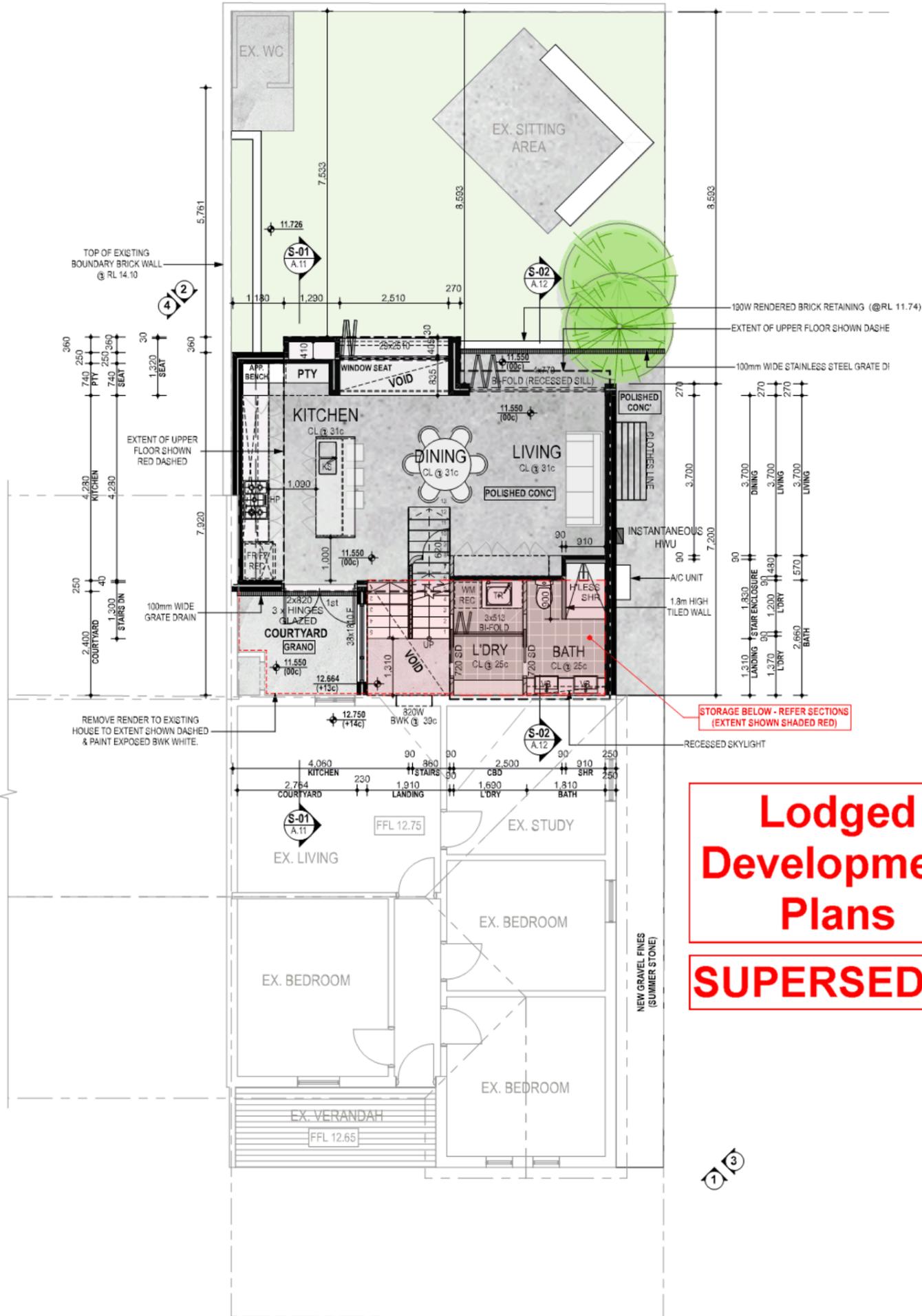
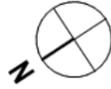
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E-G	ISSUED FOR DEVELOPMENT APPLICATION	03/11/2020	LOT 29 (#26) MOIR STREET PERTH	SHEET REV.
H	AMENDED DRAWINGS	19/02/2021	CITY OF VINCENT	A.05 H

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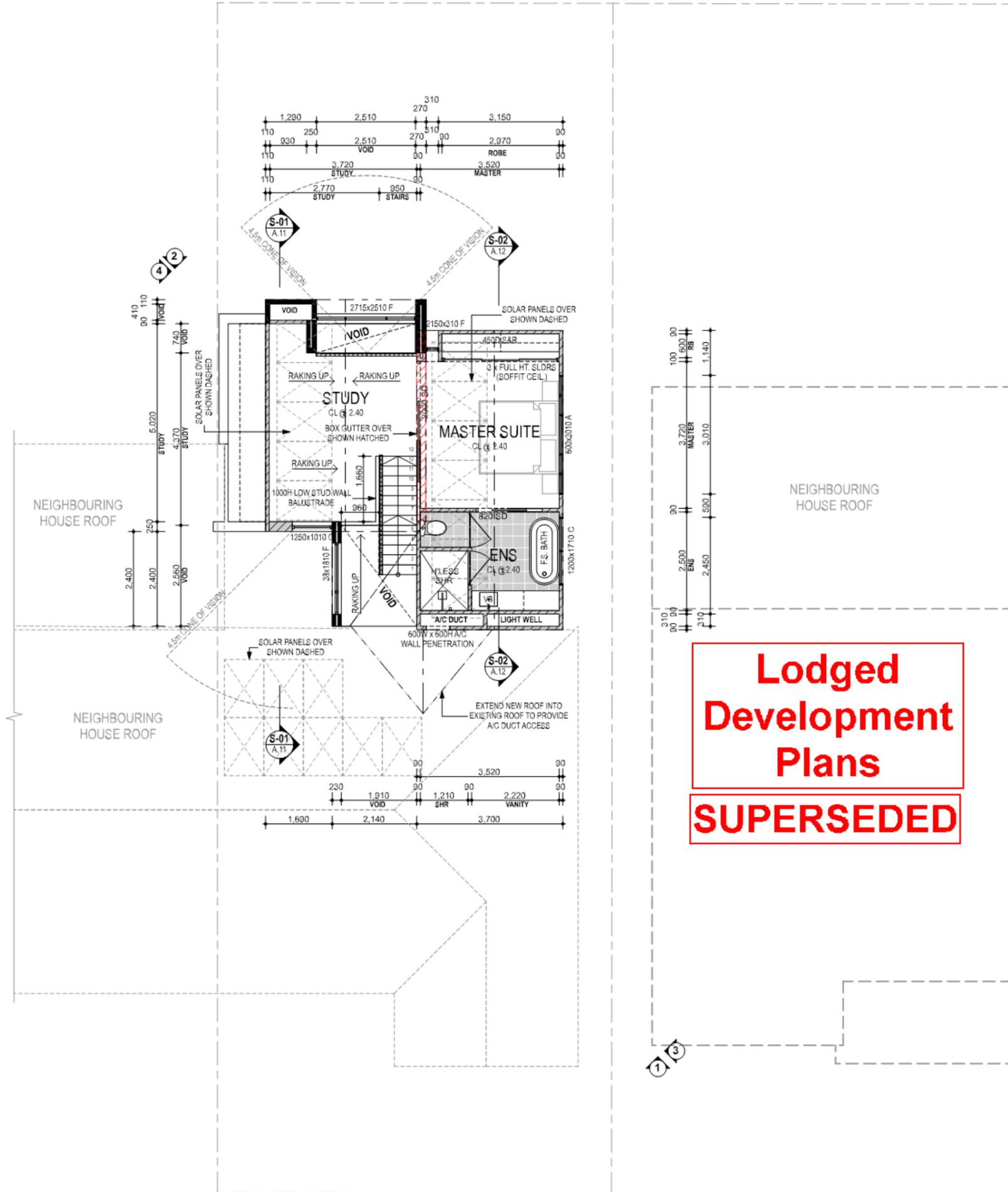
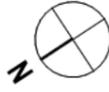
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H	AMENDED DRAWINGS	19/02/2021	CITY OF VINCENT	A.06 H

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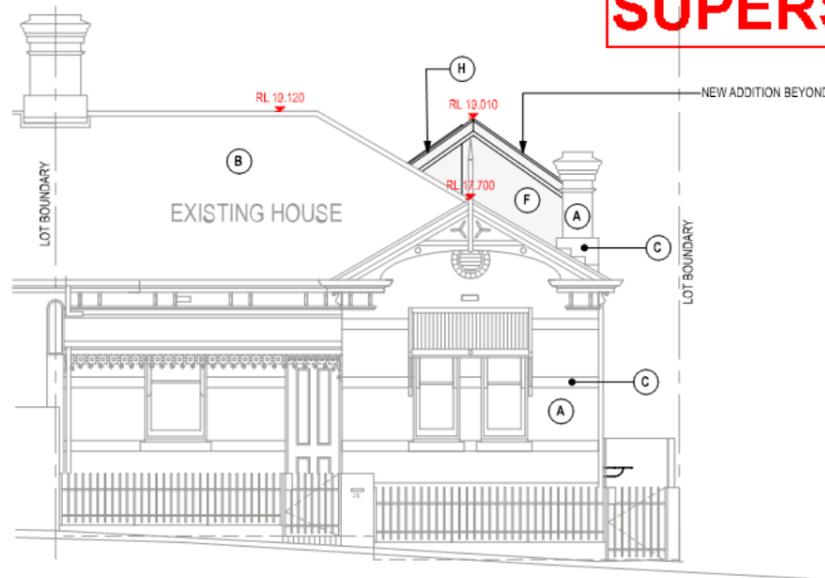
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C	REVISED CONCEPT DESIGN	20/06/2020	A. STEWART	SIZE ISO A3
D	REVISED CONCEPT DESIGN	02/07/2020	ADDRESS	SCALE 1:100
E-G	ISSUED FOR DEVELOPMENT APPLICATION	03/11/2020	LOT 29 (#26) MOIR STREET PERTH	SHEET REV.
H	AMENDED DRAWINGS	19/02/2021	CITY OF VINCENT	A.07 H

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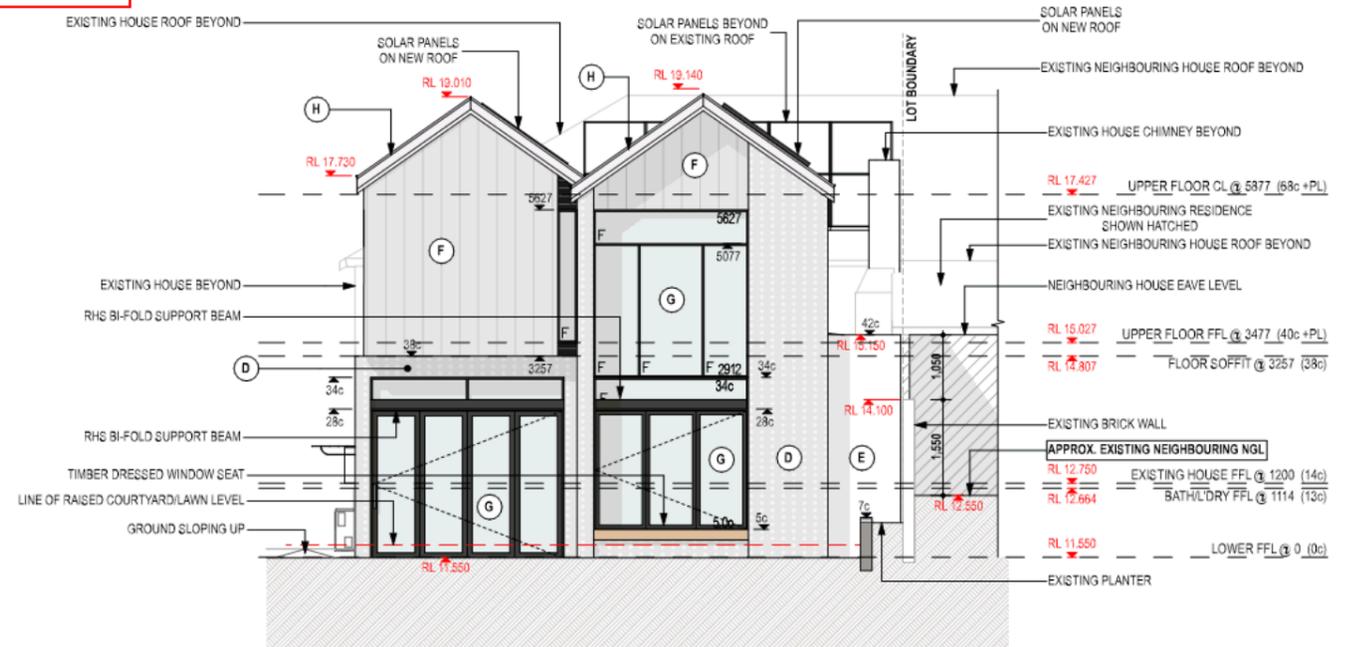
FINISHES SCHEDULE:

- (A) - EXISTING 1c BRICKWORK
COLOUR: HERITAGE RED
- (B) - EXISTING CORRUGATED ROOF
COLOUR: LIGHT GREY
- (C) - EXISTING PAINTED RENDER
COLOUR: WHITE
- (D) - 1c BRICKWORK
COLOUR: WHITE WITH WHITE MORTAR JOINS
- (E) - 1c BRICKWORK
COLOUR: RED TUMBLED EDGE BRICKS WITH WHITE WASH
- (F) - CFC VERTICAL 400 WIDE AXON CLADDING
COLOUR: OFF WHITE
- (G) - ALUMINIUM WINDOW FRAMES & DOORS
COLOUR: MATTE BLACK
- (H) - GUTTERS, DOWNPIPES & FLASHINGS
COLOUR: OFF WHITE
- (I) - COLORBOND ROOF COVER
COLOUR: OFF WHITE

