



CITY OF VINCENT

AGENDA
Late Reports
Council Briefing
24 April 2018

Time: 6pm
Location: Administration and Civic Centre
244 Vincent Street, Leederville

Michael Quirk
A/Chief Executive Officer

Order Of Business

5	Development Services	4
5.7	LATE REPORT: No. 48 (Lot: 66; D/P: 6049) Milton Street, Mount Hawthorn - Proposed Five Grouped Dwellings	4

5 DEVELOPMENT SERVICES**5.7 LATE REPORT: NO. 48 (LOT: 66; D/P: 6049) MILTON STREET, MOUNT HAWTHORN - PROPOSED FIVE GROUPED DWELLINGS**

TRIM Ref: D18/23645








Author: Andrea Terni, Urban Planner

Authoriser: John Corbellini, Director Development Services

Ward: North

Precinct: 1 – Mount Hawthorn

Attachments:

1. Attachment 1 - Location and Consultation Map [↓](#) 
2. Attachment 2 - Development Plans [↓](#) 
3. Attachment 3 - Development Application Supporting Information [↓](#) 
4. Attachment 4 - Arborist Report [↓](#) 
5. Attachment 5 - Summary of Submissions [↓](#) 
6. Attachment 6 - Applicant's Response to Submissions [↓](#) 
7. Attachment 7 - DAC Minutes [↓](#) 

RECOMMENDATION:

That Council in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application for five Grouped Dwellings at No. 48 (Lot: 66; D/P: 6049) Milton Street, Mount Hawthorn, in accordance with plans provided in Attachment 2, for the following reasons:

1. The proposed street setback to Milton Street does not meet the Design Principles of Clause 5.1.2 of State Planning Policy No. 3.1 Residential Design Codes or the Local Housing Objectives of Clause 5.2 of Local Planning Policy No. 7.1.1 – Built Form as the setback is not an appropriate distance to accommodate additional space for landscaping to reduce the impact of the development on Milton Street or the adjacent dwellings and the location of the outdoor living area for Unit B does not allow for provide adequate privacy or open space for that dwelling;
2. The proposed lot boundary setbacks do not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1 Residential Design Codes as the building mass and form has not been designed to reduce the impact of building bulk on the adjoining properties; and
3. The proposed outdoor living area for Unit B does not meet the Design Principles of Clause 5.1.3 of State Planning Policy No. 3.1 Residential Design Codes as it will not be open to winter sun and does not optimise use of the northern aspect of the site and does not incorporate any other space that has access to winter sun.

PURPOSE OF REPORT:

To consider an application for development approval for five Grouped Dwellings at No. 48 Milton Street, Mount Hawthorn (subject site).

PROPOSAL:

The application proposes the development of five, two storey grouped dwellings. Four of the grouped dwellings will gain vehicle access from a shared common driveway, with one of the units having a separate crossover for access from Milton Street.

BACKGROUND:

Landowner:	DND Investments WA PTY LTD
Applicant:	Denis Murselovic
Date of Application:	15 December 2017
Zoning:	MRS: Urban TPS1: Zone: Residential R Code: R60 TPS2: Zone: Residential R Code: R60
Built Form Area:	Residential
Existing Land Use:	Single House
Proposed Use Class:	Grouped Dwelling
Lot Area:	756m ²
Right of Way (ROW):	Not applicable
Heritage List:	Not applicable

The subject site is located north west of Milton Street, between Brady Street and Jugan Street. A location plan is included as **Attachment 1**. The locality is predominantly characterised by single storey and double storey grouped dwellings. The site adjoins two single storey single houses to the eastern lot boundary, three single storey grouped dwellings to the northern lot boundary and three two storey grouped dwellings to the western lot boundary. Directly opposite the subject site is four two storey grouped dwellings. The subject site and the immediate adjoining properties are zoned Residential with a density code of R60 and this is not contemplated to change under draft Local Planning Scheme No. 2 (LPS2). In accordance with the City's Local Planning Policy No. 7.1.1 – Built Form, the site has been identified in the Residential Area and has been assessed against the applicable standards and requirements of the policy.

On 15 December 2017 the City received a development application seeking approval for the construction of five, two storey grouped dwellings at the subject site. The applicant's development plans are included as **Attachment 2** and the applicant's site information and summary supporting the development application are included as **Attachment 3**. The applicant has also provided an arborist report and this is included as **Attachment 4**.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 (TPS1), the City's Policy No. 7.1.1 – Built Form and the State Government's Residential Design 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	Requires the Discretion of Council
Street Setback		✓
Front Fence	✓	
Building Setbacks/Boundary Wall		✓
Building Height/Storeys	✓	
Roof Form	✓	
Open Space	✓	
Outdoor Living Areas		✓
Landscaping	✓	
Privacy	✓	
Parking & Access	✓	
Solar Access	✓	
Site Works/Retaining Walls		✓
Essential Facilities	✓	
External Fixtures	✓	
Surveillance	✓	

Detailed Assessment

The deemed-to-comply assessment of the element that requires the discretion of Council is as follows:

Street Setback	
Deemed-to-Comply Standard	Proposal
<p>Clause 5.2 of the Built Form Policy</p> <p>The primary street setback is to be the average of the five properties adjoining the proposed development.</p> <p>Average setback = 4.405m</p>	<p>Primary street setback proposed;</p> <p>Unit A = 2.007m</p> <p>Unit B = 2.008m</p>
Lot Boundary Setback	
Deemed-to-Comply Standard	Proposal
<p>Clause 5.3 of the Built Form Policy and Clause 5.1.3 of the R-Codes</p> <p>Eastern lot boundary (ground floor) Unit A = 1.5m</p> <p>Eastern lot boundary (ground floor) Unit B = 1.5m</p> <p>Eastern lot boundary (ground floor) Unit D = 1.5m</p> <p>Northern lot boundary (ground floor) Unit C = 1.5m</p> <p>Northern lot boundary (ground floor) Unit E = 1.5m</p> <p>Eastern lot boundary (upper floor) Unit A = 3.2m</p> <p>Eastern lot boundary (upper floor) Unit B = 1.6m</p> <p>Eastern lot boundary (upper floor) Unit C = 2.8m</p> <p>Eastern lot boundary</p>	<p>Eastern lot boundary (ground floor) Unit A = 1.213m</p> <p>Eastern lot boundary (ground floor) Unit B = 1.020</p> <p>Eastern lot boundary (ground floor) Unit D = 1.078m</p> <p>Northern lot boundary (ground floor) Unit C = 1.0m</p> <p>Northern lot boundary (ground floor) Unit E = 1.013m</p> <p>Eastern lot boundary (upper floor) Unit A = 1.213m</p> <p>Eastern lot boundary (upper floor) Unit B = 1.020m</p> <p>Eastern lot boundary (upper floor) Unit C = 1.742m</p> <p>Eastern lot boundary</p>

(upper floor) Unit D = 1.5m	(upper floor) Unit D = 1.244m
North lot boundary (upper floor) Unit E = 3.2m	North lot boundary (upper floor) Unit E = 1.213m
Boundary Walls	
Deemed-to-Comply Standard	Proposal
<p>Clause 5.3 of the Built Form Policy</p> <p>Building on the boundary average height of 3m and maximum height of 3.5m</p>	<p>Unit A</p> <p>Maximum height of wall on east lot boundary = 3.4m</p> <p>Average height of wall on east lot boundary = 3.25m</p> <p>Unit D</p> <p>Maximum height of wall on east lot boundary = 3.2m</p> <p>Average height of wall on east lot boundary = 3.1m</p> <p>Unit E</p> <p>Maximum height of wall on west lot boundary = 3.6m</p> <p>Average height of wall on west lot boundary = 3.45m</p> <p>Maximum height of wall on east lot boundary = 3.4m</p> <p>Average height of wall on east lot boundary = 3.2m</p>
Outdoor Living Areas	
Deemed-to-Comply Standard	Proposal
<p>Clause 5.3.1 of the R-Codes</p> <p>Outdoor Living Area</p> <p>Area of 16m²</p> <p>Behind the street setback area;</p> <p>With a minimum dimension of 4.0m;</p> <p>to have at least two-thirds of the required area without permanent roof cover.</p>	<p>Unit A</p> <p>46.35% of dedicated outdoor living area is provided without permanent roof cover</p> <p>Unit B</p> <p>Minimum Dimension of 3.7m x 3.3m</p> <p>Within the front setback area</p> <p>0% of dedicated outdoor living area is provided without permanent roof cover</p> <p>Unit C</p> <p>Minimum Dimension of 4.0m x 3.5m</p>

	Unit D Minimum Dimension of 4.0m x 3.5m 44.29% of dedicated outdoor living area is provided without permanent roof cover Unit E 44.37% of dedicated outdoor living area is provided without permanent roof cover
Site Works	
Deemed-to-Comply Standard	Proposal
Clause 5.3.7 of the R-Codes C7.1 Excavation or filling between the street and building, or within 3m of the street alignment, whichever is the lesser, shall not exceed 0.5m, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.	Unit C: excavated 0.686m
Retaining Walls	
Deemed-to-Comply Standard	Proposal
Clause 5.3.8 of the R-Codes C8.1 Retaining walls set back from lot boundaries in accordance with the setback provisions of table 1. C8.2 Where a retaining wall less than 0.5m high is required on a lot boundary, it may be located up to the lot boundary or within 1m of the lot boundary to allow for an area assigned to landscaping, subject to the provisions of clauses 5.3.7 and 5.4.1.	Retaining wall height 0.548 metres from natural ground level proposed on the eastern lot boundary (Lot C) Retaining wall height between Unit A and Unit C 0.686m from natural ground level

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 Scheme) Regulations 2015*, for a period of 14 days commencing 22 February 2018 and concluding on 8 March 2018. Community consultation was undertaken by means of written notification being sent to surrounding landowners, as shown in **Attachment 1** and a notice on the City's website in accordance with the City's Policy No. 4.21.5 – Community Consultation. Two submissions were received by the City during the community consultation period. One submission received neither supported nor objected to the proposal and the second submission received objected to the proposal.

The main issues raised as part of the consultation relate to:

- Concerns regarding how local resident traffic will cope and be impacted with numerous building projects occurring at the same time on Milton Street and close by on Jugan Street.
- The street setback will create a wall of concrete up to the road and harm the character and amenity of the street.
- The landscaping does not meet the requirement of the City's policy. Landscaping helps reduce excess bulk viewed from neighbouring properties and the streetscape.
- The building on the boundary wall on the western lot boundary adjacent No. 50C Milton Street will affect direct sun and overshadow the alfresco area. The proposed white wall will reflect into the alfresco area to be unusable in the afternoons.
- The outdoor living area does not meet the minimum requirement in accordance with the R-Codes.
- The building area has been maximised and does not meet the requirement for outdoor living areas.

A summary of the submissions and Administration's responses is included as **Attachment 5**. The applicant has also provided responses to the submissions received and this is included as **Attachment 6**.

Design Advisory Committee (DAC):

Referred to DAC: Yes

The applicant elected not to have the application referred to the DAC, however Administration referred the proposed development plans to the Chair of the DAC for preliminary comments. The comments received are included as **Attachment 7** and can be summarised as follows:

- The design, bulk and mass of the development do not contribute positively to the streetscape;
- The development provides no convincing character. More detail is required of the architectural language and influence of the elevations to fit in with the streetscape.
- Consideration to be given for the development to increase the height to three storeys to allow increased setbacks and vegetation within the lot.
- Consideration to be given to break up the long mass of the building to provide increased direct sun and ventilation to cross the site to neighbouring developments.
- Provide more detail on the landscaping proposed to demonstrate compliance with the City's landscaping requirements.

The applicant lodged modified plans to address the above mentioned comments raised by the DAC. The modifications included:

- Providing slimline exposed face brick (Brickmakers New Orleans Vintage Roman Brick) material to portions of each unit and differentiating the colour scheme to the development to increase the architectural influence to the streetscape;
- A revised landscaping plan was submitted to increase the canopy coverage of the site at maturity to 40 per cent.

It is considered that the amended plans submitted by the applicant do not address all the issues raised by the DAC.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Town Planning Scheme No. 1;
- State Planning Policy 3.1 – Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation; and
- Policy No. 7.1.1 – Built Form Policy.

The existing single house is not on the City's Heritage List and does not require development approval from the City for its demolition given the exemption provisions included in the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In accordance with schedule 2 Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005* the applicant will have the right to apply to the State Administrative Tribunal for a review of Council's Determination.

It is noted that the deemed-to-comply landscaping standards set out in the Built Form Policy have not been approved by the Western Australian Planning Commission (WAPC), who have insisted issued approval for a modified set of deemed-to-comply landscaping standards that are similar to those set out in Design WA. As a result the assessment will only have 'due regard' to these provisions.

Local Planning Scheme No. 2 (LPS 2)

On 4 April 2018, the Acting Minister for Planning endorsed the LPS2. LPS2 is scheduled to be gazetted and become operational on 10 May 2018. As such, LPS2 should be given due regard as a seriously entertained planning proposal when determining this application. The zoning and density of the subject site and surrounds are not proposed to change under LPS2.

Delegation to Determine Applications:

This matter is being referred to Council as the proposal is for development classified 'Category 2' as the Application proposes more than three grouped dwellings.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that 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:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure."*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:Street Setback

In accordance with Clause 5.2 of the City's Built Form Policy, the primary street setback is determined as the average of the five properties adjoining the proposed development. The street setback requirement for the subject property is 4.405 metres. The proposal incorporates a ground floor setback of 2.007 metres to Unit A and a 2.009 metre setback to Unit B which is measured to the slimline exposed face brick feature walls. The upper storey is setback a further 400 millimetres from the ground floor of both Unit A and B. A portion of the outdoor living area of Unit B is proposed to be located within the primary street setback area.

The development encroaches into the street setback area which is considered to add to the perception of building bulk to the streetscape. As such, it is considered that the development does not preserve and enhance the visual character of the existing streetscape by considering existing building setbacks. The reduction of the street setback area is also considered to reduce the ability to accommodate additional landscaping in the front setback area which would assist to reduce the perception of a single continuous dwelling given the lack of separation between Unit A and B.

The materials and colour scheme incorporated into the proposed development are considered to be limited and do not contribute to enhancing the streetscape character of Milton Street. The use of render to the majority of the development facing the primary street in conjunction with a lack of separation between the units and materials incorporated to the design is considered to exacerbate the bulk of the building and will negatively impact on the streetscape.

The proposal is considered to be an overdevelopment of the site and does not positively contribute to or enhance the streetscape of Milton Street. A portion of the outdoor living area encroaching within the primary street setback further exacerbates the perception of building bulk of the development and minimises open space to the street. The proposed location of the outdoor living area is considered to reduce the privacy of prospective occupants of Unit B, as the outdoor living area is proposed to be located within close proximity to the street. In light of the above, it is considered that the reduced setback to Milton Street does not align with the design principles of the R-Codes or the Local Housing Objectives of the Built Form Policy resulting in a negative impact on the amenity of the surrounding landowners and on the streetscape.

