

9.3 NO. 3 (LOT: 43; D/P: 1237) ALMA ROAD MOUNT LAWLEY - PROPOSED GROUPED DWELLING (AMENDMENT TO APPROVED)

Ward: South

Attachments:

1. Consultation and Location Map
2. Final Development Plans
3. Approved Plans - Determined by Council 30 April 2019

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application to amend Development Approval 5.2018.477.1 dated 30 April 2019 for Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley, in accordance with plans shown in Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on the development approval 5.2018.477.1 granted on 30 April 2019 continue to apply to this approval, except as follows:
 - 1.1 Condition 6.3 is deleted.

PURPOSE OF REPORT:

To consider an application to amend development approval for a grouped dwelling at No.3 Alma Road, Mount Lawley (subject site).

PROPOSAL:

This amended application seeks to make changes to the previous approval for a grouped dwelling, including removal of the roof terrace. The amendment would still result in the same three bedroom, two parking bay grouped dwelling development oriented to the eastern right of way (ROW).

The development application proposes the following amendments to the previous approval:

Ground Floor

- Relocation of bin store area from northern side setback to under the carport;
- 4.6 square metre reduction of landscaping to northern side boundary to accommodate a future plunge pool;
- 1.8 square metre increase in landscaping to western side boundary;
- Relocation of lift on ground and upper floors;
- Face brick material on ground floor facade revised to render and painted finishes; and
- The removal of the kitchenette on the ground floor, being replaced by the laundry. The laundry has been relocated to provide for a larger bathroom.

First Floor

- Extension of the kitchen on the first floor resulting in the removal of the study. The study has been relocated to be adjacent to the powder ('PDR') room; and
- Removal of the first floor walk in robe ('WIR') window along the western elevation.

Roof

- Removal of the roof terrace, fixed planter boxes and enclosed staircase.

The amendment to the application is being proposed by the applicant due to the changing needs of the future occupants since the initial approval by Council in 2019.

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

BACKGROUND:

Landowner:	Milton Maverick, Lynne Maverick, Jack Hobbs and Ella Hobbs
Applicant:	Milton Maverick and Lynne Maverick
Date of Application:	16 December 2021
Zoning:	MRS: Urban LPS2: Residential R Code: Residential R40
Built Form Area:	Residential
Existing Land Use:	Grouped Dwelling
Proposed Use Class:	Grouped Dwelling
Lot Area:	Total: 604m ² , Subject Lot: 266m ²
Right of Way (ROW):	Yes Southern: 3.82 metres wide, sealed and owned by the City Eastern: 4.02 metres wide, sealed and owned by the City
Heritage List:	No

The subject site is bound by Alma Road to the north, a single storey single house to the west and ROW's to the east and south. A location plan is included as **Attachment 1**.

The subject site is zoned Residential R40 under the City's Local Planning Scheme No. 2 (LPS2), and is within the Residential built form area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy).

Surrounding residential developments to Alma Road and the adjacent ROW's are single-storey and two-storey single houses.

The subject site and adjoining properties to the south and east are coded R40, and properties to the north and west are coded R60. The surrounding properties are located within the Residential built form area.

The site currently accommodates a single storey single house with a primary street interface to Alma Road.

Existing Planning Approval

A development application for a three storey grouped dwelling was previously considered and approved by Council at its Ordinary Meeting on 30 April 2019.

The approved plans and approval notice are included as **Attachment 3**.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City's (LPS2), the City's Built Form Policy and the State Government's Residential Design Codes (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 from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Street Setback		✓	
Front Fence		✓	
Building Setbacks/Boundary Wall		✓	
Building Height/Storeys		✓	
Open Space	✓		
Outdoor Living Areas			✓
Landscaping (R Codes)	✓		
Privacy		✓	

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Parking & Access	✓		
Solar Access	✓		
Site Works/Retaining Walls	✓		
Essential Facilities		✓	
External Fixtures	✓		
Surveillance	✓		
Development on Right of Ways		✓	

Detailed Assessment

The Built Form Policy and R Codes 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 deemed-to-comply standard/s then it is satisfactory and not subject to Council's discretion for the purposes of assessment against the Built Form Policy and R Codes.

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

Outdoor Living Area	
Deemed-to-Comply Standard	Proposal
Residential Design Codes Clause 5.3.1 4 metre minimum dimension; Maximum of 13.3 square metres without permanent roof cover.	Primary Outdoor Living Area – First Floor Balcony 3.6 metre minimum dimension; 9.9 square metres without permanent roof cover

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

All other changes being proposed as part of this amendment meet the specified deemed-to-comply standards in the Built Form Policy and R Codes. This includes the proposed 4.6 square metres (1.7 percent) reduction in deep soil area which would still exceed the minimum deemed-to-comply deep soil area amount of 39.9 square metres under the Built Form Policy. The proposed development would provide 16.1 percent deep soil areas and 38.0 percent canopy coverage to the subject lot, which would exceed the 15 percent deep soil and 30 percent canopy cover required by the Built Form Policy.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of seven days from 9 February 2022 to 16 February 2022. Email notification was sent to all previous submitters of the 2019 development application, providing the opportunity to review the amended proposal and to provide any comment in line with the City's Community and Stakeholder Engagement Policy. A notice was also displayed on the City's website.

At the conclusion of the consultation period the City received no submissions on the proposal.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred to a member of the City's DRP for comments on the acceptability of the proposed modifications from the previous approval from a design standpoint. This is due to the removal of the roof terrace and associated landscaping. The application also proposes to modify the materiality of the ground floor from face brick to render and painted finishes. The DRP member provided comments advising that the modified proposal was supported for the following reasons:

- The amended materiality of the ground floor maintains a modulation of materials and building forms; and
- The materials proposed and lightweight expression of the upper storey softens the bulk and scale of the dwelling and tie in with the local laneway context.

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 7.3 – Residential Design Codes Volume 1;
- Community and Stakeholder Engagement Policy; and
- Policy No. 7.1.1 – Built Form Policy.

Delegation to Determine Applications:

The application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointment. The application seeks to amend a development approval previously determined by Council that does not meet all of the deemed-to-comply standards as set out in the R Codes. The application proposes a departure to the outdoor living area deemed-to-comply standard.

RISK MANAGEMENT IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

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

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications from this report.

PUBLIC HEALTH IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications of this report.

COMMENTS:Outdoor Living Areas

The roof terrace was the primary outdoor living area of the dwelling in the previous approval. This outdoor living area met all deemed-to-comply standards of the R Codes.

The proposed removal of the roof terrace through this application would result in the balcony on the first floor becoming the primary outdoor living area, resulting in new departures to the deemed-to-comply standards of the R Codes.

The deemed-to-comply standards of the R Codes require the provision of an outdoor living area with a minimum dimension of 4 metres, and a maximum of 13.3 square metres without permanent roof cover.

The balcony would result in an outdoor living area with a 3.6 metre minimum dimension and 9.9 square metres without permanent roof cover. The application does not propose any change to the size or design of this balcony area from the previous approval.

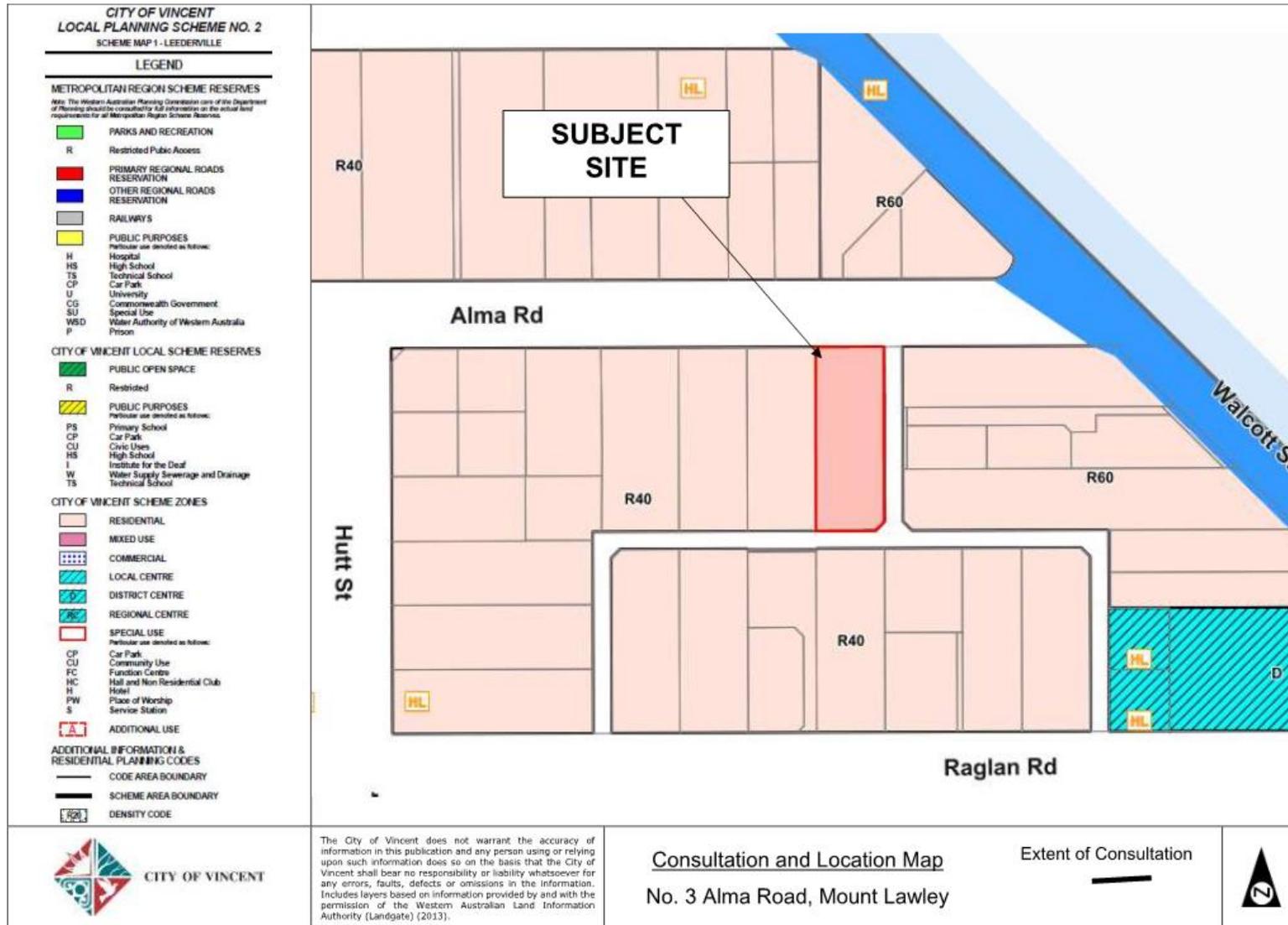
The balcony outdoor living area satisfies the relevant design principles of the R Codes for the following reasons:

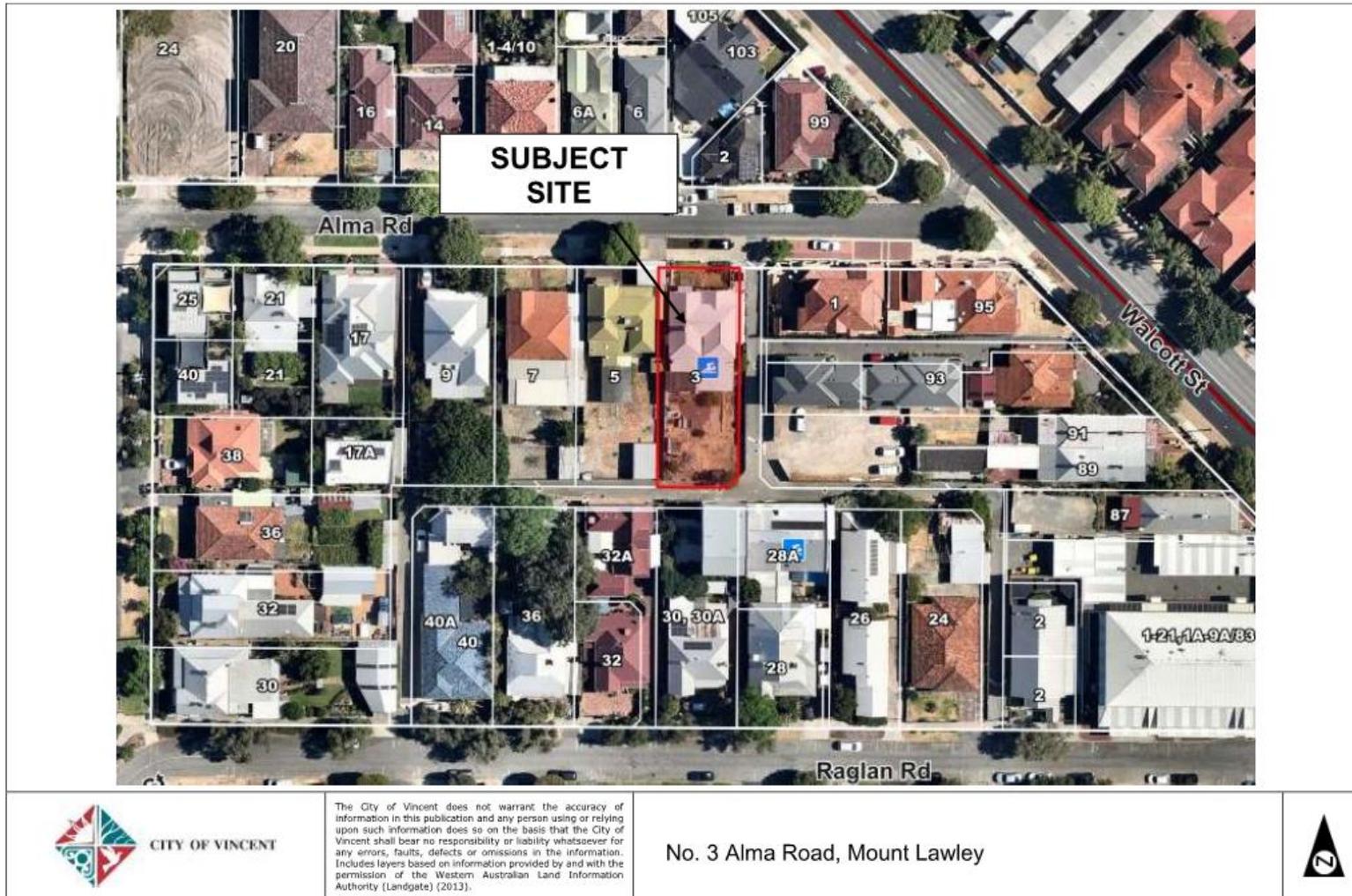
- **Functionality:** The balcony is accessible from habitable rooms of the dwelling, being the kitchen and dining rooms to optimise its function and use;
- **Size:** The 3.6 metre width of the outdoor living area is compensated by the length of 5.7 metres. The dimensions of the balcony enable the space to be a usable extension of the habitable rooms. The balcony is 20.4 square metres in area, satisfying the minimum 20 square metres deemed-to-comply standard;
- **Weather protection:** The 10.5 square metre covered portion of the balcony would support the use of the space all year round. The remainder of the balcony is open to allow for sufficient access to sunlight and ventilation to the dwelling and its occupants, enhanced by the northern aspect of the balcony; and
- **Second outdoor living area:** There is a second outdoor living area at ground level which is accessible from bedroom 3 and that is 36.3 square metres in area. Deep soil areas and canopy cover from three trees are provided to this outdoor living area. The total area of the ground and upper floor outdoor living areas would be 56.7 square metres; areas which are capable for both passive and active use of future occupants.

Removal of Condition

The previous approval included the imposition of Condition 6.3 requiring fixed planters boxes to be provided along the western length of the roof terrace. This was required to provide adequate privacy screening to restrict overlooking in accordance with the R Codes.

The roof terrace of the dwelling is proposed to be removed and so this condition is no longer required. The planter boxes also did not contribute to deep soil area and canopy cover due to their size so it would not reduce the amount of deep soil area and canopy cover on the site.



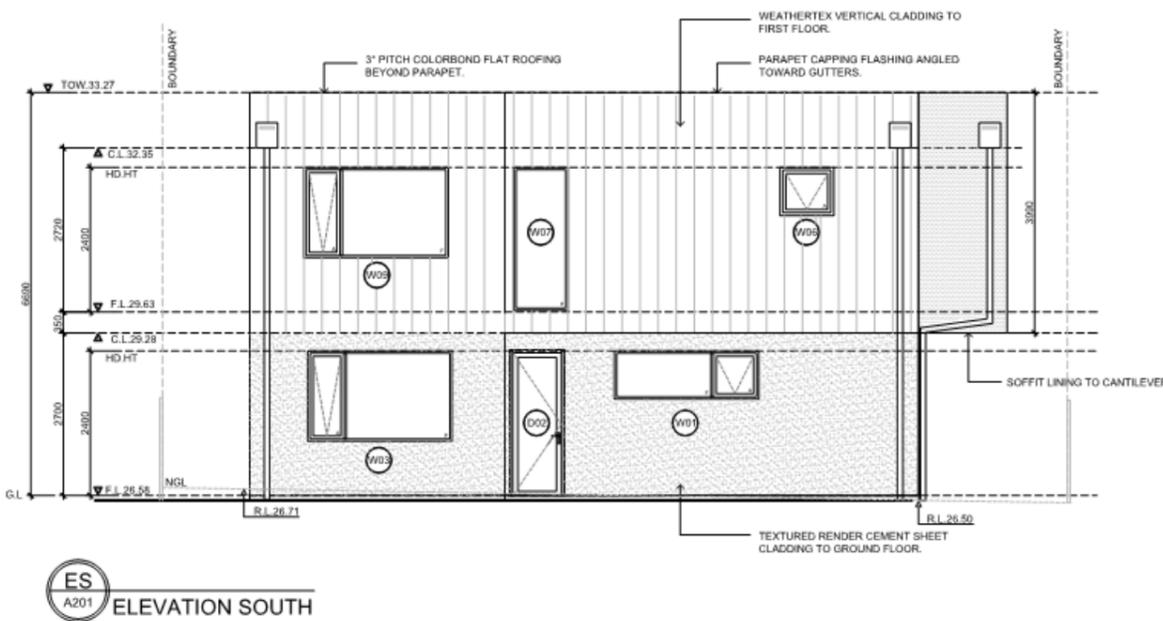
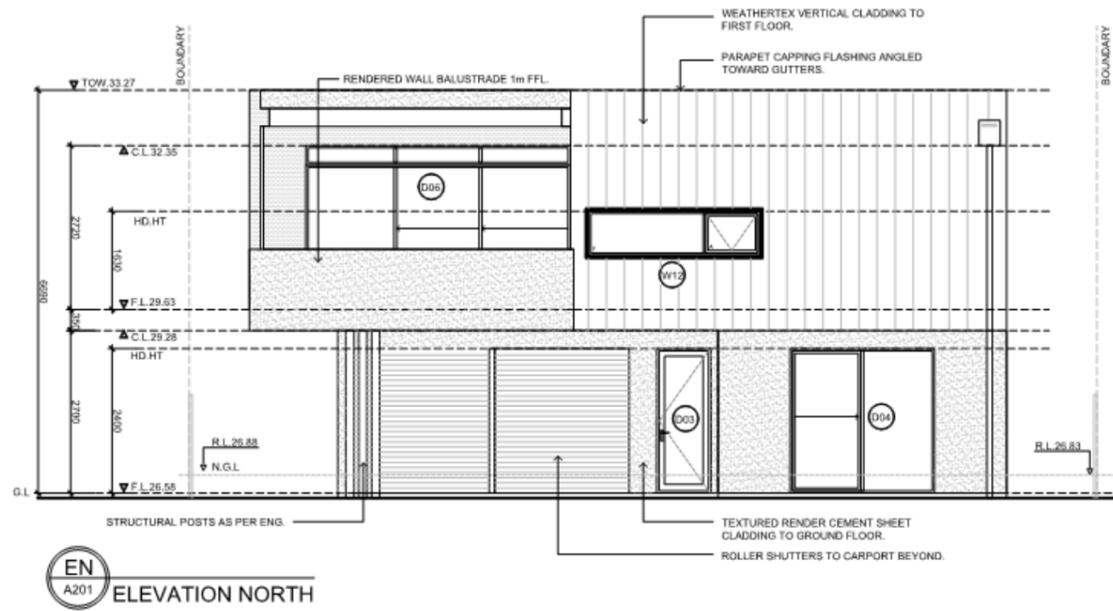


GENERAL NOTES

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL ENGINEERS DETAILS & COMPUTATIONS.
 GUTTERS & DOWNPIPES TO AS2179.1 FOR METAL & AS1273 FOR UPVC.
 WET AREAS AS PER NCC 3.8.1 & AS3740.

SURFACE LEGEND

-  APPLIED TEXTURAL FINISH TO EXTERIOR WALL TO BE CONFIRMED.
-  WEATHEREX PAINTED EXTERIOR CLADDING SURFACE.
-  RENDERED PAINTED EXTERIOR CLADDING SURFACE.