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1 ELEVATION
A.06 1:100



2 ELEVATION
A.06 1:100

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			CITY OF VINCENT	

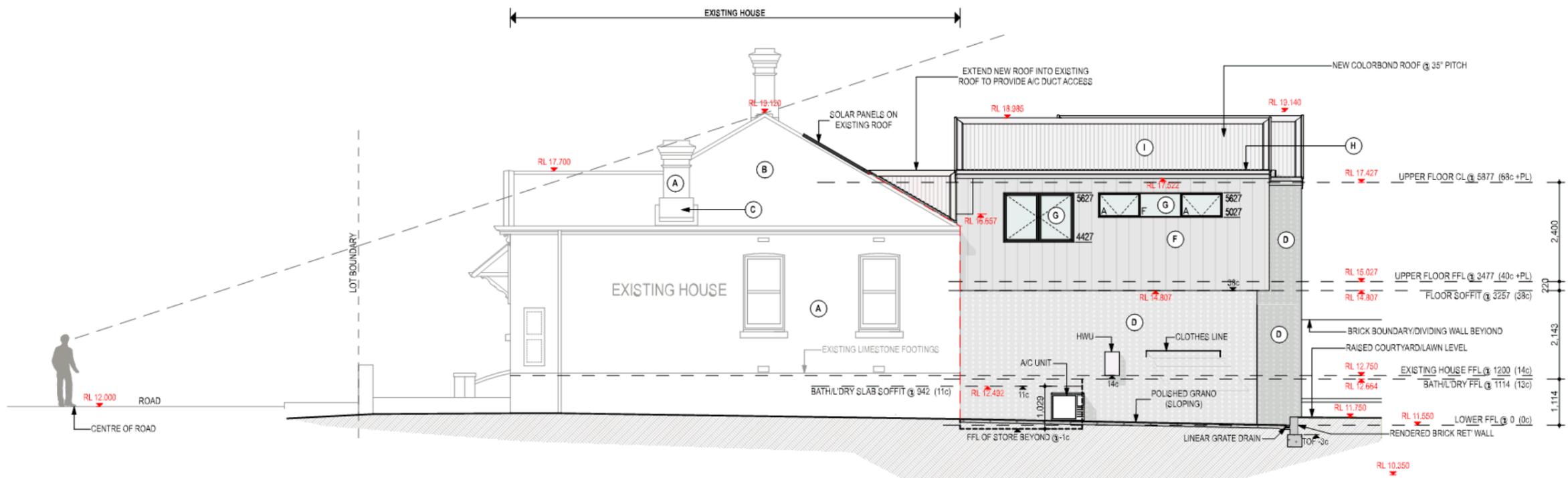
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COLOUR: OFF WHITE

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3 ELEVATION
A.06 1:100



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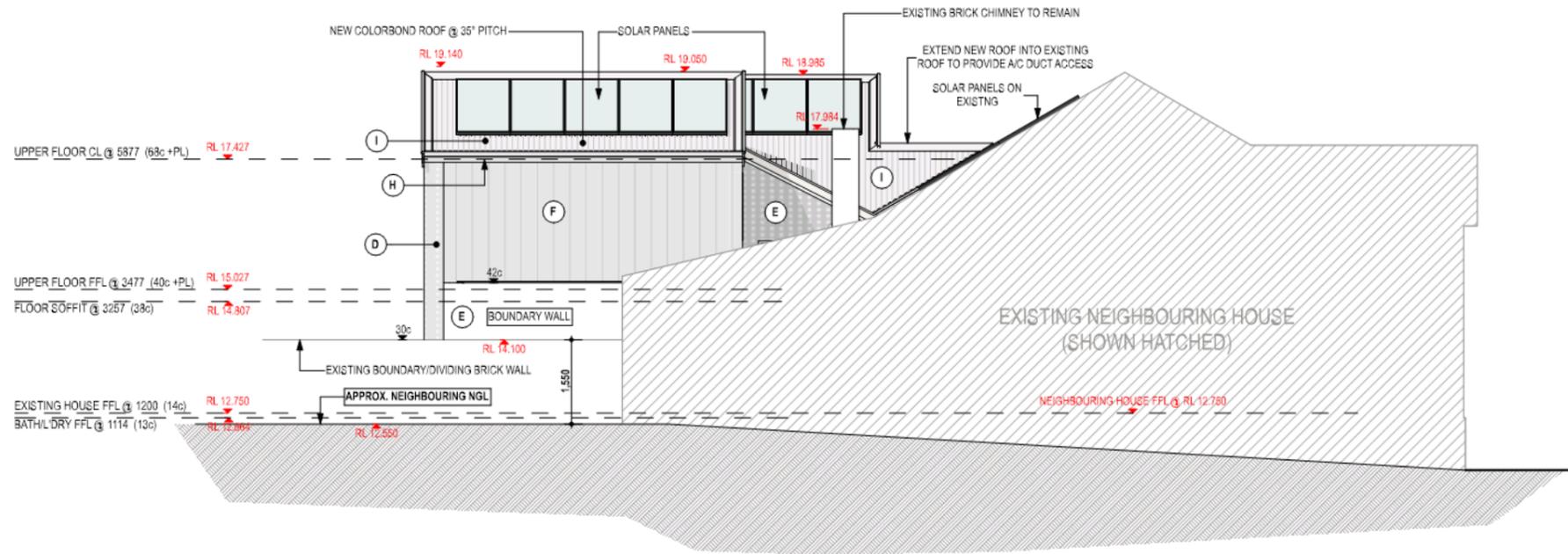
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COLOUR: OFF WHITE

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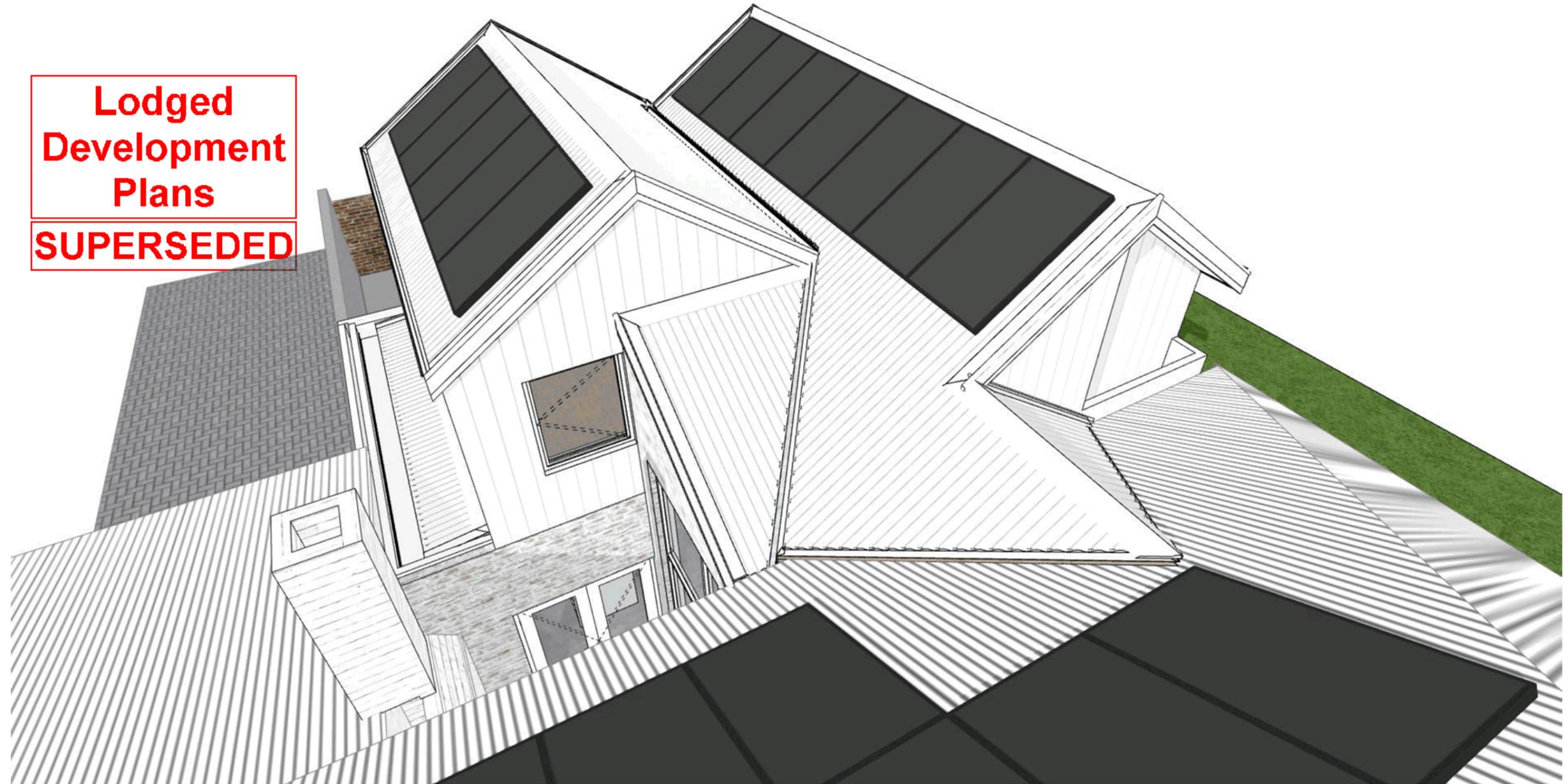
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Information for Design Review

Additions to Single House

Lot 29 (No.26) Moir Street, Perth

prepared by



STEWART URBAN PLANNING

15 November 2021



Brookman and Moir Streets Development Guidelines

Intent of the Guidelines

The Guidelines seek to achieve a balance between development and conservation.

Aims of the Guidelines

*The aim of these Guidelines is to retain and enhance the significant and distinctive qualities and unified character of the Brookman and Moir Streets area. **It is also intended that these Guidelines will assist owners who wish to upgrade their residences to accommodate modern living requirements, to extend them when required and to effectively conserve them.***

*The streetscape reflects over one hundred years of history. **However, these Guidelines are not intended to encourage reproduction of style of streetscape, but rather, to manage change so that its significant qualities endure.***

It is intended that all dwellings in the Brookman and Moir Streets area be retained and that remaining original planning and features be retained and conserved. Alterations and extensions to places will retain these features and qualities.

The bold text above demonstrates the intent of the Guidelines is not to preclude development, but to ensure it achieves a balance with heritage conservation.

In this regard, one of the Objectives of the Guidelines states:

*To allow alterations and additions to interpret the heritage significance of the dwellings in a **contemporary design approach**, ensuring consideration is given to the existing built form, context of the streetscape, roof form, and public domain and building proportion in the new building design*

Criteria

The Guidelines contain the following types of controls:

Essential Controls: are aimed at preserving the Brookman and Moir Streets area, as a whole and ensuring its integrity and these controls are not flexible.

Discretionary Controls: allow certain alterations to be made, provided it can be demonstrated that the application of the control will result in a good conservation outcome and be in harmony with the Brookman and Moir Streets area.

Encouragement: is a set of information that would assist in enhancing individual properties and the Brookman and Moir Streets area as a whole.

Advice: is offered as to the manner in which improvements can be made.

3

Conservation Works

Overview

Extensive conservation works to the front of the dwelling were undertaken in 2018, with the assistance of match funding from the State Heritage Office.

Removal of render from the front and side facades, restoration of brickwork and limestone footings, reinstatement of timber windows and awning, replacement of the concrete verandah with timber boards, reinstatement of decorative features to gable and verandah, reinstatement of front door and hopper window, new roof sheeting to verandah, and restoration of rear outbuilding.

The works were carried out by specialist heritage builders in accordance with plans and specifications prepared by a heritage architect. The conservation works were undertaken in accordance with the Brookman and Moir Street Design Guidelines, with match-funding provided by the State Heritage Office and City of Vincent.

Photographs



26 Moir Street Conservation Works (before)



26 Moir Street Conservation Works (removal of obtrusive elements)

26 Moir St Information for Design Review Revised 20211115.docx

Page 3

3



26 Moir Street Conservation Works (reinstatement of original features)



26 Moir Street Conservation Works (completion)



Guidelines Assessment - Conservation Works

The completed Conservation Works satisfy all relevant Essential Controls under the Guidelines, as summarised below.

ITEM	ESSENTIAL CONTROLS	ENCOURAGED
Roofs ✓	Roof Pitches visible from the street must match the existing roof pitches	The reconstruction of missing gable fretwork, finials and other details to match authentic existing examples. Western Red Cedar is the best timber for this work.
External Walls ✓	Remaining original features must be retained and conserved.	Removal of rendered walls.
Front Verandah ✓	The open verandahs and decorative features must be retained and conserved in their original form where they still exist.	The reinstatement of timber floors, the reduction of garden levels and reinstatement of steps is encouraged
Windows ✓	The retention of all original timber window features, including single-pane double hung sashes and sun hoods must be retained.	Where window openings have been enlarged or made smaller, the reinstatement of the original openings and opening treatments is encouraged.
Front Door & Hopper ✓	All original four-panel timber doors must be retained. Hopper lights shall not be removed.	Where doors have been removed and replaced, the reinstatement of a door, to match the original design, is encouraged.
Chimneys ✓	All original brick chimneys must be retained.	
External Decorative Details ✓	All original decorative details must be retained.	Where decorative details have been completely altered or removed, their reinstatement to the original detail is encouraged.
Front Fences ✓	Brick fences above 750 millimetres will not be permitted. Open fences will not be permitted above 1.2 metres.	Open fences are desirable and, while traditional patterns are encouraged, other open picket and palisade fences may be acceptable
Front Gardens ✓		Traditional lawn, flowerbed and shrub or cottage gardens are encouraged.
Car Parking ✓	Garages and carports will not be permitted within the front setback of the area. On-site vehicle parking in the front setback is prohibited.	
Rear Water Closets ✓	Rear water closets must be conserved and permission to demolish will only be given in exceptional circumstances.	



Guidelines Assessment - Internal Planning

The Guidelines state:

*The original house plan has five principal rooms under the pitched roof and then a series of spaces under a skillion roof of the rear verandah. Many houses retain the essential elements of this plan and many of the features. **The five front rooms and corridor of the house are an integral historical form under the original pitched roof.***

Section 3 of the Guidelines indicates that the “remaining original planning and fabric of these [front] rooms should be retained and conserved and adapted only as much as is necessary and as little as possible.”