Lot Boundary Setback

Eastern Boundary

The proposal incorporates a number of departures from the deemed-to-comply provisions relating to lot boundary setbacks to the eastern lot boundary particularly, given the irregular shape of the lot. As such, the lot boundary setbacks proposed are considered to contribute to building bulk and scale perceived from the single storey dwellings at the neighbouring properties of Nos. 27 and 29 Brady Street.

The ground floor and upper floor setback of Unit A propose a 1.213 metre setback from the eastern lot boundary in lieu of a required 1.5 metre setback from the ground floor and a 3.2 metre setback from the upper floor. Unit C proposes a ground floor setback of 1.097 metres in lieu of a required 1.5 metres and an upper floor setback of 1.742 metres in lieu of 2.8 metres. Unit D proposes a 1.078 metre ground floor setback and a 1.244 metre upper floor setback in lieu of a 1.5 metre setback and Unit E proposes a 1.296 metre ground floor setback and a 1.217 metre upper floor setback in lieu of a 1.5 metre setback.

The departures proposed to the lot boundary setbacks are considered to pose a significant impact on the amenity of the two adjoining single storey dwellings to the eastern lot boundary particularly given the location of the open space and outdoor living areas of the adjoining single storey dwellings. In addition, the walls addressing the eastern lot boundary propose no architectural feature or varying materials and limited windows to help mitigate the perception of building bulk viewed from the neighbouring properties. The development does not propose a setback between the units on the ground or upper floor resulting in one continuous building which further contributes to the perception of excessive building bulk and scale to the neighbouring properties.

The development is not considered to satisfy the design principles of the Residential Design Codes with regard to lot boundary setbacks nor the local housing objectives and is not compatible with its setting particularly with due regard to the neighbouring single storey dwellings at Nos. 27 and 29 Brady Street.

Northern Boundary

With regard to the northern lot boundary setback, Unit E proposes a 1.013 metre ground floor setback in lieu of 1.5 metres and a 1.213 metre setback in lieu of a 3.2 metre setback to the upper floor. The walls addressing the northern lot boundary are fully rendered and do not propose any varying material to help minimise building bulk to the neighbouring property. Given the minimal setback provided, no integration of landscaping is considered between the building and the lot boundary to address the impact of development on adjacent residential properties.

Over Height Boundary Walls

The development proposes a considerable amount of buildings on the lot boundary which is a result of the over development proposed for the site. The development proposes three separate walls to the eastern lot boundary and a wall to the western lot boundary.

Unit A proposes a building on the eastern lot boundary to No. 29 Brady Street with an average wall height of 3.25 metres which exceeds the deemed-to-comply requirement of a 3 metre average wall height on the lot boundary. Unit D proposes an average wall height of 3.1 and Unit E proposes an average wall height of 3.2 metres which both adjoin the outdoor living area and open space of No. 27 Brady Street. The proposed buildings on the boundary coupled with the proposed reduced lot boundary setbacks and scale of the entire development are considered to negatively impact on the amenity and prevailing development of the locality and do not provide an attractive setting for the adjoining dwellings.

The wall on the west lot boundary proposes a maximum height of 3.6 metres with an average wall height of 3.45 metres. The wall is positioned abutting the neighbouring properties existing wall and is not considered to pose an undue impact on the adjoining neighbouring property.

Outdoor Living Areas

Unit B, C and D propose outdoor living areas that do not meet the minimum dimension of 4 metres by 4 metres in accordance with the deemed-to-comply criteria of the Residential Design Codes. Although the outdoor living areas are capable of use in conjunction from a habitable room, the total area provided is considered to limit the enjoyment and potential of outdoor living pursuits. It is further noted that the outdoor living areas exceed permanent roof cover which provides an impact with regard to dwellings being open to direct sun.

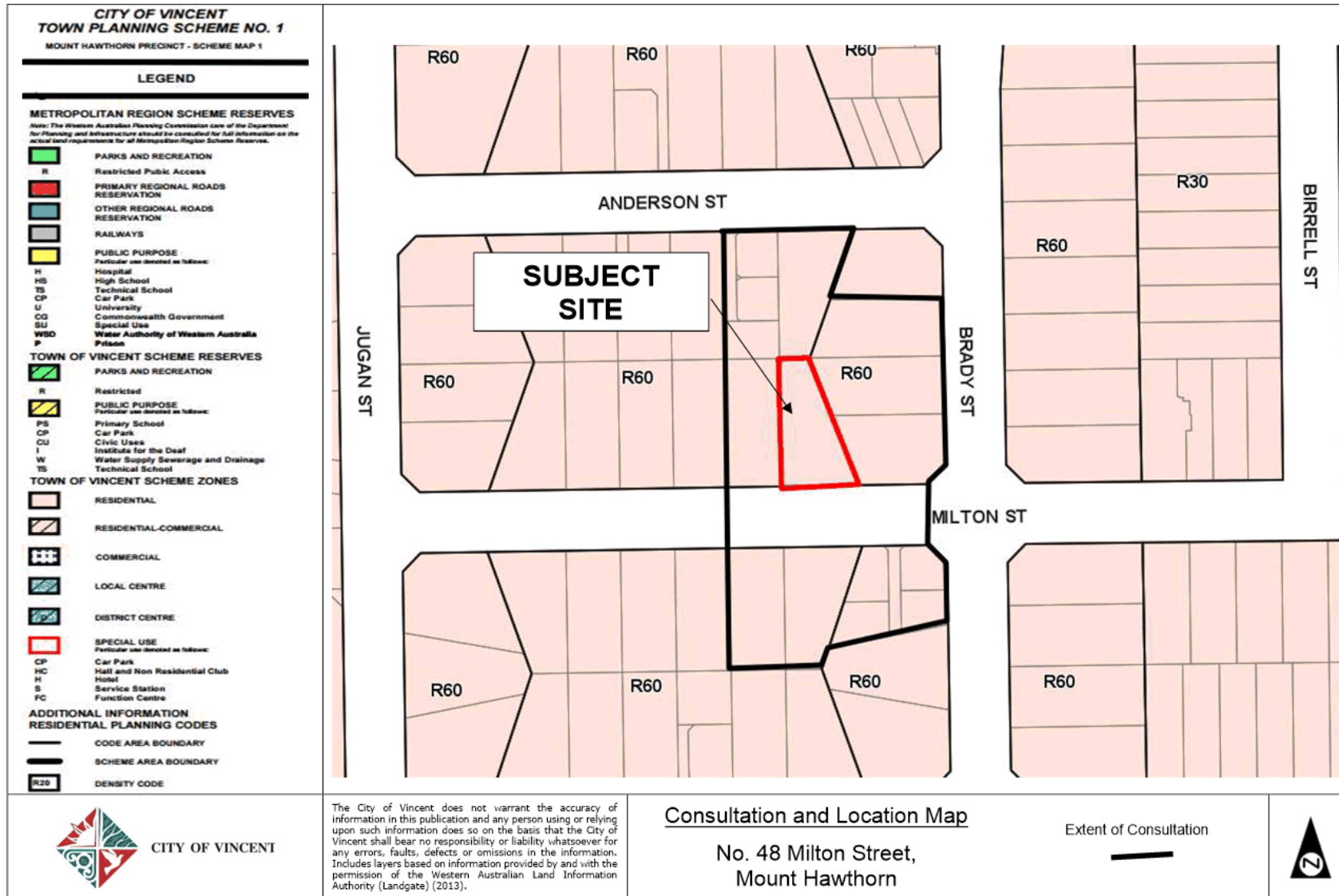
The outdoor living area of Unit B in particular proposes an outdoor living area dimension of 3.7 metres by 3.3 metres, is 100 per cent covered by permanent roof and is partially proposed within the front setback area adjacent the common property driveway. The outdoor living area will not be open to winter sun given the full extent of permanent roof coverage proposed. The lack of open outdoor living areas is not considered to assist with reducing building bulk to the site or cater for attractive settings between buildings and landscaping. The site is considered to be over developed, particularly given the minimal outdoor living areas proposed for each unit with due regard to the nil setbacks proposed from each individual unit and the minimal setbacks proposed to the north and eastern lot boundaries. The minimal open space between each individual unit provides limited means of capturing winter sun for the outdoor living areas and habitable spaces of the dwellings. The site is considered to provide significant opportunity in achieving access to natural sunlight for the dwellings and is therefore considered to not contribute in providing an attractive setting for the units proposed.

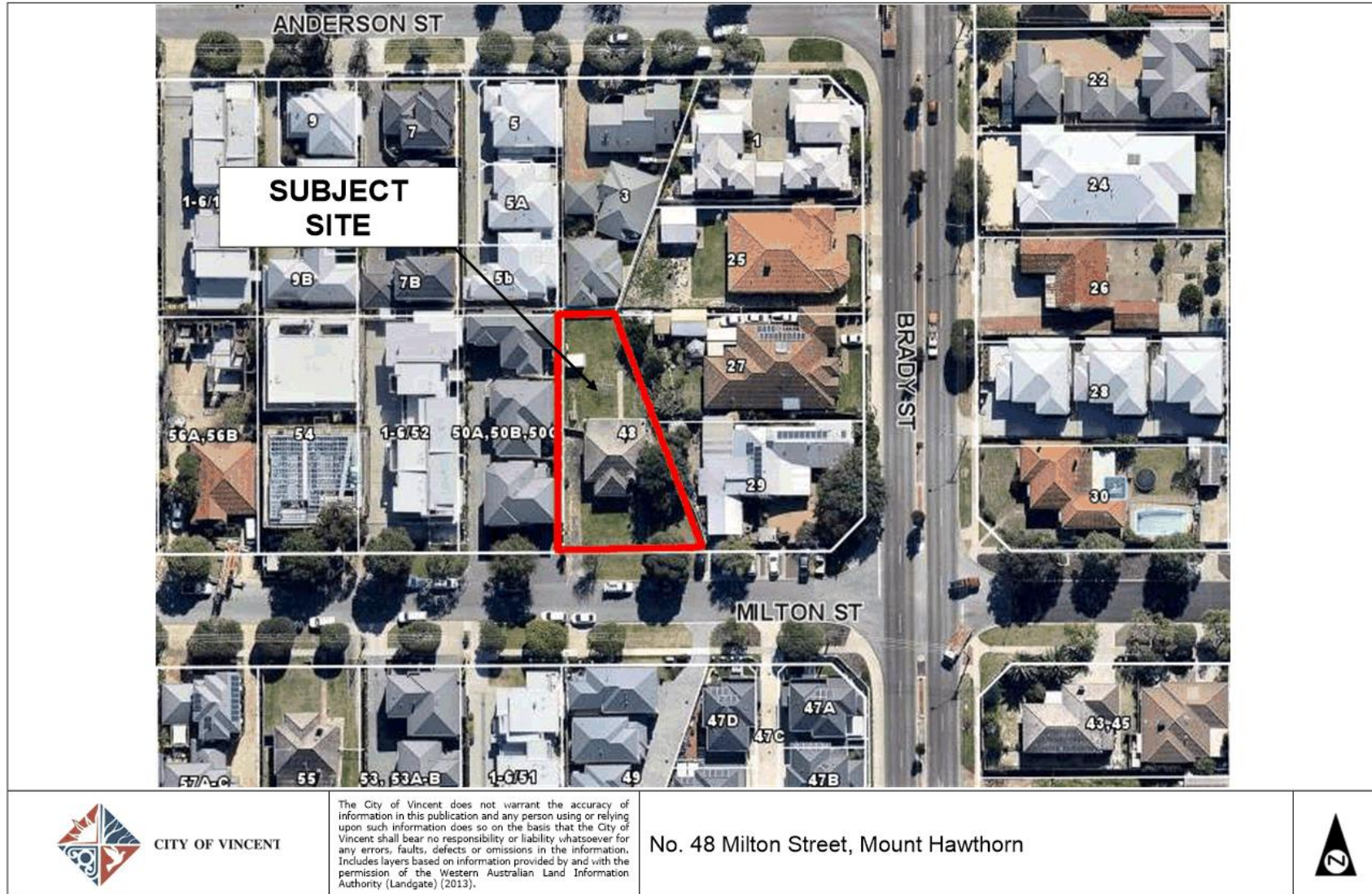
Site Works and Retaining Walls

The development proposes excavation of up to 0.686 metres within Lot C. This is to provide a consistent finished floor level within the dwelling and to the outdoor living area. The excavation will reduce the building height of unit C. A retaining wall is proposed on the eastern lot boundary at a height of 0.548 metres at its maximum height before tapering down as the site becomes level with the neighbouring property. The retaining wall is required to support the proposed different ground levels between the subject property and the neighbouring property. The proposed site works and retaining wall are not considered to pose an undue impact on the locality.

Conclusion

The proposal requires Council to exercise its discretion in relation to street setback, lot boundary setback, outdoor living area, site works and retaining walls for this development. The proposed street setback in conjunction with the double storey walls are considered to have a detrimental impact on the amenity of the adjoining properties and streetscape. It is considered that the departures to the deemed-to-comply provisions relating to lot boundary setbacks further contribute to the impact of building bulk and scale on the streetscape and adjoining properties. The boundary walls are considered to exacerbate the perception of building bulk and scale both to the streetscape and the adjoining properties and will result in a negative built form outcome and will not positively contribute to Milton Street. The outdoor living area of Unit B impeding within the street setback area will contribute to the perception of building bulk of the development. The development does not satisfy the design principles of the R-Codes or local housing objectives of the Built Form Policy and as a result, it is recommended that Council refuse the application for the reasons outlined in the recommendation.







