

5.2 NO. 7 (LOT: 1; STR: 43011) GALWEY STREET, LEEDERVILLE - ALTERATIONS AND ADDITIONS TO SINGLE HOUSE (AMENDMENT TO APPROVED - EXTENSION OF TIME)

Ward: North

Attachments:

1. Consultation and Location Map
2. Development Plans
3. Previous Council Meeting Minutes and Approved Plans
4. Applicant Justification and Response to Submissions

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Single House (Amendment to Approved – Extension of Time) at No. 7 (Lot 1; STR: 40311) Galwey Street, Leederville, in accordance with the plans shown in Attachment 2, subject to the following condition:

1. All other conditions, requirements and advice notes detailed on the development approval 5.2018.166.1 granted on 21 August 2018 continue to apply to this approval except as follows:

1.1 Condition 1 is modified to read as follows:

1. This approval is valid for two years from the date of this approval.

1.2 Advice Note 2 is added to read as follows:

2. In relation to Condition 1, a further two years is added to the date by which the development is to be substantially commenced, pursuant to Schedule 3, Condition 3.1 of the Clause 78H current Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 22 April 2022.

PURPOSE OF REPORT:

To consider an application to amend a previous development approval for proposed alterations and additions to single house at No. 7 Galwey Street, Leederville (subject site).

PROPOSAL:

The application proposes to amend a previous development approval by extending the period of time to substantially commence the development.

This previous approval for the development was required to be substantially commenced by 9 February 2020. This did not happen and the approval has lapsed.

The proposed development is for three storey alterations and additions to an existing single house. This would provide for a rear extension to the existing house and would have an upper floor, ground floor and basement level.

The development plans for this current application have not been modified since the previous approval was granted.

A location plan is included as **Attachment 1** and the proposed development plans are included as **Attachment 2**.

BACKGROUND:

Landowner:	Nicola Limond
Applicant:	Nicola Limond
Date of Application:	24 January 2022
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R40
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Single House
Lot Area:	313m ²
Right of Way (ROW):	No
Heritage List:	No

Site Context and Zoning

The subject site is bound by Galwey Street to the north and residential dwellings to the south, east and west.

The subject site and all adjoining properties are zoned Residential R40 under the City's Local Planning Scheme No. 2 (LPS2). The subject site and all adjoining properties are within the Residential built form area and have a building height standard of two storeys under the City's Policy No. 7.1.1 – Built Form (Built Form Policy).

The prevailing streetscape context is generally existing retained character dwellings which are single storey with some two storey development. There are three storey developments under construction within the vicinity particularly at the intersection of Loftus and Galwey Streets.

The subject site slopes down from north to south by approximately 1.5 metres.

Previous Approvals

At its Ordinary Meeting held on 9 February 2016, Council resolved to approve a development application for alterations and additions to the existing single house at the subject site which was valid for a period of two years.

At its Ordinary Meeting held on 21 August 2018, Council resolved to approve a development application to extend the validity of the 2016 approval for a further two years. No changes to the plans were made from the 2016 approval.

The most recent approval expired on 9 February 2020.

The minutes from Council's 9 February 2016 and 21 August 2018 Ordinary Meetings and the previously approved plans from 2018 are included as **Attachment 3**.

Compliance History

The City's Compliance team has been investigating a compliance matter relating to unauthorised works at the subject site. These investigations relate to alleged site works affecting other land which include the altering of ground levels and the construction of steps to the rear of the property. These matters are not the subject of this application.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Local Planning Scheme No. 2 (LPS2), the City's Policy No. 7.1.1 – Built Form 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	Deemed-to-Comply	Requires Discretion and was Previously Approved	Requires Additional Discretion that was Not Previously Approved
Street Setback	✓		
Lot Boundary Setback/Boundary Walls		✓	
Open Space	✓		
Building Height		✓	
Setback of Garages and Carports	✓		
Street Surveillance	✓		
Sight Lines	✓		
Outdoor Living Areas		✓	
Landscaping (R Codes)	✓		
Parking and Access	✓		
Site Works and Retaining Walls	✓		
Visual Privacy	✓		
Solar Access	✓		
Outbuildings	✓		
External Fixtures, Utilities and Facilities	✓		

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

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

The planning 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
<p>Built Form Policy Volume 1 Clause 5.2</p> <p><u>Lot Boundary Setback</u></p> <p><i>Western Boundary</i> Ground Floor Dining – 1.6 metres</p> <p><i>Eastern Boundary</i> Ground Floor Stair – 1.7 metres</p>	<p><u>Lot Boundary Setback</u></p> <p><i>Western Boundary</i> Ground Floor Dining – 1.4 metres</p> <p><i>Eastern Boundary</i> Ground Floor Stair – 1.1 metres</p>
Building Height	
Deemed-to-Comply Standard	Proposal
<p>Built Form Policy Volume 1 Clause 5.6</p> <p>The building height standard is two storeys.</p> <p>The building is permitted to have a wall height of 7.0 metres.</p>	<p>The building would be three storeys.</p> <p>The building would have a wall height of 7.15 metres.</p>

Outdoor Living Areas	
Deemed-to-Comply Standard	Proposal
<p>R Codes Clause 5.3.1</p> <p>The outdoor living area standards are:</p> <ul style="list-style-type: none"> • A minimum size of 20 square metres. • Directly accessible from the primary living space of the dwelling. • A minimum length and width dimension of 4 metres. 	<p>The outdoor living area would have the following:</p> <ul style="list-style-type: none"> • A size of 17.6 square metres. • Not be directly accessible from the primary living space of the dwelling. • A minimum dimension of 2.2 metres.

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the City's Community and Stakeholder Engagement Policy for a period of 22 days from 6 April 2022 to 28 April 2022. The method of consultation included notice on the City's website and nine letters mailed to all owners and occupiers of the properties adjoining the subject site, as shown in **Attachment 1**.

At the conclusion of the community consultation period a total of two submissions were received. One of these supported the proposal and the other objected to the proposal.

The submission supporting the proposal did not provide any comments.

The submission objecting to the proposal raised the following concerns:

- Privacy impact to the adjoining property from the construction of retaining walls currently underway and the increasing of natural ground levels of the site; and
- Natural ground levels are either not shown on the development plans or are not accurate.

Administration's response to the concerns are:

- The current application relates to the extension of the approval timeframe for the proposed alterations and additions to the existing single house;
- The application does not propose any increases to the existing natural ground levels on the site, with only excavation proposed;
- The natural ground levels are shown on the development plans. The development is to accord with the floor levels as shown on the development plans; and
- Concerns relating to unauthorised works, including changes to ground levels, are a separate matter that is outside the scope of this application. These concerns are being investigated separately by the City's Compliance team and are not the subject of this application.

The applicant provided a written response to the submissions received during community consultation which is included in **Attachment 4**.

The lot boundary setbacks to the eastern and western boundaries were advertised, although the deemed-to-comply standard was identified at the time as being 1.5 metres rather than 1.6 metres to the western boundary and 1.5 metres rather than 1.7 metres to the eastern boundary. The proposed setbacks were not re-advertised because no submissions were received in relation to the lot boundary setbacks and the extent of the discrepancy would not significantly impact the amenity of the adjoining properties compared to what was advertised. The plans that were advertised are also the same as those that were previously approved and do not incorporate any changes. Administration has since notified submitters of the advertising discrepancy.

Design Review Panel (DRP):

Referred to DRP: No

The application was not referred to the City's Design Review Panel as no modifications are proposed to the previously approved plans.

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.

The application to amend an approval can be considered and determined in accordance with Clause 77 of the Regulations. This allows the application to be made during or after the period within which the development must be substantially commenced.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the Regulations 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.

Unless otherwise specified, two years is the period in which an approved development is to be substantially commenced in accordance with Schedule 2, Clause 71(a) of the Regulations.

Under Clause 78H of the Regulations provides authority for the Minister for Planning to apply exemptions against the requirements of local planning schemes during a State of Emergency.

In accordance with Condition 3.1 in Schedule 3 of the current Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 22 April 2022, a further two years is added to the date by which the development is to be substantially commenced.

This would mean the development, if approved, would need to be substantially commenced within a four year period.

Delegation to Determine Applications:

This matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to applications for development approval that propose a height of three storeys or more and do not meet the applicable Building Height deemed-to-comply standards. The amendment proposed would also change the substantial commencement period of the previous development approval that was issued by Council.

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 Policy No. 7.1.1 – Built Form. 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 budget implications from this report.

COMMENTS:

The Regulations allow for an application to be made for the substantial commencement date of a development approval to be extended. The Regulations do not contain specific considerations to guide how this discretion should be exercised.

The State Administrative Tribunal has made decisions that relate to development approval extensions and that identify relevant considerations that should be taken into account. These considerations are:

1. Whether the planning framework had changed substantially since the development approval was granted;
2. Whether development would likely receive approval now; and
3. Whether the proponent has actively and relatively conscientiously pursued the implementation of the development approval.

Each of these relevant considerations are discussed below.

1. Planning Framework Changes

The planning framework applicable to the subject site has not substantially changed since the previous approval was issued.

The application that was previously approved in 2018 was assessed against the local planning framework that was in place at that time. This included LPS2, the R Codes and the City's local planning policies which included the Built Form Policy.

Since the 2018 development approval, the zoning and density code of the subject site has not changed with it remaining Residential R40 under LPS2. The site has also remained as two storeys building height standard and Residential built form area under the City's Built Form Policy.

Changes have occurred to the City's built form policy provisions and the R Codes since the 2018 approval that are relevant to the assessment of this application, these include:

- The permitted wall height deemed-to-comply standard in a two storey area under the Built Form Policy has increased from 6.0 metres to 7.0 metres.
- The R Codes has introduced an additional deemed-to-comply standard for outdoor living areas to be accessible from the primary living space of the dwelling instead of any habitable room.