The Guidelines do not contain any Essential Controls for the Internal Planning of the original house, only Discretionary Controls and Encouragement, as follows:

ITEM	DISCRETIONARY	ENCOURAGED
Internal Planning ✓	The original five front rooms and corridor of the plan form should be retained as well as any original features, such as fireplaces and doors. Where change has already occurred, there will be no requirement to reinstate the plan form.	Reinstatement of missing walls, fireplaces and the like is encouraged, where the evidence for reinstatement will allow this to occur in the proper manner.

Many of the houses have been modified by removing internal walls to create larger living spaces or a bathroom / en-suite to meet modern day living needs. Where this has occurred, it reduces the need to build an addition to accommodate (for example) modern bathroom facilities or open-planned living spaces reflective of contemporary lifestyles (i.e. combined kitchen / living area with direct access to an outdoor area).

In the case of 26 Moir Street, all five of the original rooms remain intact with no internal walls having been removed. Original floors and internal doors also remain. This results in five independent rooms that can be used for a limited range of purposes such as bedrooms, study, play room or a small living area separate to the kitchen.

Whilst there are no Essential Controls, and whilst tempting to remove internal walls to achieve more functional spaces and amenities, we wish to fulfil the intent of the Guidelines and retain the original five rooms intact.

This necessitates the construction of a rear addition to create a contemporary living environment suitable for a small family, such as an open-planned kitchen / living space that is connected to the rear garden (noting also that the existing finished floor level of the dwelling is 1 metre higher than the rear garden).

Accordingly, there is a nexus between the internal planning of the original dwelling and the proposed additions.



Proposed Rear Additions

Guidelines Assessment – Demolition

The Guidelines state:

The retention of the original house and many features is essential, and entire demolition of dwellings will not be permitted.

The Guidelines contain the following Essential and Discretionary Controls.

ITEM	ESSENTIAL	DISCRETIONARY
Demolition ✓	Entire demolition of dwellings will not be permitted.	Partial demolition of dwelling will only be considered in exceptional circumstances.

The Guidelines do not contain any Essential Controls mandating the retention of the rear skillion, including the wash-house and store. Section 3 of the Guidelines states:

*Original external features within the 'additions zone' (refer to Figure 3), such as the rear skillion additions are **not** intended to be retained or conserved.*

Figure 3 encourages (but does not mandate) retention of the wash-house and store if intact. By way of example, a recent addition to No.18 Moir Street (2017) involved the demolition of the entire rear skillion and replacement with a new addition.



No.18 Moir Street Prior to Demolition of Rear Skillion (June 2017)



No.18 Moir Street After Demolition of Rear Skillion (August 2017)

3

Guidelines Assessment – Visual Impact

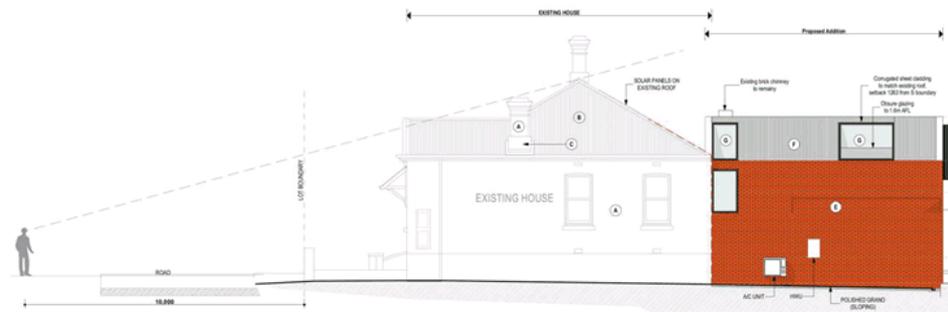
Section 3 of the Guidelines includes the following text describing how the streetscape impact of any proposed rear additions is to be assessed:

*Further change to dwellings will be required over time and it is important that when these changes occur, the integrity of the streetscape and architecture is retained. To ensure these qualities are maintained, no construction will be permitted within the front setback and **no additions will be permitted that would be visible from within the public domain over the existing roofline.** Public domain is taken to mean Brookman Street, Moir Street and Forbes Street, together with Robinson Avenue. The rear right of way and Wellman Street are not included in this requirement.*

The public domain view is to be taken from the front property line on the opposite side of the road with a viewing height of 1.65 metres above the level of the pavement. In terms of drawn elevations this should be the line extended through the existing ridge height. New additions should not be visible through the use of this criterion.

As evident from the submitted drawings (refer figure below), the proposed addition is not visible from the property line on the opposite (west) side of Moir Street over the existing roofline of the dwelling.

The addition will be visible from other locations, such as from certain viewing points on Robinson Avenue or from Moir Street via the side setback between Nos.24 and 26, however, this is not the criterion to be used to assess the visibility of additions from the public realm.



Assessment of Public Domain View



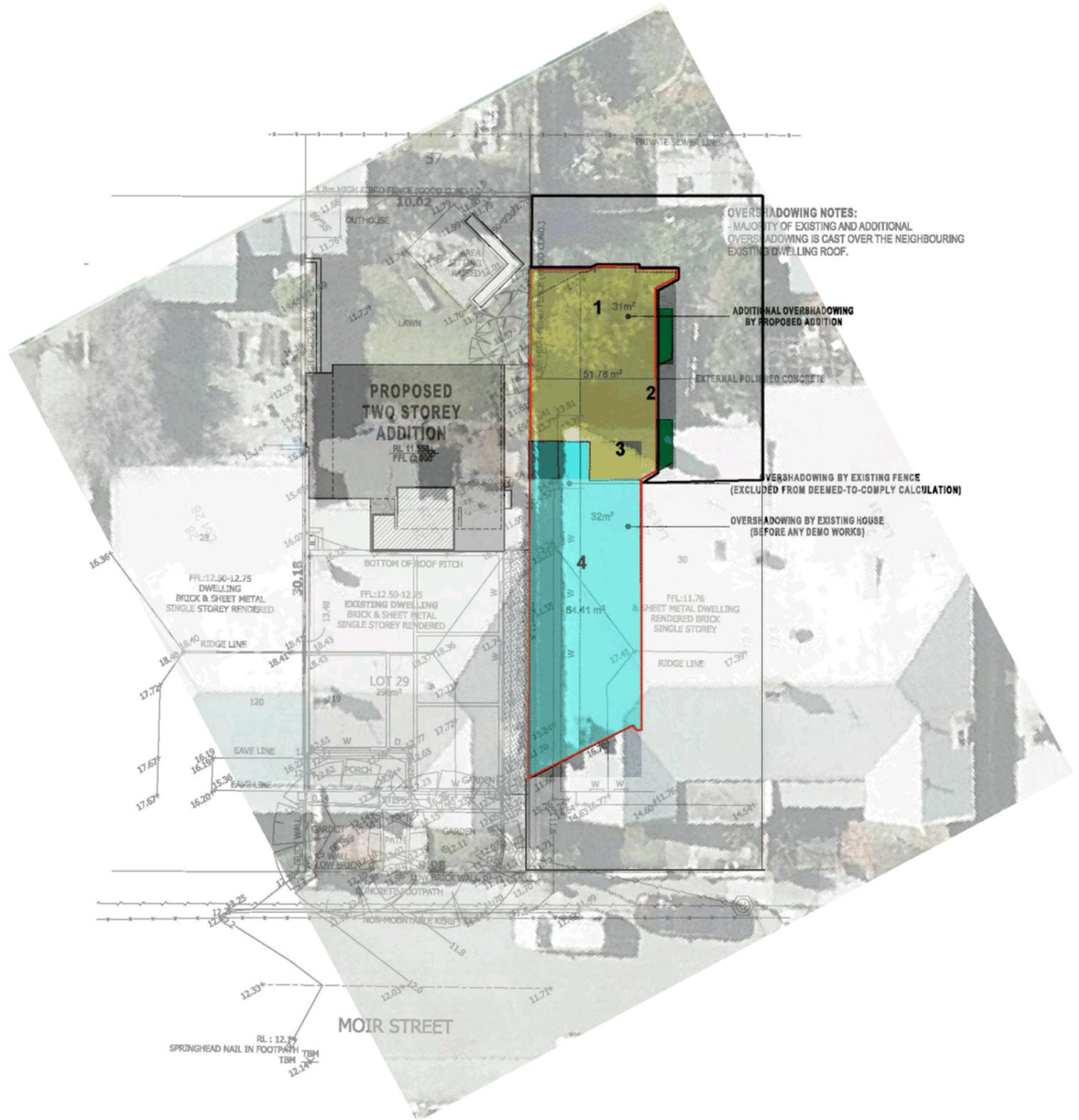
Existing View

Between 24 & 26 Moir St



Proposed View

Shadow Reduction Diagram



OVERSHADOWING NOTES:
 - MAJORITY OF EXISTING AND ADDITIONAL OVERSHADOWING IS CAST OVER THE NEIGHBOURING EXISTING DWELLING ROOF.

ADDITIONAL OVERSHADOWING BY PROPOSED ADDITION

EXTERNAL POLISHED CONCRETE

OVERSHADOWING BY EXISTING FENCE (EXCLUDED FROM DEEMED-TO-COMPLY CALCULATION)

OVERSHADOWING BY EXISTING HOUSE (BEFORE ANY DEMO WORKS)

- Existing dwelling shadow - 23% (70.15 sqm)
- Additional Shadow - 12.1% (36.9 sqm)
- Reduced Shadow Extent - 2.1% (5.5 sqm)
- Total Shadow - 35.1% (107.3 sqm)
- Unshaded open space

- 1 - Existing mature tree and landscaping
- 2 - Clothes line
- 3 - Covered verandah
- 4 - Single Dwelling Roofline

Project		
LOT 29 (#26) MOIR STREET PERTH		
Job No. 1021		
Scale 1:100 @ A3	Drawn KY	
Status Development Application	Approved BM	
Drawing PROPOSED SITE PLAN		
Drawing No. A.02	Issue A	Issue Date 21/10/2021
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HOCKING H+A

26 Moir Street, Perth

Heritage Impact Statement

September 2021

26 Moir Street, Perth
Heritage Impact Statement

Cover Image: 26 Moir Street, Perth
Courtesy A Stewart

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Revision Number	Author	Date	Reviewer	Date
A	Gemma Dewar	16 November 2020	A Stewart	17 November 2020
B	Gemma Dewar	17 November 2020		
C	Gemma Dewar	3 September 2021		

HHA Job No. 202066



26 Moir Street, Perth
Heritage Impact Statement

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3. Heritage Listing	6
4. Statement of Significance	6
5. Proposed Development	8
6. Assessment of Impact	14



1. Introduction

The owners of no. 26 Moir Street, Perth are proposing to construct a two storey addition to the rear of the subject property. The place forms part of the State Registered Brookman and Moir Street Precinct which has been recognised for being a largely complete example of two 19th century streets of domestic scaled residences in the Federation Queen Anne style.

Moir Street, together with Brookman Street, are highly valued by the owners of the individual houses, demonstrated in their collective endeavours to restore the buildings, culminating in a Heritage Award in 2016. The houses are predominantly semi-detached houses, all demonstrating a high level of intactness which creates a strong sense of coherency along the two streets.

The owners of no. 26 Moir Street were one of the group of owners who have restored their property reinstating the original design intent of the place. They now seek to add a two storey contemporary addition to the rear which will require the demolition of the existing single storey skillion roof section of the house.

The place also forms part of the City of Vincent's heritage, being included in their adopted Heritage List. As such, the proposed development will also be subject to the provisions of Policy 7.6.1: Heritage Management - Development guidelines for heritage and adjacent properties.

Development of heritage properties should safeguard the significance of these places and any adjacent heritage places. As a heritage precinct, the proposed development of no. 26 Moir Street should also take account of any impacts on the neighbouring properties and the streetscape as a whole.

This heritage impact statement has been prepared following the guidelines published by Department of Planning, Lands and Heritage.

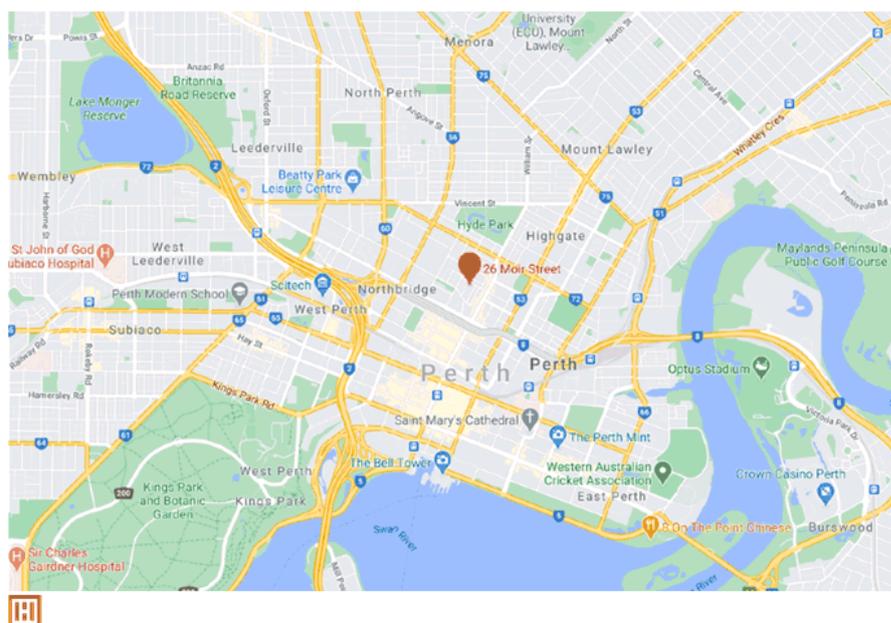


2. Location

The subject property is located at Lot 29 on Plan 4576, known as no. 26 Moir Street, Perth. The property is located at the northern end of Moir Street, close to the intersection with Robinson Street.