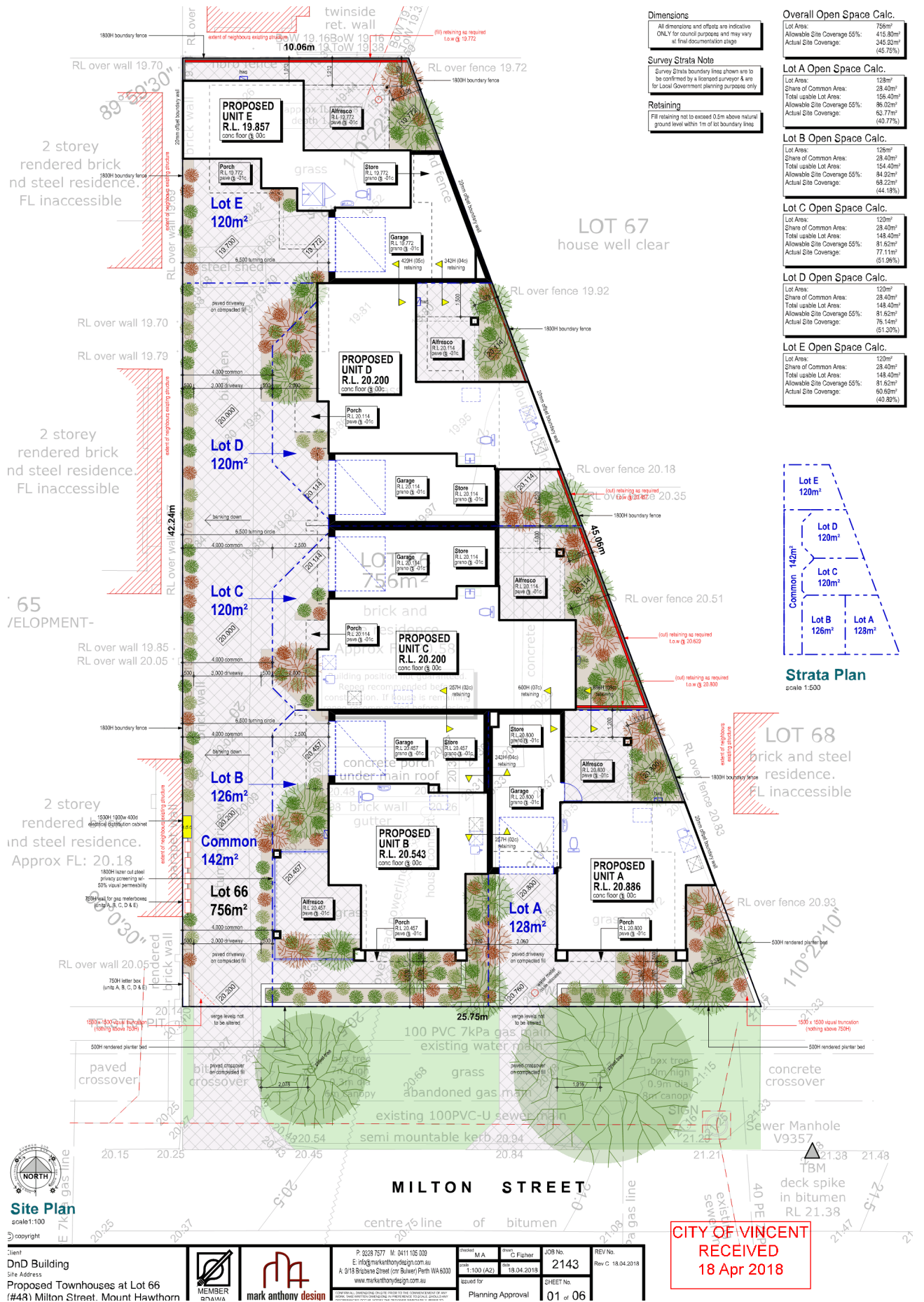
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DnD Building

Proposed Townhouses at Lot 66 (#48) Milton Street, Mount Hawthorn

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Drawing Notes Legend

1. 100H balustrade	2. 100w brickwork on 1 bar @ 28c	3. 100w brickwork on 4 bar @ 28c	4. 100w brickwork on 1 bar @ 28c
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Unit A Building Area

Ground Floor:	30.70m ²
Garage:	24.07m ²
Alfresco:	8.70m ²
Upper Floor:	61.55m ²
Total Area:	134.02m²

Unit B Building Area

Ground Floor:	43.38m ²
Garage:	24.24m ²
Alfresco:	13.42m ²
Upper Floor:	71.02m ²
Total Area:	152.07m²

Unit C Building Area

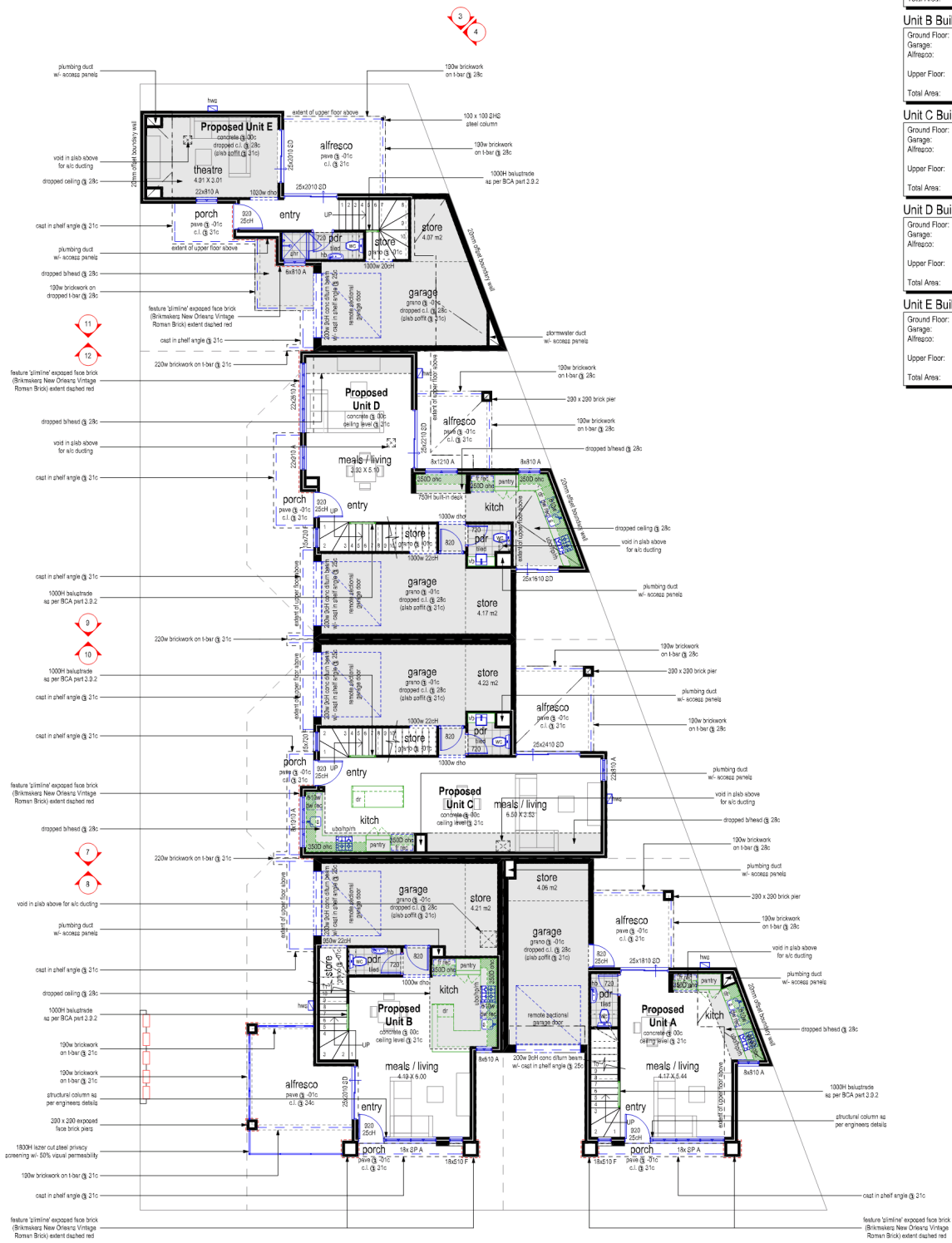
Ground Floor:	53.53m ²
Garage:	23.20m ²
Alfresco:	9.31m ²
Upper Floor:	82.49m ²
Total Area:	169.53m²

Unit D Building Area

Ground Floor:	52.94m ²
Garage:	23.20m ²
Alfresco:	8.12m ²
Upper Floor:	75.70m ²
Total Area:	159.96m²

Unit E Building Area

Ground Floor:	33.75m ²
Garage:	28.24m ²
Alfresco:	11.02m ²
Upper Floor:	64.52m ²
Total Area:	137.53m²



Ground Floor Plan
scale 1:100

copyright

Client
DnD Building
Site Address
Proposed Townhouses at Lot 66
(#48) Milton Street, Mount Hawthorn



MEMBER
RTHAMIA
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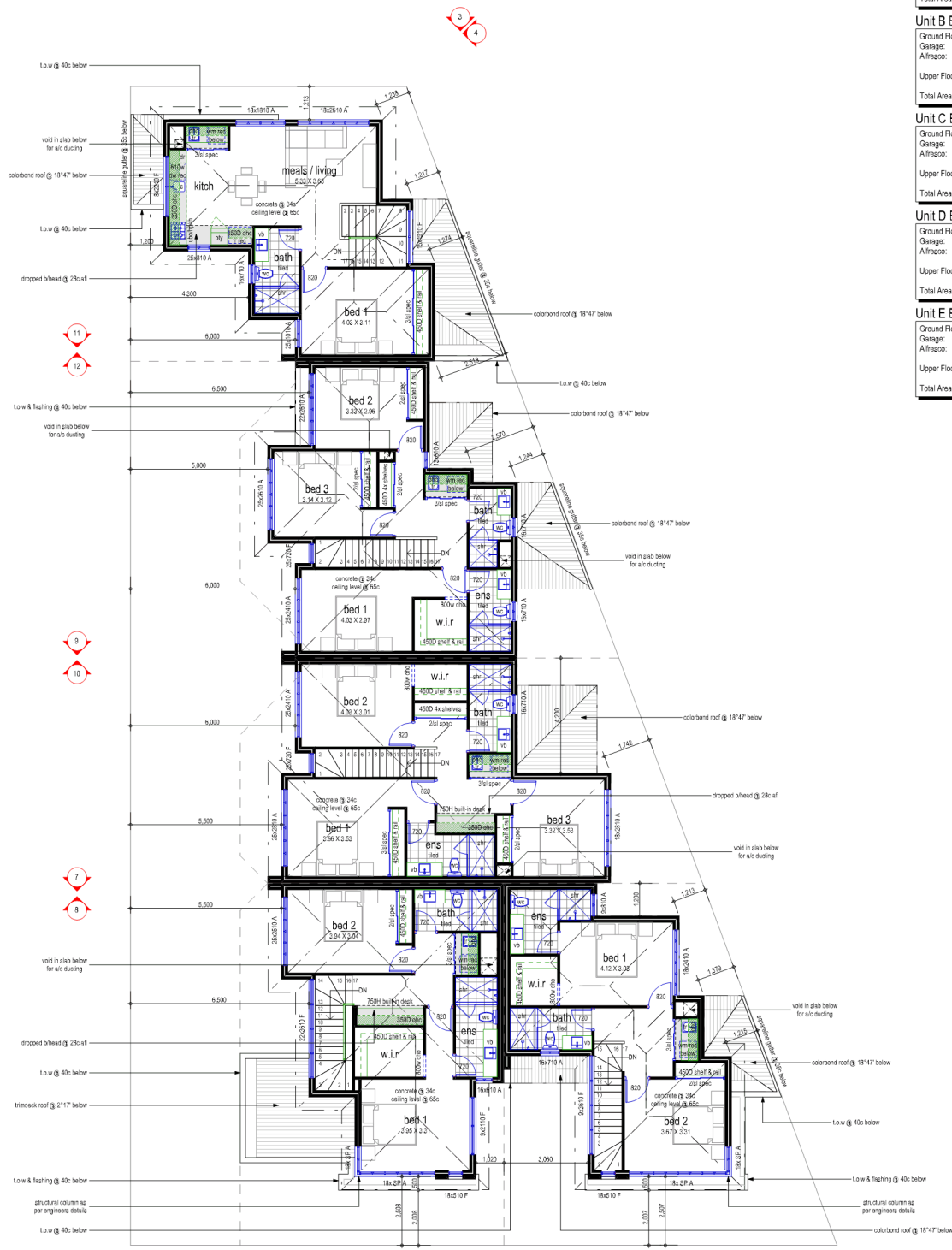
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99. Refer to 2018	100. Refer to 2018

Unit A Building Area	
Ground Floor:	30.70m ²
Garage:	24.07m ²
Alfresco:	8.70m ²
Upper Floor:	61.55m ²
Total Area:	134.02m²
Unit B Building Area	
Ground Floor:	43.38m ²
Garage:	24.24m ²
Alfresco:	13.42m ²
Upper Floor:	71.02m ²
Total Area:	152.07m²
Unit C Building Area	
Ground Floor:	53.58m ²
Garage:	22.65m ²
Alfresco:	9.31m ²
Upper Floor:	82.49m ²
Total Area:	169.91m²
Unit D Building Area	
Ground Floor:	52.94m ²
Garage:	28.20m ²
Alfresco:	8.12m ²
Upper Floor:	75.70m ²
Total Area:	169.96m²
Unit E Building Area	
Ground Floor:	33.75m ²
Garage:	28.24m ²
Alfresco:	11.02m ²
Upper Floor:	64.52m ²
Total Area:	138.33m²



Upper Floor Plan
scale 1:100

copyright

Client
DnD Building
 Site Address
Proposed Townhouses at Lot 66 (#48) Milton Street, Mount Hawthorn



P 2028 7577 M 0411 105 000
 E info@markanthonydesign.com.au
 A 9/19 B Square Street (over Bulwer) Perth WA 6000
 www.markanthonydesign.com.au