These changes do not represent a substantial change to the planning framework.

The acceptability of the development proposal considered against the changes to the built form policy provisions and the R Codes is detailed below.

2. Acceptability of the Proposed Development

The previously approved development did not satisfy all of the deemed-to-comply provisions of the City's Policies or the R Codes. Discretion was exercised by Council and some of the planning elements were deemed to meet the relevant design principles.

This application does not seek to alter any part of the previously approved development and there are no changes from the plans previously approved by Council in 2018.

The acceptability of each planning element that requires consideration against the relevant design principles of the current Built Form Policy and R Codes is detailed below.

Lot Boundary Setbacks

The proposed development does not meet the R Codes deemed-to-comply standards relating to lot boundary setbacks from the ground floor to the western boundary and the eastern boundary.

The proposed lot boundary setbacks would satisfy the local housing objectives of the Built Form Policy and the design principles of the R Codes for the following reasons:

- Solar Access: The proposed setbacks would not have an adverse impact on the western and eastern adjoining properties' access to direct winter sunlight. This is due to the orientation of the lots, with shadow cast from the dwellings falling to the south and onto the subject site itself.
- Ventilation: The minimum 1.1 metre setback of the ground floor elevations from the western and eastern boundaries would ensure adequate ventilation is provided to both the subject site and the adjoining properties.
- Visual Privacy: The proposed walls meet the visual privacy deemed-to-comply standards as no openings are proposed on either the western and eastern elevations.
- Building Bulk: Building bulk impact to adjacent properties is reduced due to the walls being setback, the walls located on the ground floor, the use of colours and materials including face brick and rendered brick to break up the appearance of blank walls.
- Landscaping: An Ornamental Pear Tree is proposed to be retained along the eastern boundary which will assist with reducing the impact of building bulk on adjoining properties.
- Visibility from the Street: The walls would not be visible from the street because they are located to the rear of the ground floor.
- Development on Adjoining Properties:
 - The subject ground floor stair wall abuts the western elevation of the dwelling at No. 5 Galwey Street. The portion of the dwelling on the adjoining property that is directly adjacent to the proposed development does not contain any major openings.
 - The subject ground floor dining wall abuts the eastern elevation of the dwelling at No. 9 Galwey Street and open space at the rear of the site. The portion of the dwelling on the adjoining property that is directly adjacent to the subject wall does not contain major openings to habitable rooms. The adjacent open space area is also not the primary outdoor living area of the dwelling and suitable separation is provided to reduce the amenity impact on the adjoining property.

Building Height

The Built Form Policy building height deemed-to-comply standard for the development is two storeys with a top of wall height of 7.0 metres. The application proposes a building height of three storeys with a top of wall height of 7.15 metres.

The proposed building height would satisfy the local housing objectives of the Built Form Policy and the design principles of the R Codes for the following reasons:

- Streetscape Impact: The three storey addition is predominately to the rear of the development site, and the basement level is significantly below ground level. This assists in mitigating the impact of bulk to the existing streetscape. The proposed wall height would have minimal visual impact on the existing and desired streetscape, as the dwelling would appear as two storeys from Galwey Street. The development also incorporates a range of materials and finishes such as render, face brick and weatherboard which are consistent with the existing single house and sympathetic to the visual character of the existing streetscape.
- Roof Height: The overall building height measured to the pitch of the roof satisfies the deemed-to-comply standards. The pitched roof would have a height 8.45 metres which is below the deemed-to-comply standard of 10.0 metres.
- Overshadowing: The proposed development and wall height satisfies the deemed-to-comply standards relating to solar access (overshadowing) in the R Codes.
- Access to Views: The proposed height would have a negligible impact on access to views of significance towards the City from the northern adjoining properties given the site slopes down to the south and as the development presents as two storeys to Galwey Street to the north.
- Natural Ground Levels: The proposed height predominately results from the slope in the development site, which slopes down by 1.5 metres from north to south. In establishing the finished floor level of the proposed development that is affected by a slope, a portion of the upper floor wall exceeds the

deemed-to-comply standard by 0.15 metres. The proposed design reduces building bulk impacts to adjoining properties through the provision of varying and sympathetic colours, materials and roof forms.

- Visual Privacy: All openings would satisfy the deemed-to-comply standards of the R Codes, as a result of Condition 2 of the previous development approval which is recommended to be retained.

Outdoor Living Areas

The R Codes outdoor living area (OLA) deemed-to-comply standards sets out a minimum of 20 square metres in size, directly accessible from the primary living space of the dwelling, and that has a minimum length and width dimension of 4 metres. The application proposes a 17.6 square metre outdoor living area with a minimum dimension of 2.2 metres which is not accessible from the primary living space of the dwelling.

The proposed outdoor living area (OLA) satisfies the design principles of the R Codes for the following reasons:

- Size: The size would provide for a functional and useable outdoor space, and that would allow for landscaping to be retained surrounding the OLA.
- Use: The OLA is capable of use in conjunction with a habitable room of the dwelling being the games/bedroom/store on the lower ground level. The stairs up from the lower ground level also directly connect to the primary living space of the dwelling, being the living and dining rooms.
- Orientation: Although the OLA is located to the south of the site, there is no covered portion. This means that the area has sufficient access to winter sun and ventilation, along with providing area for landscaping.

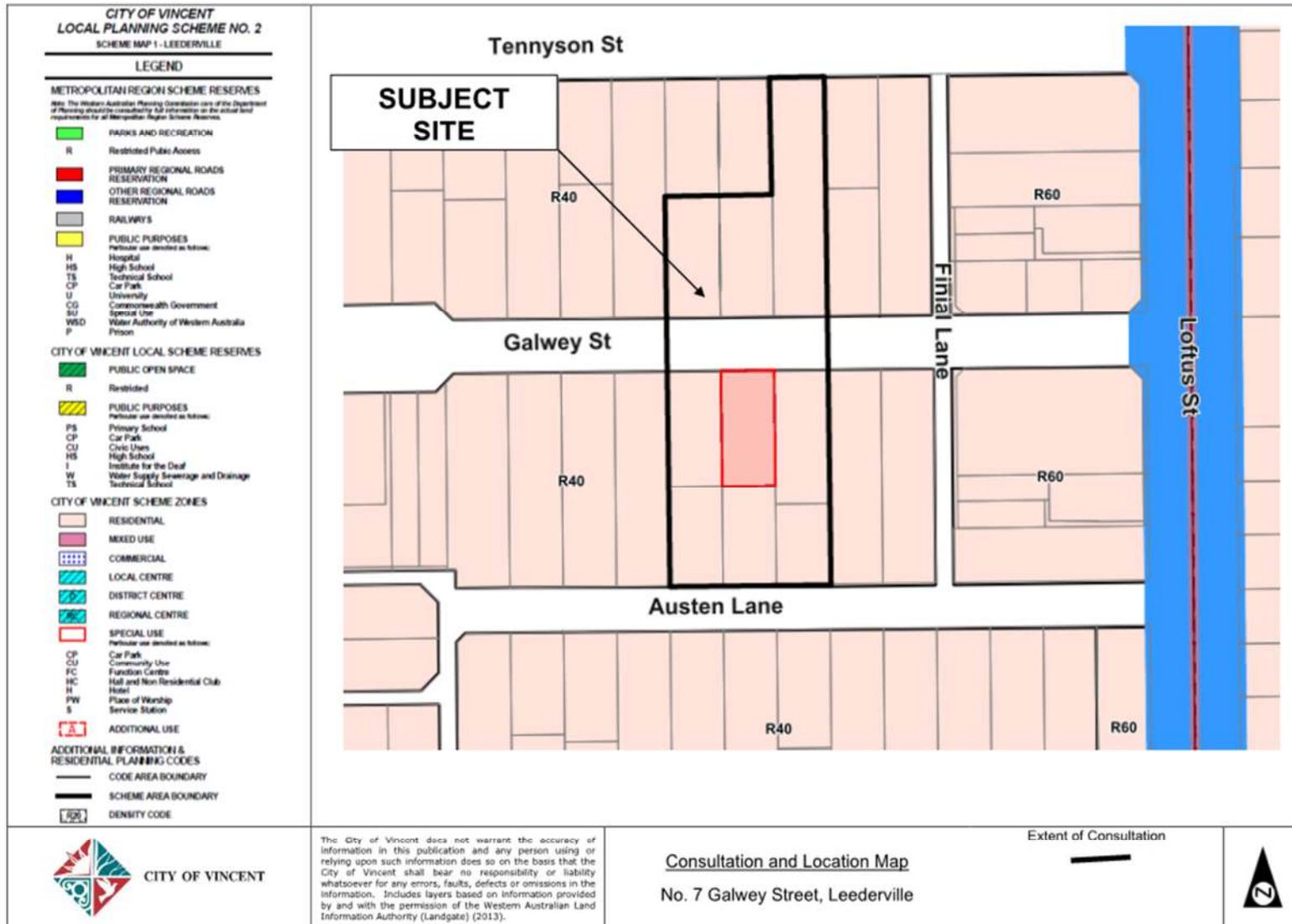
3. Implementation of Previous Development Approval

The applicant is seeking a time extension to commence works due to delays with the project. This is set out in the applicant's supporting information contained in **Attachment 4**.

The applicant has advised that the delays in pursuing the implementation of the development approval have occurred due to the following reasons:

- The owner works away from Perth.
- Concerns relating to job security as a result of the COVID-19 pandemic.

The applicant advised that they are looking to pursue the development and that a builder has now been appointed to undertake the proposed works.





