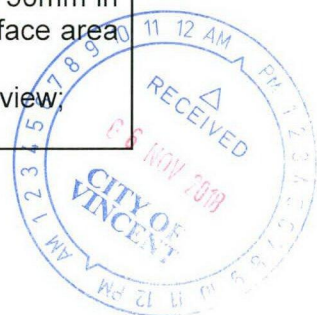


Planning Element:	Fence Infill Panel
Requirement:	The City's Built Form Policy states: C5.10.1 Street walls, fences and gates are to be of a style and materials compatible with those of the dwelling on site and/or walls, fences and gates of the immediate surrounding area. C5.10.2 Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: (a) Maximum height of 1.8 metres above the natural ground level; (b) Maximum height of piers with decorative capping to be 2 metres above the natural ground level; (c) Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; (d) Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and (e) The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed C5.10.3 Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: (a) Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact - for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and (b) Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level. The Residential Design Codes of WA (R-Codes) defines 'visually permeable' as: In reference to a wall, gate, door or fence that the vertical surface has: • continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area; • continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or • a surface offering equal or lesser obstruction to view, as viewed directly from the street.



Planning Element:	Fence Infill Panel
Applicant's Proposal:	Retrospective development approval is requested for the applicant's fence infill panels in the primary street set back area above 1.2 metres. The infill panels currently provide a gap of 32.5 mm between the horizontal slats. The City's interpretation of "visually permeable" defined by the R-Codes require a gap of 50mm, resulting in a difference of 17.5mm from what has been provided.
Design Principles	P5.10.2 Development which preserves and enhances the visual character of the existing streetscape by considering bulk, scale, setbacks, design, relationship between the private and public domain, and fencing styles.
Applicant's Justification	As identified there is a slight difference of 17.5mm in the size of the horizontal gaps in the fence infill panels in the primary street set back area above 1.2 metres, from what is currently provided to that of the City's interpretation of "visually permeable" defined by the R-Codes. Although there is a slight variance with the existing infill panels to what is deemed to comply, the fence as a whole is still considered to preserve and enhance the visual character of the existing streetscape. The subject development is located on the corner location of The Boulevarde and Britannia Road, with Britannia Road now deemed the primary frontage to the subject development. However, Britannia Road provides as a secondary frontage to the majority of residences fronting it, as it is considered more of a through road (carrying high traffic volumes and opposite large playing fields) than the streets perpendicular to it such as Buxton Street, Kalgoorlie Street, The Boulevarde, Matlock Street, Coogee Street etc. Hence fencing along Britannia road tends to meet the design elements relevant to that of secondary streets which do not require visual permeability behind the primary street setback line (ie No gaps). This is evident with the neighbouring properties to the subject development being 1 The Boulevarde and 56 Britannia Road (attachment 1). Also, the neighbouring 1 The Boulevarde, provides similar visual permeability along its primary frontage to that of the Subject property. (attachment 2). Further, within very close proximity (approximate 500m radius) to the subject property there are numerous properties (new and established, single residential, group dwellings and multi residential) providing similar if not less visual permeability within their primary street frontages. Some examples include 18,19,23,33 Britannia Road, 7,13,29,83 The Boulevarde and 32 Matlock Street (attachments 3 to 11).

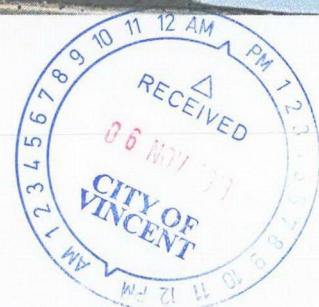
Planning Element:	Fence Infill Panel
	The subject properties infill panels commence at 700mm above the adjacent footpath, with solid brick wall only comprising the bottom 700mm rather than the maximum of 1.2 metres permitted (C5.10.3). Accordingly, the subject property's infill panels provide visual permeability for the top 1100 mm balance of the fence height (albeit at 32.5mm gaps) rather than the minimum 600 mm required under the R-Codes (at 50mm gaps). When considering the visual permeability of the subject property's "fence as a whole" (from top to bottom) this more than exceeds what would be provided for the "fence as a whole" under the deemed to comply provisions if the maximum permitted 1.2 metre bottom solid wall was provided with a minimum 600 mm visual permeable infill panel. Accordingly, the fencing within the primary street frontage to the subject development is not unique and can be considered to preserve and enhance the visual character of the existing streetscape. In addition to the above, further points for consideration comprise: • The Residential Design Codes definition of 'visually permeable' is difficult to interpret and ambiguous. For example the last development which my builder completed, the City of Stirling's interpretation of R-codes definition of "visually permeable" was "the gaps to be not less than half the width of the slats". Accordingly, we assumed a similar interpretation hence our 65mm slates with 32.5mm gaps. Discussions with the City of Vincent's Planning Department have since revealed it is not uncommon for developers to misinterpret the definition of 'visually permeable' under the R-Codes. Also, discussions with Planning officers from other Local Councils have found it necessary to provide "Guidance Notes" to avoid misinterpreting and to provide clarity to the definition. The interpretation can vary considerably between the different Local councils. • During the whole of the development phase of the subject property there has been ambiguity on which of The Boulevarde or Britannia Road frontages is considered as the Primary or Secondary street frontage, together with the distance of the primary street setback. This has been questioned with the City's Planning officers on numerous occasions, with only recently since this issue has been identified has a definitive response been provided.