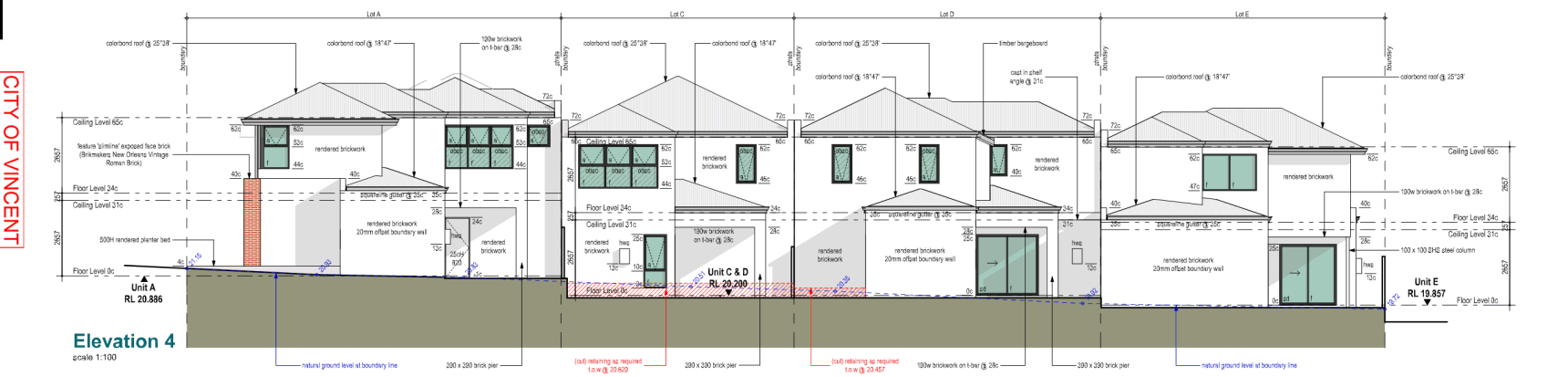
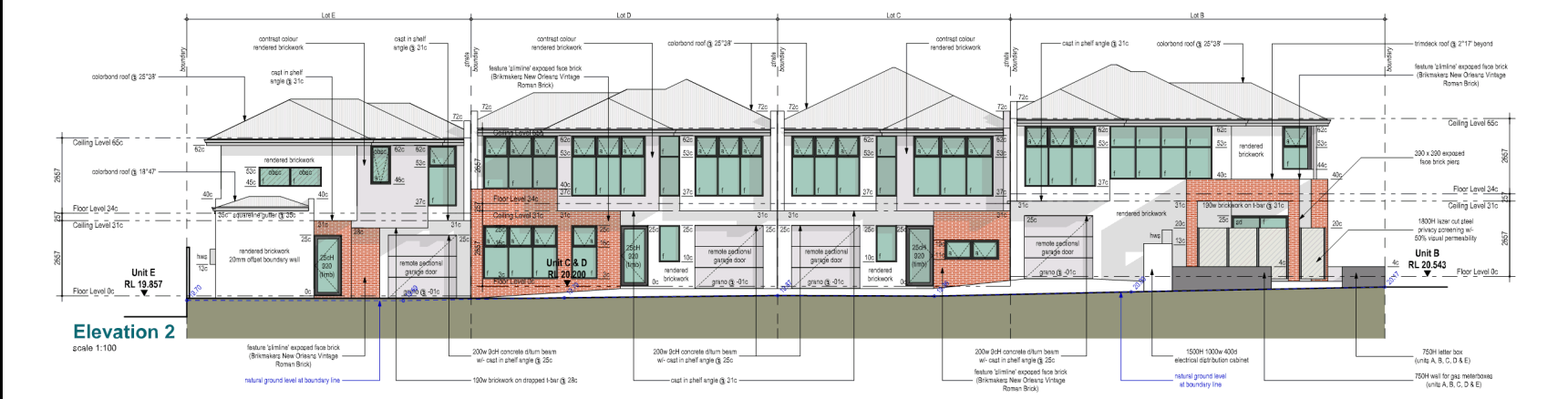
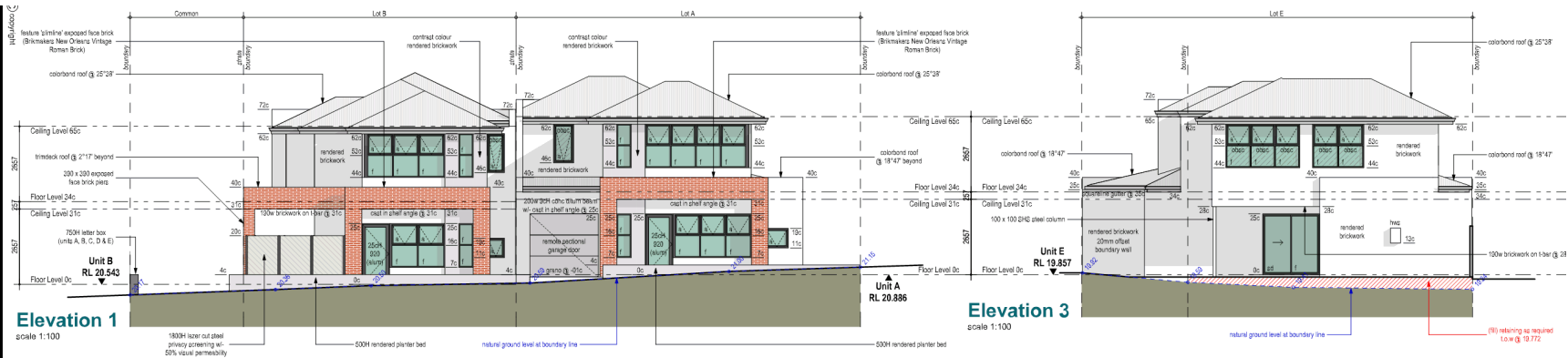
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Scale: 1:100 (A2)	Date: 18.04.2018	Rev C: 18.04.2018	
Issued for: Planning Approval		SHEET No: 03 of 06	

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18 Apr 2018

OND Building
 3111-3113
 Proposed Townhouses at Lot 66
 #481 Million Street, Mount Hawthorn

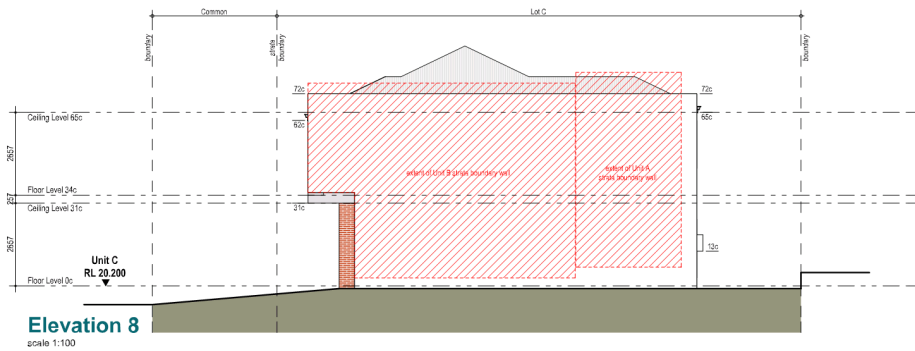
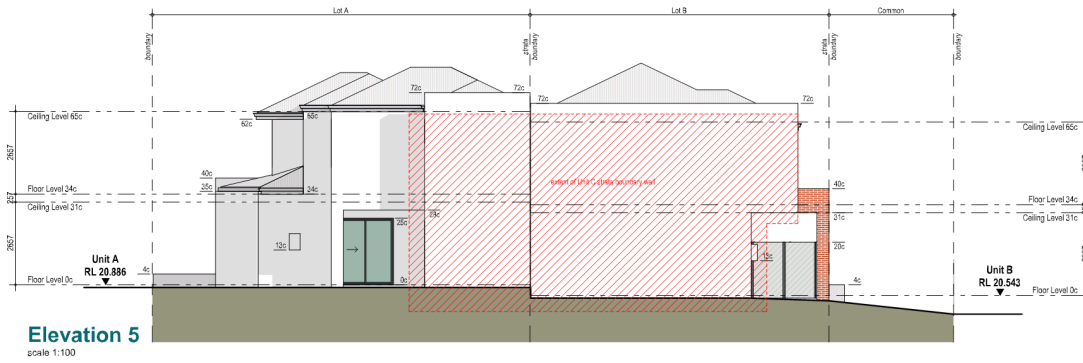
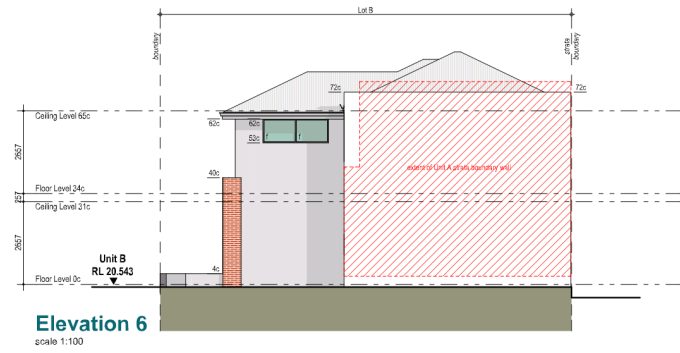
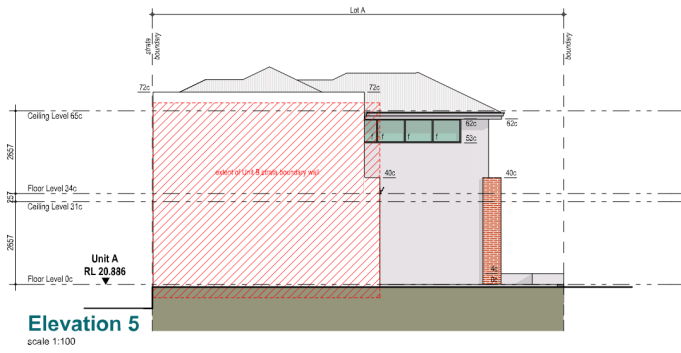
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2143
 SHEET NO.
 04 of 06



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2-Drawing
 JND Building
 Site Address
 #481 Milton Street, Mount Hawthorn
 Proposed Townhouses at Lot 66
 mark anthony design
 2/2028/2771 Mt. Stitt 18/03/2018
 E: markanthonydesign@gmail.com
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 Project No. MA 1100/020
 Issue No. 1
 Issued for Planning Approval
 Date 18/03/2018
 Job No. 2143
 Rev. C 18/04/2018
 SHEET No. 05 of 06



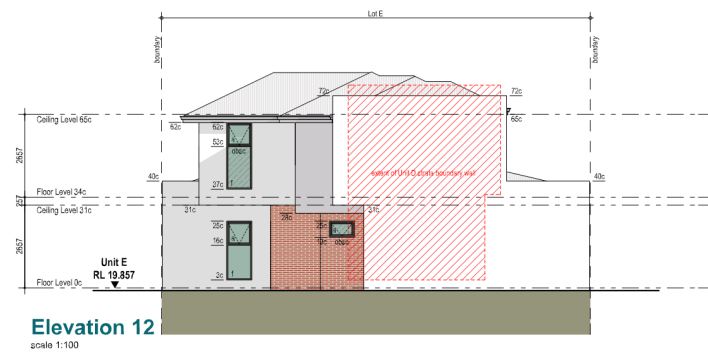
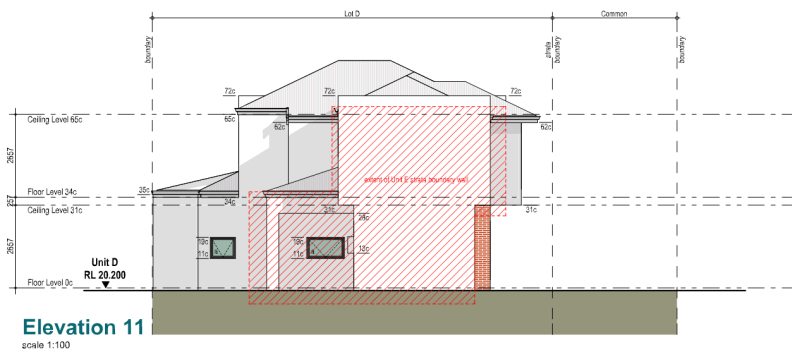
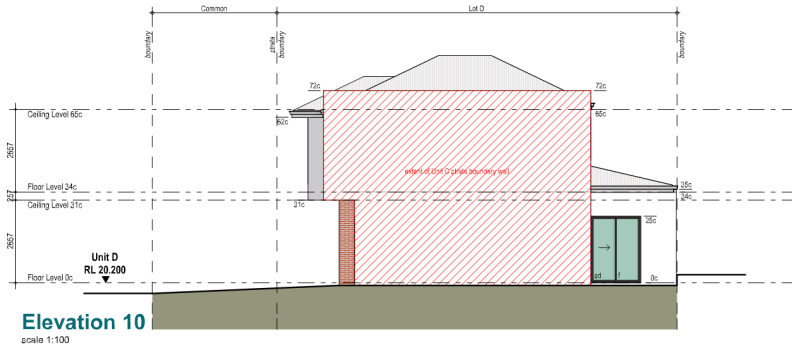
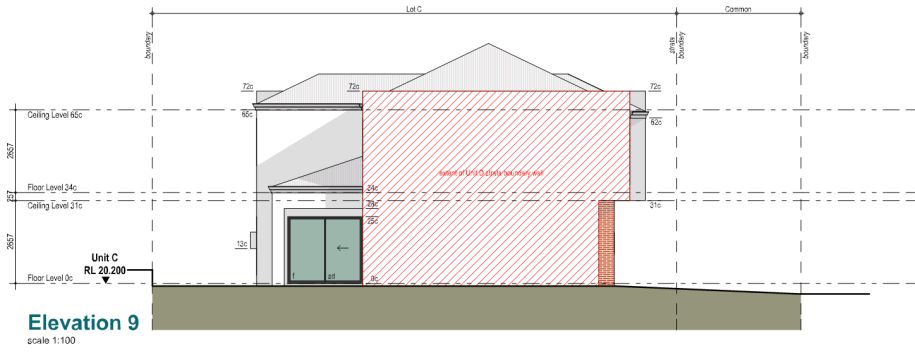
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 JND Building
 Site Address
 Proposed Townhouses at Lot 66
 #481 Milton Street, Mount Hawthorn

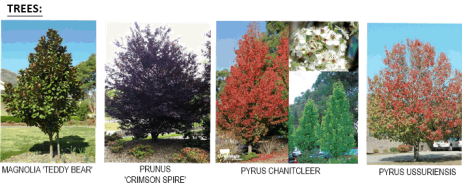
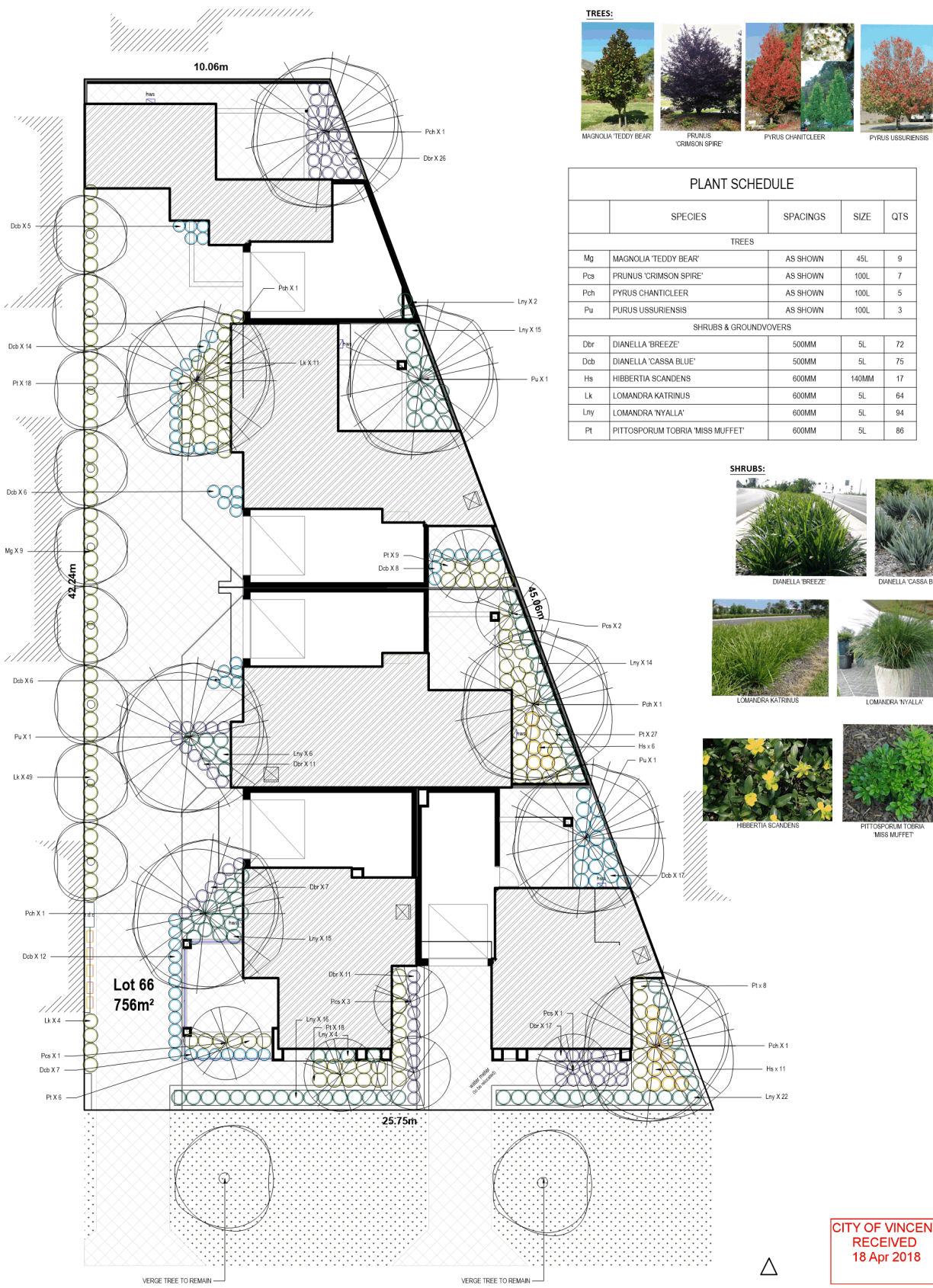
ARCHITECT