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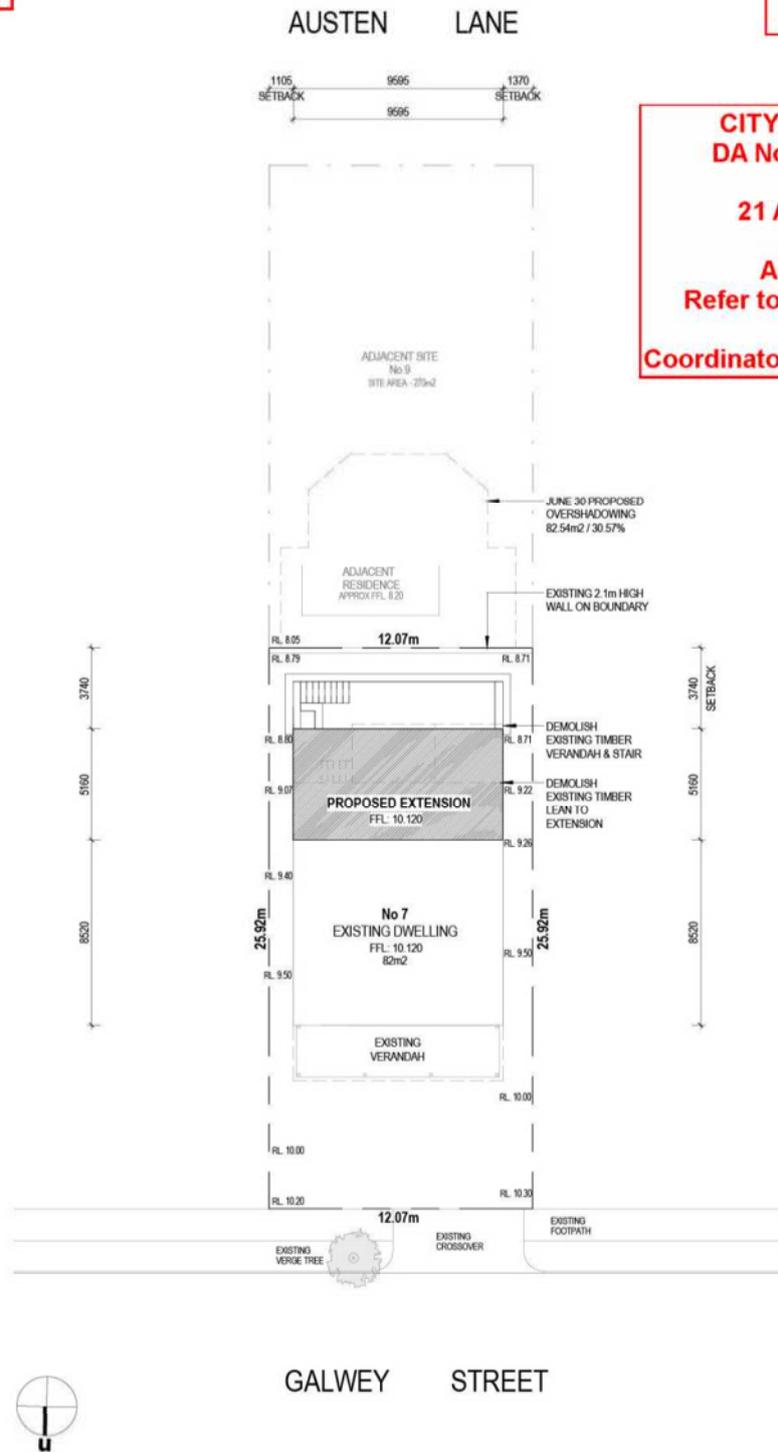
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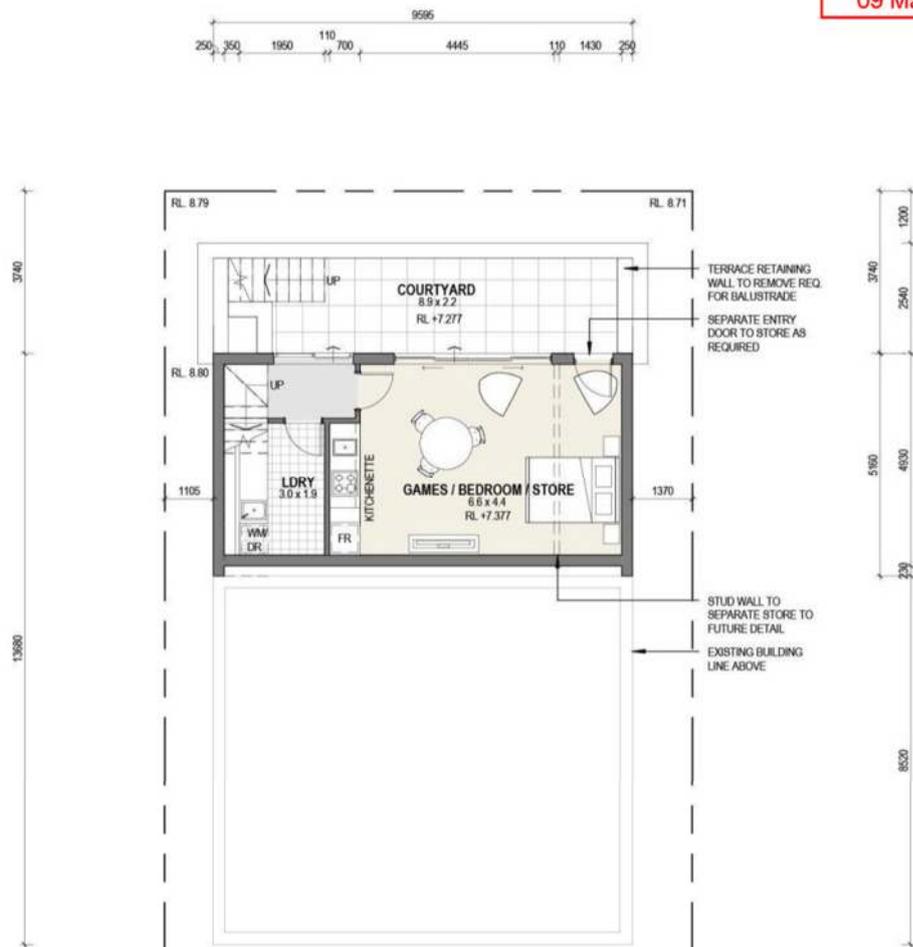
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2	AMENDED DA	04.01.2015
1	FOR REVIEW	22.12.2015
Issue	Revision Description	Date

PA.
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Atanasoff Design

DRAWING TITLE SITE PLAN			
PROJECT NAME LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER 0117	SCALE 1:200	DRAWING NUMBER AP-1001	DATE 04.01.2016
			REVISION NUMBER 2

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2	AMENDED DA	04.01.2015	
1	FOR REVIEW	22.12.2015	
Issue	Revision Description	Date	

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DRAWING TITLE: PROPOSED BASEMENT			
PROJECT NAME: LIMOND, 7 Calwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:100	DRAWING NUMBER: AP-2001	DATE: 04.01.2016
			REVISION NUMBER: 2

AREA TABLE

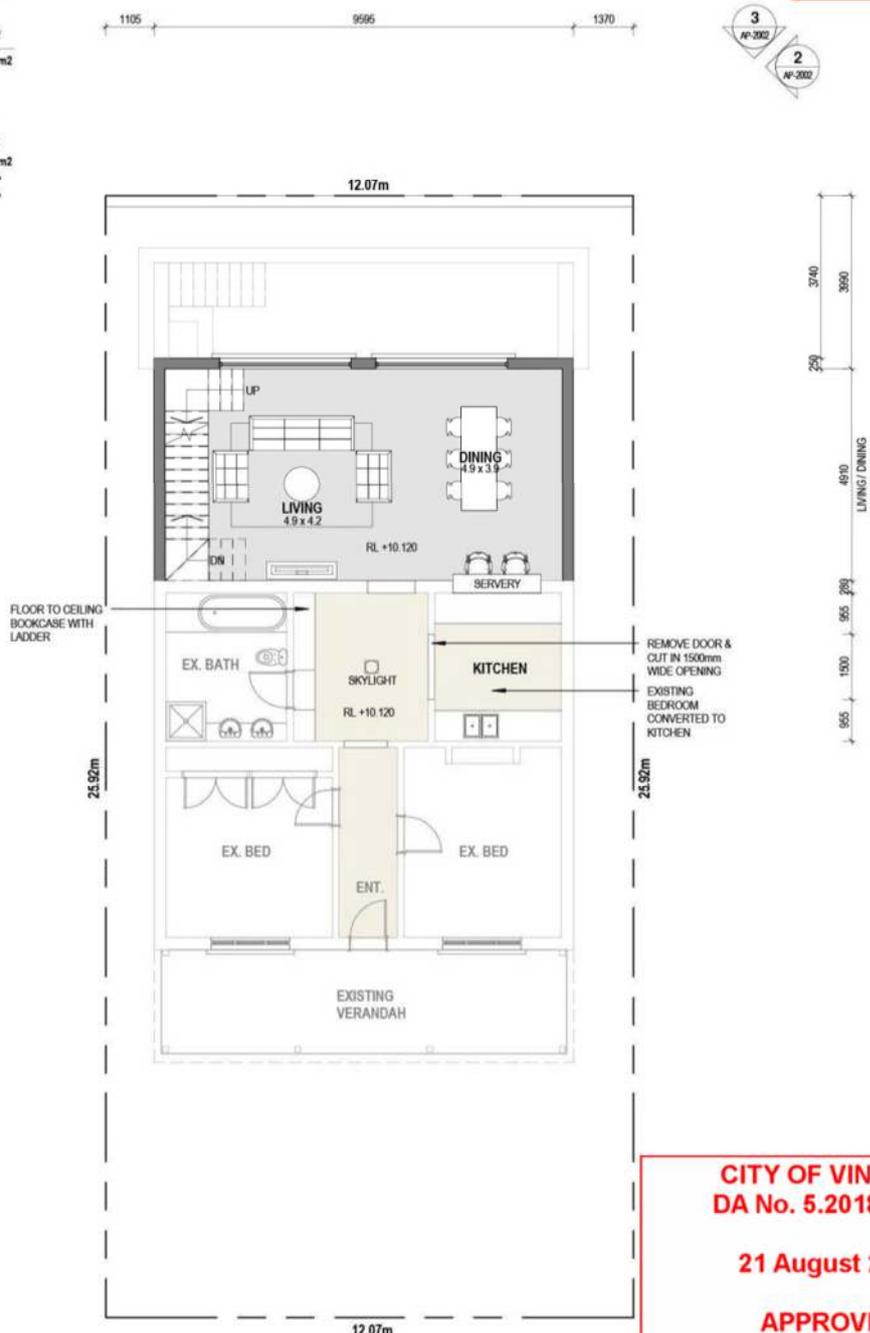
PROPOSED EXTENSION	
BASEMENT	49.51m ²
GROUND FLOOR	49.51m ²
FIRST FLOOR	68.19m ²
BALCONY	21.03m ²
CARPORT	34.12m ²
EXISTING BUILDING	82.0m ²
TOTALS	55.16m² 249.21m²