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 L & M MAVRICK

ADDRESS
 3 ALMA ROAD
 MOUNT LAWLEY

PROJECT NO.
 J1055

DRAWN
 JB

CHECKED
 JG

DRAWING TITLE
 ELEVATIONS - NORTH / SOUTH

SCALE / PAPER SIZE
 1:100 @ A3

REV	DESCRIPTION	DD/MM/YY
D	BUILDING LICENCE	23/11/2021

A201

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GENERAL NOTES

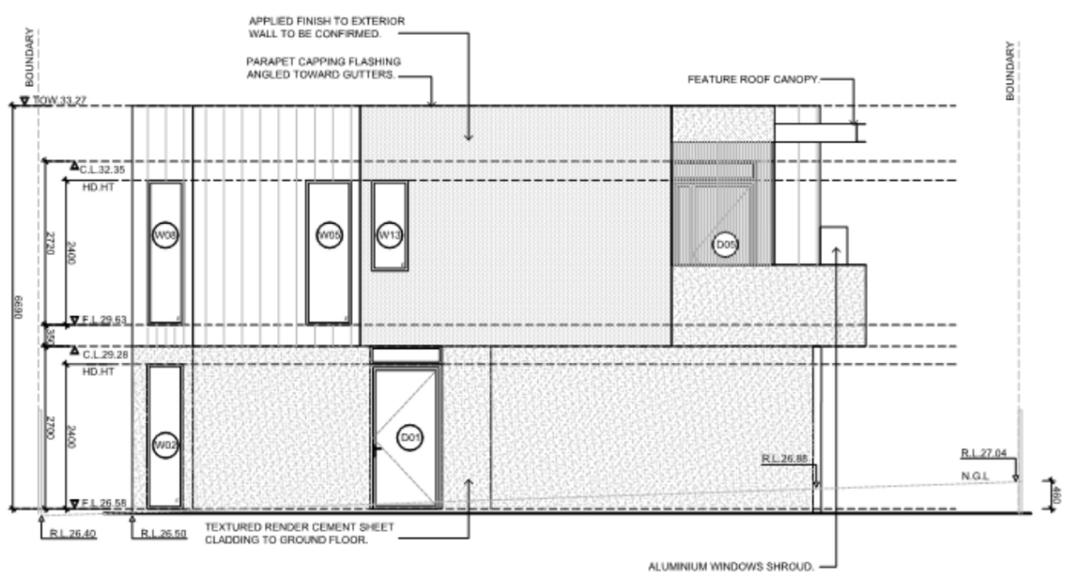
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GUTTERS & DOWNPIPES TO AS2179.1 FOR METAL & AS1273 FOR UPVC.

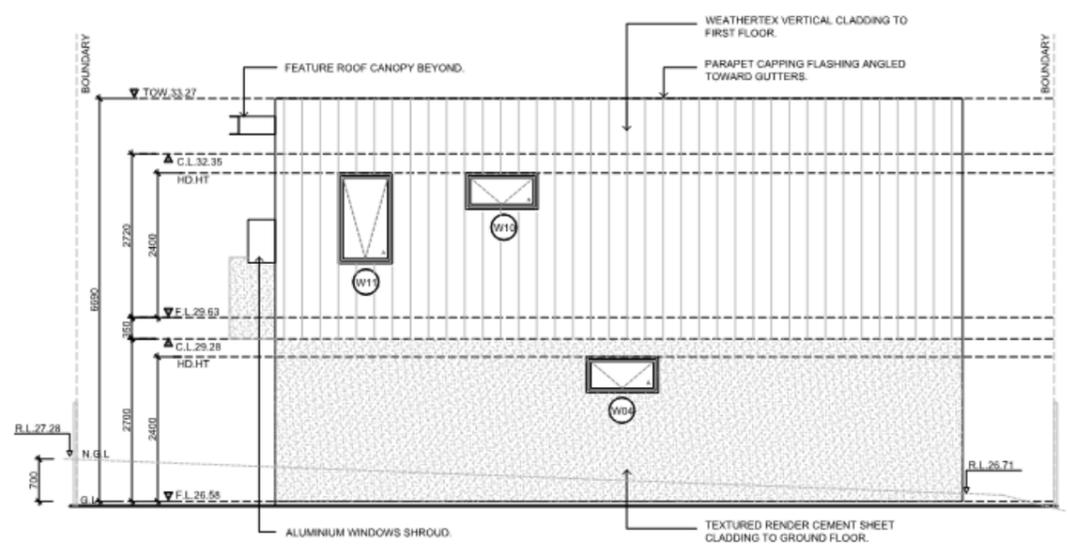
WET AREAS AS PER NCC 3.8.1 & AS3740.

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A202 ELEVATION EAST



EW
A202 ELEVATION WEST



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 ELEVATIONS - EAST / WEST

SCALE / PAPER SIZE
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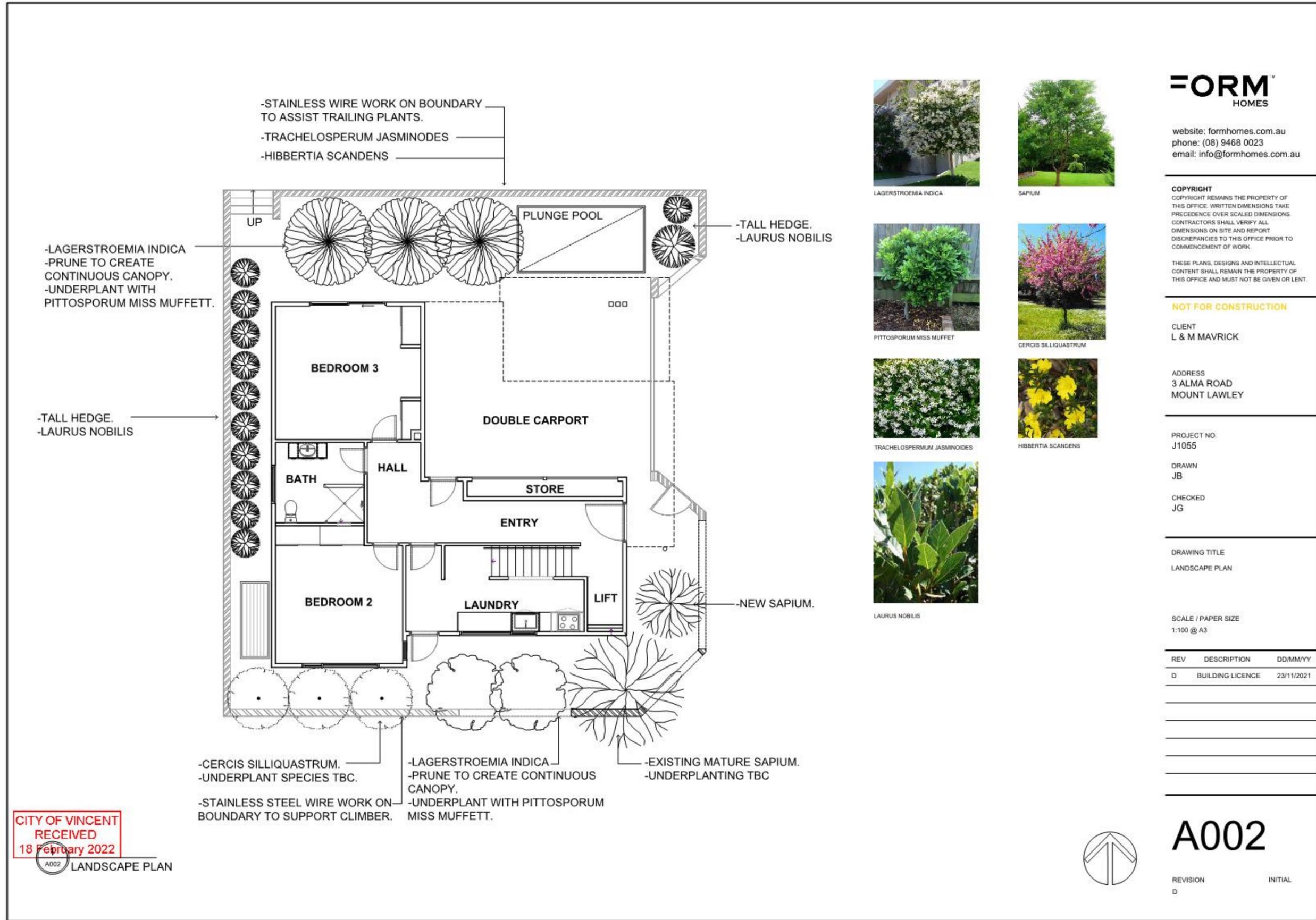
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D	BUILDING LICENCE	23/11/2021

A202

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-STAINLESS WIRE WORK ON BOUNDARY TO ASSIST TRAILING PLANTS.
 -TRACHELOSPERUM JASMINODES
 -HIBBERTIA SCANDENS

-LAGERSTROEMIA INDICA
 -PRUNE TO CREATE CONTINUOUS CANOPY.
 -UNDERPLANT WITH PITTOSPORUM MISS MUFFETT.

-TALL HEDGE.
 -LAURUS NOBILIS

-TALL HEDGE.
 -LAURUS NOBILIS

-CERCIS SILLIQUASTRUM.
 -UNDERPLANT SPECIES TBC.
 -LAGERSTROEMIA INDICA
 -PRUNE TO CREATE CONTINUOUS CANOPY.
 -UNDERPLANT WITH PITTOSPORUM MISS MUFFETT.
 -STAINLESS STEEL WIRE WORK ON BOUNDARY TO SUPPORT CLIMBER.