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 A: 9188 Stirling Street (over Stuar) Perth WA 6000
 www.markanthonydesign.com.au

PROJECT NO. 11001/042
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 18 Oct 2018
 SHEET NO. 06 of 06
 JOB NO. 2143
 REVISION: Rev. C - 18 Oct 2018



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PLANT SCHEDULE

	SPECIES	SPACINGS	SIZE	QTS
TREES				
Mg	MAGNOLIA 'TEDDY BEAR'	AS SHOWN	45L	9
Pcs	PRUNUS 'CRIMSON SPIRE'	AS SHOWN	100L	7
Pch	PYRUS CHANTICLEER	AS SHOWN	100L	5
Pu	PYRUS USSURIENSIS	AS SHOWN	100L	3
SHRUBS & GROUNDCOVERS				
Dbr	DIANELLA 'BREEZE'	500MM	5L	72
Dcb	DIANELLA 'CASSA BLUE'	500MM	5L	75
Hs	HIBBERTIA SCANDENS	600MM	140MM	17
Lk	LOMANDRA KATRINUS	600MM	5L	64
Lry	LOMANDRA 'NYALLA'	600MM	5L	94
Pt	PITOSPORUM TOBRIA 'MISS MUFFET'	600MM	5L	86



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18 Apr 2018



OPENSACE
LANDSCAPE CONSULTANTS

PROJECT
MILTON STREET, MT HAWTHORN

CLIENT
DND BUILDING CO PTY LTD

DRAWING
LANDSCAPE PLAN

DRAWING NO
L-01

SCALE
1:100

SHEET
A2

REVISION
1

ISSUE
FOR APPROVAL

DRAWN
AD

CHECKED
CM

DATE
19.03.18

REVISIONS

No	DATE	DRAWN	DETAILS
0	10/03/18	AD	FOR FEEDBACK
1	18/03/18	AD	FOR FEEDBACK



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18 Apr 2018

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3 January 2018

City Of Vincent Records

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03 JAN 2018

Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

CTN Ref: _____
REC No: _____



Attention: Mr Rob Sklarski – Special Project Officer (Approval Services)

Dear Rob

**APPLICATION FOR DEVELOPMENT APPROVAL
PROPOSED FIVE (5) GROUPED DWELLINGS (TWO STOREY)
LOT 66 (No.48) MILTON STREET, MOUNT HAWTHORN
CITY OF VINCENT**

We act on behalf of DnD Building and Mark Anthony Design as their consultant town planners and refer to the Application for Development Approval to construct five (5) new grouped dwellings on Lot 66 (No.48) Milton Street, Mount Hawthorn.

In assessing the application it is requested that the City give due consideration to the following key points:

BACKGROUND

1. Lot 66 is located within a well established part of the Mount Hawthorn locality approximately 420 metres south-east of the Glendalough Train Station, approximately 900 metres west of the Mount Hawthorn Town Centre ('Activity Centre') and within 300 metres of the Osborne Park Industrial Area (i.e. 'employment node').
2. Lot 66 is irregular in shape, covers an area of approximately 756m² and is gently undulating with a minor fall in the natural ground levels from approximately 21.27 metres AHD along its southern front boundary to approximately 19.34 metres AHD along its northern rear boundary.
3. The land contains a number of physical improvements including a single detached dwelling of brick and tiled roofing construction, sealed driveway, outbuildings and boundary fencing. It is significant to note that all current improvements on the land will be removed as a part of this application (see Figure 1 - Aerial Site Plan).
4. The existing dwelling on Lot 66 is not listed on the City of Vincent's Municipal Heritage Inventory (MHI) and may therefore be removed, subject to the City issuing a demolition permit.
5. The verge area abutting Lot 66 comprises two (2) mature street trees that will be retained as part of the development (see Figure 1 – Aerial Site Plan).
6. Lot 66 is not located within a bushfire prone area.
7. The subject land is located within 800 metres of a high frequency rail route (i.e. Glendalough Train Station) and within 250 metres to a high frequency bus route (i.e. Brady Street). Therefore, the proposed development on Lot 66 has been assessed under 'Location A' of 5.3.3 of the R-Codes.

Planning & Development Consultants
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CVF Nominees Pty Ltd ABN: 96 110 067 395

1

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Figure 1 – Aerial Site Plan

PROPOSED DEVELOPMENT

8. This application proposes to demolish the existing single detached dwelling on the land and the construction of five (5) new grouped dwellings (two storey).
9. In light of the above, approval under the City of Vincent 's current operative Town Planning Scheme No.1 (TPS No.1) is hereby requested.

STATUTORY REQUIREMENTS**Metropolitan Region Scheme**

10. The subject land is currently classified 'Urban' zone under the provisions of the Metropolitan Region Scheme (MRS). The following definition is provided as a guide to its stated purpose/s in the MRS:

"Urban Zone - Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry."

11. The proposed development is considered to be consistent with the defined intent of the land's current 'Urban' zoning classification under the MRS and may therefore be approved.

City of Vincent Town Planning Scheme No.1

12. The subject land is classified 'Residential' zone under the City of Vincent's current operative Town Planning Scheme No.1 (TPS No.1) with a residential density coding of R60.
13. Under the terms of TPS No.1 the development and use of any land classified 'Residential'

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zone for 'grouped dwelling' purposes is listed as a permitted ("P") use.

14. The City's Local Planning Policy 7.1.1 entitled 'Built Form' identifies that the maximum permitted building height for Lot 66 is three (3) storeys (i.e. 9 metres wall height).

DEVELOPMENT STANDARDS

15. The design of the proposed grouped dwelling development on Lot 66 has been formulated with due regard for the relevant 'deemed to comply requirements' of the Residential Design Codes (2015) and the City of Vincent's current operative Town Planning Scheme No.1 (TPS No.1) including any relevant Local Planning Policies with the exception of the following:

- a) R-Code Element 5.1.2 C2.2 – 'Street setback';
- b) R-Code Element 5.1.3 C3.1 – 'Lot boundary setback';
- c) R-Code Element 5.1.3 C3.2 – 'Lot boundary setback' (building on boundary);
- d) R-Code Element 5.3.1 C1.1 – 'Outdoor living area';
- e) R-Code Element 5.4.1 C1.1 – 'Visual privacy';
- f) Clause 5.2.1 of the City's LPP No.7.1. ('Built Form' Policy) – 'Street setbacks'; and
- g) Clause 5.14.3 of the City's LPP No.7.1.1 ('Built Form' Policy) – Landscaping.

A 'Design Principles Submission Table' addressing the relevant 'design principles criteria' for those elements of the design layout that do not meet the 'deemed to comply requirements' of the Residential Design Codes (2015) and relevant City of Vincent's Local Planning Policies is attached herewith for review and consideration by the City as part of its assessment of the application.

Conclusion

In light of the above information and attached written justification, we respectfully request the City's favorable consideration and approval of the Application for Development Approval for the construction of five (5) new grouped dwellings on Lot 66 (No.48) Milton Street, Mount Hawthorn in accordance with the plans prepared in support of the application.

Should you have any queries or require any additional information regarding any of the matters raised above please do not hesitate to contact me on 0407384140 or carlof@people.net.au.

Yours faithfully,



Carlo Famiano
Principal Town Planner
CF Town Planning & Development

Enc

DESIGN PRINCIPLES SUBMISSION TABLE FIVE (5) GRUPED DWELLINGS ON LOT 66 (No.48) MILTON STREET, MOUNT HAWTHORN CITY OF VINCENT		
R-CODE DESIGN ELEMENT & LOCAL PLANNING POLICY	PROPOSED VARIATION TO 'DEEMED TO COMPLY REQUIREMENTS'	DESIGN PRINCIPLES JUSTIFICATION
R-Code Element 5.1.2 C2.2 – 'Street setback'	The application proposes that portions of Units C & D will comprise a 2 metre setback to the common driveway boundary (i.e. secondary street) in lieu of 2.5 metres required by the 'deemed to comply requirements' of Element 5.1.2 C2.2 of the R-Codes.	<ol style="list-style-type: none"> 1. The proposed secondary street setback variation for Units C & D are considered minor and will not result in the development having a detrimental impact on the local streetscape or the amenity of any adjoining properties. It is significant to note that a 500mm landscaping strip will be provided abutting the driveway pavement to increase the setback of the dwelling to the driveway to 2.5 metres. 2. In addition to the above point, the proposed development (in particular Units C & D) comprises adequate open space to facilitate the provision of landscaping to enhance the development when viewed from the street. 3. The proposed setback variation for Units C & D from the communal driveway will not have an impact on the local streetscape or the communal driveway of the development. 4. The reduced setback for Units C & D will not interfere with the outlook of Unit E down the driveway and will not reduce the extent of passive surveillance of the communal area. 5. The proposed development has been designed to include major openings to habitable rooms orientated towards the communal driveway for each dwelling. As such it is contended that the design of the development will result in adequate passive surveillance over the communal driveway, therefore providing improved security for the occupants of the development and minimize any opportunities for concealment and entrapment. 6. All setback areas along the common driveway will be comprehensively landscaped to soften any impact the development may have on the local streetscape and the common driveway. 7. The proposed development meets the 'deemed to comply requirements' of Element 5.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes. 8. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit all occupants of the development. <p>Having regard for the above it is contended that the proposed variations to the minimum secondary street setback to the communal driveway for Units C & D within the new grouped dwelling development on Lot 66 satisfies the 'design principles criteria' of Element 5.1.2 of the R-Codes, will not have a detrimental impact on the streetscape and may therefore be approved by the City.</p>

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<p>R-Code Element 5.1.3 C3.1 – 'Lot boundary setback'</p>	<p>The application proposes that:</p> <ul style="list-style-type: none"> i) a portion Unit A (bedroom 2 - upper floor) will have a setback from the eastern side boundary ranging from 1.215 metres to 2.8 metres in lieu of a 3.0 metre as required by the 'deemed to comply requirements' of the R-Codes; and ii) a portion of Unit A (bedroom 1 – upper floor) will have a setback from the eastern side boundary of 1.215 metres in lieu of 1.5 metres required by the 'deemed to comply requirements' of the R-Codes. 	<ol style="list-style-type: none"> 1. The proposed setback variations to Unit A from the eastern side boundary are considered minor and will not have an adverse impact on the adjoining properties in terms of bulk and sale. 2. The extent of the proposed setback variations can be attributed to the irregular shape of the subject land (i.e. angled boundary) and that the setback of Unit A from the eastern side boundary varies with a setback being greater than 1.215 metres (i.e. only a minor length of wall comprises a 1.215 metre setback). 3. In addition to the above if the window for bedroom 2 (east facing) were to be minor opening (i.e. less than 1m², a high light or obscure glazing), the upper floor setback for Unit A (bedroom 2 wall) from the eastern side boundary would meet the 'deemed to comply requirements' of Element 5.1.3 C3.1 of the R-Codes. As such, the impact on the adjoining property in terms of bulk and scale would not change. 4. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas for each dwelling which will benefit all future occupants. 5. Other than the aforementioned setback variations, the proposed development on Lot 66 meets the 'deemed to comply requirements' of Element 5.1.3.C3.1 ('Lot boundary setbacks') of the R-Codes. 6. The proposed development meets the 'deemed to comply requirements' of Element 5.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes and will not detrimentally impact access to light and ventilation for any existing dwellings on the adjoining properties. 7. The proposed setback variations to the eastern side boundary will not have an adverse impact on the local streetscape in terms of its bulk and scale. 8. It is considered that those portions of the development proposing a reduced setback from the eastern side boundary are consistent in terms of its design, bulk and scale with other similar residential developments recently approved by the City in the immediate locality. 9. The reduced setback of Unit A from the eastern side boundary will not have any undue impact on the adjoining property in terms of loss of visual privacy. 10. That portion of the proposed development (i.e. upper floor Unit A) comprising a reduced setback from the eastern side boundary abuts the side setback area of a garage for the existing single detached dwelling on adjoining Lot 68 (No.29) Brady Street (see cover letter Figure 1 – Aerial Site Plan). It is significant to note that the proposed development on Lot 66 will not cast a shadow over adjoining Lot 68 at 12 noon on 21 June (i.e. winter solstice). Given these facts, it is contended that the proposed development on Lot 66 will not have an adverse impact on any outdoor living areas or major openings to habitable rooms associated with the existing dwelling on adjoining Lot 68. <p>Having regard for all of the above it is contended that those portions of the new grouped dwelling development on Lot 66 proposing a reduced setback from the eastern side boundary satisfies the 'design principles criteria' of Element 5.1.3 of the R-Codes, will not have an adverse impact on the adjoining properties or the local streetscape and may therefore be approved by the City.</p>
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<p>R-Code Element 5.1.3 C3.2 – 'Lot boundary setbacks' (buildings on boundary)</p>	<p>The application proposes that:</p> <ul style="list-style-type: none"> i) the portions of the proposed development will be built up to two (2) lot boundaries (i.e. west & eastern boundaries) in lieu of one (1) lot boundary permitted by the 'deemed to comply requirements' of the R-Codes; ii) the portion of Unit E to be built up to the western side boundary will comprise an average height of 3.175 metres in lieu of an average height of 3.0 metres permitted by the 'deemed to comply requirements' of the R-Codes; and iii) the portion of Unit E to be built up to the eastern side boundary will comprise an average height of 3.125 metres in lieu of an average height of 3.0 metres permitted by the 'deemed to comply requirements' of the R-Codes. 	<ol style="list-style-type: none"> 1. The variation to the average wall height of those portions of the development to be built up to the side boundaries (i.e. 125mm & 175mm) are considered minor and will not have a detrimental impact on the adjoining properties. 2. The proposed development meets the 'deemed to comply requirements' applicable to solar access for adjoining sites of the R-Codes and will not overshadow or detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties. 3. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas of each dwelling which will benefit all future occupants. 4. The walls proposed to be built up to the side boundaries do not contribute to overlooking or the loss of privacy of adjoining properties. 5. The maximum wall height and maximum permitted wall length of those portions of the proposed development to be built up to the side boundaries meet the 'deemed to comply requirements' of Element 5.1.3 C3.2 of the R-Codes. 6. The extent of variations being sought in regarding the building on boundaries can be attributed to the irregular shape and fall in natural ground levels (i.e. 1.93 metres). 7. It is contended that the proposed variation for those portions of the new development to be built up to the side boundaries are consistent in terms of their design, bulk and scale with other similar residential developments approved by the City in the immediate locality. 8. It is contended that those portions of the proposed development to be built up to the side boundaries will not have any adverse impacts on the local streetscape in terms of its bulk and scale. 9. That portion of the proposed development (i.e. Unit E) to be built up to the western side boundary abuts the side setback area of the existing grouped dwelling development on adjoining No.50 Milton Street (see cover letter Figure 1 – Aerial Site Plan). As such, it is contended that the proposed development on Lot 66 will not have any adverse impacts on any outdoor living areas associated with the existing grouped dwellings on adjoining Lot 66. 10. That portion of the proposed development to be built up to the eastern side boundary (i.e. Unit A) abuts the side setback area of the garage for the existing single detached dwellings on adjoining Lot 68 (No.29) Brady Street (see cover letter Figure 1 – Aerial Site Plan). As such it is contended that the proposed development on Lot 66 will not have any adverse impacts on any outdoor living areas or major openings to habitable rooms associated with the dwelling on adjoining Lot 68. 11. That portion of the proposed development (i.e. Unit E) to be built up to the eastern side boundary abuts the extensive rear yard area and outbuildings for the existing single detached dwelling on adjoining 67 (No.27) Brady Street (see cover letter Figure 1 – Aerial Site Plan). As such it is contended that the proposed development on Lot 66 will not have any adverse impacts on any outdoor living areas or major openings to habitable rooms associated with the existing dwelling on adjoining Lot 67.
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		<p>Having regard for all of the above it is contended that those portions of the proposed new grouped dwelling development on Lot 66 to be built up to the side boundaries satisfy the 'design principles criteria' of Element 5.1.3 of the R-Codes, will not have an adverse impact in terms of bulk and scale on the adjoining properties or the local streetscape and may therefore be approved by the City.</p>
<p>R-Code Element 5.3.1 C1.1 – 'Outdoor living area'</p>	<p>The application proposes that a portions of the outdoor living area for Unit B will comprise a dimension less than 4 metres as required by the 'deemed to comply requirements' of Element 5.3.1 C1.1 of the R-Codes.</p>	<ol style="list-style-type: none"> 1. The variation to the minimum dimension of the outdoor living area for Unit B is considered minor will not undermine the usability of this area by the future occupants of the dwelling. 2. The outdoor living area for Unit B is usable and functional for the future occupants of the dwelling, with the area being designed to be used in conjunction with a habitable room (i.e. meal & living room). Furthermore, the location of the outdoor living area along the front building line of the dwelling will assist with providing an active frontage to the street and improved passive surveillance of Milton Street. 3. The outdoor living area provided for Unit B meets the 'deemed to comply requirements' of Element 5.3.1 C1.1 of the R-Codes in terms of minimum area. 4. The outdoor living area for Unit B has access to the northern winter sun, whilst providing some cover to facilitate usage throughout the year. 5. The proposed development provides for the effective use of all available space and the creation of adequate internal and external living areas which will benefit future occupants. <p>Having regard for the above it is contended that the proposed dimension and area of the outdoor living area for Unit B satisfies the 'design principles criteria' of Element 5.3.1 of the R-Codes, is sufficient to accommodate the needs of the future occupant of the dwelling and may therefore be approved by the City.</p>
<p>R-Code Element 5.4.1 C1.1 – 'Visual privacy'</p>	<p>The application proposes that:</p> <ol style="list-style-type: none"> i) a portion of the 3 metre 'cone of vision' from the bedroom 2 window of Unit A will extend over the adjoining eastern property; and ii) a portion of the 4.5 metre 'cone of vision' from the kitchen of Unit E will extend over the adjoining western property. 	<ol style="list-style-type: none"> 1. The proposed development has been designed to effectively locate all major openings to habitable rooms in a manner which avoids direct overlooking and maintains the visual privacy of all adjoining residential properties. 2. The extents of overlooking from the proposed development extending over the adjoining properties are considered minor and will not have an adverse impact on the adjoining properties. 3. Those portions of the 'cones of vision' extending over all immediately adjoining properties are not considered to be excessive or detrimental in terms of visual privacy impacts. 4. With respect to any potential impacts on the amenity of adjoining Lot 68 (No.29) Brady Street (i.e. eastern property), the following points are submitted in support of the proposal: <ol style="list-style-type: none"> i) That portion of the 'cone of vision' from the Unit A of the proposed new development will extend over secondary street setback area and side setback area of the garage of the existing single detached dwelling on adjoining Lot 68 (see cover letter Figure 1 - Aerial Site Plan). As such, it is contended that the overlooking from Units A of the new development on Lot 66 will not have an adverse impact on adjoining