SITE COVERAGE

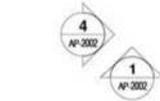
ZONING	R40
SITE AREA	313m ²
PROPOSED SITE COVERAGE	131.26m ²
	41.94%
PROPOSED OPEN SPACE	58.06%

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GALWEY STREET

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2	AMENDED DA	04.01.2016
1	FOR REVIEW	22.12.2015
Issue	Revision Description	Date

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DRAWING TITLE: PROPOSED GROUND FLOOR PLAN			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:100	DRAWING NUMBER: AP-2002	DATE: 04.01.2016
			REVISION NUMBER: 2

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DA No. 5.2018.166.1**

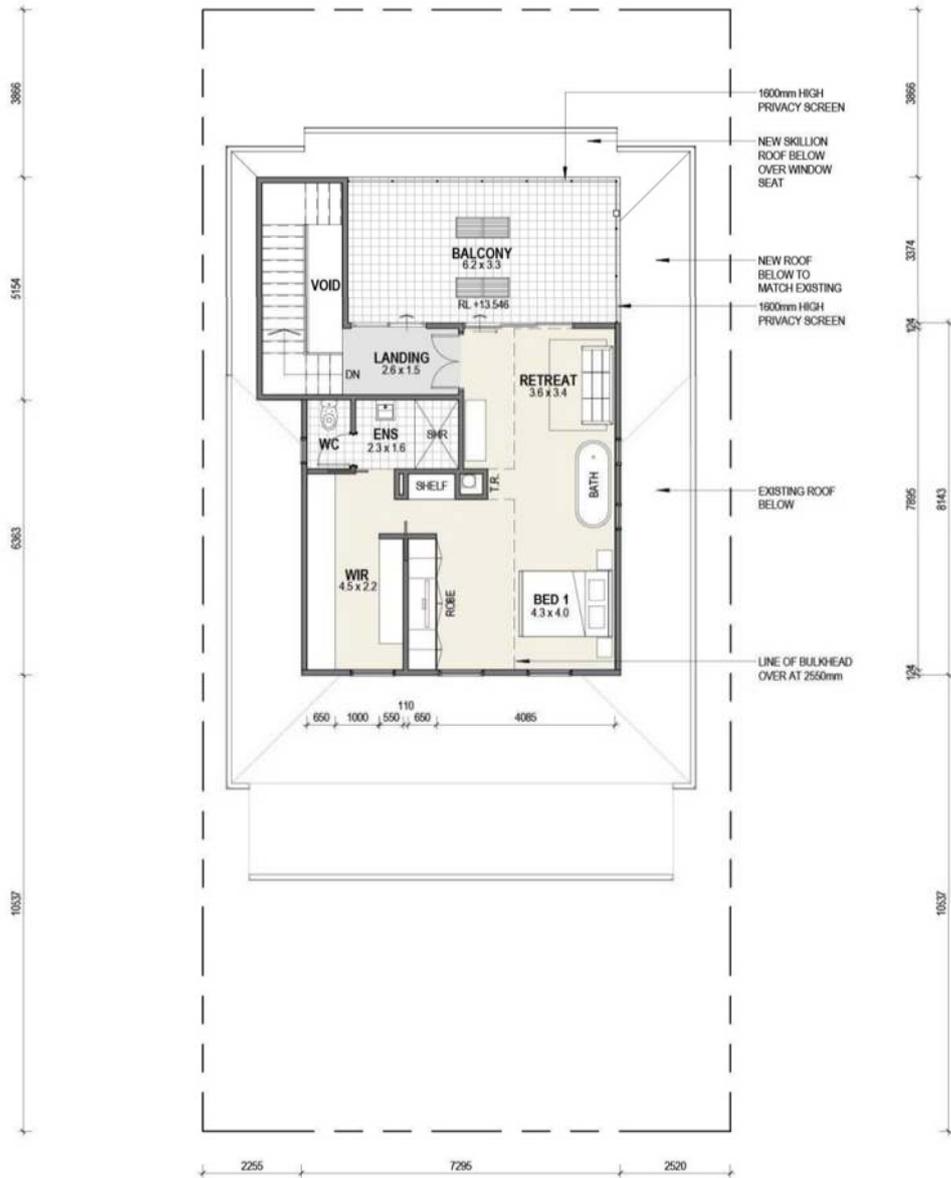
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Issue	Revision Description	Date
2	AMENDED DA	04.01.2016
1	FOR REVIEW	22.12.2015

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DRAWING TITLE: PROPOSED FIRST FLOOR			
PROJECT NAME: LIMOND, 7 Calwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:100	DRAWING NUMBER: AP-2003	DATE: 04.01.2016
			REVISION NUMBER: 2

FAÇADE LEGEND AND NOTES

- F01 CUSTOM ORB - "ZINCALUME"
- F02 SCYON LINEA WEATHERBOARD - "DULUX SELF DESTRUCT" PAINT FINISH
- F03 RECYCLED RED CLAY FACE BRICK
- F04 PAINTED SAND FINISH RENDER - TO MATCH EXISTING
- OB. OBSCURE GLAZING

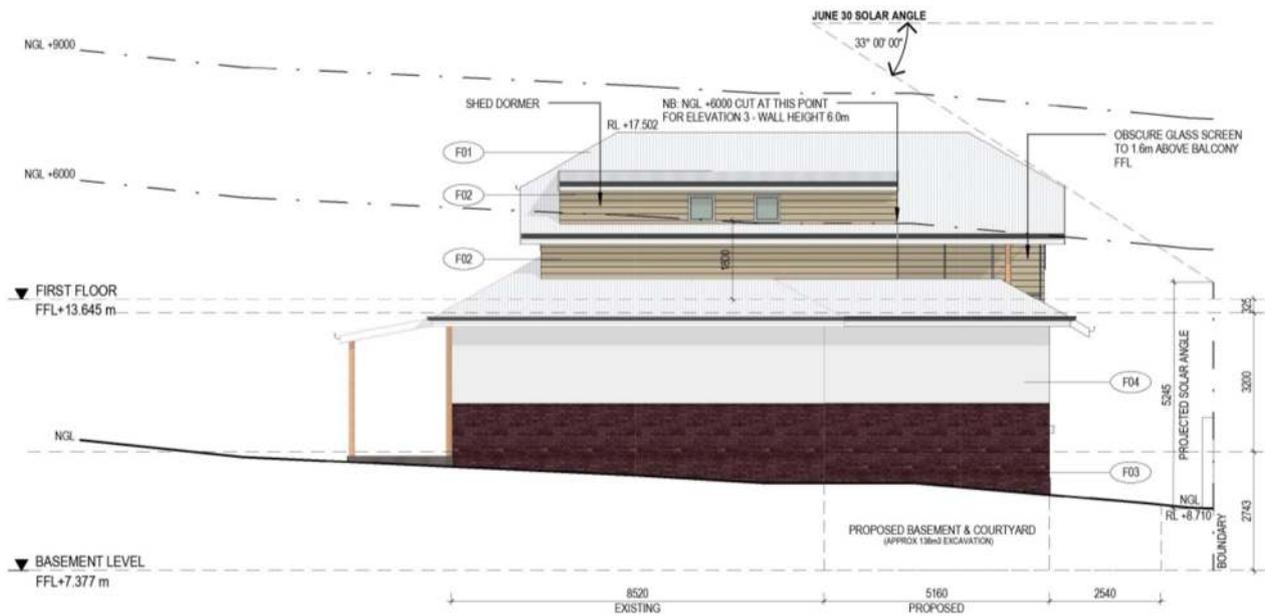
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1 ELEVATION 1 - GALWEY STREET
AP-2002 1:100



2 ELEVATION 2
AP-2002 1:100

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2	AMENDED DA	04.01.2016	
1	FOR REVIEW	22.12.2015	
Issue	Revision Description	Date	

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DRAWING TITLE: ELEVATIONS			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: As indicated	DRAWING NUMBER: AP-4001	DATE: 04.01.2016
			REVISION NUMBER: 2