-EXISTING MATURE SAPIUM.
 -UNDERPLANTING TBC



LAGERSTROEMIA INDICA



SAPIUM



PITTOSPORUM MISS MUFFETT



CERCIS SILLIQUASTRUM



TRACHELOSPERUM JASMINOIDES



HIBBERTIA SCANDENS



LAURUS NOBILIS

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 LANDSCAPE PLAN

SCALE / PAPER SIZE
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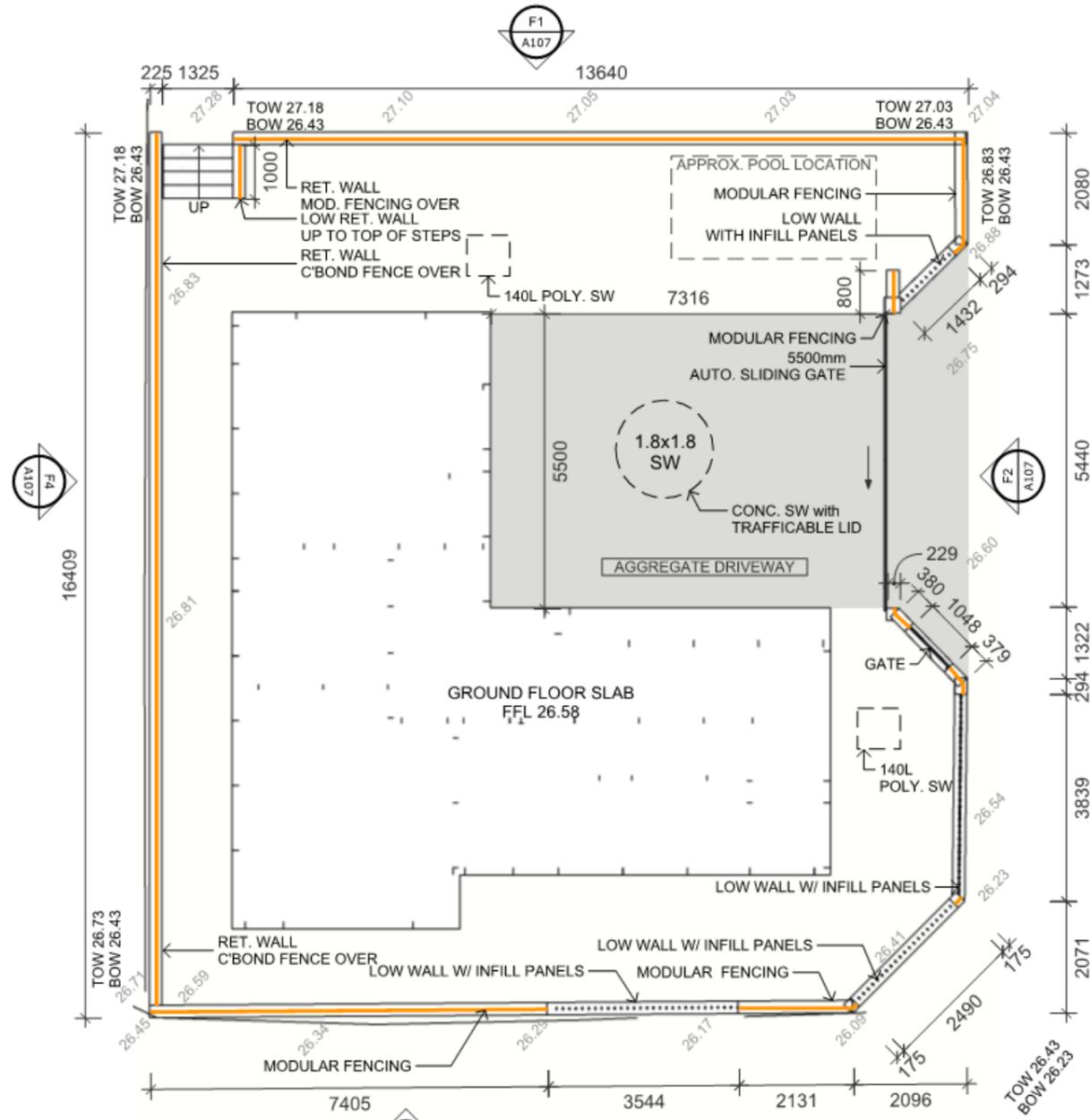
REV	DESCRIPTION	DD/MM/YY
D	BUILDING LICENCE	23/11/2021

A002

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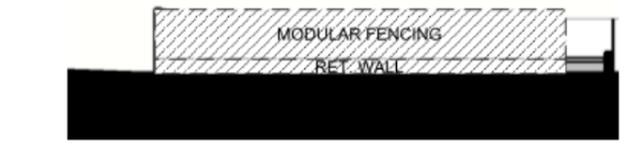
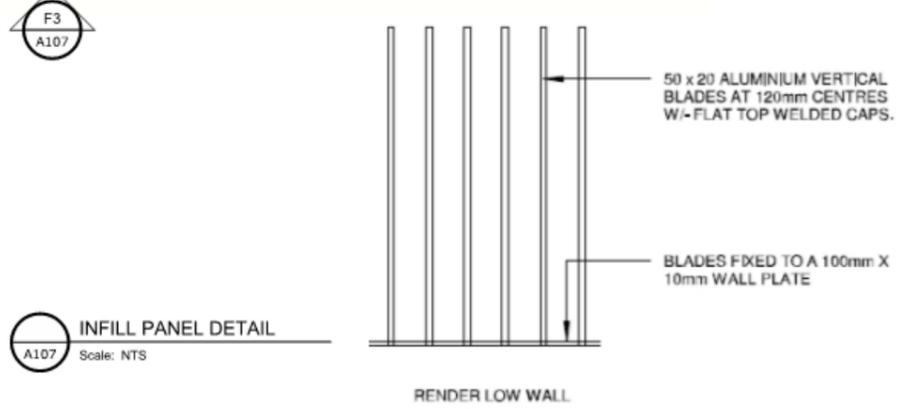


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 A002 LANDSCAPE PLAN

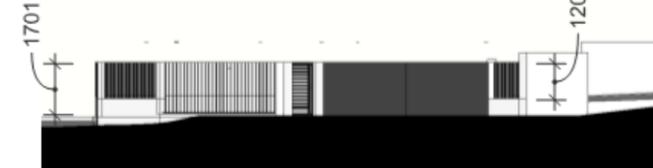


GENERAL NOTES
 CONNECT ALL DOWNPIPES AND POOL TO SOAKWELLS.
 ENSURE ALL SOAKWELLS ARE MIN. 1.0m AWAY FROM BUILDING FOUNDATIONS.

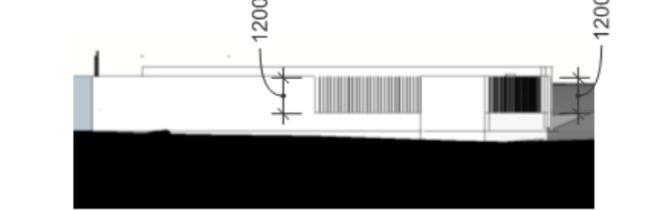
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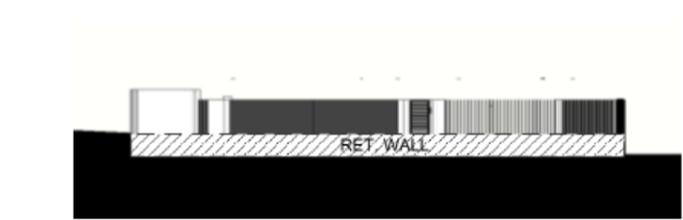
F1 FENCE ELEVATION
 A107 Scale: 1:200



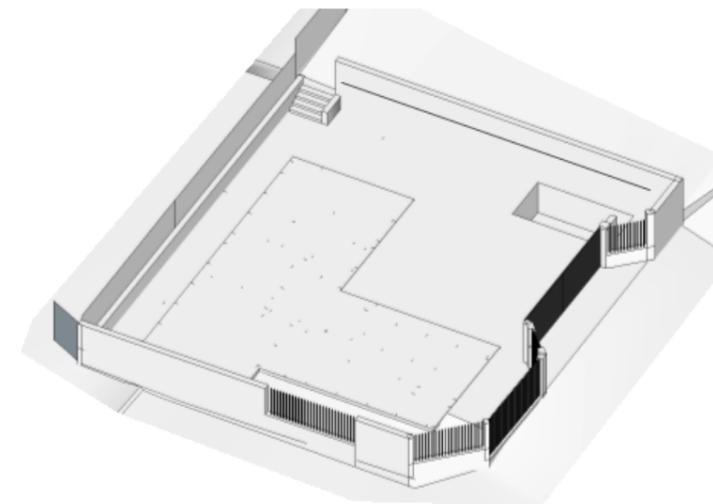
F2 FENCE ELEVATION
 A107 Scale: 1:200



F3 FENCE ELEVATION
 A107 Scale: 1:200



F4 FENCE ELEVATION
 A107 Scale: 1:200



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PROJECT NAME
 New Double-Storey Residence
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PROJECT ADDRESS
 3 Alma Road, Mount Lawley