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		<p>Lot 68;</p> <ul style="list-style-type: none"> ii) Part of the area of land on Lot 68 being overlooked by the bedroom 2 window is currently visible from by the general public from Milton Street. As such the proposed 'overlooking' is unlikely to have any detrimental impacts in terms of visual privacy for the current occupants of adjoining Lot 68; and iii) The proposed bedroom 2 window of Unit A will be of significant benefit in terms of improving levels of passive surveillance over the secondary setback area and driveway area of the existing dwelling adjoining Lot 680. <p>5. That portion of the 'cone of vision' from the kitchen window of Unit E of the proposed new development will extend over the side setback area of the of the existing grouped dwelling development on adjoining No.50 Milton Street (i.e. adjoining western property) (see cover letter Figure 1 - Aerial Site Plan). As such, it is contended that the overlooking from Unit E of the new development on Lot 66 will not have an adverse impact on the adjoining western property.</p> <p>Having regard for all of the above it is contended that those portions of the 'cones of vision' extending from the proposed grouped dwelling development on Lot 66 over the adjoining western and eastern properties satisfy the 'design principles criteria' of Element 5.4.1 of the R-Codes, will not have an adverse impact on the amenity of the adjoining properties and may therefore be approved by the City.</p>
<p>City of Vincent Local Planning Policy No.7.1.1 'Built Form' – Clause 5.2.1 ('Street Setback')</p>	<p>The application proposes that: the primary front setback does not reflect the predominant pattern of the immediate locality (i.e. five adjoining properties). As such the proposed front setbacks for the grouped dwelling development on Lot 66 will comprise a front setback of 2 metres in lieu of 2.55 metres as required by the 'deemed to comply requirements' of Clause 5.2.1 of the City's Policy No.7.1.1.</p>	<ul style="list-style-type: none"> 1. The proposed variation to the average front setback (i.e. 550mm) is considered minor and will not result in the development having a detrimental impact on the local streetscape in terms of bulk and scale. 2. The proposed development has been designed with a variable setback along its Milton Street frontage to help provide an interesting and articulated front facade. This includes the provision of varying material types along the front façade and numerous major openings to habitable rooms to improve passive surveillance and an 'active frontage' to Milton Street. 3. The proposed development will not have an adverse impact on the Milton Street streetscape in terms of its overall bulk and scale and is generally consistent with other similar residential developments approved by the City in the immediate locality. 4. In addition to the above point, there are a number of dwellings along Milton Street that comprise a front setback of less than 3 metres. Therefore, the proposed development on the subject land is consistent with the front setbacks of other existing dwellings along Milton Street (i.e. built form), including a number of recently constructed multiple and grouped dwelling developments situated on both sides of the street (see cover letter Figure 1 – Aerial Site Plan). 5. The proposed development has been designed to include major openings to habitable rooms orientated towards Milton Street. As such it is contended that the design of the proposed development on the subject land will result in a positive contribution to the streetscape and will result in improved passive surveillance on Milton Street.

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		<ol style="list-style-type: none"> 6. Abutting Lot 66 is a substantial verge area with a width of approximately 6.5 metres along the land's frontage with Milton Street. The verge width provides an increased setback between the proposed development and the road pavement, therefore minimising the impact of the proposed built form on the Milton Street streetscape. Furthermore, the front setback and verge areas for the proposed development will be adequately landscaped to ensure they continue to make a positive contribution to the local streetscape. 7. In addition to the above point, the verge area abutting the subject land comprises two large mature street trees which will be retained. The preservation of the street trees will assist with screening the proposed development from the street. 8. The reduced front setback for the proposed development will not have an adverse impact on the visual outlook from any adjoining properties on the street. 9. The proposed development makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit all future occupants. 10. There is sufficient space available within the front setback area to accommodate any required easements for the servicing authorities. 11. The proposed front setback of the new development on the subject land meets the 'deemed to comply requirements' of Element 5.1.2 C2.1 ('Street setback') of the R-Codes (i.e. an average front setback of 2 metres on land coded R60). <p>Having regard for all of the above it is contended that the proposed variation to the front setback for the new grouped dwelling development on Lot 66 will not have an adverse impacts on the streetscape, is consistent with the current built form along Milton Street, will not adversely impact the existing dwellings on the adjoining properties, satisfies the 'design principles' of P5.2.1 of the City's Policy No.7.1.1 entitled 'Built Form', will not compromise the objectives of the City's policy and may therefore be supported and approved by the City.</p>
<p>City of Vincent Local Planning Policy 7.1.1 'Built Form' - Clause 5.14.3 ('Landscaping')</p>	<p>The proposed development proposes 13.68% (i.e. 103.48m²) of the site area being provided with 'Canopy Cover' in lieu of 30% (i.e. 226.8m²) as required by the 'deemed to comply requirements' of Clause 5.14 of the City's Policy No.7.1.1.</p>	<ol style="list-style-type: none"> 1. The proposed 'Deep Soil Zone' for the proposed grouped dwelling development on Lot 66 meets the 'deemed to comply requirements' of Clause 5.14 of the City's Built Form policy. In fact the proposed development proposes greater than required 'Deep Soil Zone' areas (i.e. 15.85% in lieu of 15%) of the proposed development. 2. The proposed variation to the extent of 'Canopy Cover' is unlikely to have a detrimental impact on the amenity of the local streetscape or any adjoining properties. 3. It is contended that on maturity, the extent of 'Canopy Cover' over Lot 66 will be greater than 13.68%. 4. The proposed development has provided adequate 'Canopy Cover', with the extent of landscaping being adequate to reduce the impact of the development on the adjoining properties. Furthermore, the extent of 'Canopy Cover' for the proposed development will achieve the objectives set by the City to provide adequate coverage of the land to satisfy the City's goal to provide more environmentally sensitive urban area. 5. It is contended that the extent of landscaping is consistent with the stated objectives of the City's Built Form policy and that the variation to the 'Canopy Cover' requirements will not comprise the objectives of the City's

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		<p>policy.</p> <ol style="list-style-type: none"> 6. The Milton Street verge area abutting Lot 66 comprises a width of 6.5 metres and contains two (2) large mature street trees which are being preserved. The front setback and verge areas will be comprehensively landscaped and maintained to help soften any potential impact the development may have on the local streetscape. 7. The proposed development has been designed to incorporate a number of large trees within the landscaping area to assist with improving the overall appearance and amenity of the development for its future occupants. 8. The extent of landscaping provided in support of the development has been designed to reduce the impact of development on adjoining properties and the public realm. Furthermore, it is contended that the landscaping is sufficient to provide a sense of open space to the local residents along Milton Street. 9. The extent of tree canopy provided in support of the development will assist with the City's vision of creating a green canopy and achieve the Vincent City Council's ambition of reducing urban heat. 10. Clause 5.14 of the City's Policy No.7.1.1 does not take into consideration lots with a relatively small area and an irregular shape. Given these constraints and the designated density coding of R60, it should be recognised and acknowledged that there is a predisposition to greater variations to the landscaping requirements to assist with the development of the land. It is contended that the requirement to accommodate the area of 'Canopy Cover' is excessive and that the provision may compromise the development potential of the land and the design layout of the dwellings to the detriment of the future occupants. <p>Having regard for all of the above it is contended that the extent of landscaping provided in support of the new grouped dwelling development on Lot 66, including the area of 'Canopy Cover', satisfies the 'design principles' of Clause 5.14 of the City's Policy No.7.1.1 entitled 'Built Form', will not compromise the objectives of the City's policy and may therefore be supported and approved by the City.</p>
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Corymbia Consulting
Arboricultural Consultants

2018

Tree assessment of two *Lophostemon confertus* on the verge of 48 Milton Street, Mt Hawthorn.

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1.0 Scope of Report

- To undertake an assessment of two *Lophostemon confertus* (Queensland Box Tree) located on the verge of 48 Milton Street, Mt Hawthorn due to development of the site.

2.0 Introduction

The purpose of this report is to provide advice with regards to the impact that proposed development of 48 Milton Street could have on the two Queensland Box trees located on the adjacent verge. This report takes into consideration the health and condition of the trees and proposed design with the intention of providing unbiased recommendations that are in the best interest of the tree(s), that can be applied practically.

3.0 Limitations

This report is limited to a basic inspection only on the sections of property to which reasonable access was permitted. The inspection is also limited to the discovery or non-discovery of structural faults and observations at the time of inspection only. An aerial inspection was not undertaken on any tree, nor was any soil excavation or a risk assessment. It is recommended that a risk assessment be undertaken using either the Quantified Tree Risk Assessment system (QTRA) or the International Society of Arboriculture's risk assessment system (TRAQ).

4.0 Trees and People

Trees provide a range of benefits to the community, especially in areas of amenity, such as parks and street scapes, by way of social and physiological factors. They add to the sense of place within an area. They improve its atmosphere and ambience, helping to create areas that people want to dwell in. They improve air quality and reduce the effects of wind and sun damage to property and person; Real Estate studies have also found that tree lined street can aid in increasing property prices by up to 20 percent

When assessing trees, they cannot be considered as "safe" or "unsafe" as this is both ambiguous and inaccurate. It should be acknowledged that there are some risks associated with keeping trees in the urban environment and that land managers have a duty of care to insofar as is reasonably practicable to ensure that the property and people using this land are not exposed to unreasonable levels of risk. Whilst trees cannot be "made safe", they can be managed to maintain the many benefits they bring whilst reducing these associated risks.

5.0 Methodology

The inspection consisted of a ground based basic inspection utilising the principals of visual tree assessment, along with guidelines set out in AS4970 – Protection of Trees on Development sites.

The tree has been assessed using the following criteria:

Age Range:

J = Juvenile **SM** = Semi Mature **M** = Mature **FM** = Fully Mature

EV = Early Veteran **V** = Veteran

(See appendix 1 for the descriptions of each category)

Height:

The approximate height of each tree has been provided in meters.

Diameter at Breast Height (DBH):

A measurement of the diameter of the trunk in centimetres (cm) for this tree has been provided, this measuring was taken at 1.4m above ground level and is used to calculate the radius of the Tree Protection Zone (TPZ) for the tree in line with AS 4970.

Diameter at Ground Level (DGL):

A measurement of the diameter of the trunk in centimetres (cm) at ground level has been provided for this tree, this is used to calculate the radius of the Structural Root Zone (SRZ) in line with AS 4970 to enable protection measures for the root zone to be implemented where necessary.

Canopy spread:

An approximate width of the canopy on the North/South and East/West axis has been provided in meters (m) to show the canopy area of the tree.

Condition:

The tree has been given a rating based upon its condition, visual appearance of the tree and its form with regard to what is typical for the particular species. If a tree is found to be exhibiting the usual form for a species it is considered to be "Average" (the majority of trees are regarded as average), where a tree is found to be growing exceptionally well and is in excellent health and condition and is considered to be an ideal example of a species, it would be regarded as Good, A tree with a "Poor" condition would not provide any aesthetic benefit to the area and might have some structural issues.

P = Poor A = Average G = Good

5.1 Methodology

Useful Life Expectancy (ULE)

This category provides a guide as to how long a tree might continue to make a positive contribution to the place in which it dwells based upon its condition and structural integrity.