FAÇADE LEGEND AND NOTES

- (F01) CUSTOM ORB - "ZINCALUME"
- (F02) SCYON LINEA WEATHERBOARD - "DULUX SELF DESTRUCT" PAINT FINISH
- (F03) RECYCLED RED GLAY FACE BRICK
- (F04) PAINTED SAND FINISH RENDER - TO MATCH EXISTING
- OB. OBSCURE GLAZING

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CITY OF VINCENT
DA No. 5.2018.166.1

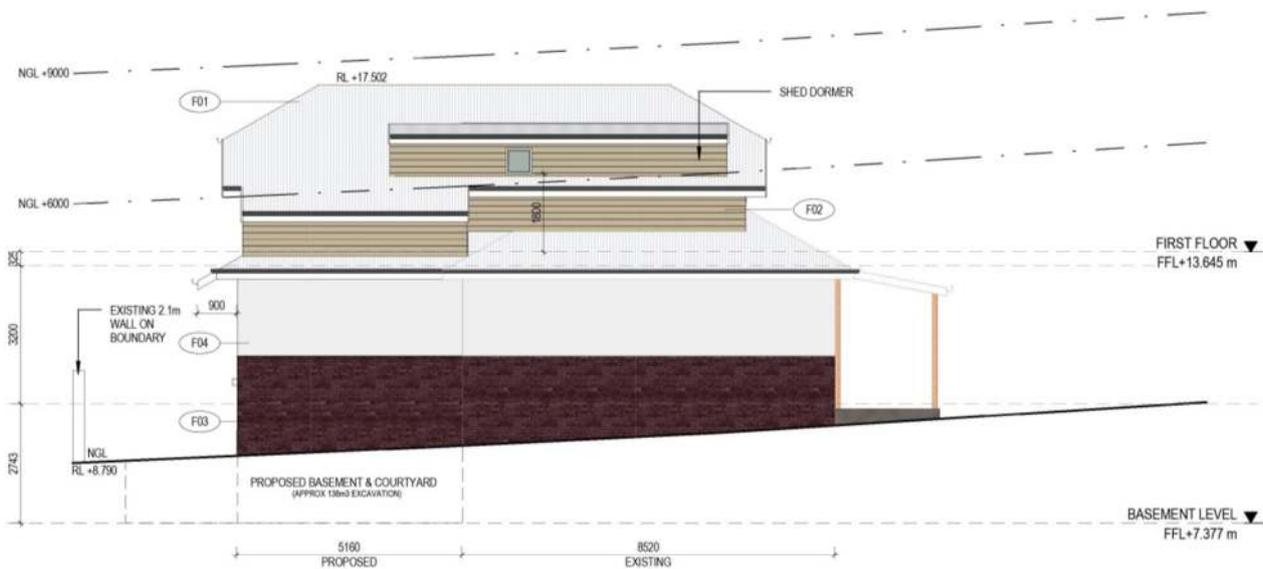
21 August 2018

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3 ELEVATION 3
AP-2002 1:100



4 ELEVATION 4
AP-2002 1:100

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2	AMENDED DA	04.01.2016	
1	FOR REVIEW	22.12.2015	
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DRAWING TITLE: ELEVATIONS			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: As indicated	DRAWING NUMBER: AP-4002	DATE: 04.01.2016
			REVISION NUMBER: 2

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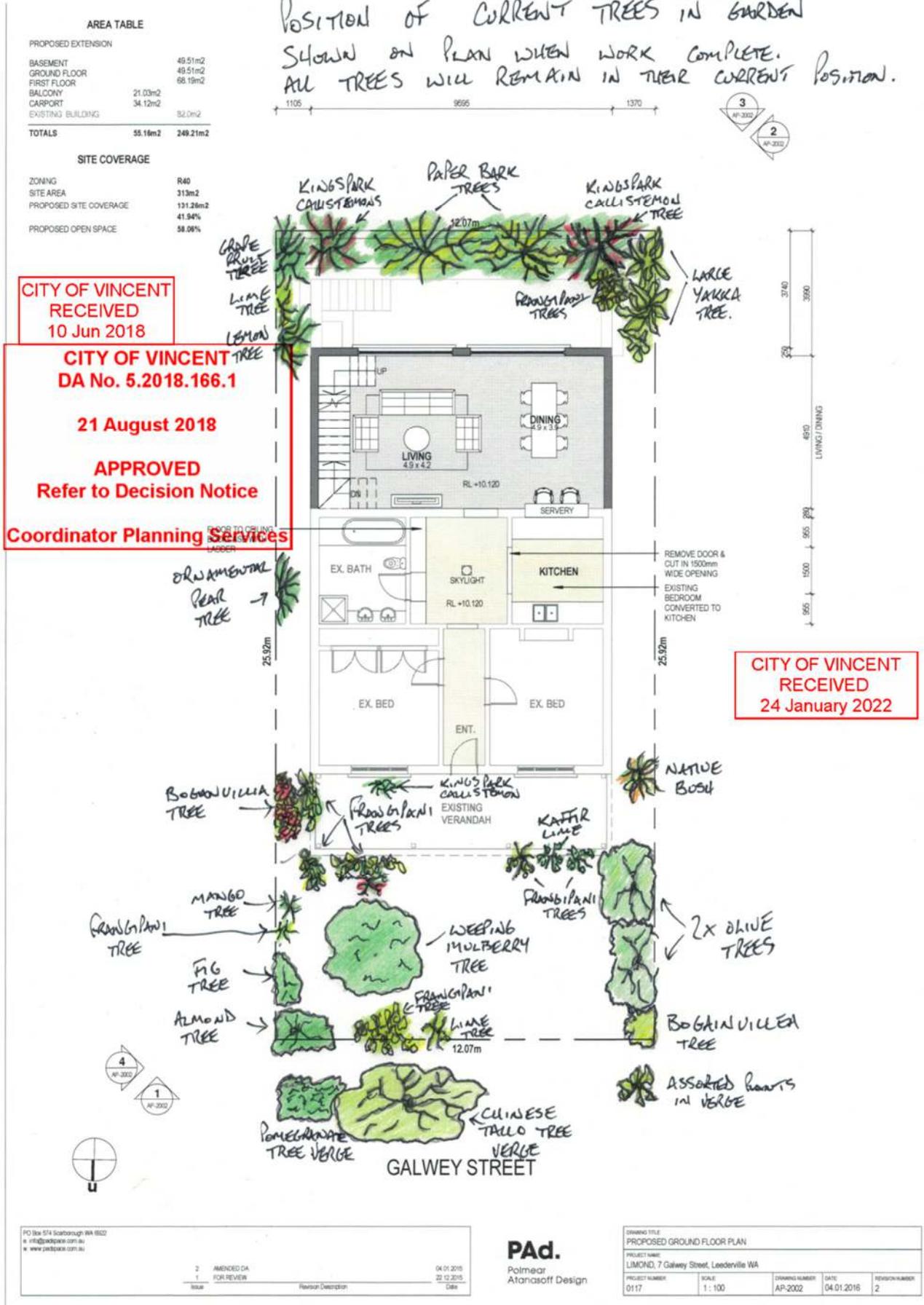
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2	AMENDED DA	04.01.2018	
1	FCR REVIEW	22.12.2015	
Issue	Revision Description	Date	

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DRAWING TITLE: FACADE PERSPECTIVES			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE:	DRAWING NUMBER: AP-2007	DATE: 04.01.2018
		REVISION NUMBER: 2	



ORDINARY MEETING OF COUNCIL
9 FEBRUARY 2016

6

CITY OF VINCENT
MINUTES

9.1.4 No. 7 (Lot: 1; D/P: 43011) Galwey Street, Leederville – Proposed Alterations and Three Storey Addition to Existing Single Dwelling

Ward:	North Ward	Date:	15 January 2016
Precinct:	Precinct 3 – Leederville	File Ref:	PR27785; 5.2015.396.1
Attachments:	<u>1</u> – Consultation Map <u>2</u> – Development Application Plans <u>3</u> – Applicant's Justification <u>4</u> – Marked up plans showing proposed versus required setbacks <u>5</u> – Overshadowing Diagram		
Tabled Items:	Nil		
Reporting Officer:	S Laming, Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

OFFICER RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by D & N Limond on behalf of the owner N J Limond, for the proposed Alterations including three storey addition to an Existing Single Dwelling at No. 7 (Lot: 1; D/P: 43011) Galwey Street, Leederville as shown on plans date stamped 5 January 2016, included as Attachment 2, subject to the following conditions:

1. **External Fixtures**

All external fixtures shall not be visually obtrusive from Galwey Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

2. **Verge Trees**

The verge trees shall be retained and protected from any damage including unauthorised pruning and no verge trees shall be removed;

3. **Stormwater**

All storm water produced on the subject land shall be retained onsite, by suitable means to the satisfaction of the City;

4. **Prior to the issue of a Building Permit, the following shall be submitted to and approved by the City:**

4.1 **Revised Plan**

The applicant shall provide revised plans denoting the following:

4.1.1 **Visual Privacy**

All openings on the first and second levels comply with the privacy requirements of the Residential Design Codes to the satisfaction of the City; and

5. **Prior to occupation of the development, all privacy screening shall be installed to the satisfaction of the City.**

ORDINARY MEETING OF COUNCIL
9 FEBRUARY 2016

7

CITY OF VINCENT
MINUTES

ADVICE NOTES:

1. With reference to Condition 3 above, please note that no further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings;
2. A Road and Verge security bond for the sum of \$2000, shall be lodged with the City by the applicant, prior to the issue of a building permit, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the security bond shall be made in writing. The bond is non-transferable;
3. 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 a request to erect scaffolding, site fencing etc. or if building materials is 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; and
4. Any new street/front wall, fence and gate within the Galwey Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Buckels, Seconded Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (8-0)

(Cr McDonald was on approved leave of absence for the Meeting.)