**FIGURE 1 :
CADASTRAL PLAN, 26
MOIR STREET, PERTH
Courtesy Landgate,
November 2020**



**FIGURE 2 : LOCATION
OF 26 MOIR STREET
IN A CITY CONTEXT
Courtesy Google,
November 2020**

3. Heritage Listing

House no. 26 Moir Street, Perth benefits from the following heritage listings:

Heritage Listing	Description	Status	Date
Register of Heritage Places	Interim Entry		20/06/2006
	Permanent Entry		08/05/2007
National Trust Classification	Classified		-----
Register of National Estate	Indicative		23/04/1991
City of Vincent	Municipal Heritage Inventory	Category A place	27/11/1995
City of Vincent	Heritage List	Adopted	-----

4. Statement of Significance

The following statement of significance has been taken from the Register Documentation for Brookman and Moir Street Precincts (Place No. 3992).

Bookman and Moir Streets Precinct, two streets in Perth comprising 58 semi-detached residences and one detached residence in two types of Federation Queen Anne style, constructed of limestone and brick with corrugated-iron roofs in 1897-98, and a shop at the corner of Moir Street and Forbes Road built in 1940, has cultural heritage significance for the following reasons:

- The historic precinct is an almost complete example of two late 19th century streets of modestly scaled residential buildings in the Federation Queen Anne style of architecture, built between 1897-98 in the wake of the rapid population expansion following the Western Australian gold boom;
- The historic precinct is a substantial section of the residential estate developed by the Colonial Finance Corporation in 1897-1898. This estate, comprising the historic precinct in Brookman and Moir Street, and Baker's Terrace in Lake Street, was the largest estate of its type developed in Western Australia;
- The historic precinct is rare in Western Australia as two street in which a single basic design was utilised for all the residences in a large estate, with the exception of Numbers 2 and 4 Brookman Street, which are grander variations of the same pattern used throughout the precinct, that is relatively intact;
- The buildings contained within the precinct are representative of what was considered to be working class rental accommodation from the late 19th and early 20th centuries;



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Heritage Impact Statement

- The one-way thoroughfares and modest lot sizes of the semi-detached dwellings contained within the precinct give it a particular character and sense of enclosure;
- The homogeneity of the modestly-scaled, semi-detached residential buildings creates a visually striking precinct in an inner city residential area; and
- The historic precinct was developed under the Colonial Finance Corporation who named Brookman and Moir Streets after two of the principal investors in the company who were prominent in Western Australia.

Generally the boundary fences and plantings are of little significance as are recent additions and modifications. Parking areas in the front of houses and carports in the front setbacks are intrusive. A small number of high masonry fences in the precinct are intrusive.



5. Proposed Development

The proposed development includes:

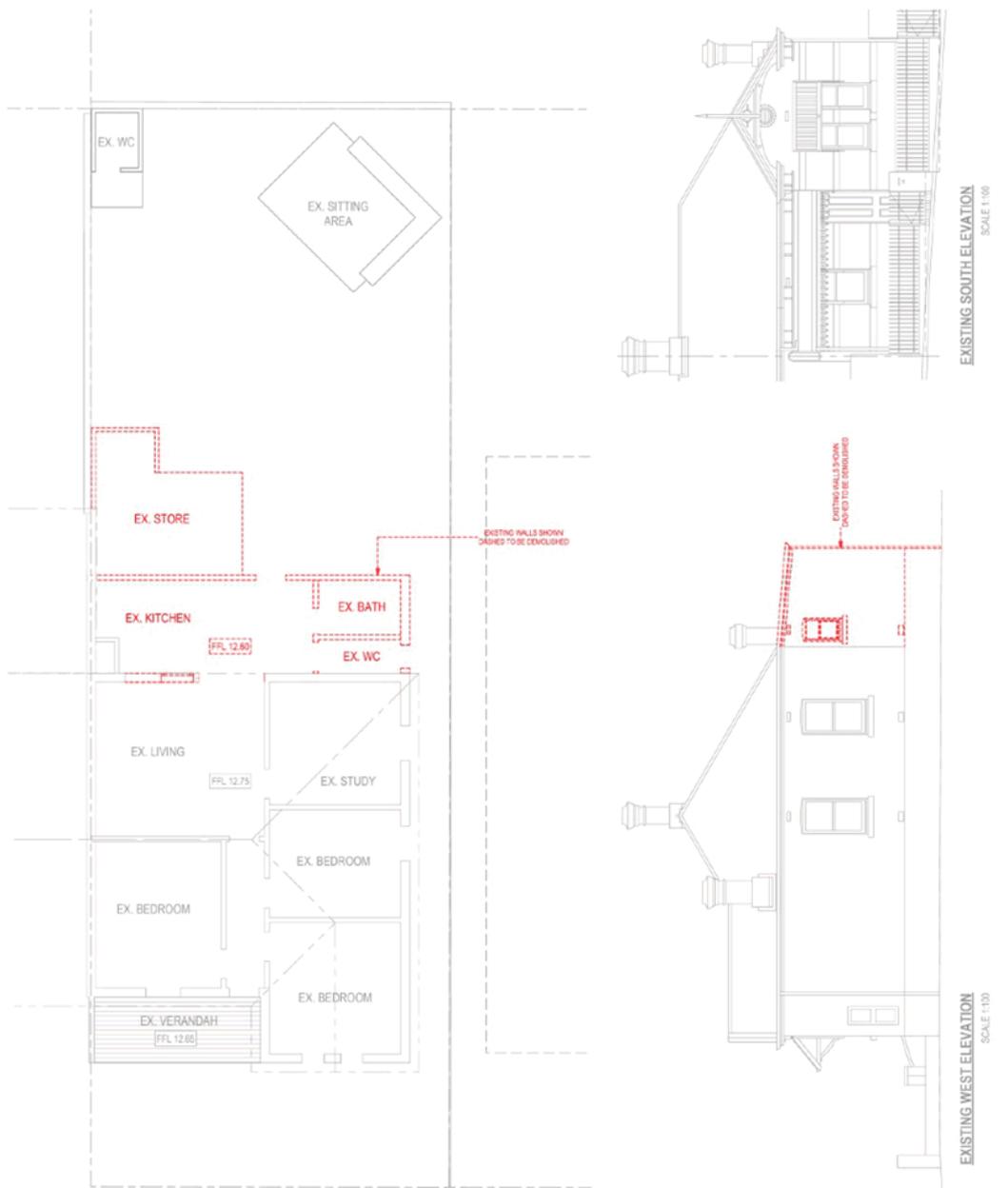


FIGURE 3: PROPOSED DEVELOPMENT AT 26 MOIR STREET
 Courtesy: Mountford Architects

- Demolition of the existing skillion section of the house, extending across the full width of the property at the rear.
- Construction of a two storey addition to the rear of the property of contemporary design of face brick and render construction.
- The roof is flat, positioned below the ridge line to the existing house.
- Material palette of the addition reflects the original materials of the house and the precinct generally.
- Introduction of contemporary features that complement and contrast positively with the heritage character of the area.



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Heritage Impact Statement



Project
LOT 29 (#26) MOIR STREET PERTH
Job No. 1021
Scale 1:100 @ A3 Drawn KY
Status **Development Application** Approved BM
Drawing DEMO PLAN
Drawing No. Issue Issue Date
A.04 A 30/08/2021
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FIGURE 4: EXTENT OF DEMOLITION OF EXISTING HOUSE
Courtesy: Mountford Architects



26 Moir Street, Perth
Heritage Impact Statement

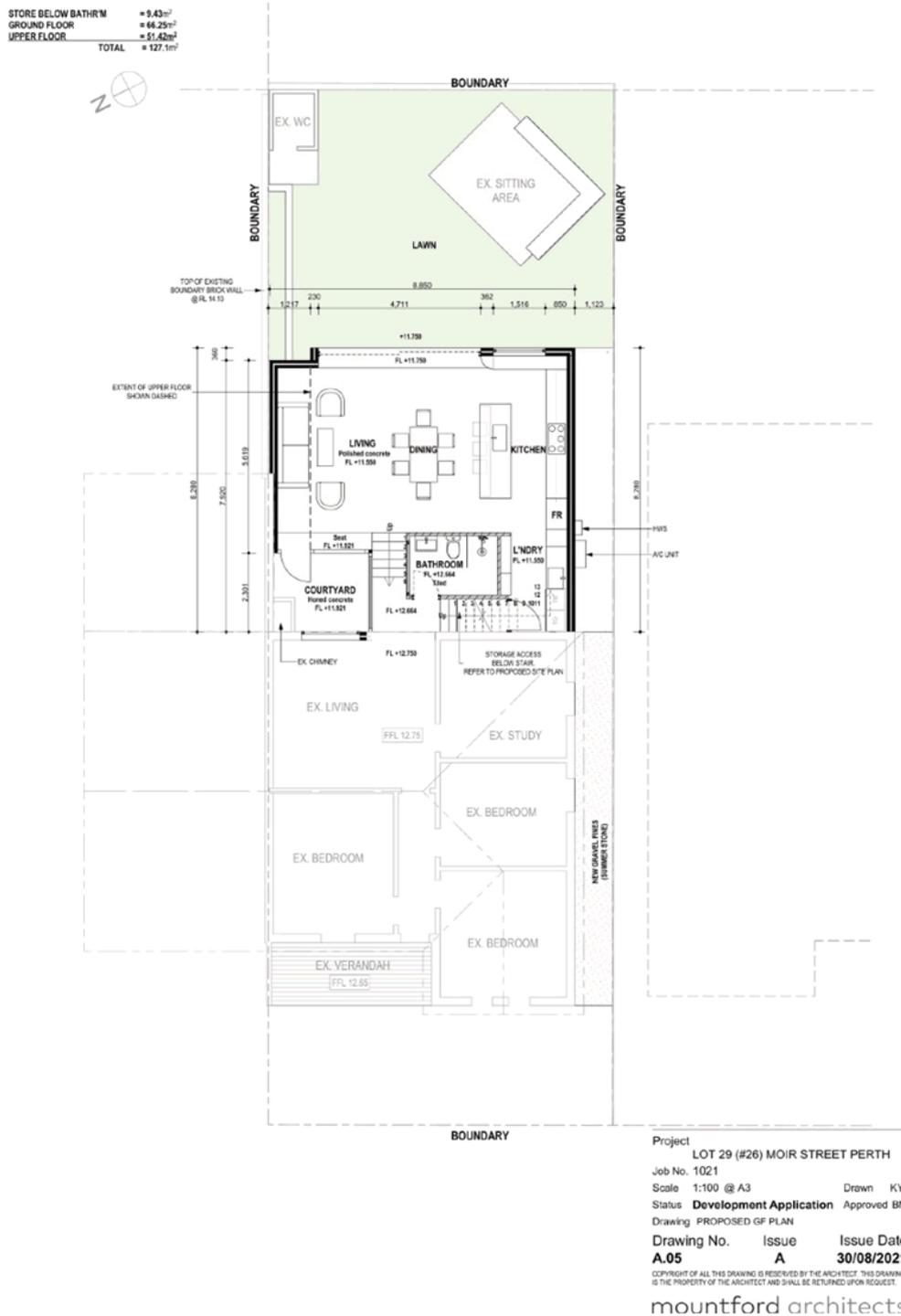


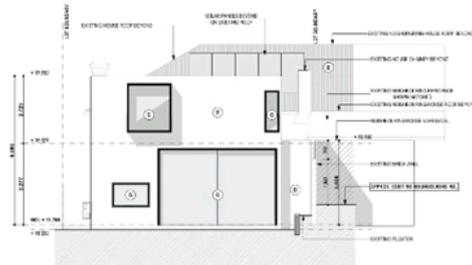
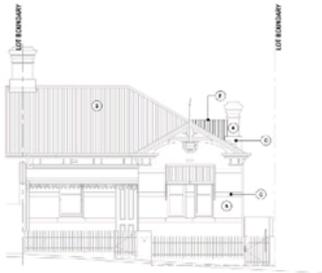
FIGURE 5: GROUND FLOOR PLAN OF PROPOSED TWO STOREY ADDITION
Courtesy: Mountford Architects



26 Moir Street, Perth
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FINISHES SCHEDULE

- CEILING 01 BRICKWORK
- CEILING 02 PAINTED
- ROOFING 01 CORRUGATED IRON
- CEILING 03 GYPSUM BOARD
- CEILING 04 STYR FOAM
- CEILING 05 BRICKWORK
- CEILING 06 PAINTED
- CEILING 07 BRICKWORK
- CEILING 08 PAINTED
- CEILING 09 BRICKWORK
- CEILING 10 PAINTED
- CEILING 11 BRICKWORK
- CEILING 12 PAINTED
- CEILING 13 BRICKWORK
- CEILING 14 PAINTED
- CEILING 15 BRICKWORK
- CEILING 16 PAINTED
- CEILING 17 BRICKWORK
- CEILING 18 PAINTED
- CEILING 19 BRICKWORK
- CEILING 20 PAINTED



EAST ELEVATION 1:100

**FIGURE 6:
REAR ELEVATION
AND STREET VIEW**
Courtesy:
Mountford
Architects

Project LOT 29 (406) MOIR STREET PI
Job No. 220-03
Scale as shown @ A1 Dia
Status Design Development App
Drawing ELEVATIONS
Drawing No. Issue Issn
A.07 A 30N
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FINISHES SCHEDULE

- CEILING 01 BRICKWORK
- CEILING 02 PAINTED
- ROOFING 01 CORRUGATED IRON
- CEILING 03 GYPSUM BOARD
- CEILING 04 STYR FOAM
- CEILING 05 BRICKWORK
- CEILING 06 PAINTED
- CEILING 07 BRICKWORK
- CEILING 08 PAINTED
- CEILING 09 BRICKWORK
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OUTH ELEVATION 1:100

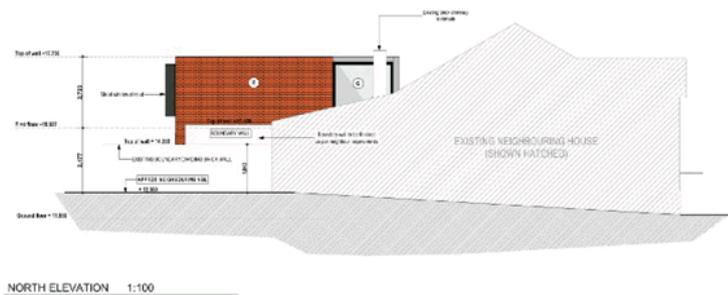
**FIGURE 7:
SIGHTLINE
DRAWINGS**
Courtesy:
Mountford
Architects