PROJECT NO.
 J1055
DRAWN
 FP
CHECKED
 JG

DRAWING TITLE
 Fencing Details
PROJECT STAGE
 Building Approval
PAPER SIZE
 A3

REV	DESCRIPTION	DD/MM/YY
D	- ISSUE FOR BP	23/11/21

DRAWING NUMBER
A107

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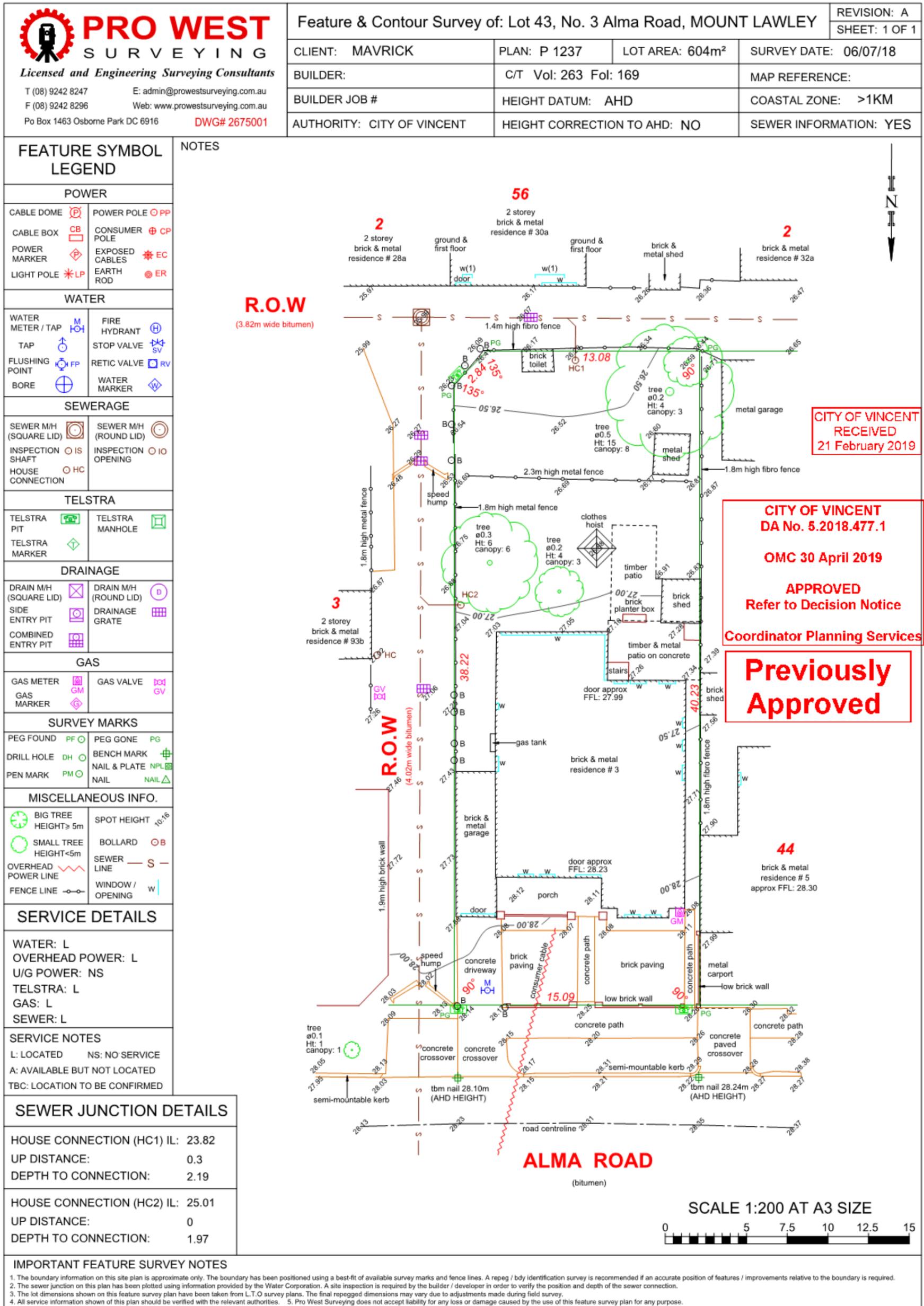
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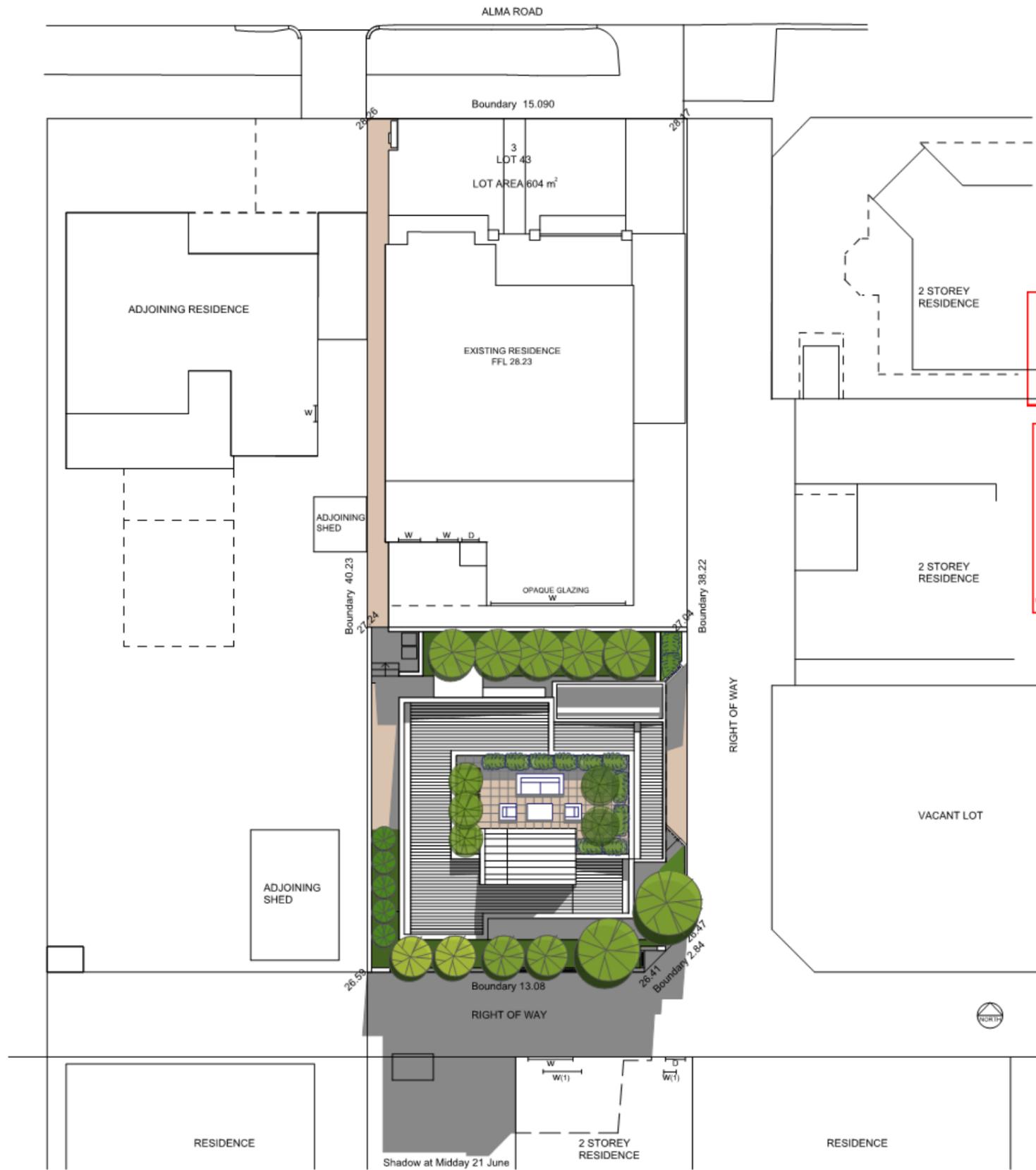
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21 February 2019**

**Previously
Approved**

**CITY OF VINCENT
DA No. 5.2018.477.1
OMC 30 April 2019
APPROVED
Refer to Decision Notice
Coordinator Planning Services**

Dick Donaldson Architecture+Design
38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877

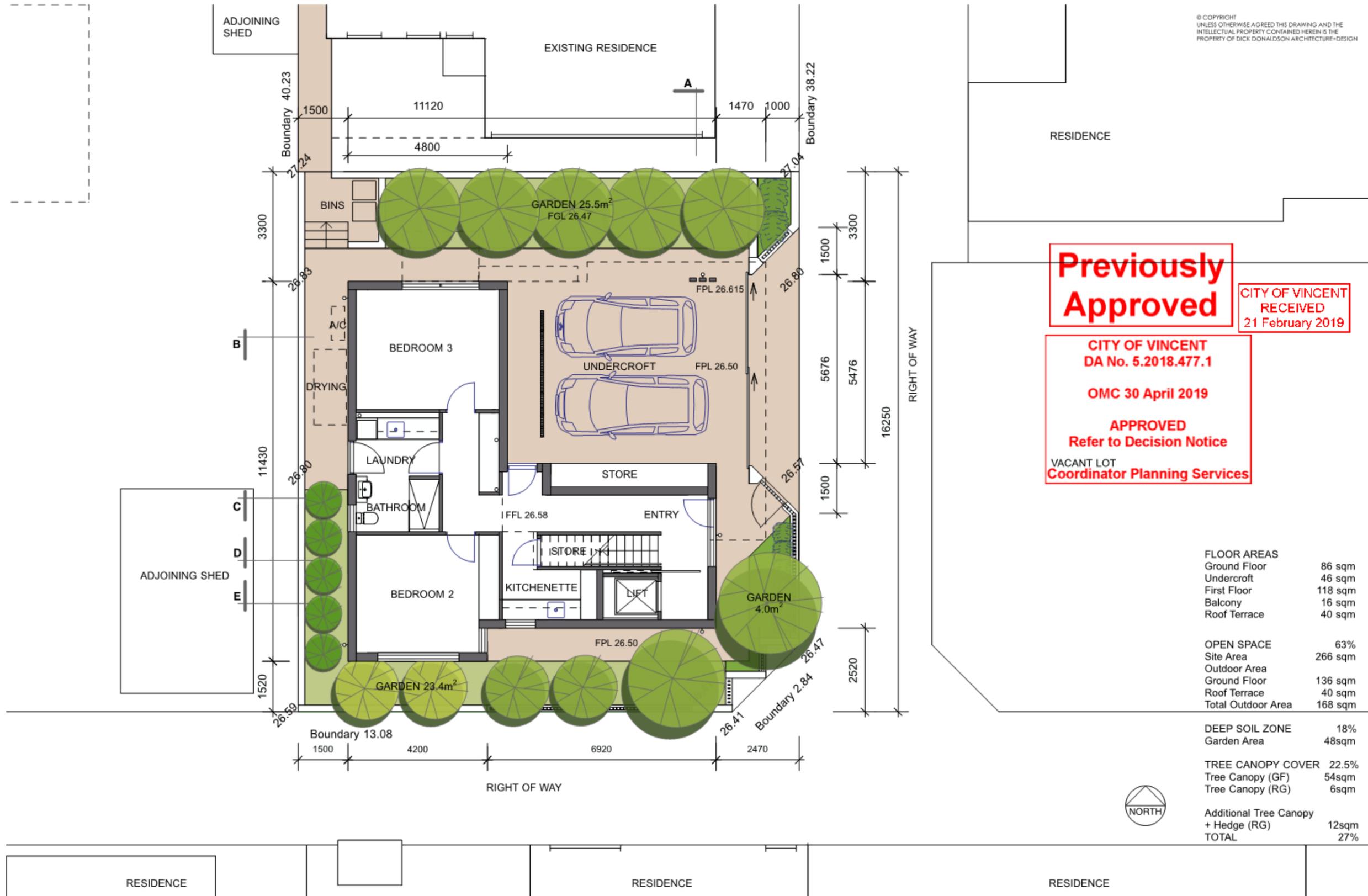
MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

SITE & SHADOW PLAN

Date 06.12.18 Revision DEVELOPMENT APPLICATION

REV 2 20.02.19 Roof Garden West Setback & Landscaping
REV 1 17.01.19 Roof Access Roof OverHang
No. Job No. 1801 Dwg No. 1801 SD-01 REV 2
Scale 1:200@A3





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21 February 2019

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DA No. 5.2018.477.1

OMC 30 April 2019

APPROVED
Refer to Decision Notice

VACANT LOT
Coordinator Planning Services

FLOOR AREAS	
Ground Floor	86 sqm
Undercroft	46 sqm
First Floor	118 sqm
Balcony	16 sqm
Roof Terrace	40 sqm

OPEN SPACE	
Site Area	63%
Outdoor Area	266 sqm
Ground Floor	136 sqm
Roof Terrace	40 sqm
Total Outdoor Area	168 sqm