A. Long (Greater than 40 years)

High quality and high value, these trees would hold such a condition that make them a valuable part of the environment/ landscape, would be considered to hold a Useful Life Expectancy (ULE) of 40 years of greater, thus allowing them to make a substantial contribution.

B. Medium (Between 20 and 40 years)

Medium quality and medium value, trees of this category are thought of as making a significant contribution to the area they dwell in and would be considered to hold a ULE of a minimum of 20 years.

C. Short (Between 5 and 20 years)

Low quality and low value. These trees would be regarded as being in an adequate condition that would see them being retained for a period that would allow new plantings to establish. They would be considered as having a ULE of 5 to 10 years.

D. Transient (Less than 5 years)

Very Low quality and very low value, these trees would be regarded as having a poor form, displaying a low vitality and may be exhibiting initial signs of structural decline. They would be considered to have a ULE of less than 5 years and are to be included in a plan for replacement.

R. Dead or hazardous (no remaining ULE)

Removal is required. Trees in this category would be considered to hold such a condition that would potentially hold no value in their current state and it would be reasonable to undertake their removal for reasons of sound Arboricultural management and / or due to a high level of risk.

Species Origin:

This section advises whether or not an identified tree is Endemic, Native or an Exotic species.

Endemic = This is a species of tree that is known to grow naturally within the location of the tree survey and is not introduced from other parts of Australia.

Native = This is a species of tree that is Native to Australia, but is not found naturally within the location of the survey.

Exotic = A species of tree that has been introduced to Australia from other countries.

6.0 Location

48 Milton Street, Mt Hawthorn.



6.1 Subject Trees



7.0 Tree Assessment

Tree 1

Species: *Lophostemon confertus*

Age class: Semi Mature

Height: 5m

Trunk diameter (DBH): 35cm

Trunk diameter at Ground level (DGL): 35cm

Canopy Spread **N/S:** 6.5m **E/W:** 5.5m

Tree Protection Zone (TPZ): 4.2m

Structural Root Zone (SRZ): 2.13m

Condition rating: Poor

ULE: R

Species Origin: Native

7.1 Tree Assessment

Tree 2

Species: *Lophostemon confertus*

Age class: Semi Mature

Height: 8m

Trunk diameter (DBH): 94.5cm

Trunk diameter at Ground level (DGL): 81cm

Canopy Spread **N/S:** 9m **E/W:** 5.5m

Tree Protection Zone (TPZ): 11.34m

Structural Root Zone (SRZ): 3.03m

Condition rating: Average

ULE: A

Species Origin: Native

7.3 Tree Assessment

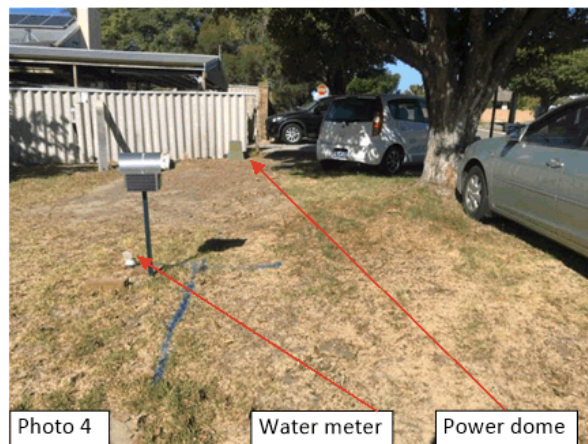
Root Zone

The root zone of tree 1 was found to have been disturbed in recent times, with excavation appearing to have been carried out recently for the installation of underground power (Photo 1 & 2). This is evidenced by sand on the verge between the road and tree, where a pit has been dug to facilitate under road boring to the power pole on the opposite side of the road. Excavation has been undertaken to the North East of tree 2 to install the new power dome. This excavation is 6.5m from the tree which is outside of its structural root zone.



Tree 1 was found to have diminished signs of life with little cambial activity. It is not known if the excavation has had anything to do with its decline.

The root crown of tree 2 is showing signs of basal flare and the production of annualised response growth, indicating that these trees are maintaining a structurally firm root plate at this time. There is a road 2.7m to the south, with no signs of root damage from this tree, and A water meter is 4.7m to the North West (Photo 4). It is important this should any excavations be required around the water meter, they are not undertaken any closer than 3m from the tree.



7.4 Tree Assessment

Trunk

The trunk of tree 1 is showing minimal signs of cambial activity due to its decline in health.



Photo 5

Tree 2 has a single trunk to a height of 1.5m where it bifurcates to form multiple leaders. The union of the bifurcation was found to be sound with little included bark. Sounding of this trunk with an acoustic hammer found it to have an adequate wall thickness at this time. The tree was observed to be applying annualised wood to maintain optimal structural integrity.

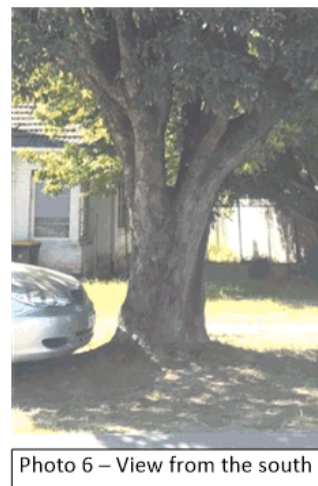


Photo 6 – View from the south

7.5 Tree Assessment

Canopy

The canopy of tree 1 was observed to be in significant decline, with few living leaves. (photo 7 & 8)



Photo 7 – View from the north



Photo 8 – View from the south

Tree 2 was found to have a normal density in its crown (photo 9, 10, 11 & 12) and displays a good level of health and condition. There were no signs of pest, disease or fungal attack present at this time.



Photo 9 – View from the south



Photo 10 – View from the north



Photo 11 – View from the east



Photo 12 - View from the west

8.0 Discussion

Tree 1 was found to be in poor condition and is effectively moribund. It would be recommended to remove this tree and replace it with a species in line with the City of Vincent's street tree planting list. The tree should ideally be of a 100 litre bag size. The new tree should be watered for a minimum of two summers following planting with a minimum of 150 litres of water per week.

Tree 2 was found to hold a good level of health and condition. The driveway proposed to be installed to the west of this tree will intrude into the Structural Root Zone (SRZ) by approximately 1.32m², totalling 4.58% of the total SRZ. This is acceptable on the provision that excavation is undertaken in line with the advice in section 9.0 and 9.1 of this report and that the tree is provided with supplemental watering during the period of construction and for two summers following the completion of construction. A minimum of 1000 litres per week should be applied to this tree across the week. I.e. 143 litres each day of the week or 200 litres per week day.

(The start of each summer can be regarded as 1 November to 31 March)

It will be recommended that Protection fencing is erected around tree 2 during the period of construction to form a Tree Protection Zone (TPZ). This should be a temporary steel mesh fencing that is rigid and stands to a minimum height of 1.6m. TPZ signage is to be installed on all sides of the fencing, advising of the purpose of this fencing and all personnel working on the site are to be informed of its purpose during their site induction. The fencing should be installed on all sides of the tree to form a complete circle, square or rectangle, where there is open ground it should be placed 0.5m outside of the canopy of the tree. On the road side, it should be placed inside of the kerb to run parallel with it. Whilst this does not encompass the total area of the calculated TPZ, it allows for a reasonable area to be left for the storage of building materials and access to the site.

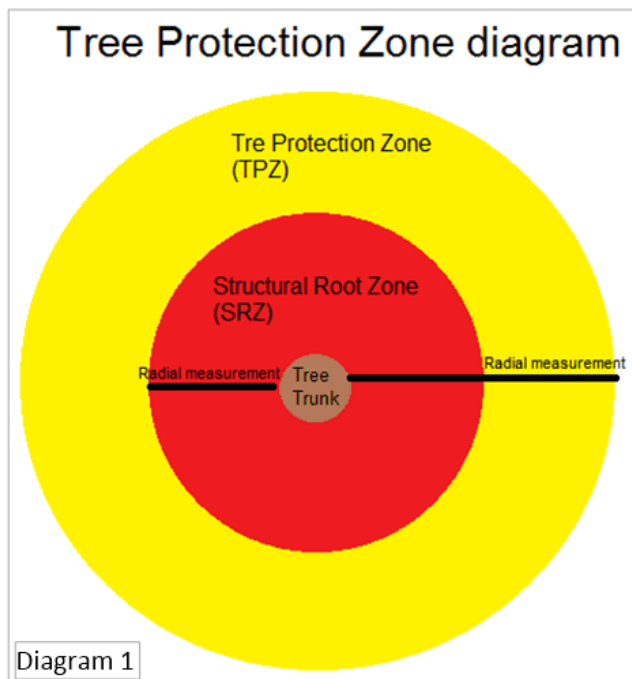
Rules of the TPZ

- The fencing is not to be moved during the period of construction, without seeking permission from the City of Vincent, except to allow for the construction of the new driveway, after which it can be placed alongside the new driveway
- Building materials are not to be stored within the TPZ
- Waste materials are not to be placed/ disposed of within the TPZ
- Excavation is not to be undertaken within this area (exception point 1)
- Soil or fill is not to be placed within this area

9.0 Protecting Trees During Excavation

The Australian standard for Protection of trees on development sites, AS 4970 – 2009, which serves to set out protection measures for trees during the period of excavation and construction and is comprised of two zones.

The first is the Tree Protection Zone (TPZ) (Diagram 1) which considers protection of the canopy and roots. This is best set up with the use of temporary mesh fencing around the tree, it is ideal that no plant and equipment enter this area in order to prevent any damage to the canopy, trunk and roots through excavation works and use of



plant end equipment. It is imperative that any excavation immediately around the temporary fencing be undertaken inline with the excavation methodology as set out in 9.1 to protect the structural root zone of the tree.

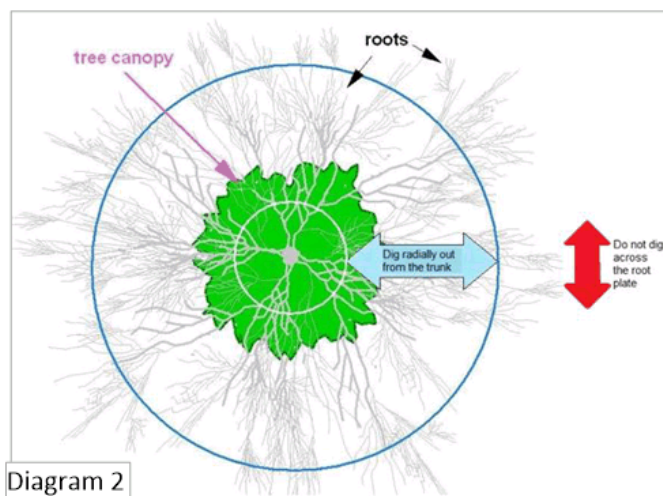
The second zone is the Structural Root Zone (SRZ) which is ultimately a no dig zone for excavation works in instances where it is found that there is an absolute need to dig within the TPZ. (Diagram 2) and is the closest you can possibly get to a tree without causing significant structural damage to the structural roots of the tree.

Please note that the TPZ is inclusive of the SRZ measurement.

Even when working outside of the TPZ. It is important that any excavation works carried out around these trees is done in a radial pattern and not across the root plate of the trees (Diagram 2). When any mechanical equipment digs across a root plate they have a tendency to catch any roots in their path and pull against it. This action leads to damage further along the root and possible fracturing of the root crown where the root joins onto the base of the tree. This can then lead to death of the root and possible decline or even death of the tree. By digging radially along the roots this lessens the possibility of this type of damage occurring and will help to maintain the good condition of the trees into the future.

9.1 Protecting Trees During Excavation

Excavation should begin by gently removing the top layers of soil in a radial pattern from the trunk outwards (Diagram 2) to identify any roots that may be in the area to be excavated. These roots must then be cut with a sharp clean saw to make a clean cut. (Not torn with machinery or cut with an axe). The cut end of the root can be sealed with a wound sealant (but it is not essential), this can help to prevent disease or fungal infections from entering the tree.



Once all roots have been identified and cleanly cut, excavation can take place by normal methods and the cut ends can be dug out. This will then allow construction to proceed as normal.

10.0 Recommendations

- That tree 1 be removed and a replacement be planted following completion of construction at a minimum distance of 2m from the new driveway.
- That the new tree be watered for 2 summers following planting with a minimum of 150 litres of water per week.
- That tree 2 be retained and protected
- That tree 2 receive supplemental watering as described in section 8.0
- That protection fencing be placed 0.5m around the outside of the canopy in order to allow for some usable area of the verge.
- That any required excavation is undertaken outside of the Structural Root Zone for Tree 1 (3.03m). With the exception of the additional crossover that will encroach the SRZ.
- That all excavation undertaken around the tree is done so in line with the methodology described in sections 9.0 and 9.1.

11.0 Appendix 1- Age Category Chart

Age Class	Non Veteran				Veteran	
	Juvenile	Semi Mature	Mature	Fully Mature	Early Veteran	Veteran
Definition	From seedling to 10 years of age	Trees older than 10 years, but less than one third of their life expectancy for the species, with annual-increment volume increasing	Trees between one third and two thirds of their life expectancy for their species. Early stage of escape from apical dominance. And usually at full height with their DBH increasing	Trees beyond two thirds of their life expectancy, no significant growth being applied. Onset of natural decline in DBH. At later stage of Fully Mature: development of branch reiteration (incipient independent branch functioning). Start of retrenchment stage. Hollows are beginning to form.	Loss of apical dominance. Proliferation of deadwood from redundancy. Decline in annual-incremental volume. Hollows beginning to form. The tree is of a sizeable DBH and high habitat value and is thought to be over 100 years of age	Rounded and significantly retrenched large hollows that have formed. The tree holds a significant DBH and habitat value

Adapted from Defining and Surveying Veteran and Ancient Trees, Fay, N (2007)

12.0 Appendix 2 - Arboricultural Terminology

Term	Explanation
ALARP	As Low as Reasonably Practicable.
AQF	Australian Qualification Framework
Bifurcation (Bifurcates)	This is where a trunk splits into two leaders to continue forming the canopy of the tree.
Cambium (Cambial Material)	A layer of delicate meristematic tissue between the inner bark or phloem and the wood or xylem, which produces new phloem on the outside and new xylem on the inside in stems, roots, etc., originating all secondary growth in plants and forming the annual rings of wood.
Clinometer	A device that uses geometry to aid the calculation of a height of an object.
Compression (Compression Fork)	In mechanics, a force which pushes and tends to compress. The material fails by being crushed or by buckling (following sideways deflection). Often occurs in a narrow fork with included bark in which continued radial growth results in pressure which tends to push the limbs of the fork apart.
Crown/Canopy	The main foliage bearing section of the tree.
Crown lifting	The removal of limbs and small branches to a specified height above ground level.
Crown thinning	The removal of a proportion of secondary branch growth throughout the crown to produce an even density of foliage around a well-balanced branch structure.
DBH (Diameter at Breast Height)	Stem diameter measured at a height of 1.3 metres or the nearest measurable point. Where measurement at this height meters is not possible, another height may be specified.
Deadwood	Dead branch wood.
Dead wooding	The removal of deadwood from the canopy.