Project LOT 29 (406) MOIR STREET PI
Job No. 220-03
Scale as shown @ A1 Dia
Status Design Development App
Drawing ELEVATIONS
Drawing No. Issue Issn
A.08 A 30N
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- FINISHES SCHEDULE:**
- ① ASBESTOS FREE GYPSUM COLLECTOR WALL
 - ② GYPSUM BOARD ON CONCRETE BLOCK COLLECTOR WALL
 - ③ EXISTING PAINTED RENDER ON STUB WALL
 - ④ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑤ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑥ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑦ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑧ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑨ POLYURETHANE FOAM INSULATION ON STUB WALL
 - ⑩ POLYURETHANE FOAM INSULATION ON STUB WALL



Project LOT 29 (R28) MOIR STREET PERTH
 Job No. J20-03
 Scale as shown @ A3
 Status **Design Development** Drawn
 Drawing **ELEVATIONS** Approved **BM**
 Drawing No. **A.09** Issue **A** Issue Date **30/08/2021**
 mountford architects
 Perth, 100 South Street, Perth, WA 6000
 Tel: 08 9442 2000 Fax: 08 9442 2001
 Email: info@mountfordarchitects.com.au www.mountfordarchitects.com.au

FIGURE 8: PROPOSED NORTH ELEVATION
 Courtesy: Mountford Architects



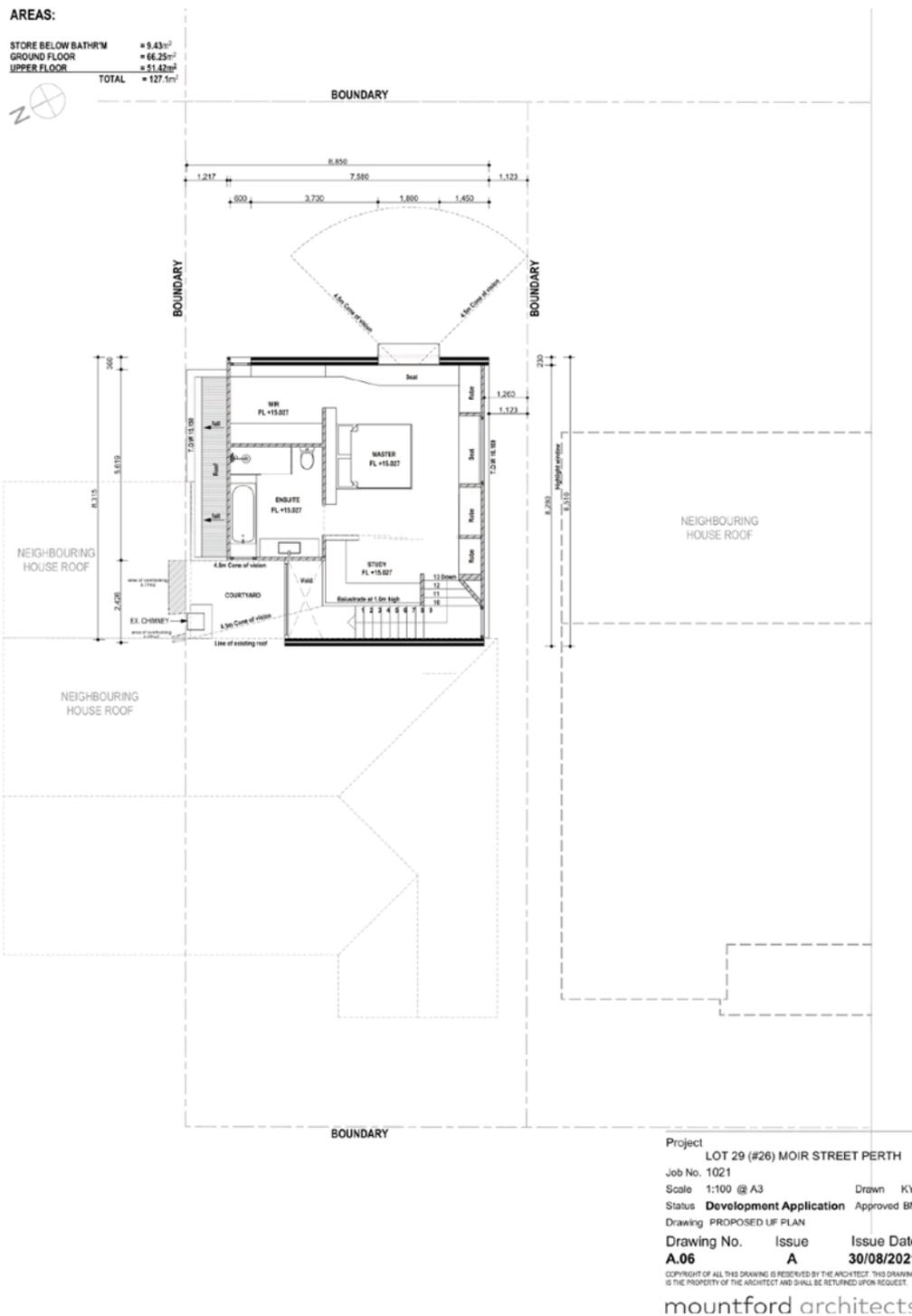


FIGURE 9: PROPOSED UPPER FLOOR PLAN
Courtesy: Mountford Architects



6. Assessment of Impact

The proposed two storey development at no. 26 Moir Street, Perth does not harm the heritage significance of the individual property or the special qualities of the heritage precinct.

Moir Street is an intimate street of small scale semi-detached cottages that present in a highly cohesive form. Following the recent restorations of a number of the houses, the street presents with a more highly intact aesthetic. Any alterations/additions to these properties should not erode the intactness of the streetscape or the significance of the properties either as an individual or a collective.



FIGURE 10: VIEW NORTH EAST ALONG MOIR STREET
Courtesy: Google Maps

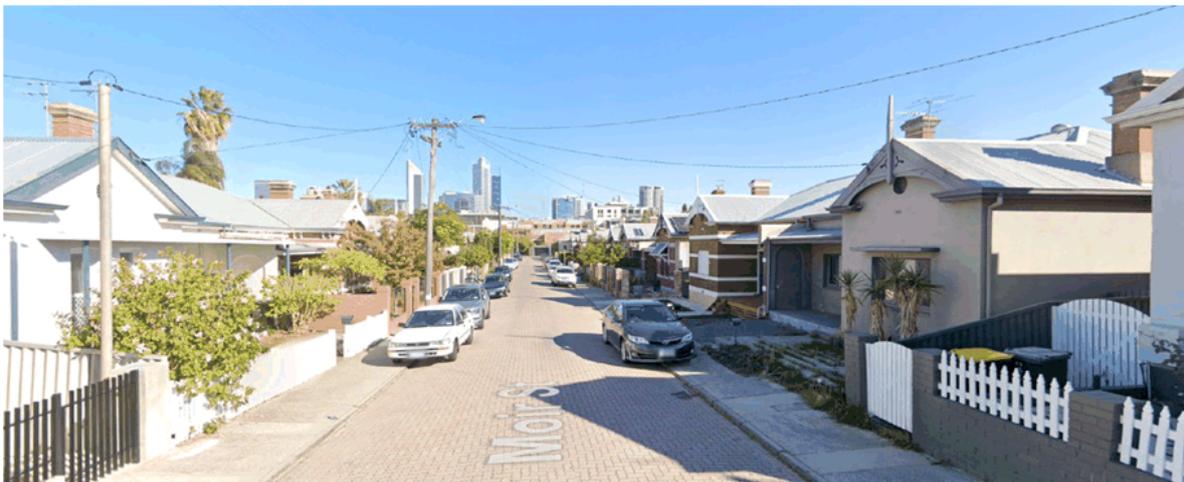


FIGURE 11: VIEW SOUTH WEST ALONG MOIR STREET
Courtesy: Google Maps



26 Moir Street, Perth
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City of Vincent Policy 7.6.1 Heritage Management - Development Guidelines for Heritage and Adjacent Properties

No. 26 Moir Street is subject to the provisions of City of Vincent's heritage policy which seeks to:

- 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.
- 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.
- Promote and encourage urban and architectural design that serves to support and enhance the ongoing significance of heritage places.
- 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.
- Complement the State Planning Policy No. 3.5 'Historic Heritage Conservation' and the City of Vincent Residential Design Elements Policy and other associated policies.

The policy establishes performance criteria for development to heritage places to ensure the heritage significance of a place is not harmed by inappropriate works. The following is a précis of the performance criteria and how the proposed development accords with the requirements.



	Performance Criteria and Acceptable Development	Proposed Development
P1	<p>Development should comply with the statement of significance and zones of significance identified in heritage assessments and report.</p> <p>Significant fabric should be conserved and adapted in a manner that protects the significant values.</p>	<p>The proposed development recognises that the individual house and the precinct as a whole is of identified heritage significance and seeks to retain the original house and significant fabric and spaces.</p> <p>The statement of significance recognises the integrity of the group of semi-detached residences along Moir and Brookman Streets, the modest scale of the houses and the homogeneity of the development.</p> <p>The proposed rear two storey addition does not impact on any of the value statements and retains the heritage significance of the individual house and the precinct as a whole.</p> <p>The original house is of primary significance which is recognised in the proposal as only minimal changes to the rear of the original house are being proposed to accommodate the new addition.</p> <p>The proposed addition does not harm the homogeneity of the street or precinct.</p>



	Performance Criteria and Acceptable Development	Proposed Development
P2	<p>Alterations and additions to places of heritage value should be respectful and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place.</p> <p>Additions should:</p> <ul style="list-style-type: none"> • Not alter the original facade or roof pitch • Are clearly distinguishable from the original part of the heritage place • Are based on research that can identify the elements, detailing and finishes already used • Do not obscure an elements that contributes to significance • Maintain an existing vista or view lines to the principal facades of the heritage place • Are positioned and sized to ensure that the prominence of the significant elements are retained • An upper storey is sited and massed behind the main facade so that it is not visible from the street particularly in intact or consistent streetscapes • Openings in the principal facade of the addition should not be seen from the street or should be proportionally related to those in the heritage building. 	<p>The proposed development complies with these requirements.</p> <p>The original house is being retained, removing only the skillion roofed section at the rear containing the kitchen, bathroom and store. All the main rooms and internal planning of the original house will remain extant.</p> <p>The proposed development does not involve any alteration to any of the key elements of the house, the facade will not be altered and the roof line to the original house will remain intact.</p> <p>The proposal is for a two storey addition which is located to the rear of the house well set back from Moir Street. As a result only glimpsed views of the new addition will be available from the street which will not harm the significance of the streetscape or the collective value of the houses. The height of the addition is appropriate and reflects the scale of the existing house. The addition will be located below the height of the existing ridgeline of the house thereby minimising any impact of increased development.</p> <p>The proposed addition incorporates a flat mansard style roof which reduces the massing of the addition and does not compete with the traditional scale and form of the original house. Although the flat roof form is not a predominant roof form within the precinct, the alternative form provides a positive contrast and does not harm any of the documented heritage values of the precinct. The roof form also does not have an adverse impact on the significance of the original house.</p> <p>When viewed from the street, only a glimpse of the proposed south elevation of the new addition will be seen towards the rear of the original house. This glimpsed view will project slightly above the sloping plane of the south side of the original roof. The glimpsed view of the new south elevation does not impact on views of the original house or in anyway over dominate the existing house.</p>



	Performance Criteria and Acceptable Development	Proposed Development
	<p>Walls, roof and fences are complimentary to the heritage place in terms of materials, finishes, textures and paint colours and are appropriate to the architectural style.</p>	<p>The original house is of traditional red brick construction with rendered bands and corrugated metal roof. These materials are an essential aspect of the Federation era architecture and should be used to inform the material choice of any additional development.</p> <p>The proposed addition seeks to utilise a complementary palette of materials which has been informed by the original palette.</p> <p>The materials include:</p> <ul style="list-style-type: none"> • Aluminium framed windows and doors in matte black • Heritage red face bricks • Corrugated metal sheet cladding to match colour of existing roof • White render <p>The design of the addition is contemporary and makes a positive contrast between new and old. The material palette creates a seamless interface between the new addition and the original house whilst the contemporary form of the new allows for the work to be clearly read as new albeit being sympathetic to the old.</p>
	<p>Internal alterations</p>	<p>Alterations to the existing planform of the original house are not being proposed.</p> <p>The window to the existing living room will be retained and will look out into a new private courtyard and the existing doorway from the living area into the existing kitchen will be retained as the new connection between the existing house and the new addition.</p>



	Performance Criteria and Acceptable Development	Proposed Development
P3	<p>Demolition of a whole building of heritage significance, with Management Category A will not be supported.</p> <p>Partial demolition contained to parts that do not contribute to the heritage significance of the place may be supported if the demolition does not have a negative impact on the significant fabric of the place. Sufficient fabric is retained to ensure structural integrity during and after the development.</p>	<p>Only the skillion roofed rear section of the property is proposed for demolition. The demolition of this section of the house will have no adverse impact on the significance of the house or the precinct as a whole. The original design intent of the house will be clearly discernible and the majority of original significant fabric will be retained as part of the proposal.</p>

The proposed development is in keeping with the above heritage policy adopted by City of Vincent. The proposed development also does not impact adversely on any of the value statements that form the adopted statement of significance associated with the entry of the precinct onto the State Register of Heritage Places.

The proposed development seeks to retain a significant house in a significant streetscape and precinct whilst allowing the owners to live a contemporary lifestyle. The way of life has changed since these houses were constructed at the end of the 19th century however these houses still make a valuable contribution to the current way of life.

The addition to 26 Moir Street is of a complementary contemporary style that has taken some design influence from the original house in terms of material palette and colours. The addition is of appropriate scale and massing and will not dominate the original house or have an adverse impact on the significance of the area. The addition will not be clearly seen from key views along Moir Street with only glimpses of the south elevation being seen above the existing roof.