DEEP SOIL ZONE	
Garden Area	18%
	48sqm

TREE CANOPY COVER	
Tree Canopy (GF)	22.5%
Tree Canopy (RG)	54sqm
	6sqm

Additional Tree Canopy + Hedge (RG)	12sqm
TOTAL	27%



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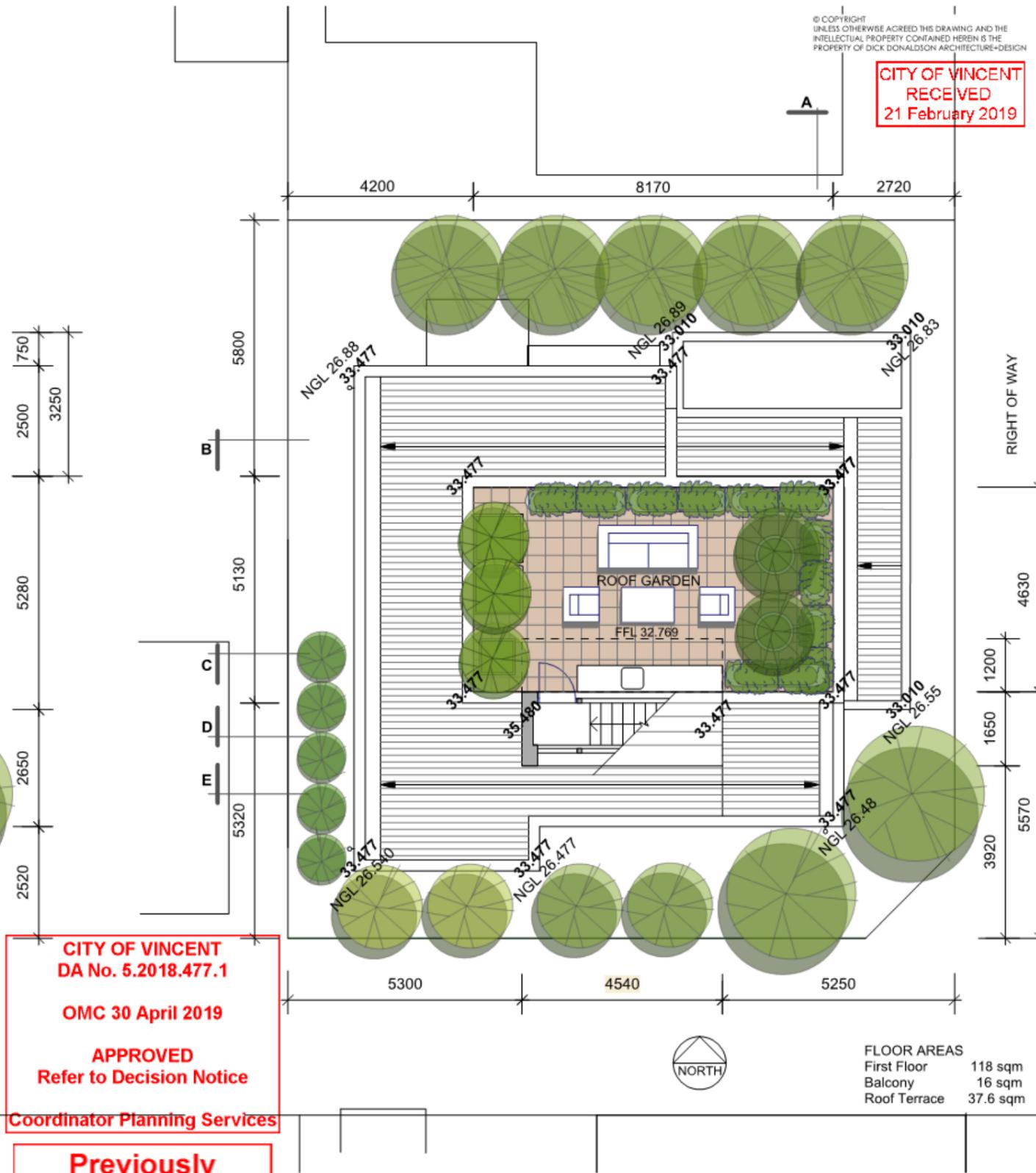
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SITE & GROUND FLOOR PLAN

Date 06.12.18 Revision DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SD-02 REV 3
Scale 1:100@A3





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**CITY OF VINCENT
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21 February 2019**

**CITY OF VINCENT
DA No. 5.2018.477.1
OMC 30 April 2019
APPROVED
Refer to Decision Notice
Coordinator Planning Services**

**Previously
Approved**



Dick Donaldson Architecture+Design
38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877

MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

**FIRST FLOOR PLAN AND
ROOF GARDEN**

Date Revision
06.12.18 DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SD-03 REV 2
Scale 1:100@A3

REV 2 20.02.19 Roof Garden West Setback & Landscaping
REV 1 17.01.19 Roof Access Roof OverHang



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CITY OF VINCENT
DA No. 5.2018.477.1

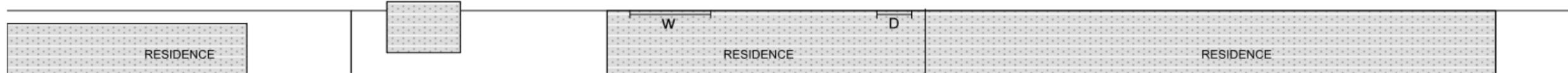
OMC 30 April 2019

APPROVED
Refer to Decision Notice
VACANT LOT

Coordinator Planning Services

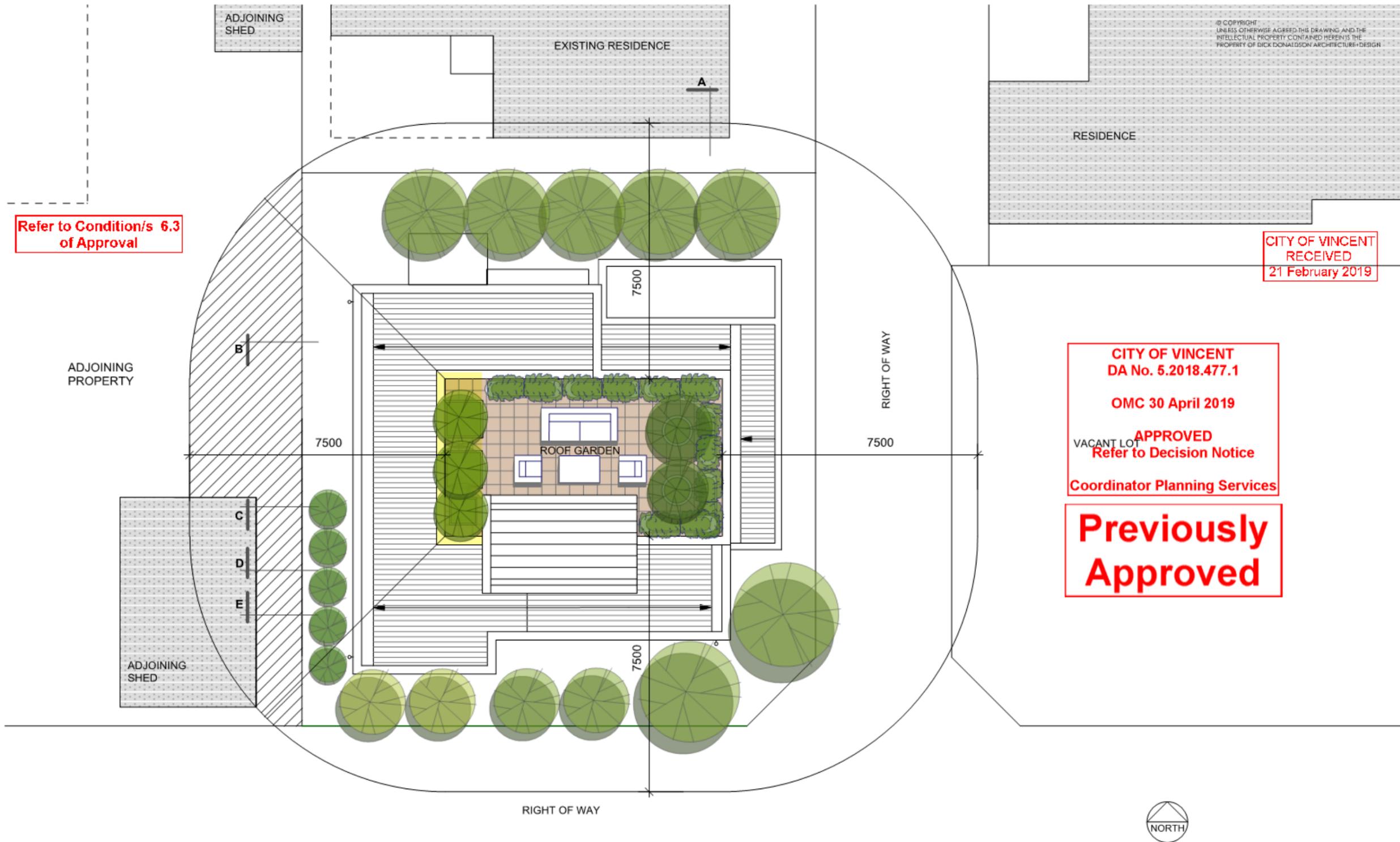
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CITY OF VINCENT
RECEIVED
21 February 2019



<p>Dick Donaldson Architecture+Design 38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877</p>	<p>MAVRICK RESIDENCE 3 ALMA ROAD MT LAWLEY WA 6011</p>	<p>FIRST FLOOR BALCONY CONE OF VISION DIAGRAM</p>	<p>Date 06.12.18 Revision DEVELOPMENT APPLICATION</p>	<p>No. Job No. 1801 Scale 1:100@A3</p>	<p>Dwg No. 1801 SD-04 REV 0 2 4 6m</p>
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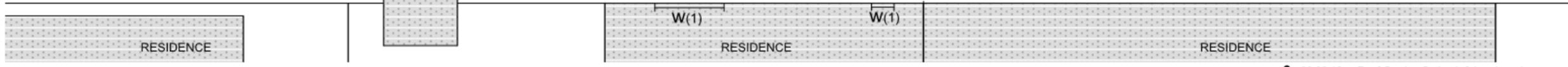


Refer to Condition/s 6.3
of Approval

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MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

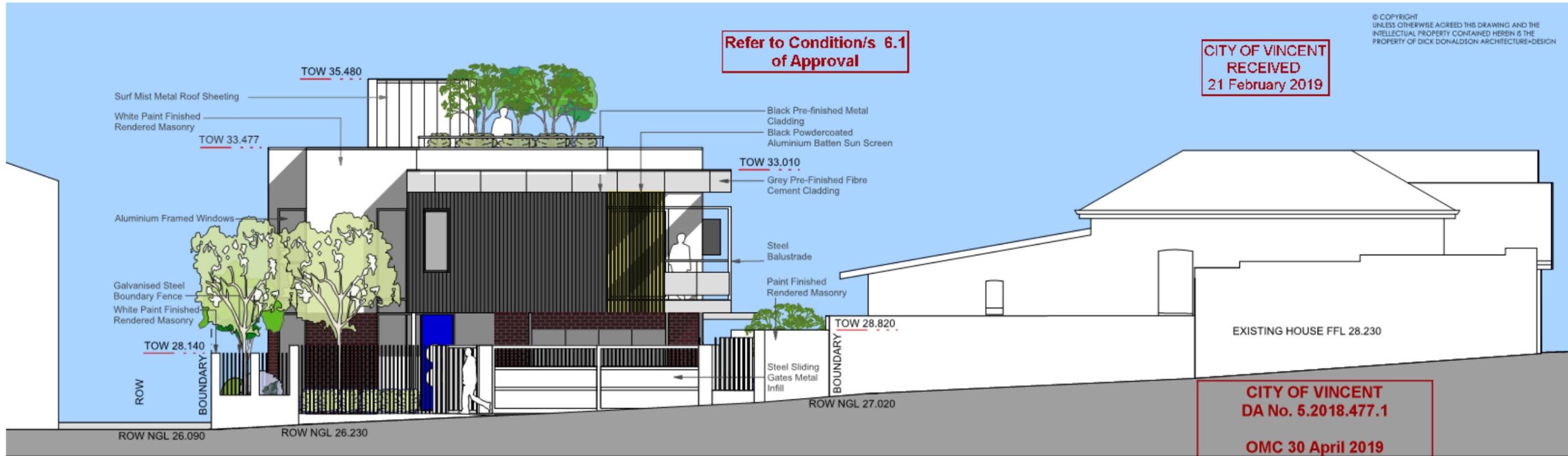
ROOF TERRACE
CONE OF VISION DIAGRAM

Date 06.12.18 Revision DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SD-05 REV 2
Scale 1:200@A3