ORDINARY COUNCIL MEETING MINUTES

21 AUGUST 2018

9.3 NO. 7 (LOT 1; STR: 43011) GALWEY STREET, LEEDERVILLE - PROPOSED EXTENSION TO THE PERIOD OF APPROVAL: PROPOSED ALTERATIONS AND THREE STOREY ADDITION TO SINGLE HOUSE

TRIM Ref: D18/82331
Author: Emily Andrews, Urban Planner
Authoriser: Luke Gibson, A/Director Development Services
Ward: North

Attachments:

1. Attachment 1 - Consultation and Location Map 
2. Attachment 2 - Previous Approval and Plans 
3. Attachment 3 - Development Plans 
4. Attachment 4 - Application Submission 
5. Attachment 5 - Summary of Submissions 

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 extend the period in which the development must be substantially commenced at No. 7 (Lot 1; STR: 40311) Galwey Street, Leederville, for development approval 5.2015.396.1 granted by Council on 9 February 2016 for Proposed Alterations and Three Storey Addition to Existing Single Dwelling subject to the following conditions:

1. The extension of time is granted for a period of two years, being to 9 February 2020;
2. Prior to the issue of a Building Permit, the applicant is to demonstrate that the proposed balcony screening and living / dining windows meet the deemed-to-comply standards of the Residential Design Codes, as they relate to visual privacy; and
3. All other conditions, requirements and advice notes detailed on the development approval 5.2015.356.1 granted on 9 February 2016 continue to apply to this approval.

COUNCIL DECISION ITEM 9.3

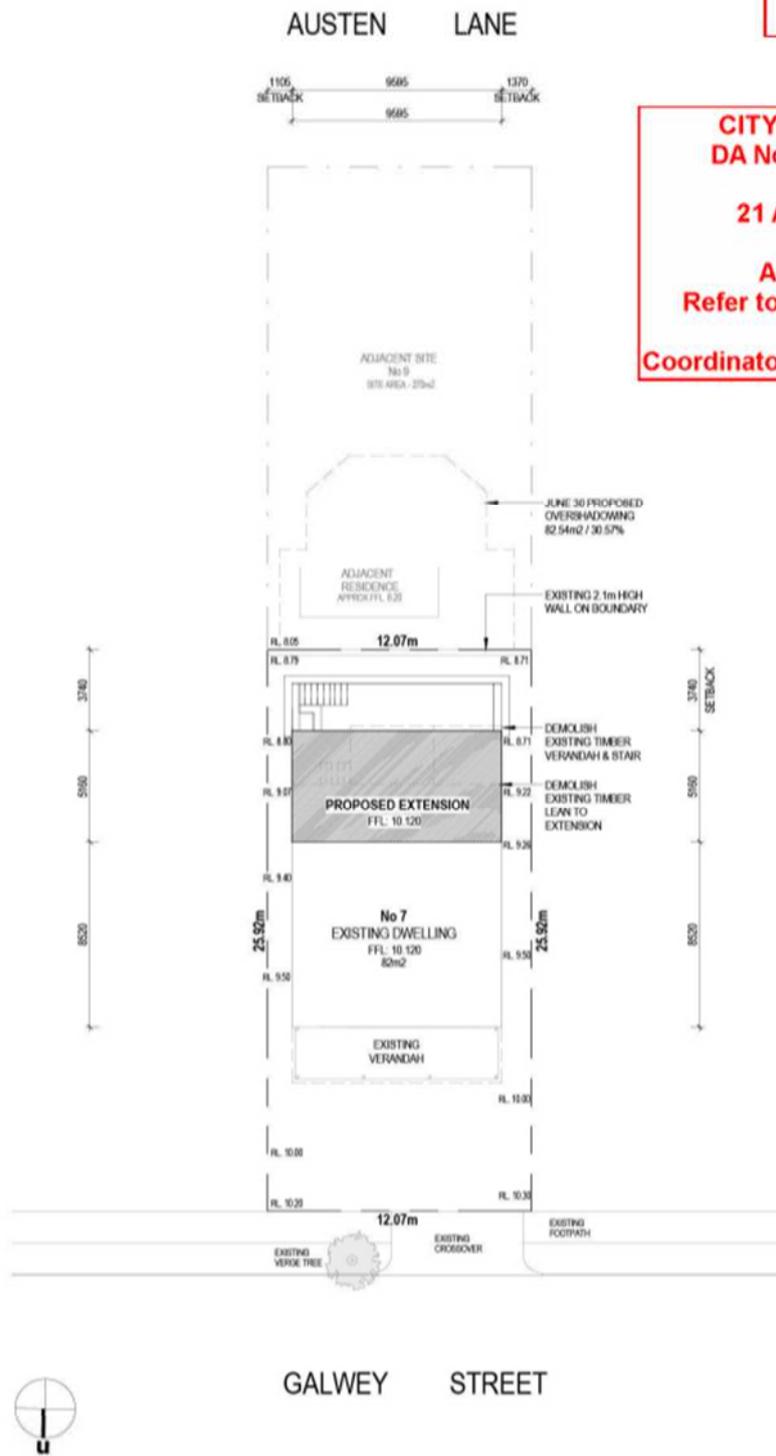
Moved: Cr Topelberg, **Seconded:** Cr Murphy

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (9-0)

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09 May 2018

CITY OF VINCENT
DA No. 5.2018.166.1
21 August 2018
APPROVED
Refer to Decision Notice
Coordinator Planning Services

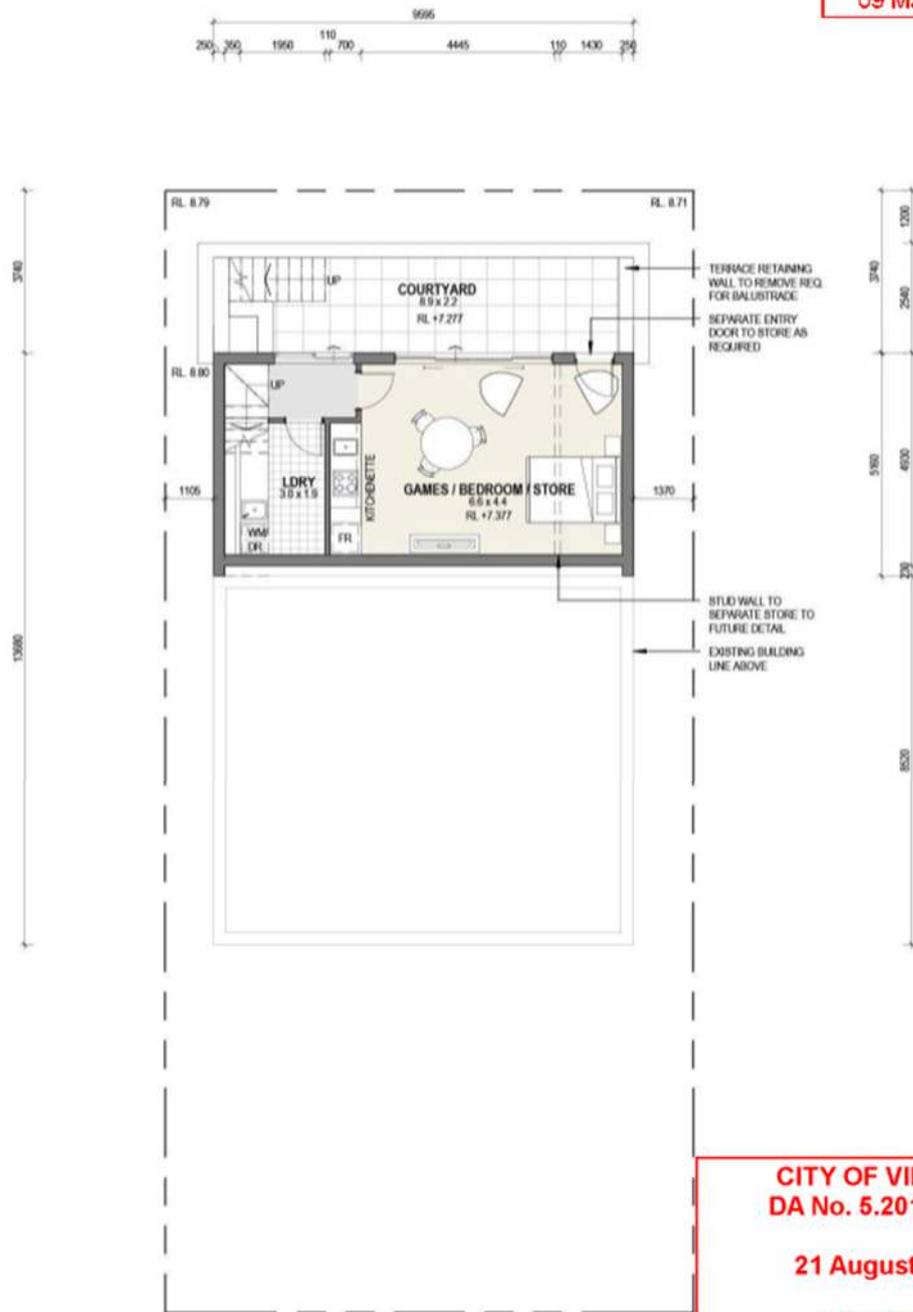


PO Box 574 Leederville WA 6022 e. info@pads.com.au w. www.pads.com.au	
2 AMENDED DA	24.01.2015
1 FOR REVIEW	22.02.2015
Issue	Date
Revision Description	

PAd.
Palmear
Atanasoff Design

DRAWING TITLE: SITE PLAN			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:200	DRAWING NUMBER: AP-1001	DATE: 04.01.2016
		REVISION NUMBER: 2	