The architectural expression of the new addition is refined and simple and does not seek to mimic any of the essential design characteristics of the original house. Whereas the original part of the house is a reflection of traditional architectural styles demonstrating a more simple way of life around the turn of the century, the addition is a reflection of modern architectural standards and clearly demonstrates how the new can sit comfortably with the old.

The significance of the precinct is undeniable. The sense of enclosure and intimacy created by the small scale developments lining a narrow road with pockets of green space to the front of the houses to soften the urban built form, and the strong sense of coherency and uniformity in the housing style and presentation is key to the essence of Moir Street and the precinct as a whole. The proposed two storey development does not impact on these qualities. The addition does not loom over the original part of the house. Apart from a glimpse of the south elevation, the new addition cannot be seen in views from the street, being tucked behind the original house. Glimpses of the rear elevation may be seen in views along Robinson Street but these will not harm the homogeneity of the precinct.

The proposed addition is located to the rear of the original house thereby retaining the majority of the footprint of the original house and the original roof form. The new roof abuts the existing roof in a vertical manner clearly demarcating the original roof form from the new work. Although the roof will present in two sections, the two contrasting roof forms will be tied together through use of the same



26 Moir Street, Perth
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materials. The mansard section of the new roof will be clad in corrugated metal sheeting to match the roof of the existing house.

The form of the addition changes the presentation of the house at the rear however this change does not impact on the streetscape character and presentation. The addition does not over-dominate the subject house or neighbouring properties.

The assessment documentation prepared by Heritage Council in 2007 as part of the precinct's entry onto the state register determines that the identified cultural heritage values of the precinct are 'sustainable in the indefinite long-term, providing continued protection of the basic structures through planning controls and basic care and conservation are maintained'. The owners of the property have already demonstrated their commitment to conservation of the house by way of its recent restoration as part of the Moir Street project.

The assessment documentation also recognises that although some of the houses have been altered, they remain modest residences with the original design intent of the buildings remaining clearly evident. The current proposal for the rear addition does not change this. The design intent of the original house remains clearly evident. The base plan, as described in the assessment documentation, has been retained and will not be altered as a result of this proposal. The rear skillion section will be removed and whilst this reflected the original design of the building the loss of this section does not adversely harm the integrity of the building as a whole. The loss of a small section of the original house and an appropriately designed new addition enables the house to continuing functioning as a family home long into the future.



Summary of Submissions:

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

Comments Received in Support:	Administration Comment:
<p><u>Adaptive Works</u></p> <ul style="list-style-type: none"> Proposal provides a great example of how the houses in the Moir/Brookman Heritage Precinct can be adapted to suit modern families. Retention of the street-scape and front 5 rooms is excellent retention of the built heritage. Design supports a modern family, with family occupancy a key component of the precincts cultural heritage. Need to avoid demolition via dereliction and Airbnb's, so should be promoting family occupancy and proposals such as this 	<p>Noted</p>
<p><u>Privacy</u></p> <ul style="list-style-type: none"> Privacy respected to southern aspect of proposed extension. 	<p>Noted</p>
Comments Received in Objection:	Administration Comment:
<p><u>Solar Access</u></p> <ul style="list-style-type: none"> The height and bulk would impact the solar access and sky view from the backyards of adjoining properties. Overshadowing contravenes Design Principle P5.3.4 <i>“Design which minimises overlooking and overshadowing”</i>. Such a significant increase in overshadowing is not minimising overshadowing. The impact of the grossly excessive overshadowing is particularly egregious given that these are narrow frontage semi-detached lots with less capacity to tolerate such excessive overshadowing. The City must enact its commitment to support residents’ energy adoption of solar energy. The amended design does not substantially alter the extent of overshadowing or its impact on the neighbour at 24 Moir Street, from the previous iteration presented to October Council. Overshadowing to 35.1 percent represents a 40 percent increase on the deemed to comply requirements. The excessive overshadowing that is proposed is a measure of the bulk and scale of the proposal, which contravenes the Brookman Moir St Heritage Guidelines 	<p>The southern adjoining property is highly vulnerable to being overshadowed, even by a relatively low building which is setback from the southern boundary. This is because the subject site is an east-west orientated lot and the terrain slopes south.</p> <p>Approximately 34 square metres of the rear of the southern adjoining property at No. 24 Moir Street would be overshadowed as a result of the proposed development. The overshadowing would fall to the rear of the adjoining property which comprises established landscaping, verandah and clothes drying area. 10.2 square metres of this overshadowing would fall across the verandah which is already covered by an impermeable roof.</p> <p>Approximately 66 square metres of the adjoining property’s rear yard that provides for an established garden and outdoor living area would remain unshaded.</p> <p>The additional overshadowing would not fall to or impact solar collectors on the roof of the neighbouring property.</p> <p>Following deferral of the application at the October OMC the applicant revised the roof form to a mansard roof and removed the window hoods of openings to the southern boundary. Modifications reduce the shadow from 37.0 percent to 35.1 percent (by 5.6 square metres).</p>

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<p><u>Streetscape, Heritage Guidelines</u></p> <ul style="list-style-type: none"> • Extension will be visible from the street and will make the semi-detached pair look unbalanced. • Two storey developments are not appropriate and detracts from the authenticity of the precinct as a whole. • Would prefer single storey dwelling. • The current proposal does not in any way reflect the situation anticipated, where <i>“overdevelopment facilitates conservation of original fabric”</i>, as there is no nexus between this proposed overdevelopment and the conservation of any original fabric. • Proposed building height contravenes Design Principle P5.3.1, 5.3.2, 5.3.4, 5.3.5. The proposed two storey development in a streetscape entirely of uniform, single-storey, modest, heritage listed housing is not complementary to existing development. • Proposal inconsistent with the Statement of Significance and heritage listings of the Precinct. The heritage “feel” is not confined to the streetscape, but also the back part of the blocks and this proposal will see an addition that will dominate, particularly as the block is at the high end of the street. • The precinct received a WA Heritage Award and received an international UNESCO World Heritage Award of Distinction. Its rarity and intactness make it a unique and valuable precinct. • City of Vincent Brookman and Moir Street Development Guidelines, P 4, state that <i>“no additions will be permitted that would be visible from within the public domain over the existing roofline. Public domain is taken to mean Brookman Street, Moir Street and Forbes Street, together with Robinson Avenue”</i>. The proposal contravenes that requirement. • Proposal will see an unwelcome precedent for multi-level additions in the precinct and opens up possibility for wholesale changes to the style and size of this unique area. • It was never envisioned for the area to allow two storey extensions • The proposal contravenes the City of Vincent’s Brookman and Moir Street Development Guidelines, which refer to the importance of the precinct’s: <ul style="list-style-type: none"> ○ <i>“streetscapes of modestly scaled buildings”</i> ○ <i>“visual cohesion”</i> ○ <i>“the repetitive scale, form and rhythm of the semi-detached dwellings”</i> 	<p>The Brookman and Moir Streets Development Guidelines does not include a development standard relating to modestly scaled development. The introduction of the Guidelines refers to the modestly scaled residential dwellings in the precinct. Administration has assessed the proposed development against site cover, building height, scale and form to inform whether it is compatible within its setting. This is detailed in the officer report.</p> <p>The Brookman and Moir Streets Development Guidelines do not set deemed-to-comply building height standards for the Brookman and Moir Streets Precinct. The development would maintain a single storey presence as viewed from Moir Street, consistent with adjacent properties in the Precinct. This is because the two storey additions are sited behind the principal façade to maintain the existing streetscape presence and single storey modest forms of Moir Street. Line of sight diagrams have been provided by the applicant as included in Attachment 2. These diagrams demonstrate that due to the height of the existing dwelling’s pitched roof, the proposed new additions would not be visible from Moir Street as viewed from in line with the ridgeline, as per the prescribed viewing standards set out in the Brookman and Moir Streets Development Guidelines.</p> <p>The roof form of the proposed additions would be partially visible down the side of the lot between the subject site and No. 24 Moir Street to the south, as well as from Robinson Avenue. The applicant’s modelling in Attachment 5 demonstrates the visibility of the additions. The visual impact is minor due to the selected materiality and simple form, and is supported as advised by the State Heritage Council and the City’s DRP member.</p> <p>Colours and materials are proposed to the side and rear elevations addressing Robinson Avenue and Brookman Street to reference the traditional built form vernacular.</p> <p>The massing of the development is stepped from the side and rear boundaries preserving the residential amenity, privacy and of the occupants and neighbouring dwellings.</p> <p>The combination of these design elements provides for an additions that would be compatible and contextually appropriate in the traditional and heritage context of the Brookman and Moir Streets Precinct.</p>

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<ul style="list-style-type: none"> ○ <i>"original structural uniformity of the streetscape remains apparent, and as such, the Brookman and Moir Street area is a significantly intact example of a late 19th Century housing estate".</i> ○ <i>"Due to its homogeneity of design...the considerable size of the estate and its relative intactness, it is unique in WA"</i> ○ <i>The buildings as "representatives of working class rental accommodation from the late 19th Century.</i> 	<p>The proposal was referred to State Heritage Council as well as the City's Design Review Panel member for review and consideration. Both have affirmed their support for the proposed additions.</p>
<p><u>Privacy</u></p> <p>The proposal causes overlooking problems for neighbours and overdevelops the site.</p>	<p>The visual privacy departure falls to the roofline and chimney of the neighbouring property. The cone of vision does not provide a line of sight to habitable rooms or active habitable spaces, and ensures the residential amenity and privacy of the occupants is maintained.</p>
<p><u>Construction Noise</u></p> <p>Adverse impacts from the constant noise of the building site.</p>	<p>Building works are to be undertaken during the allowable construction times (7:00am to 7:00pm) Monday to Saturday, and 9:00am to 7:00pm on Sunday's and public holidays as per the <i>Environmental Protection (Noise) Regulations 1987</i>.</p>
<p><u>Lot Boundary Setbacks and Walls</u></p> <ul style="list-style-type: none"> • Concerns with the finish of walls and consultation with affected properties • Proposed reduction of setback from the DTC 3.8 m to 1.1m is a significant reduction, not a minor variation. • Proposed significant reduction of setbacks contravenes Design Principle P3.1 <i>"so as to reduce impacts of building on adjoining properties; provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties"</i>. 	<p>The development plans include an annotation confirming that the boundary wall to the northern side boundary is to be as per neighbour's requirements. A recommended condition of approval is for the finish of boundary walls to be face brick, render or otherwise approved. An accompanying advice note has also been included recommending the applicant liaise with the adjoining property owner to discuss and agree on the finish of the boundary walls to inform the applicant's preparation of the building permit plans.</p> <p>The applicant has revised the proposal to remove the major opening to the upper floor wall, revising the deemed-to-comply setback from 3.8 metres to 1.2 metres. The upper floor wall setback to the lot boundary is proposed to be 1.1 metres. The 0.1 metre departure to the lot boundary setback together with its colours and materials would not have an actual or perceived bulk and scale impact on the neighbouring southern property.</p>

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<p><u>Demolition</u></p> <p>Proposes to demolish the intact original wash-house and store, an area which the Guidelines recommend retaining if intact, which it is in this case</p>	<p>The proposed partial demolition applies to a 37 square metre area at the rear of the site. The wash room, kitchen area and store do not form part of the dwelling's significance, and are in the 'additions' zone. The rear portion of the dwelling is permitted to be demolished and the Heritage Council confirmed that areas to be demolished do not contribute to the cultural significance of the place or precinct and are acceptable to be demolished.</p>
<p><u>Overdevelopment</u></p> <ul style="list-style-type: none"> • These single-storey cottages on modest 10m frontage lots are not suitable for households with expectations of large 5-bedroom homes. • The significance of the Precinct should preclude it from being assessed against the same minimum standards as non-listed properties within the City of Vincent. • Buildings will easily accommodate a 4-bedroom family dwelling, as many in the precinct already are, without requiring a substantial and non-conforming 2-storey extension. There is ample evidence within the existing dwellings in the area. 	<p>The City's Policy No. 7.6.1 – Heritage Management and Appendix 6 – Brookman and Moir Guidelines provide heritage and built form provisions to address the significance of the place that are in addition to those set out in the R Codes and the City's Built Form Policy.</p> <p>The application proposes additions which provide increased living spaces to adapt and respond to the growing needs of the occupants of the dwelling and the broader community. There are no development standards that preclude the applicant from seeking approval to extend the existing dwelling. The appropriateness of this is to be considered against the planning policy framework as detailed in the officer report.</p>
<p><u>Colours and Materials</u></p> <p>Addition could be more subdued by use of darker colour than white for cladding, maybe use black.</p>	<p>The colours and materials selected such as painted render, red face brick and corrugated sheet cladding are acceptable, tie in with the existing dwelling and respectful of place. The application has been supported by both the City's DRP member and State Heritage Council.</p>
<p><u>Dewatering</u></p> <p>Concerns regarding dewatering and impact to neighbouring properties and sustaining damage due to subsidence and contraction of the peat bed.</p>	<p>The proposed works follow a similar building footprint to the existing skillion additions at the rear of the site. Works are to be contained within the site and undertaken so as to preserve the integrity of neighbouring properties.</p> <p>Structural drawings prepared by a certified engineering are to be submitted at building permit to indicate any construction measures and works required to manage any dewatering areas of risk on site.</p>

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

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<p>Issue: <u>Solar Access</u></p> <ul style="list-style-type: none"> The height and bulk of the addition would impact the solar access and sky view from the backyards of adjoining properties Overshadowing contravenes Design Principle P5.3.4 “<i>Design which minimises overlooking and overshadowing</i>”. The impact of the grossly excessive overshadowing is particularly egregious, given that these are narrow frontage semi-detached lots with less capacity to tolerate such excessive overshadowing. 	<ul style="list-style-type: none"> We have previously provided justification for the proposed variation to the deemed-to-comply overshadowing provision. We do not believe the owner of the site to the south has objected to the proposal, suggesting that the extent of overshadowing will not adversely affect the amenity of their property, noting the majority of the shadow is from the existing house and falls upon the roof of the existing adjoining house. We would not say that the extent of overshadowing is 'egregious'. For example, if the density coding of the area were R30 instead of R25, the amount of overshadowing would effectively satisfy the deemed-to-comply requirement. The amended design, with the revised roof design, has assisted in further reducing the extent of overshadowing.
<p>Issue: <u>Privacy</u></p> <ul style="list-style-type: none"> The proposal causes overlooking problems for neighbours and overdevelops the site. 	<ul style="list-style-type: none"> The proposed addition does not cause 'overlooking problems.' The bedroom window on the rear elevation satisfies the deemed-to-comply visual privacy cone of vision setback of 4.5 metres. Despite this, and as previously advised, we would consider obscure glass to this window. The bedroom window to the side (south) elevation has a sill height of 1.6m and for this reason is not defined as a 'major opening', meaning it satisfies the visual privacy setbacks. The window to the stairs and robe are not 'major openings' to habitable rooms and satisfy the visual privacy setbacks. A minor variation to the visual privacy setback for the north facing window to the study is proposed, with a very small portion of the cone of vision falling upon the roof of the adjoining dwelling, with no overlooking impact.
<p>Issue: <u>Building Height</u></p> <ul style="list-style-type: none"> Extension will be visible from the street. This can make the semi-detached pair look unbalanced. Allowing any changes will set a precedence for the future detrimentally change the look of the Moir Brookman Heritage Precinct. Two storey developments are not appropriate and detracts from the authenticity of the precinct as a whole. Would prefer single storey dwelling The current proposal does not in any way reflect the situation anticipated, where “<i>overdevelopment facilitates conservation of original fabric</i>”, as there is no nexus between this proposed overdevelopment and the conservation of any original fabric. 	<ul style="list-style-type: none"> The extent to which the addition is visible from Moir St is negligible, being visible only along the side setback between No.24 & No.26. When viewed from this point, the side wall reads as an extension of the existing house with only a very small part of the roof visible. Other additions achieve similar outcome, confirming such additions are contemplated. Addition not visible over existing house ridge line as per the required method of calculation under the Brookman and Moir Streets Development Guidelines. The addition will not have a significant impact (if any) on the streetscape, and represents a considerable improvement on our original proposal which was more visually prominent.