REV 2 20.02.19 Roof Garden Setback & Landscaping
REV 1 17.01.19 Roof Access Roof OverHang





EAST RIGHT-OF-WAY ELEVATION

Refer to Condition/s 5 of Approval

CITY OF VINCENT
DA No. 5.2018.477.1
OMC 30 April 2019
APPROVED
Refer to Decision Notice
Coordinator Planning Services

Previously Approved



EAST ELEVATION

REV 2 20.02.19 Fence, GF Brickwork, Landscaping
REV 1 17.01.19 Roof Access Roof OverHang

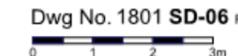
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MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

ELEVATIONS

Date 06.12.18 Revision DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SD-06 REV 2
Scale 1:100@A3





Previously Approved

NORTH ELEVATION

**CITY OF VINCENT
DA No. 5.2018.477.1
OMC 30 April 2019
APPROVED
Refer to Decision Notice
Coordinator Planning Services**



WEST ELEVATION



SOUTH RIGHT-OF-WAY ELEVATION



SOUTH ELEVATION

**CITY OF VINCENT
RECEIVED
21 February 2019**

REV 2 20.02.19 Roof Garden West Setback, GF Brickwork, Landscaping
REV 1 17.01.19 Roof Access Roof OverHang

Dick Donaldson Architecture+Design
38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877

MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

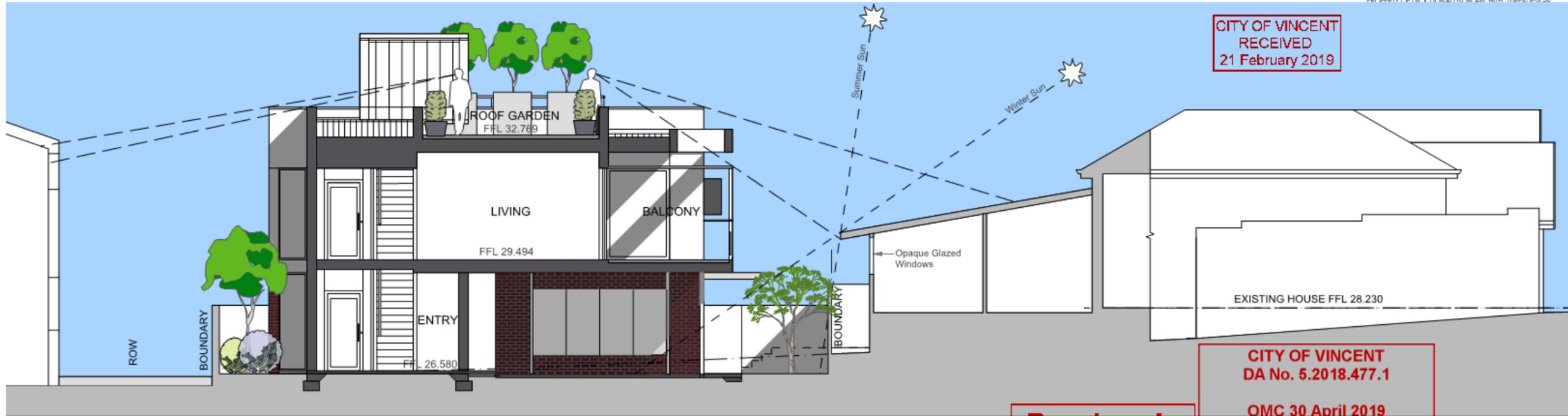
ELEVATIONS

Date Revision
06.12.18 DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SK7-07 REV 2
Scale 1:100@A3



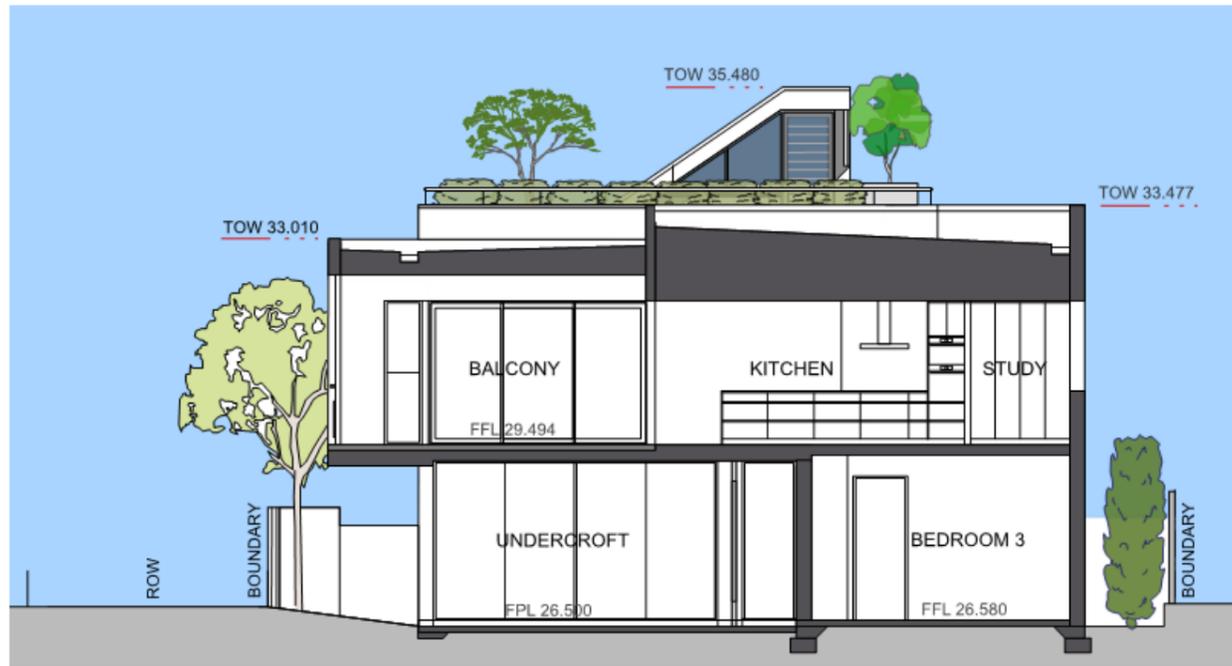
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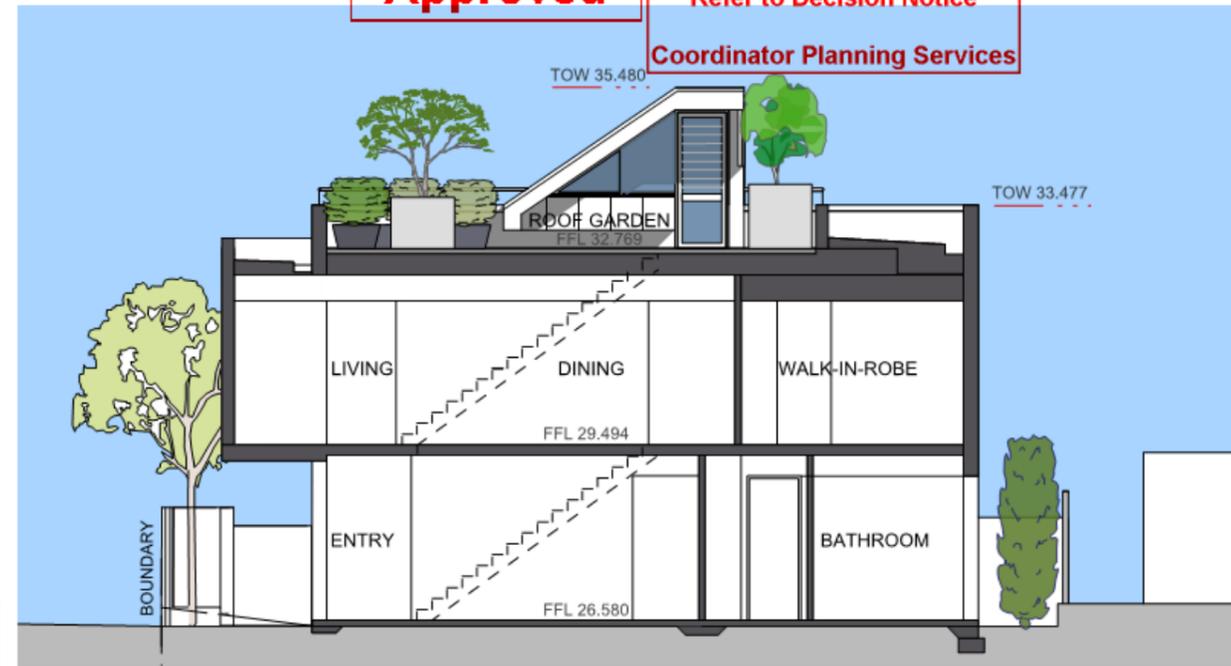
SECTION A

**Previously
Approved**

**CITY OF VINCENT
DA No. 5.2018.477.1
OMC 30 April 2019
APPROVED
Refer to Decision Notice
Coordinator Planning Services**



SECTION B



SECTION C

REV 2 20.02.19 Roof Planting, GF Brickwork, Landscaping
REV 1 17.01.19 Roof Access Roof OverHang

Dick Donaldson Architecture+Design
38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877