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DRAWING TITLE: PROPOSED BASEMENT			
PROJECT NAME: LIMOND, 7 Gateway Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:100	ISSUANCE NUMBER: AP-2001	DATE: 04.01.2016
			REVISION NUMBER: 2

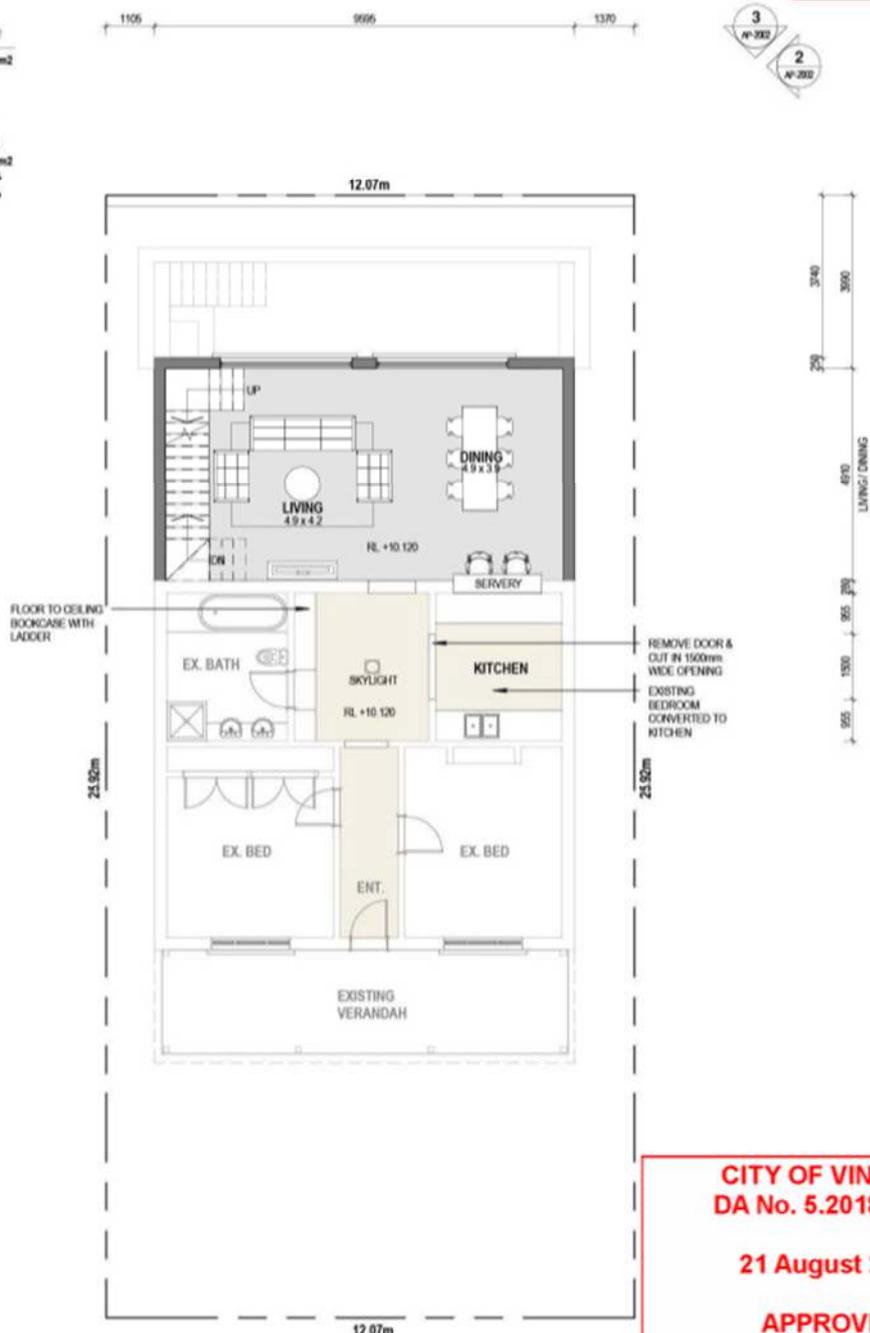
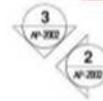
AREA TABLE

PROPOSED EXTENSION	
BASEMENT	48.51m ²
GROUND FLOOR	48.51m ²
FIRST FLOOR	68.19m ²
BALCONY	21.03m ²
CARPORT	34.12m ²
EXISTING BUILDING	82.0m ²
TOTALS	55.16m² 249.21m²

SITE COVERAGE

ZONING	R40
SITE AREA	313m ²
PROPOSED SITE COVERAGE	131.26m ²
PROPOSED OPEN SPACE	41.94%
PROPOSED OPEN SPACE	58.06%

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GALWEY STREET

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2 AMENDED DA 1 FOR REVIEW	34.01.2015 22.02.2015 Date
Author	Revision Description

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DRAWING TITLE: PROPOSED GROUND FLOOR PLAN			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: 1:100	ISSUANCE NUMBER: AP-2002	DATE: 04.01.2016
		REVISION NUMBER: 2	

**CITY OF VINCENT
DA No. 5.2018.166.1**

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2	AMENDED DA	24.01.2015
1	FSR REVIEW	22.02.2015
Issue	Revision Description	Date

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DRAWING TITLE: PROPOSED FIRST FLOOR				
PROJECT NAME: LIMOND, 7 Gateway Street, Leederville WA				
PROJECT NUMBER: 0117	SCALE: 1:100	DRAWING NUMBER: AP-2003	DATE: 04.01.2016	REVISION NUMBER: 2

FAÇADE LEGEND AND NOTES

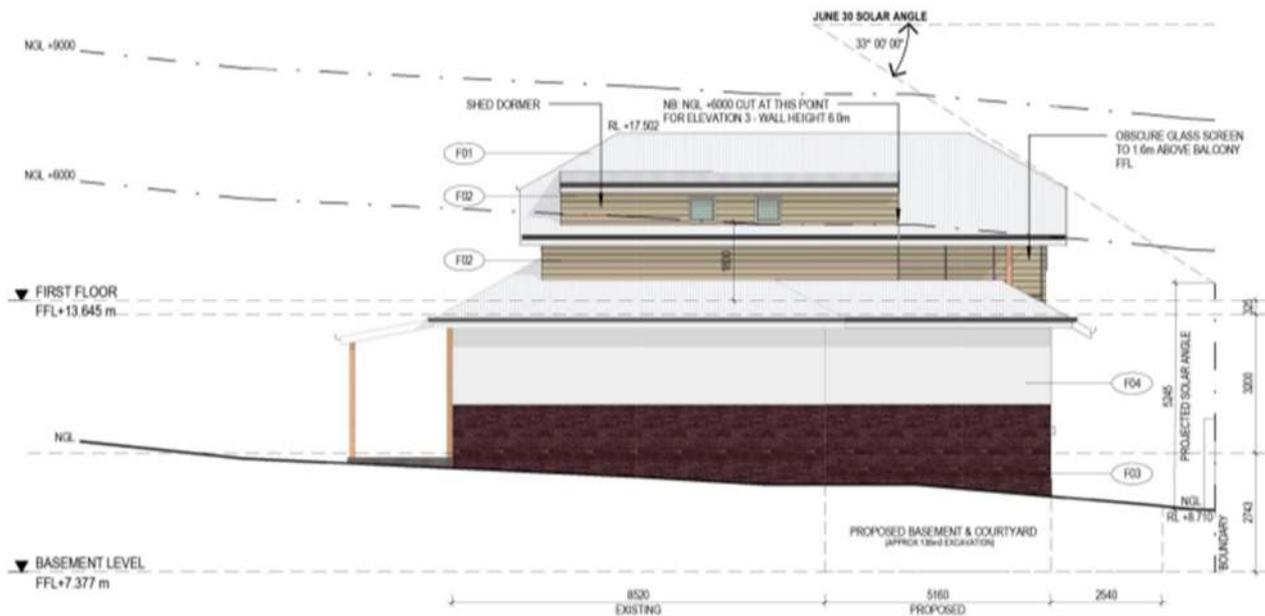
- (F01) CUSTOM ORB - "ZINCALUME"
- (F02) SCYON LINEA WEATHERBOARD - "DULUX SELF DESTRUCT" PAINT FINISH
- (F03) RECYCLED RED CLAY FACE BRICK
- (F04) PAINTED SAND FINISH RENDER - TO MATCH EXISTING
- OB. OBSCURE GLAZING

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DA No. 5.2018.166.1
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1 ELEVATION 1 - GALWEY STREET
AP-2002 1:100



2 ELEVATION 2
AP-2002 1:100

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2	AMENDED DA
1	FOR REVIEW
Issue	Revision Description
04.01.2016	30.12.2016
Date	Date

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DRAWING TITLE: ELEVATIONS			
PROJECT NAME: LIMOND, 7 Galwey Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: As indicated	DRAWING NUMBER: AP-4001	DATE: 04.01.2016
		REVISION NUMBER: 2	

FAÇADE LEGEND AND NOTES

- (F01) CUSTOM ORB - "ZINCALUME"
- (F02) SCYON LINEA WEATHERBOARD - "DILUX SELF DESTRUCT" PAINT FINISH
- (F03) RECYCLED RED CLAY FACE BRICK
- (F04) PAINTED SAND FINISH RENDER - TO MATCH EXISTING
- (O0) OBSCURE GLAZING