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> Proposed building height contravenes Design Principle P5.3.1 <i>“Buildings which respond and contribute to neighbourhood context and streetscape character, and do not overwhelm or dominate existing development”</i>. The proposal would <i>“overwhelm and dominate”</i> the existing streetscape, contravening Design Principle P5.3.1 The proposal contravenes Design Principle P5.3.2 <i>“Design which is complementary to existing developments”</i>. The proposed 2 storey development in a streetscape entirely of uniform, single-storey, modest, heritage listed housing is not complementary to existing development. It would stand out and overwhelm the other modest-scaled housing; and destroy the uniformity of the streetscape that is one of its most significant heritage characteristics. The proposal is inconsistent with Design Principle P5.3.4 <i>“Design which minimises overlooking and overshadowing”</i> The proposal contravenes design principle P5.3.5 <i>“Development which preserves and enhances the visual character of the existing streetscape by considering building bulk and scale”</i>. The bulk and scale of the proposed development is inconsistent with the modest, single-storey housing in the rest of the street and precinct 	<ul style="list-style-type: none"> The existing elevated position of the house is unique (perhaps the only one in the Precinct) and this allows for a split level to the rear that essentially reads as one storey when viewed along the side setback from Moir Street. Wall height follows the height of the existing house wall height on south elevation which is what would occur even if single storey – it is only the roof form that changes to accommodate part of the upper floor volume, but roof is not visible from Moir Street. We would suggest that there is a nexus between the proposed addition and the conservation of the existing dwelling, given that all five rooms in the main part of the existing house are intact and we are preserving this fabric in its original configuration, rather than (for example) converting a room to a bathroom, or knocking out walls to create contemporary living spaces, as has occurred in some of the other houses. This is elaborated upon in our Design Review Submission, which we have updated to reflect the revised design (attached). We do not consider the addition overwhelms or dominates the streetscape given the wall height follows the wall height of the existing house and the addition is behind the retained dwelling with a very low level of visibility (from the side setback only). Even as a single storey addition, the southern side wall height (being the wall visible from Moir St) would remain the same. The reference to Design Principles P5.3.1 to P5.3.5 appear to be references to the Local Housing Objectives in Clause 5.3 Building Height in Part 2, Volume 1, Section 5 of the City’s Built Form Policy. The Local Housing Objectives are only relevant if a proposal does not meet the deemed-to-comply building height requirement. The addition satisfies the deemed-to-comply building height and therefore an assessment against the Local Housing Objectives is not relevant or applicable.
<p>Issue: <u>Heritage Precinct</u></p> <ul style="list-style-type: none"> The heritage nature of the precinct will be compromised by the proposal Proposal inconsistent with the Statement of Significance and heritage listings of the Precinct. The heritage “feel” is not confined to the streetscape, but also the back part of the blocks and this proposal will see an addition that will dominate, particularly as the block is at the high end of the street. The precinct received a WA Heritage Award and received an international UNESCO World Heritage Award of Distinction. Its rarity and intactness make it a unique and valuable precinct The proposed development contravenes City of Vincent Policy Heritage, 7.6.1, Heritage Management Development Guidelines for 	<p>The proposed addition has been supported by the State Heritage Office and the City’s independent heritage design expert.</p> <p>We disagree with this interpretation of the Guidelines, and refer you to our updated Design Review Submission that demonstrates the Guidelines allow for contemporary additions at the rear of the existing dwellings.</p> <p>The addition will not be visible from Moir St over the existing house, with only a low level of visibility when viewed along the side setback.</p> <p>The existing house has been conserved and all five original rooms remain intact and will continue to do so.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<p>Heritage and Adjacent Properties A.2.2 as the 2 storey development will be visible from the street, within a heritage protected precinct that is an "intact" and "consistent streetscape"</p> <ul style="list-style-type: none"> • The proposal contravenes the City of Vincent's Brookman and Moir Street Development Guidelines, which refer to the importance of the precinct's: <ul style="list-style-type: none"> ○ "streetscapes of modestly scaled buildings" ○ "visual cohesion" ○ "the repetitive scale, form and rhythm of the semi-detached dwellings" ○ "original structural uniformity of the streetscape remains apparent, and as such, the Brookman and Moir Street area is a significantly intact example of a late 19th Century housing estate". ○ "Due to its homogeneity of design...the considerable size of the estate and its relative intactness, it is unique in WA" ○ The buildings as "representatives of working class rental accommodation from the late 19th Century" 	<p>A.2.2 in Local Planning Policy 7.6.1 reads:</p> <p style="text-align: center;"><i>An upper storey is sited and massed behind the principal facade(s) so that it is not visible from the street, particularly in intact or consistent streetscapes.</i></p> <p>The proposed addition is sited behind the entire original dwelling and is not visible from the street over the roof of the dwelling. The level of visibility from the side setback is negligible and will have little to no streetscape impact.</p> <p>We disagree the proposal contravenes the City of Vincent's Brookman and Moir Street Development Guidelines. The streetscape will remain intact, including its visual cohesion, scale and form, and structural uniformity.</p>
<p>Issue: <u>Brookman and Moir Guidelines</u></p> <ul style="list-style-type: none"> • The current proposal will damage the important structural uniformity, homogeneity of the design of the residences, significance • If the development were to proceed, the heritage listed precinct would no longer retain its "homogeneity of design". • City of Vincent Brookman and Moir Street Development Guidelines, P 4, state that "no additions will be permitted that would be visible from within the public domain over the existing roofline. Public domain is taken to mean Brookman Street, Moir Street and Forbes Street, together with Robinson Avenue". The proposal contravenes that requirement. 	<p>The addition does not have any impact on the structural uniformity of the existing streetscape as the existing dwelling on the site will remain as is, with the addition positioned to the rear. This quote from the Guidelines does not include the actual criteria to be used for assessing the visibility of an addition from the public domain. The Guidelines state (emphasis added):</p> <p style="text-align: center;"><i>Further change to dwellings will be required over time and it is important that when these changes occur, the integrity of the streetscape and architecture is retained. To ensure these qualities are maintained, no construction will be permitted within the front setback and no additions will be permitted that would be visible from within the public domain over the existing roofline. Public domain is taken to mean Brookman Street, Moir Street and Forbes Street, together with Robinson Avenue. The rear right of way and Wellman Street are not included in this requirement.</i></p> <p style="text-align: center;"><u><i>The public domain view is to be taken from the front property line on the opposite side of the road with a viewing height of 1.65 metres above the level of the pavement. In terms of drawn elevations this should be the line extended through the existing ridge height. New additions should not be visible through the use of this criterion.</i></u></p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p><i>The interface between corner end buildings and the secondary street (Forbes Street and Robinson Avenue) must be treated as being viewed from the front, with an eaves height limit to be the same as the main roof of the existing house facing the street.</i></p> <p>As emphasised:</p> <ul style="list-style-type: none"> • The Guidelines acknowledge that changes to dwellings will be required over time; • No construction will be permitted in the front setback; • No additions will be permitted that are visible from the public domain over the existing roof line; • The 'public domain view' is taken from the property line on the opposite side of Moir Street at a height of 1.65 metres above the level of the footpath. The drawings include a diagram demonstrating the addition is not visible from this point. <p>For this reason, we do not believe the proposal contravenes this requirement.</p>
<p>Issue: <u>Construction Noise</u></p> <ul style="list-style-type: none"> • Adverse impacts from the constant noise of the building site 	<p>This is not a planning issue. The appointed builder will be required to comply with all relevant regulations, including noise, work times, etc.</p>
<p>Issue: <u>Lot Boundary Setbacks and Walls</u></p> <ul style="list-style-type: none"> • Concerns with the finish of walls and request consultation with affected properties • Proposed reduction of setback is a significant reduction, not a minor variation. • Proposed significant reduction of setbacks contravenes Design Principle P3.1 <i>"so as to reduce impacts of building on adjoining properties; provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties"</i>. 	<p>Materials</p> <p>The side elevations will be finished with red face brick. If sufficient bricks are available of a suitable quality, we will consider reusing existing bricks salvaged from the site to one of the side elevations (likely the north elevation).</p> <p>We have considered the finish of the rear elevation and consulted our architect. We believe that red face brick to the rear elevation (as well as the side elevations as already proposed) will produce a more subtle finish more consistent with the character of the area.</p> <p>We therefore do not object to a condition requiring red face brick to be provided to the rear elevation, and we do not object to a condition requiring the details of all external finishes being provided to the City.</p> <p>Setbacks</p> <p>We have not seen the City's assessment but understand the comment relating to the setback relates to the southern side wall. It is important to understand how setbacks are calculated under the Residential Design Codes (RD Codes), with specific reference to Figures 4a to 4d of the RD Codes (attached below).</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p><u>Ground Floor Setback</u> As the addition is an extension to an existing building, the <u>Ground Floor</u> south side setback <u>may</u> have been calculated by the City on the basis of the <u>entire</u> side wall, comprising two components: the existing dwelling side wall and the proposed addition side wall. The existing dwelling southern side wall has two major openings habitable rooms, while the side wall to the proposed addition does not have any major openings to habitable rooms. The Ground Floor of the proposed addition is setback the same distance from the boundary as the existing dwelling southern side wall.</p> <p>The RD Codes actually allow for the setback for a portion of a wall without any major openings to be calculated separately to the remainder of the wall. This is explained in Figure 4b of the RD Codes. While Figure 4b suggests the portion of wall without any openings needs to have different setback to the portion with openings, it does not specify a minimum setback differential between the two portions. The intent is to allow a distinct portion of a wall without any major openings to be setback a lesser distance than the portion with major openings.</p> <p>This means that the setback can be calculated in different ways depending on how the RD Codes Figure 4b is interpreted, as per the following scenarios.</p> <p><i>Ground Floor Scenario 1 – Setback Calculated on Basis of Entire Ground Floor Wall (including existing portion with major openings).</i></p> <p>If the Ground Floor setback is calculated on the basis of the entire southern side wall, including the existing wall with major openings to habitable rooms, the setback is calculated as follows:</p> <ul style="list-style-type: none"> • Length of Wall <ul style="list-style-type: none"> - Existing Wall 10.6m - Proposed Wall 8.3m - Total 18.9m • Height of Wall <ul style="list-style-type: none"> - Existing Wall 4.5m - Proposed Wall (Ground Floor) 3.5m - Average Height 4m • Major Openings Yes (existing windows only) • Required Setback 3.4m • Existing / Proposed Setback 1.1m