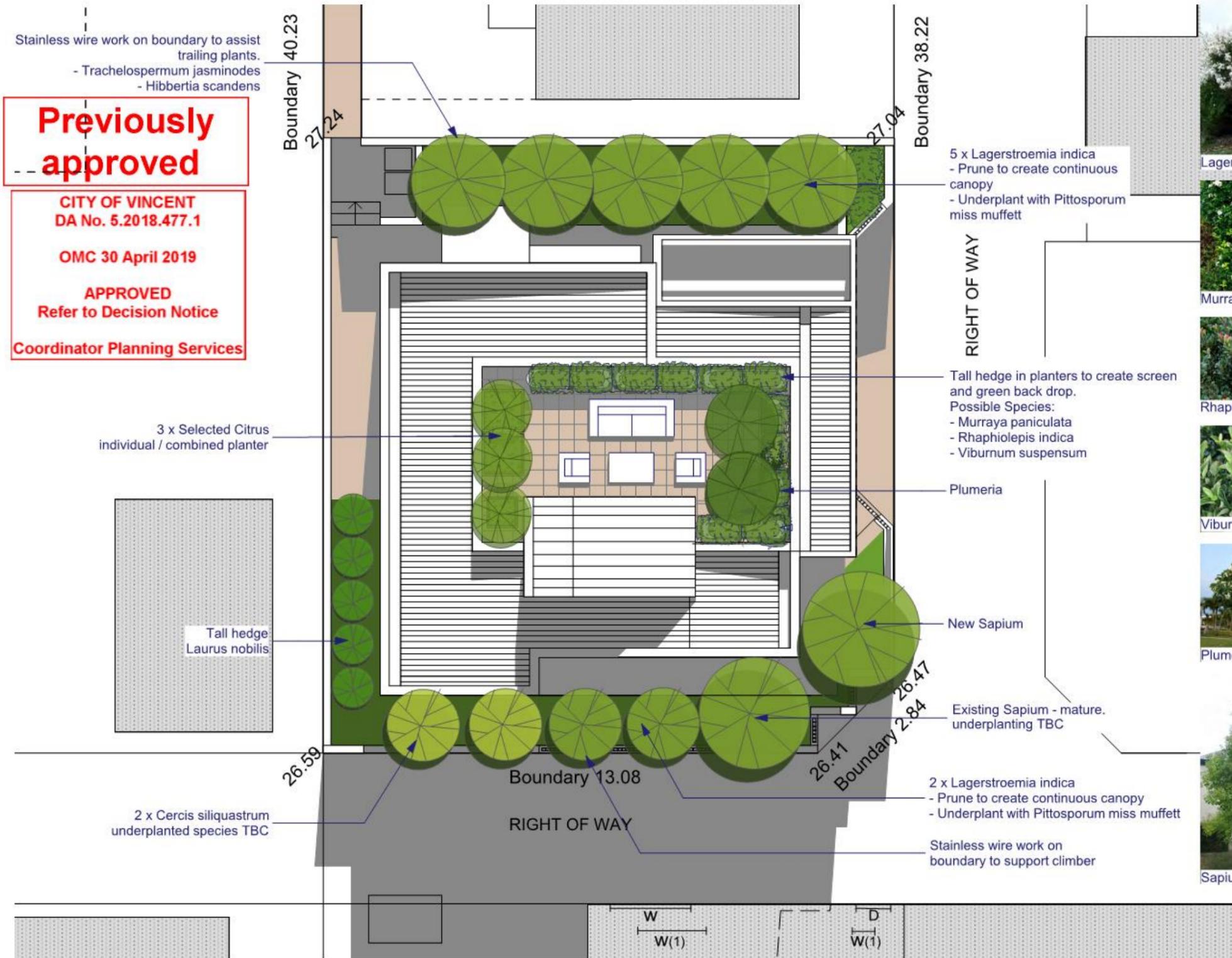
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3 ALMA ROAD MT LAWLEY WA 6011

SECTIONS

Date 06.12.18 Revision DEVELOPMENT APPLICATION

No. Job No. 1801 Dwg No. 1801 SD-08 REV 2
Scale 1:100@A3 0 2 4 6m

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21 February 2019**



REV 2	20.02.19	Roof Garden West Setback & Planting
REV 1	17.01.19	Roof Access Roof OverHang
No.	Job No. 1801	Dwg No. 1801 SD-10 REV 2
	Scale 1:200@A3	0 2 4 6m

Dick Donaldson Architecture+Design
38 Salvado Street Cottesloe WA 6011 Tel 0438 248 877

MAVRICK RESIDENCE
3 ALMA ROAD MT LAWLEY WA 6011

LANDSCAPE PLAN

Date 06.12.18 Revision DEVELOPMENT APPLICATION

9.2 NO. 3 (LOT: 43; D/P: 1237) ALMA ROAD, MOUNT LAWLEY - GROUPED DWELLING

TRIM Ref: D19/23504

Author: Natasha Trefry, Urban Planning Advisor

Authoriser: John Corbellini, Executive Director Development Services

Ward: South

- Attachments:
1. Attachment 1 - Consultation and Location Plan 
 2. Attachment 2 - Development Plans 
 3. Attachment 3 - Summary of Submissions and Administrations Comment 
 4. Attachment 4 - Summary of Submissions and Applicant Comments 
 5. Attachment 5 - Additional Justification from Applicant 
 6. Attachment 6 - Determination Advice Notes 
 7. Attachment 7 - Justification from Applicant Regarding Right of Way (ROW) Widening Areas 

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 a Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated advice notes in Attachment 6:

1. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City;

2. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

3. Schedule of External Finishes

Prior to the commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

4. Landscape Plan

4.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated; and
- The provision of 15 per cent of the site area as deep soil zone and 30 per cent canopy cover at maturity; and

4.2 All works shown in the plans as identified in condition 4.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at

the expense of the owners/occupiers;

5. Street Walls and Fences

The infill panels of the front fencing shall be 'visually permeable', as defined by State Planning policy 3.1; Residential Design Codes, to the satisfaction of the City;

6. Screening

6.1 The 'Black Powdercoated Aluminium Batten Sun Screen' shown for a portion of the eastern side of the 'Balcony' shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

6.2 Screening shall be provided to the western side of the 'Balcony' and shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

6.3 The major opening from the kitchen shall be permanently fixed to at least 1.6 metres in height measured from the finished floor level, or shall be modified to be a non-major opening, to comply with the deemed-to-comply Visual Privacy standards of Clause 5.4.1 of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City; and

6.4 Fixed planter boxes no less than 500 millimetres wide and 800 millimetres deep shall be provided on the roof terrace along the whole extent of the western length to the satisfaction of the City. Plantings within the planter boxes are to be no less than 800 millimetres high at maturity and provide a continuous screen of foliage across the length of the terrace; and

7. Right Of Way (ROW) Widening

7.1 Prior to the commencement of development, the applicant shall lodge a modified plan with the City providing a 0.5 metre setback to the southern ROW, a 1.0 metre setback to the eastern ROW and a 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas from any building or structure to enable future ROW widening, to the satisfaction of the City. The modified plan shall show the proposed Galvanised Steel and Rendered Masonry Boundary Fence relocated outside of the setback area, to the satisfaction of the City;

7.2 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above shall be sealed, drained and graded to match into the level of the existing ROW to the satisfaction of the City, prior to the occupation or use of the development; and

7.3 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision.

ORDINARY COUNCIL MEETING MINUTES

30 APRIL 2019

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be adopted.

AMENDMENT 1

Moved: Cr Gontaszewski, Seconded: Cr Hallett

That the recommendation be amended as follows:

"7. Right Of Way (ROW) Widening

~~7.1~~ Prior to the commencement of development, the applicant shall lodge a modified plan with the City providing a 0.5 metre setback to the southern ROW, a 1.0 metre setback to the eastern ROW and a 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas from any building or structure to enable future ROW widening, to the satisfaction of the City. The modified plan shall show the proposed Galvanised Steel and Rendered Masonry Boundary Fence relocated outside of the setback area, to the satisfaction of the City;

~~7.2~~ The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above shall be sealed, drained and graded to match into the level of the existing ROW to the satisfaction of the City, prior to the occupation or use of the development; and

7.1 The landowner shall remove any landscaping, development or other works and shall seal, drain and grade to match the existing right of way the area within 0.5 metres of the southern boundary of the lot, within 1.0 metres of the eastern boundary of the lot and the 2.0 metre by 2.0 metre truncation area between the southern and eastern areas at the time these portions of land are ceded to the City. Any costs associated with the above are the responsibility of the owner/applicant; and

7.2 3 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision."

AMENDMENT CARRIED (4-4)
(Casting vote - Mayor Cole)

For: Mayor Cole, Cr Fotakis, Cr Gontaszewski and Cr Castle

Against: Cr Murphy, Cr Hallett, Cr Loden and Cr Topelberg

(Cr Harley was an apology.)

AMENDMENT 2

Moved: Cr Topelberg, Seconded: Cr Gontaszewski

That the Condition 6.2 be DELETED as follows:

~~Screening shall be provided to the western side of the 'Balcony' and shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level, permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;~~

AMENDMENT CARRIED (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg

Against: Nil

(Cr Harley was an apology.)

COUNCIL DECISION 9.2

Moved: Cr Gontaszewski, Seconded: Cr Hallett

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 a Grouped Dwelling at No. 3 (Lot: 43; D/P: 1237) Alma Road, Mount Lawley in accordance with the plans in Attachment 2, subject to the following conditions, with the associated advice notes in Attachment 6:

1. External Fixtures

All external fixtures and building plant, including air conditioning units, piping, ducting and water tanks, shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and surrounding properties to the satisfaction of the City;

2. Stormwater

All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City;

3. Schedule of External Finishes

Prior to the commencement of development a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted to and approved by the City. The development shall be finished in accordance with the approved schedule prior to the use or occupation of the development;

4. Landscape Plan

4.1 A detailed landscape and reticulation plan for the development site and adjoining road verge, to the satisfaction of the City, shall be lodged with and approved by the City prior to commencement of the development. The plan shall be drawn to a scale of 1:100 and show the following:

- The location and type of existing and proposed trees and plants;
- Areas to be irrigated or reticulated; and
- The provision of 15 per cent of the site area as deep soil zone and 30 per cent canopy cover at maturity; and

4.2 All works shown in the plans as identified in condition 4.1 above shall be undertaken in accordance with the approved plans to the City's satisfaction, prior to occupation or use of the development and shall be maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers;

5. Street Walls and Fences

The infill panels of the front fencing shall be 'visually permeable', as defined by State Planning policy 3.1; Residential Design Codes, to the satisfaction of the City;

6. Screening

6.1 The 'Black Powdercoated Aluminium Batten Sun Screen' shown for a portion of the eastern side of the 'Balcony' shall meet the definition of 'screening' as defined by State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City. The screening shall be a minimum height of 1.6 metres from the finished floor level,

permanently affixed and a minimum of 75 percent obscure to the satisfaction of the City;

- 6.2 The major opening from the kitchen shall be permanently fixed to at least 1.6 metres in height measured from the finished floor level, or shall be modified to be a non-major opening, to comply with the deemed-to-comply Visual Privacy standards of Clause 5.4.1 of State Planning Policy 3.1: Residential Design Codes to the satisfaction of the City; and
- 6.3 Fixed planter boxes no less than 500 millimetres wide and 800 millimetres deep shall be provided on the roof terrace along the whole extent of the western length to the satisfaction of the City. Plantings within the planter boxes are to be no less than 800 millimetres high at maturity and provide a continuous screen of foliage across the length of the terrace; and

7. Right Of Way (ROW) Widening

- 7.1 The landowner shall remove any landscaping, development or other works and shall seal, drain and grade to match the existing right of way the area within 0.5 metres of the southern boundary of the lot, within 1.0 metres of the eastern boundary of the lot and the 2.0 metre by 2.0 metre truncation area between the southern and eastern areas at the time these portions of land are ceded to the City. Any costs associated with the above are the responsibility of the owner/applicant; and
- 7.2 The 0.5 metre setback to the southern ROW, 1.0 metre setback to the eastern ROW and 2.0 metre by 2.0 metre truncation setback between the southern and eastern ROW setback areas referred to in condition 7.1 above, shall be ceded free of cost to the City on subdivision or amalgamation of the land, including Built Strata subdivision."

CARRIED UNANIMOUSLY (8-0)

For: Mayor Cole, Cr Gontaszewski, Cr Castle, Cr Fotakis, Cr Hallett, Cr Loden, Cr Murphy and Cr Topelberg

Against: Nil

(Cr Harley was an apology.)