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DA No. 5.2018.166.1

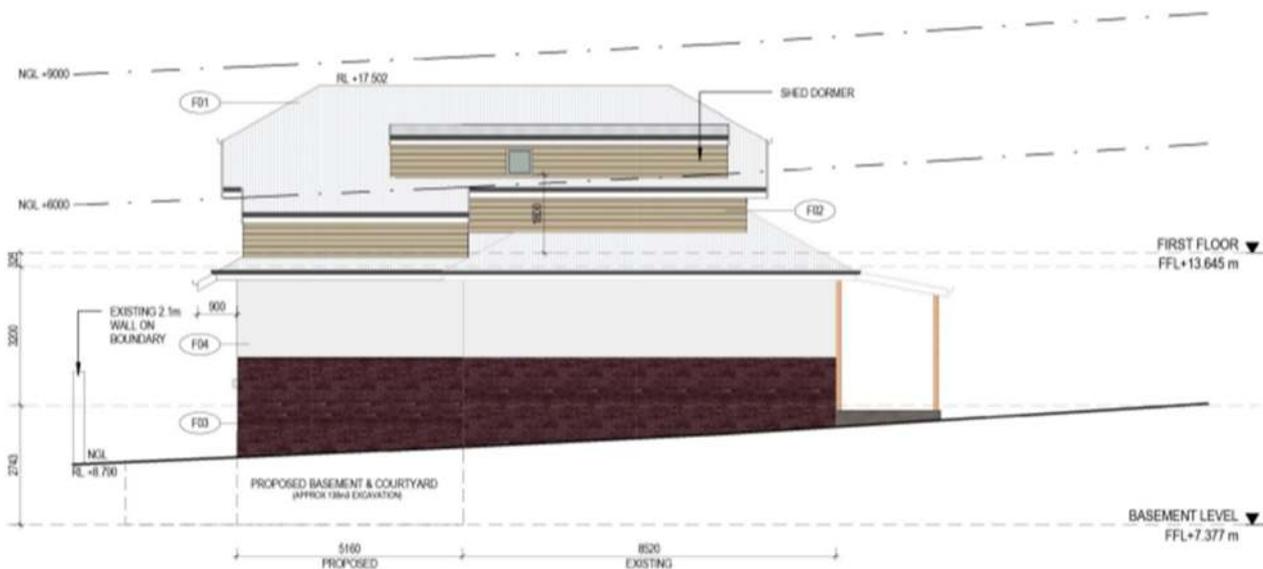
21 August 2018

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3 ELEVATION 3
AP-2002 1:100



4 ELEVATION 4
AP-2002 1:100

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DRAWING TITLE: ELEVATIONS			
PROJECT NAME: LIMOND, 7 Gateway Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE: As indicated	DRAWING NUMBER: AP-4002	DATE: 04.01.2016
		NUMBER SHEETS: 2	

CITY OF VINCENT
DA No. 5.2018.166.1

21 August 2018

APPROVED
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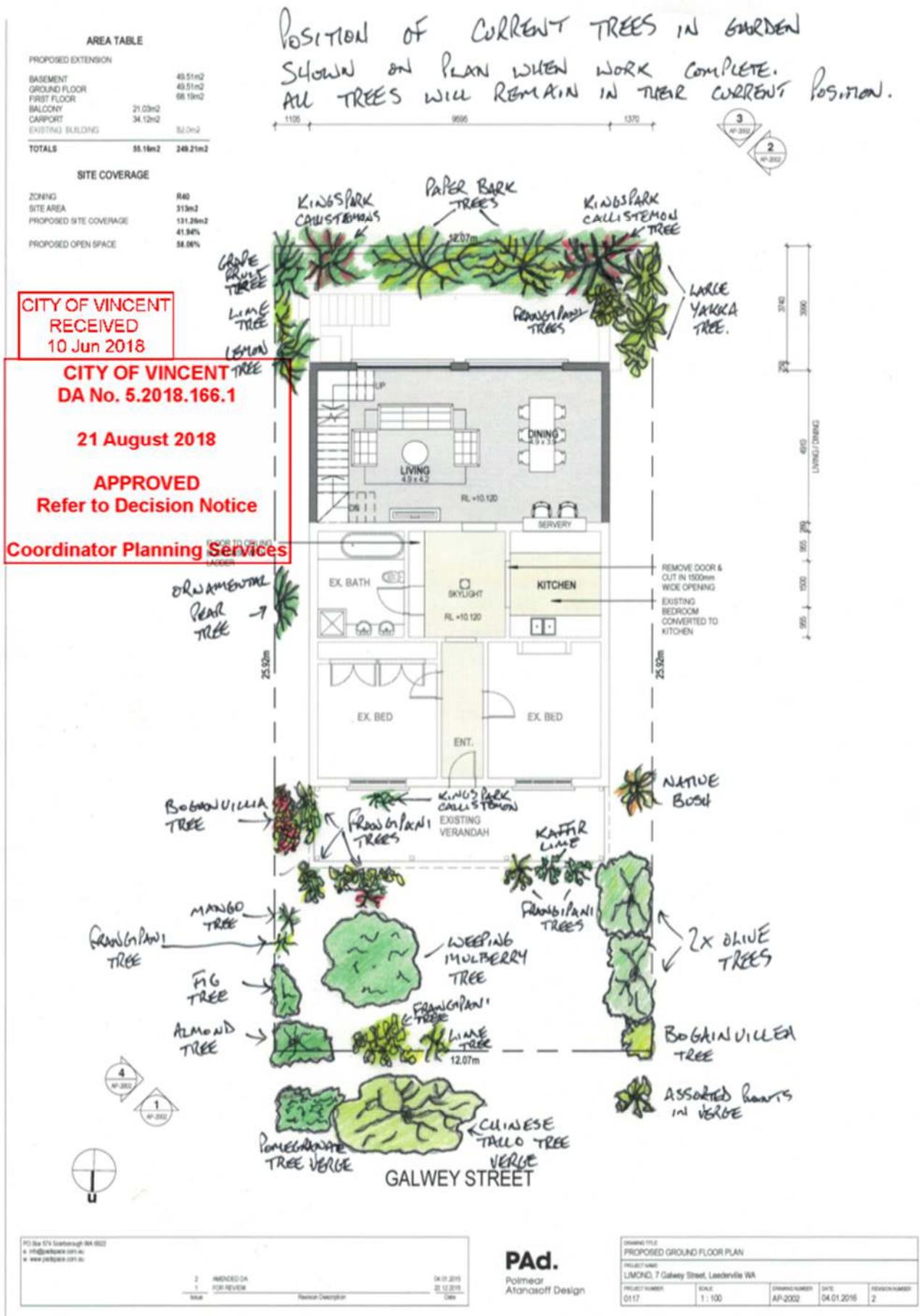
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2	AMENDED DA	04.01.2018	
1	FOR REVIEW	20.12.2016	
Notes	Revision Description	Date	

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DRAWING TITLE: FACADE PERSPECTIVES			
PROJECT NAME: LIMOND, 7 Galway Street, Leederville WA			
PROJECT NUMBER: 0117	SCALE:	DRAWING NUMBER: AP-2007	DATE: 04.01.2018
		PROVISION NUMBER: 2	





Redacted for Privacy Reasons

City and Councillors

Response to submission raised about retaining walls, ground levels and privacy.

These issues have been investigated by City of Vincent Compliance Team. I have raised the level of the previous footpath which ran down the side of the house. This was done partly to run the path level with the house and have one set of stairs near the back. By doing this I eliminated several oddly spaced steps that were originally part of the old path that were positioned the length of the path. Mainly done for ease of use and simplicity of use as it makes it safer for carrying materials by consolidating the steps in one area at the back of the property. Level portion runs the length of the house where it then begins to slope down to finally drop down at some steps.

Compliance have been out and inspected this work on several occasions. Due to the height of the retaining wall (about 100mm at front of house to about 300mm at back of house, this is under the height required for planning permission. As to this alteration impacting the adjoining property, a gap has purposely been left on my side which retains the original ground level between the two properties. Once again Compliance Team have inspected and are satisfied.

As to privacy there is one section of about three metres which gives vision into one another's property should one stand and look. The rest of the length of the house has brick wall from both properties and trees that screen each property. Compliance team are satisfied as the path is for access to rear of house and not a main thoroughfare. The block slopes from street level down to back of property. The original levels would still allow someone if they so wished to look over the fence, varying from head height to head and shoulders as you walked down from the front to the back. With the new level this might be head and shoulders to head and chest when someone walks down. Regardless of the change in levels I have always been able to simply look over. As said compliance were happy that this was not an issue, but I suggested that I would put up screening if this was an issue for someone. This suggestion was put to the adjoining property by the Compliance Team but was rejected.

Due to the plans being drawn up some time ago, they show the original level as it slopes from front to back on the side elevation, whereas now it is level the length of the house before sloping off. This is where this discrepancy comes from, I believe. The levels for the proposed extension all come off the existing house level, which obviously has not changed. Altering the ground level of a path does not alter the levels of the existing house or build plans for the extension. Again, this change was done for the reasons above. What is provided in the plans for the main build and construction is accurate.

A builder has been appointed for the build, as I work away three weeks at a time and one at home, the reality is I spend about twelve weeks at home and without realising another year has passed so quickly. I should have been more proactive in getting the build started, but in reality, I haven't had a block of time home to sit and organise the paper work permit. For example, I could have picked up the government builders grant which was offered at the height of covid. Now that finally everything is beginning to return to normal after covid must finally get the build done. Bizarrely over the years have still collected furniture and goods to fill the rooms of the new extension when done and all this is sitting in a storage unit, another reason to get the build done as its costing a fortune in rental fees. Not having a growing family with the urgency that would require an instant build to provide the extra room, I partly must admit I have been complacent in getting it started.

To sum it up I do have a builder who we know and trust, it is just down to me to immediately get the building permit submitted and when planning is once again approved begin the build straight away with no delays.