Planning Element:	Fence Infill Panel
	• The cost to rectify the 32.5mm gap provided, to achieve the required 50mm gap has been quoted at approximately \$7000, with the benefit simply being an increase of 17.5mm in gap size. For the purpose of this exercise I arranged at the cost of \$350 to change one of the 20 infill panels in order to display the difference visually. I have attached a photo for the City's consideration (attachment 12). As is evident the difference is minimal and barely noticeable. • The subject property is located along Britannia Road, which carries a high volume of vehicle and foot traffic and opposite Britannia Reserve, being popular for sporting events during the week and particularly on the weekends. There have been soccer balls, cricket balls and even golf balls hit in to the subject property (see email attachment 13). The slightly smaller gaps improve privacy as the residence is only approximately 1.5 m from the footpath and improves security. This is detailed in the attached emails from existing residents (see email attachments 14-16) with concerns about the security and privacy aspect that the larger 50mm gaps may impose. Having regard to the above the City's discretion is requested to support the retrospective variation.

Attachment 1- 56 Britannia Road and 1 The Boulevarde, Mt Hawthorn



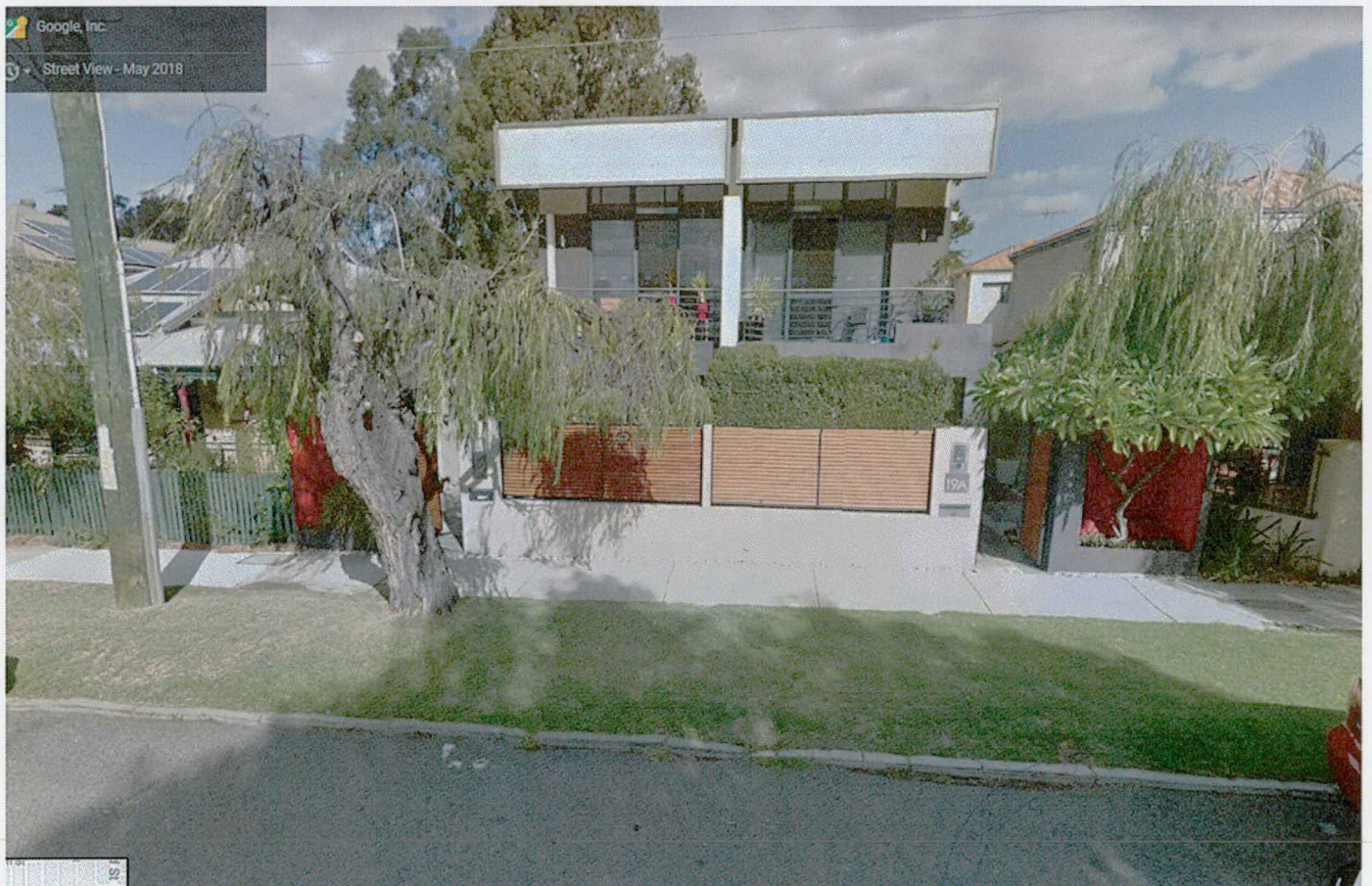
Attachment 2 - 1 The Boulevarde, Mt Hawthorn