First order branch	The large branches arising from the trunk that form the main structure of the crown.
Heartwood	The hard central wood of a tree
Included bark (ingrown bark)	Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact.
Leaders	A dominant shoot, this can be at the uppermost tip of the tree or a side branch.
Occlusion/Occluding	To close up or over – usually where new wood is formed over a wound or pruning cut
Quantified Tree Risk Assessment (QTRA)	A systematic process of assessing the risks that trees pose to particular targets.
Reduction prune	Pruning to reduce the extension of a branch, back to a lateral branch that is at least one-third the diameter of the branch being removed.
Retrenchment	A process of self reduction in the size of the trees canopy to maintain structural integrity
Root crown	The transitional area between the trunk and roots.
Root Protection Zone (RPZ)	This is a designated area around a tree in which any form of excavation is prohibited from occurring without instruction from an Arborist on how to proceed.
Saprophytic	Any organism that lives on dead matter
Second order branch	A branch arising from a first order structural branch.
Structural root zone (SRZ)	The zone of the root plate most likely to contain roots that are critical for anchorage and the stability of the tree.
Subtend	Pruning of a stem of lateral back to a growth point in order to remove its apical tip.

Targets	An object, person or structure that would be damaged or injured in the event of tree or branch failure is referred to as the target or target area.
Topping and Lopping	Work often at indiscriminate points and generally resulting in weakly-attached regrowth branches.
Tree Protection Zone (TPZ)	This is an area left around a tree to ensure protection of the above and below ground parts of the tree during construction works. It will usually include the RPZ, and is usually recommended to be fenced off for the period of the works.
Under pruning	The removal of the lower (hanging) portions of a trees canopy to provide sufficient room for vehicles or persons to pass beneath.

13.0 Appendix 3 - Tree Protection Zone Sign (example)



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15.0 Authors Qualifications and Training

Qualifications

- 2015: Graduate Certificate in Arboriculture - University of Melbourne
- 2012: Diploma in Arboriculture - Murdoch College of Tafe
- 2012: Certificate IV in Frontline Management – Leadership Management Australia
- 2011: Certificate IV in Arboriculture - Murdoch College of Tafe
- 2010: Certificate III in Arboriculture - Murdoch College of Tafe
- 2008: Certificate III in Irrigation - Murdoch College of Tafe
- 2003/2004: RFS Certificate in Arboriculture
- 2003: Botanic Horticulture (Botanical Gardens management) Birmingham Botanical Gardens (*England*)
- 2003: Herbarium techniques and management - University of Birmingham (*England*)
- 2001: Diploma of Horticulture - Murdoch College of Tafe
- 1999: Certificate III of Horticulture - Murdoch College of Tafe

Professional development training

- 2016 – QTRA – Advanced user training (QTRA)
- 2014 Tree Risk Assessment Qualification – (International Society of Arboriculture)
- 2013: QTRA intermediate workshop (QTRA)
- 2013: QTRA – Visual Tree Assessment (QTRA)
- 2013: License to Operate a boom type elevating work platform
- 2010: Quantified Tree Risk Assessment System Training (QTRA)
- 2006: Level 2 Tree Care (Arbor Logic)
- 2010: Local Government Safety Induction – Outdoor Environments (EMRC)
- 2010: Guidelines for Effective Accident Investigations (EMREC)
- 2008: Tree Pruning Near Powerlines (Western Power)
- Conflict resolution training
- Urban Tree Management in WA (TMI)
- Worksafe High Risk Ticket Licence for Fork Lift and EWP
- Basic Traffic Management
- Asbestos awareness
- Royal Life Saving Society Senior First Aid
- White Card

16.0 Disclaimer and Limitations

This report does not constitute a risk assessment in any way and does not cover identifiable defects present at the time of inspection. Corymbia Consulting accepts no responsibility or can be held liable for any structural defect or unforeseen event/situation that may occur(s) report will only be concerned with above ground inspections, that will be undertaken visually from ground level. Trees are living organisms and as such cannot be classified as “safe” under any circumstances. Nor can the author accept responsibility for recommendations in this report not being followed.

Failure events can occur for any number of reasons at any time and cannot always reasonably be foreseen, as any number of circumstances can come about at any time before or after an inspection, that the Arborist may not be aware of. The recommendations are made on the basis of what can be reasonably identified at the time of inspection therefore the author accepts no liability for any recommendations made.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the author can neither guarantee nor be responsible for the accuracy of information provided by others.

Booking of re-assessment or for additional Risk assessment after the prescribed period is the responsibility of the Land manager/owner only. Corymbia Consulting is not responsible for providing reminders or notification that re assessment may be due.

Summary of Submissions:

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

Comments Received Neither Support or Object:	Officer Technical Comment:
<p><u>Construction Management of Development</u> Numerous building projects have occurred on Milton Street and close by on Jugan Street within a short period of time. Builders and contractors are not particularly considerate of local residents with regard to car parking. Given No. 48 Milton Street is in close proximity to Brady Street, we are concerned with how local traffic will cope and be impacted.</p>	<p>The proposed Five Grouped Dwellings is recommended for refusal. Should the Council approve the proposal, a Construction Management Plan will be required to be prepared, submitted and approved by the City detailing how the construction of the development will be managed to minimise impact on vehicle movement and car parking on the surrounding residential area.</p>
<p>Comments Received in Objection:</p> <p><u>Street Setback</u> The proposed development represents an unacceptable encroachment into the average setback area which will be used to determine future developments. The street setback will cause a detrimental precedent and will impact the character and amenity of the street.</p>	<p>Officer Technical Comment: The development does not meet the average street setback requirement as per Clause 5.2 of the City's Built Form Policy. As such, the proposed development is considered to add to the visual perception of building bulk to the streetscape. The development is considered to not preserve and enhance the visual character of the existing streetscape by considering building setbacks. The reduction of the street setback area is also considered to reduce the ability to accommodate additional landscaping in the front setback area which would assist to reduce the perception of a single continuous dwelling given the lack of separation between Unit A and B.</p>
<p><u>Landscaping</u> A reduction in the landscaping requirement will have pose a visual impact on the streetscape and surrounding development.</p>	<p>The applicant proposed an amended landscaping plan which proposes a deep soil zone of approximately 12 per cent of the site and a tree canopy coverage of approximately 36 per cent of the site at full maturity. The deep soil zone does not meet the deemed-to-comply criteria of the City's Built Form Policy and the proposal does not provide added opportunity for landscaping to be designed to reduce the impact of development on adjoining properties.</p>
<p><u>Building on the Boundary</u> The building on the boundary of Unit E to the west lot boundary will impact the adjoining properties outdoor living area with regard to direct sun and overshadowing. The proposed white walls will reflect into the outdoor living area and be unusable.</p>	<p>The proposed building on the boundary of Unit E to the west lot boundary will abut the neighbouring properties dwelling which is approximately one metre from the lot boundary. The neighbouring properties outdoor living area will be adjacent the common property driveway of the subject development.</p>
<p><u>Outdoor Living Areas</u> The reduction of the outdoor living area space will impact ventilation, sunlight and liveability. This is due to an overdevelopment of the site.</p>	<p>Unit B, C and D propose outdoor living areas that do not meet the minimum dimension of 4 metres by 4 metres in accordance with the deemed-to-comply criteria of the Residential Design Codes. Although the outdoor living areas are capable of use in conjunction from a habitable room, the total area provided is considered to limit the enjoyment and potential of outdoor living pursuits for the residents. It is further noted that the outdoor living areas exceed the permanent roof cover requirement which limits access to natural light into the outdoor living area.</p>

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



Submission; Neither support or object.

We neither support or object but would like for some concerns to be addressed.

In the past 2 years we have had numerous building projects happening on Milton Street and close by on Jugan Street some occurring at the same time. The builders and contractors are not particularly considerate of local residents when parking and given no 48 is in close proximity to Brady Street we are concerned with how local resident traffic will cope and be impacted.

the builder has ample experience with constructing similar developments. With the width of the lot there is ample space on the road for tradesmen to park in front of the lot. There will also be area for parking along the common driveway while under construction. The builder will keep an eye on all their trades to ensure that the local residents do not get impacted negatively.

Submission; Object

The proposed development sticks out >3m from the eastern adjoining property, and >1m from the western. It represents an unacceptable erosion of the average setback used to determine future developments. Especially if the neighbouring corner property was to be developed it will be a dangerous precedent, and will create a wall of concrete right up to the road, and harm the character and amenity of the street. There has already been numerous car accidents at this corner, and one serious accident resulted in a car driving through the wall of the corner property 46 Milton Street. Street setbacks are not just to protect the character and appeal of the street but also to protect against car collisions into houses. I would be satisfied with a 3 metre set-back to be in line with the neighbouring property.

The proposed front setback is compliant with the R60 requirements and consistent with other new developments in the street. We believe it isn't appropriate to assume what the neighbour may or may not build in the future. It is also unreasonable to assume that our development will potentially cause car accidents

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As advised the 15% landscaping restriction is a council approved condition. It would be unacceptable to allow the reduced landscaping ratio considering this is council requirement.

The landscaping helps in keeping the street from looking like a “concrete jungle”. I do believe with some careful modifications the minimum landscaping ratio could be achieved. Please note the addition of grass down the centre of the driveway to achieve this ratio, does not work. This is evidenced by the development at 51 Milton Street, where they ended up replacing it as brick paving.

I do hope and anticipate the council will enforce the outcome of the landscaping condition on this plan. It has been noted several developments surrounding included landscaping but once built this never eventuated. You will note 52 Milton Street is a concrete eyesore development with little to no landscaping within the complex.

The front setback has sufficient landscaping proposed. Also as this site has 2 mature verge trees the bulk of the buildings will be softened considerable. Based on this it is unreasonable to say that this development would contribute to a “concrete jungle”.

With the use of planter boxes in the front setback area the landscaping provided will be to a high standard.

The alfresco area for the adjoining property 50C Milton Street and an outdoor side section of 50B Milton Street backs onto the 3.6m wall proposed on the Western boundary. The building wall will eliminate any direct sunlight and cause great overshadowing in the alfresco area.

Additionally, the proposed white walls will reflect into the alfresco area in the afternoons, causing the alfresco area to be unusable in the afternoons. As per the codes outdoor living areas are to provide space “capable of use in conjunction with a habitable room of the dwelling” This will not be able to be achieved.

The wall will cause a huge impact to the living to residents residing in 50C Milton and 50B Milton.

The proposed boundary wall to the west is not adjacent to any outdoor living areas.

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The adjoining outdoor living areas are all adjacent to the common driveway and therefore the proposed development will have no negative impact on the adjoining courtyards. this is a fantastic outcome for the adjoining outdoor areas.

To suggest that the outdoor areas will not be usable in the afternoons due to reflections on our walls has no substance. Not all of these walls are white.

The code specifies a minimum requirement for outdoor living, and this is based on the R60 code. NO units within this proposed development adhere to this requirement. Outdoor living must be able to provide ventilation, sunlight and further living space.

The proposed developers have tried to achieve maximum building area while foregoing one of the most important aspects within high density living. This is unacceptable. Having reviewed the plans, I believe it could also be easily fixed if the plans are slightly changed, and indoor building area is slightly reduced. The codes are there are for a reason. If the codes are not adhered to, I do not understand how this can criteria could be approved.

each of the proposed outdoor areas meet the minimum area requirements of the r-codes.

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5.25pm–5.45pm – Applicant’s Presentation – DA Lodged/Administration Referral

3.3 **Address:** No. 48 Milton Street, Mt Hawthorn

Proposal: Five Grouped Dwellings

Applicant: Mark Anthony Design

Reason for Referral: The proposal will likely benefit from the referral to the DAC in terms of the City’s Built Form Local Planning Policy 7.1.1 (LPP 7.1.1).

Applicants Presentation:

The Applicant did not attend.

Recommendations & Comments by DAC (using the Built Form Policy Design Principles):

<p>Principle 1 – Context and Character</p>	<ul style="list-style-type: none"> • More detail is required in terms of the architectural language and influence for the elevations to demonstrate how the building fits within the streetscape. • Show the neighbouring developments on elevations, floorplans and 3D perspectives and how the proposed development relates to them. • Consider the neighbouring streetscape and identify some of the strong features and materials and reinterpret these, without necessarily mimicking them, into the façades, in a contemporary manner, with the aim to positively contribute to the identity of the area and streetscape. • Stepped elevations do not contribute positively to the character of the area. Consider applying consistent height throughout the site which will be more visually consistent and also generate construction efficiencies. • Consider increasing the development to 3 storey at strategic locations to help address the solid long façade along the length of the site. The west facing elevation is unrelenting as one long continual wall. Consider articulating this wall and/or providing breaks in the building. • Inconsistent language in the façade. There is no convincing character to the development.
<p>Principle 2 – Landscape quality</p>	<ul style="list-style-type: none"> • Provide more detail on the landscaping proposed to demonstrate compliance with City’s landscaping requirements (such as canopy cover, deep soil zone). • Landscaping is considered fragmented and ineffective. Certain areas are too narrow to be considered in landscaping calculations.
<p>Principle 3 – Built form and scale</p>	<ul style="list-style-type: none"> • Examine incorporating smaller and strategic areas of 3 storeys, where the impact to street and neighbours will be minimal, and moving the setbacks further from the boundaries to comply with the City’s policies and create opportunities for more landscaping. It will also ease pressure on the ground level allowing more usable landscaping and offer better ventilation across the site and immediate neighbourhood. Increasing the development to 3 storeys would give residents street views and provide passive surveillance.

	<ul style="list-style-type: none"> Consider changing the development to a multiple dwelling typology to achieve a better outcome given the constraints of the site.
Principle 4 – Functionality and build quality	<ul style="list-style-type: none"> The general organisation of the development is not providing the best outcome in terms of outlook and orientation. Consider flipping the driveway to the eastern side. This will result in many of the upper level windows currently facing west to face east which is highly preferable from an orientation and shading perspective. This may also assist in generating a stepped elevation along the driveway rather than a straight solid elevation. Majority of the windows situated in the east and north façade and are obscure or high level glazing which impacts on the limits the outlook for residents. Little permeability has been provided across the site for daylight and ventilation. This also affects the amenity of the neighbouring properties. Look at creating outlook onto the street. Consider opening up the alfresco area for unit B facing the street rather than having this space fully enclosed / screened. Differentiate the entries to the dwellings from the driveway to the house. Create a transitional zone. Any opportunity to orient bedroom windows north because of steps in the building footprint should be explored.
Principle 5 – Sustainability	<ul style="list-style-type: none"> Provide sun-shading devices to the east and west facing windows. Break up the long mass of the building – as suggested above – to provide for daylight and breezes to cross the site to neighbouring developments.
Principle 6 – Amenity	<ul style="list-style-type: none"> Show the furniture in apartments to demonstrate functionality and amenity of unit layouts. Outlook for residents is minimal with obscure and high level windows.
Principle 7 – Legibility	
Principle 8 – Safety	
Principle 9 – Community	<ul style="list-style-type: none"> No visitor car parking has been provided.
Principle 10 – Aesthetics	
Comments	<ul style="list-style-type: none"> For the driveway, consider whether a passing lane will be needed.

Conclusion: To be returned to DAC.