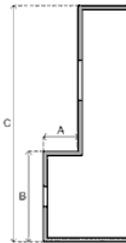
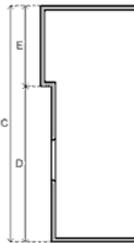
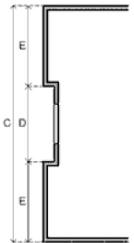
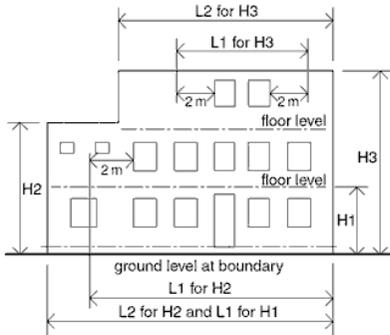
Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p>Under this Scenario, even though the proposed addition does not have any major openings, the required setback is significantly greater due to the existing openings to the existing dwelling.</p> <p>The required setback is a direct result of the existing openings to the existing side wall, rather than a result of the proposed addition without any openings. It is important to note that the <u>existing</u> southern side wall of the house (built 1897) would require a setback of 2.4 metres if assessed under the RD Codes.</p> <p>All of the houses in the Precinct have two major openings to the side wall and all of the houses are setback 1.1 metres. So any proposed addition to any of the houses would automatically trigger a setback variation if calculated under this Scenario.</p> <p><i>Ground Floor Scenario 2 – Setback of Addition Calculated Separately to the Existing Wall</i></p> <p>It is considered the setback for the proposed addition should be calculated independently to the existing dwelling, given the addition is a distinct portion of wall without any major openings to habitable rooms. As per Figure 4b of the RD Codes, if the proposed addition has a different setback to that of the existing dwelling (even if the setback differential is as little as 10 centimetres), then there is no question over the setback of the proposed addition being calculated independently.</p> <p>Under this scenario, the setback is calculated as follows:</p> <ul style="list-style-type: none"> • Length of Wall 8.3m • Height of Wall (Ground Floor) <3.5m • Major Openings No • Required Setback 1m • Proposed Setback 1.1m <p>If the setback for the southern wall to the proposed addition is calculated independently, the setback complies with the RD Codes.</p> <p>For the avoidance of doubt, we would have no objection to providing the proposed addition with a side setback of 1.2 metres so that it can clearly be defined as a separate portion of wall to that existing. This would result in the proposed addition exceeding the required Ground Floor setback by 0.2m (i.e. 1m required; 1.2m provided).</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p><u>Upper Floor Setback</u></p> <p>As per Figure 4d of the RD Codes, the First Floor portion of the southern side wall to the proposed addition is calculated independent of the existing dwelling which is single storey.</p> <p>The First Floor side boundary setback is calculated as follows:</p> <ul style="list-style-type: none"> • Length of Wall 8.3m • Height of Wall (First Floor) 6.0m • Major Openings No • Required Setback 1.2m • Proposed Setback <ul style="list-style-type: none"> - Brick Wall 1.12m - Vertical Roof Elements 1.26m <p>As evident, the First Floor southern side wall essentially complies with the RD Codes, with a variation of less than 8 cm for the face brick portion.</p> <p>We would be pleased to amend the design to achieve compliance with the First Floor required side setback.</p> <p>As noted above, we could provide an additional 0.1m setback, resulting in a fully compliant southern side boundary setback for Ground and First Floors.</p> <p>The important conclusion to be drawn with respect to setbacks is that the southern side wall of the proposed addition essentially complies with the RD Codes when calculated independently from existing dwelling.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
	<p>Figure Series 4 – Wall length for lot boundary setbacks</p> <p>Intent The purpose of Figure Series 4 is to illustrate the method for measuring the appropriate setback for a length of wall adjacent to a lot boundary for the purposes of clause 5.1.3 C3.1.</p> <p>Figure 4a – Articulated walls with major openings (where wall height exceeds 3.5m)</p>  <p>Figure 4b – Portions of wall without major openings</p>  <p>Figure 4c – Walls with multiple articulations</p>  <p>Notes For the purposes of calculating setback, the length of wall means the total horizontal dimension of the side of the building nearest the lot boundary. Setbacks shall be determined in accordance with the following and with reference to Tables 2a and 2b, subject to the privacy requirements of clause 5.4.1:</p> <ul style="list-style-type: none"> 4a Where A is more than 3m, B shall be treated as a separate wall, providing that the length C shall be the basis for determining the setback of the rest of the side of the building. 4b Where the side of a building includes one portion of a wall without a major opening (such as E), the setback shall be determined independently providing the setback of the rest of that side of the building (D) is determined on the basis of the total length C. 4c Where the side of the building includes two or more portions of a wall without a major opening (such as E) their setbacks shall be determined independently of each other provided they are separated from one another by a distance (D) of more than 4m (in the case of wall heights of 6m or less) and an additional 1m for every 3m increase in height. The setback of D shall be determined on the basis of the total length C. <p>Figure 4d – Measurement of length of upper floor walls for calculating setbacks</p>  <p>Notes L1 Length of walls on the ground floor is determined as per Figures 4a-c.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<p>Issue: <u>Demolition</u></p> <ul style="list-style-type: none"> Proposes to demolish the intact original wash-house and store, an area which the guidelines recommend retaining if intact, which it is in this case. 	<p>Section 4 of the Guidelines includes four types of controls:</p> <ul style="list-style-type: none"> Essential; Discretionary; Encouragement; and Advice. <p>None of these controls include any comment specific to the wash-house and store. The Guidelines do not contain any Essential Controls mandating the retention of the rear skillion, including the wash-house and store. Section 3 of the Guidelines states:</p> <p><i>Original external features within the 'additions zone' (refer to Figure 3), such as the rear skillion additions are not intended to be retained or conserved.</i></p> <p>Figure 3 encourages (but does not mandate) retention of the wash-house and store if intact.</p> <p>By way of example, a recent addition to No.18 Moir St (2017) involved the demolition of the entire rear skillion and replacement with a new addition.</p> <p>We propose a similar approach.</p>
<p>Issue: <u>Overdevelopment Concerns</u></p> <ul style="list-style-type: none"> These single-storey semi-detached cottages on modest 10m frontage lots are not suitable for households with expectations of large 5-bedroom homes The significance of the Precinct should preclude it from being assessed against the same minimum applicable standards as non-listed properties within the City of Vincent These buildings will easily accommodate a 4-bedroom family dwelling, as many in the precinct already are without requiring a substantial and non-conforming 2-storey extension. There is ample evidence within the existing dwellings in the area. 	<p>It is not proposed to provide 5 bedrooms. There are three existing bedroom in the original house, with the other two original rooms used as a lounge and a study. The addition proposes 1 bedroom, resulting in a total of 4 bedrooms (3 existing plus 1 proposed).</p> <p>The provision of two study / office spaces (one existing and s small study nook in the addition) reflects contemporary living / work practices.</p> <p>Consideration has been given to the Development Guidelines, and the proposed addition is located in the Additions Zone to the rear of the retained dwelling, in the same position as other rear additions (including the recent addition at No.18 Moir St).</p> <p>Given the addition is positioned in the Additions Zone and the volume of the addition is not visible over the existing dwelling when viewed from the street, we do not consider it to be an overdevelopment of the site.</p> <p>The height is also compliant with the Built Form Policy and the amount of Open Space, including the front verandah, complies with the RD Codes.</p>

Summary of Submissions:

Comments Received in Objection:	Applicant Comment:
<p>Issue: <u>Colours and Materials</u></p> <ul style="list-style-type: none"> • Addition could be more subdued by use of darker colour than white for cladding, maybe use black 	<p>We have introduced red face brick to both side elevations to create a more subdued feel to the addition. A white paint render finish is proposed to the rear elevation, however, we agree that a more subdued finish could be achieved, and in this regard, we believe that utilising red face brick to the rear (as well as the side) elevation would further reduce the visibility of the addition from properties to the rear. We do not oppose a condition requiring red face brick to the rear elevation.</p>
<p>Issue: <u>Dewatering</u></p> <ul style="list-style-type: none"> • Concerns regarding dewatering and impact to neighbouring properties and sustaining damage due to subsidence and contraction of the peat bed. 	<p>A geotechnical / groundwater assessment has been undertaken and the builder will be required to construct the building in accordance with the prevailing soil and water conditions.</p>

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



Department of **Planning,
Lands and Heritage**

18 December 2020
FIRST REFERRAL

SUPERSEDED

Chief Executive Officer
City of Vincent
Mail@vincent.wa.gov.au

Dear Sir

Brookman & Moir Streets Precinct

Under the provisions of Section 73 of the *Heritage Act 2018*, the proposal as described below has been referred to the Heritage Council for its advice.

Place Number P3992
Place Name Brookman & Moir Streets Precinct
Street Address 26 Moir Street, Perth
Referral date 3 December 2020
Proposal Description Alterations and rear addition

We received the following drawings prepared by Contempo dated 3 November 2020:

City of Vincent Development Application form
Development Application Drawings – A.01 – A.21

The proposal has been considered in the context of the identified cultural significance of *Brookman & Moir Streets Precinct* and the following advice is given:

Findings

- *Brookman and Moir Streets Precinct* is comprised of over 58 semi-detached residences and one detached residence in two types of Federation Queen Anne Styles. The residences were constructed from 1897 in limestone and brick with corrugated-iron roofs. The homogeneity of the modestly-scaled residential buildings creates a visually striking precinct in the inner city residential area.
- The referral is for the removal of the existing single storey addition to the rear of 26 Moir Street, and the construction of a new double storey addition in its place. The existing extension does not form a part of the original residence, and its removal will have no negative impact on the cultural heritage significance of the Precinct.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

18 December 2020
FIRST REFERRAL

SUPERSEDED

- The proposed new addition is located to the rear of the property and does not exceed the height of the original residence. The proposed materials have been assessed to be suitable, and are modern and subdue in palette.
- It is noted the addition will be partially visible down the side of the lot when approaching the place from the south, and from Robinson Avenue. Due to the selected materiality and simple form, the visual impact is considered minor.
- The proposal includes the fitting of solar panels to both a portion of the existing and to the new roof. The solar panels have been located so they will not be visible from the streetscape.
- The proposed additions will allow the installation of a new kitchen and bathroom to a modern standard without impacting significant building fabric.

Advice

The proposal, in accordance with the plans submitted, is supported.

Please note that this advice is provided from a State Heritage perspective only, and there has been no assessment of the proposed development's compliance with local government policy. Compliance with local policy is a matter for the City of Vincent.

Please be reminded that you are required under r.42(3) of the *Heritage Regulations 2019* to provide us with a copy of the Council's determination within 10 days after making the decision.

Should you have any queries regarding this advice please contact Emily Craig-Wadham at emily.craig-wadham@dplh.wa.gov.au or on 6552 4031.

Yours faithfully


Adelyn Siew
Director Heritage Development

18 December 2020



Department of **Planning,
Lands and Heritage**

12 August 2021
SECOND REFERRAL

SUPERSEDED

Chief Executive Officer
City of Vincent
Natasha.Trefry@vincent.wa.gov.au

Dear Sir

BROOKMAN & MOIR STREETS PRECINCT

Under the provisions of Section 73 of the *Heritage Act 2018*, the proposal as described below has been referred to the Heritage Council for its advice.

Place Number	P3992
Place Name	Brookman & Moir Streets Precinct
Street Address	26 Moir Street, Perth
Referral date	26 July 2021
Proposal Description	Alterations and additions to single dwelling

We received the following drawings prepared by Mountford Architects dated July 2021:

A.01 Demo Site Plan – Issue A
A.02 Proposed Site Plan – Issue A
A.03 Existing – Issue A
A.04 Demo Plan – Issue A
A.05 Proposed GF Plan – Issue A
A.06 Proposed UF Plan – Issue A
A.07 Elevations – Issue A
A.08 Elevations – Issue A
A.09 Elevations – Issue A
A.10 Perspective – Issue A
Hockinh H+A – Heritage Impact Statement – November 2020

The proposal has been considered in the context of the identified cultural heritage significance of *Brookman & Moir Streets Precinct* and the following advice is given:

Findings

- *Brookman and Moir Streets Precinct* is comprised of over 58 semi-detached residences and one detached residence in two types of Federation Queen Anne Styles.
- The referral is for an updated design to a previous referral that was supported in December 2020.

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

SUPERSEDED12 August 2021
SECOND REFERRAL

- The new design is more contemporary in appearance, with white render to the rear elevation, and face brick to the side elevations.
- The roof is a mansard roof form that sits below the roof line of the existing house. This is lower than the previously proposed pitched roof and the massing of the addition has been reduced.
- The new design has improved the already minor impact on the identified cultural significance, through its reduced scale and contemporary form.

Advice

The proposal, in accordance with the plans submitted, is supported.

Please be reminded that you are required under r.42(3) of the *Heritage Regulations 2019* to provide us with a copy of the Council's determination within 10 days after making the decision.

Should you have any queries regarding this advice please contact Lucy Duckham at lucy.duckham@dplh.wa.gov.au or on 6552 4022.

Yours faithfully



Adelyn Siew
Director Heritage Development

12 August 2021



Department of **Planning,
Lands and Heritage**

3 November 2021
Final Referral

Your ref: P3992-49057
Our ref: 5.2020.472.1
Enquiries: Lucy Duckham (08) 6552 4022

Chief Executive Officer
City of Vincent
Natasha.Trefry@vincent.wa.gov.au

Attention: Natasha Trefry

Dear Sir

BROOKMAN & MOIR STREETS PRECINCT

Under the provisions of Section 73 of the *Heritage Act 2018*, the proposal as described below has been referred to the Heritage Council for its advice.

Place Number	P3992
Place Name	Brookman & Moir Streets Precinct
Street Address	26 Moir Street, Perth
Referral date	26 October 2021
Proposal Description	Alterations and additions to single dwelling

We received the following drawings prepared by Mountford Architects dated October 2021:

- A.01 Demo Site Plan – Issue A
- A.02 Proposed Site Plan – Issue A
- A.03 Existing – Issue A
- A.04 Demo Plan – Issue A
- A.05 Proposed GF Plan – Issue A
- A.06 Proposed UF Plan – Issue A
- A.07 Elevations – Issue A
- A.08 Elevations – Issue A
- A.09 Elevations – Issue A
- A.10 Perspective – Issue A

The proposal has been considered in the context of the identified cultural heritage significance of *Brookman & Moir Street Precincts* and the following advice is given:

Findings

- Brookman and Moir Streets Precinct is comprised of over 58 semi-detached residences and one detached residence in two types of Federation Queen Anne Styles.
- The referral is for an updated design to previous referrals that were supported in December 2020 and August 2021.

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3 November 2021
Final Referral

- The updated design changes are considered minor, and will have no further negative impact on the identified cultural significance of the registered place.

Advice

The proposal, in accordance with the plans submitted, is supported.

Please be reminded that you are required under r.42(3) of the *Heritage Regulations 2019* to provide us with a copy of the Council's determination within 10 days after making the decision.

Should you have any queries regarding this advice please contact Lucy Duckham at lucy.duckham@dplh.wa.gov.au or on 6552 4022.

Yours faithfully


Adelyn Siew
Director Heritage Development

3 November 2021

cc: Alan Stewart, Stewart Urban Planning, alan@stewartplanning.com.au

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. 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.
10. 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.
11. With reference to Clause 5.4.1 C1.2, Visual Privacy requirements of the R codes states that screening devices such as obscure glazing, timber screens, external blinds, window hoods and shutters are to be at least 1.6m in height, at least 75 percent obscure, permanently fixed, made of durable material and restrict view in the direction of the overlooking into any adjoining property.
12. 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.
13. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site.
14. 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

Determination Advice Notes:

- 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.
15. 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. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.