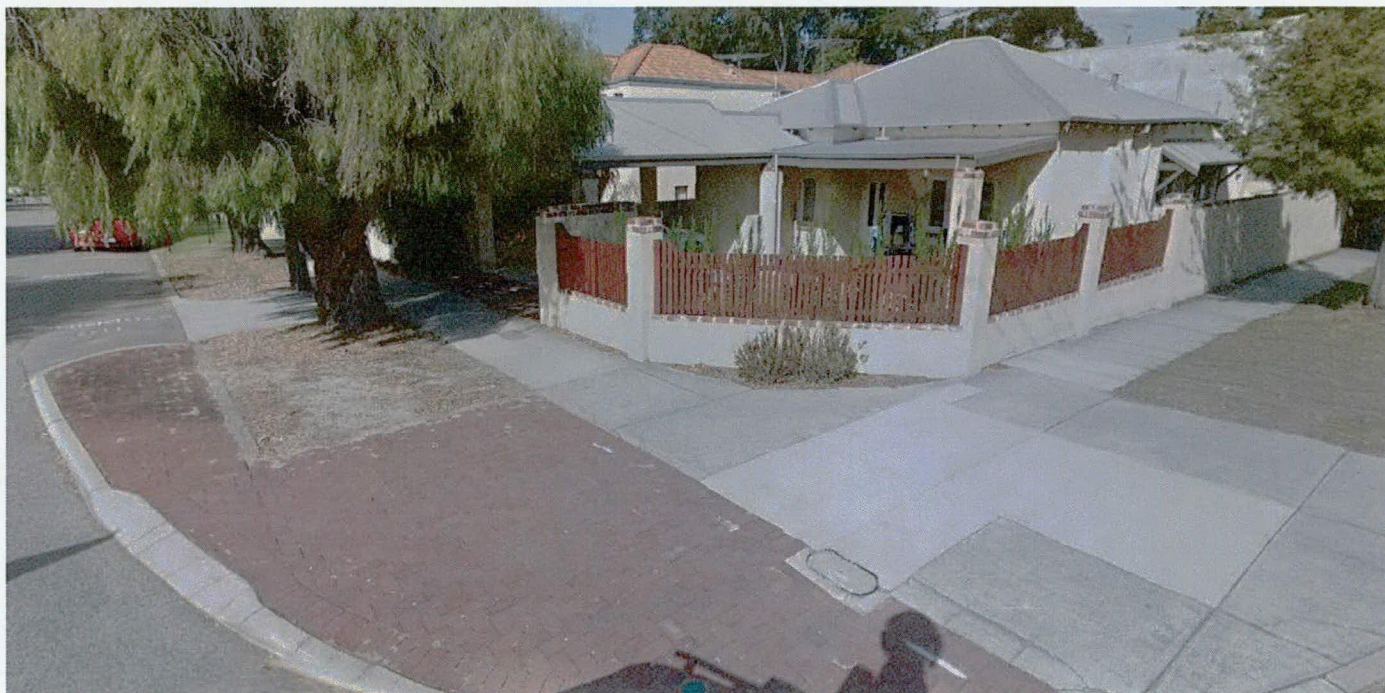
Attachment 3 - 18 Britannia Road, Mt Hawthorn



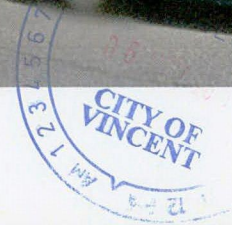
Attachment 4 -19 Britannia Road, Mt Hawthorn



Attachment 5 -23 Britannia Road, Mt Hawthorn



Attachment 6 - 33 Britannia Road, Mt Hawthorn



Attachment 7 - 7 The Boulevard, Mt Hawthorn



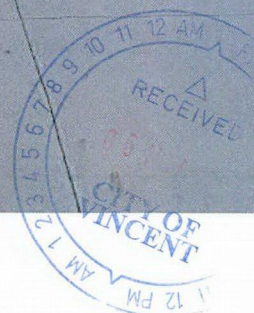
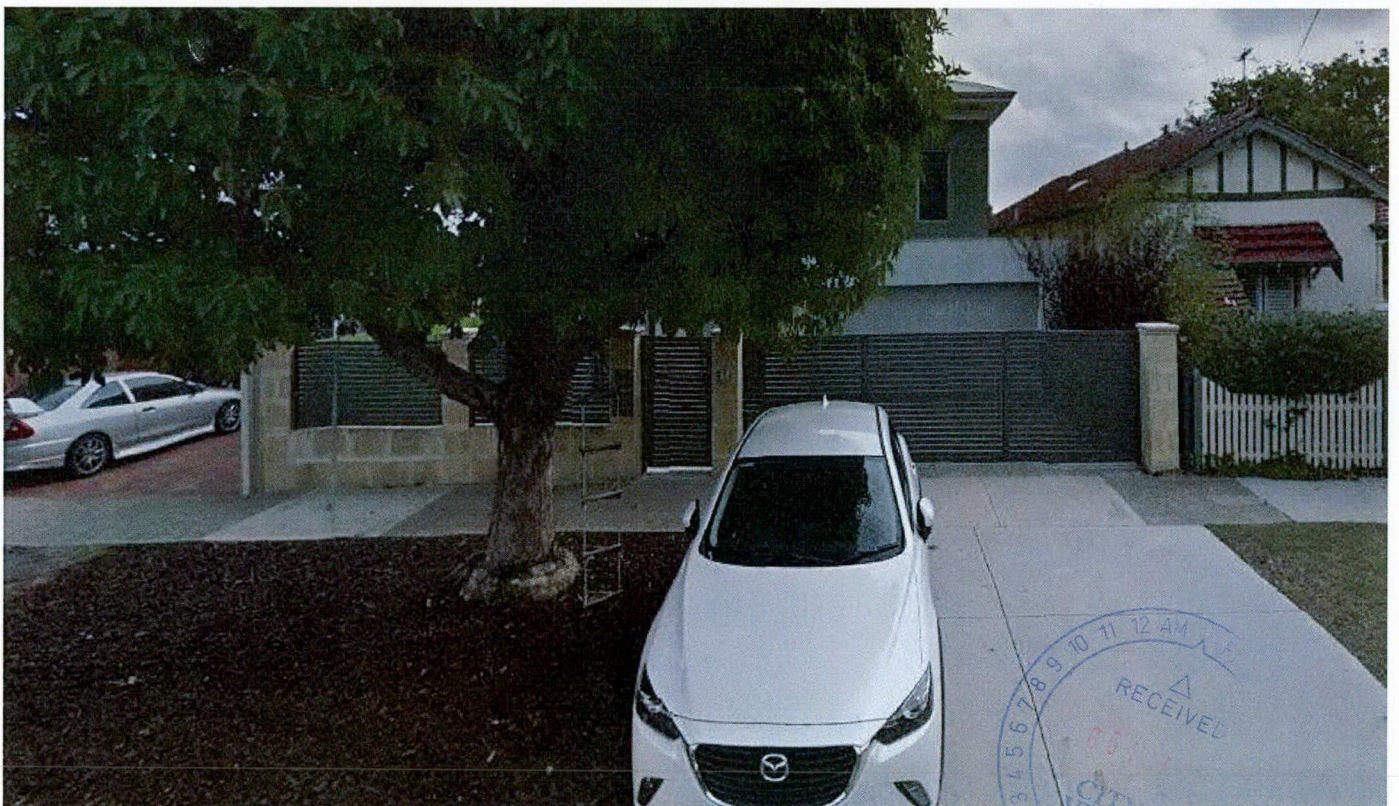
Attachment 8 - 13 The Boulevard, Mt Hawthorn



Attachment 9 - 29 The Boulevarde, Mt Hawthorn



Attachment 10 - 83 The Boulevarde, Mt Hawthorn



Attachment 11 - 32 Matlock Street, Mt Hawthorn



Attachment 12 – The Subject Development - 32.5mm gaps versus 50mm gaps

