

TOWN OF COTTESLOE



DEVELOPMENT SERVICES COMMITTEE

MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
6.00 PM, MONDAY, 17 NOVEMBER 2008**

DEVELOPMENT SERVICES COMMITTEE

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	1
	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	1
	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
	PUBLIC QUESTION TIME	1
	APPLICATIONS FOR LEAVE OF ABSENCE	1
	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	2
	PUBLIC STATEMENT TIME	2
	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	2
	REPORTS OF COMMITTEES AND OFFICERS.....	3
1	PLANNING	3
1.1	UNIT 2, NO. 21 (LOT 32) AVONMORE TERRACE - ALTERATIONS AND ADDITIONS TO EXISTING UNIT.....	3
	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	8
	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING	8
	MEETING CLOSURE.....	8

DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Officer announced the meeting opened at 6.01pm.

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present

Cr Jack Walsh	Presiding Member
Cr Jay Birnbrauer	Committee Member
Cr Greg Boland	Committee Member from 6.02pm
Cr Jo Dawkins	Committee Member
Cr Victor Strzina	Committee Member from 6.10pm
Cr Ian Woodhill	Committee Member
Mr Laurie Vicary	
Mr Andrew Jackson	Manager Planning & Development Services
Mr Ed Drewett	Senior Planning Officer
Ms Pauline Dyer	Planning Services Secretary

Apologies

Nil

Leave of Absence (previously approved)

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Ian Woodhill, seconded Cr Jo Dawkins

The Minutes of the Ordinary Meeting of the Development Services Committee held on Monday, 20 October 2008 be confirmed.

Carried 6/0

ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

PUBLIC STATEMENT TIME

Nil

PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

REPORTS OF COMMITTEES AND OFFICERS**1 PLANNING****1.1 UNIT 2, NO. 21 (LOT 32) AVONMORE TERRACE - ALTERATIONS AND ADDITIONS TO EXISTING UNIT**

File No: 1545
Author: Mr Ed Drewett
Author Disclosure of Interest: Nil
Attachments: Location plan
Photos
Plans
Report Date: 7 November 2008
Senior Officer: Mr Andrew Jackson

Property Owner: Mr R Davidson

Applicant: Ariane Prevost Architects
Date of Application: 3 September 2008

Zoning: Residential
Use: P - A use that is permitted under this Scheme
Density: R30
Lot Area: 1131m²
M.R.S. Reservation: N/A

SUMMARY

Variations are sought to Council's building height and front setback requirements for the proposed additions and alterations.

Given the assessment that has been undertaken, the recommendation is to Approve the Application.

PROPOSAL

This application is for alterations and additions to Unit 2, which is one of 4 units located on the NW corner of Avonmore Terrace and Rosendo Street.

The proposal comprises an extension to an existing single carport (fronting Avonmore Terrace) to create a double carport with an upper floor bedroom addition above. It is also proposed to convert an existing single carport fronting Rosendo Street and an existing bedroom on the ground floor to a study and extend an existing balcony above.

STATUTORY ENVIRONMENT

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes

POLICY IMPLICATIONS

- Building Heights

Policy No 005

HERITAGE LISTING

N/A

DRAFT TOWN PLANNING SCHEME NO. 3

N/A

APPLICATION ASSESSMENT

AREAS OF NON-COMPLIANCE

Residential Design Codes

Design Element	Acceptable Standards	Provided	Performance Criteria Clause
6.7 – Building Height	7m for concealed (flat) roof	7.3m above NGL as determined by Council	Clause 6.7.1 – P1
6.2 - Streetscape	6m (Council resolution 28/10/02)	Minimum 5.35m	Clause 6.2.1 – P1

STRATEGIC IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

N/A.

CONSULTATION

REFERRAL

Internal

- Building
- Engineering

External

N/A.

ADVERTISING OF PROPOSAL

The application was not required to be advertised as the proposed additions do not directly affect adjoining property owners. The applicant has advised that the Body Corporate has no objection to the proposal.

STAFF COMMENT

The proposed additions comply with Town Planning Scheme No 2 and the Residential Design Codes with the exception of the following:

- Height
- Front setback

Both of these issues are discussed below:

Building Height

The calculation of building height stems from Council's determination of natural ground level (NGL). Clause 5.1.1 of the Council's Town Planning Scheme No.2 expresses policy in relation to building height and paragraph (c) of that clause provides a basic formula in relation to building height.

However, provision is made for Council to depart from the formula where natural ground forms indicate that a variation is warranted. Furthermore, Council's Policy in relation to building heights (Policy No.TPSP 005) states that for attached houses and grouped dwellings the natural ground level can be determined at the centre of the area contained within the external walls of each individual house.

As the application is for additions to an existing grouped dwelling the natural ground level has been determined at the centre of the unit to be RL:13.0.

Based on this NGL the maximum permitted building height for a concealed or flat roof is 7 metres (RL: 20.0). The proposed upper floor addition is 7.3m (RL 20.3) in height above the determined NGL and therefore a variation of 0.3m is sought. Notwithstanding this, the actual height of the proposed addition above the ground level below will only be 6.88m which would otherwise be compliant.

The variation sought is relatively minor and takes account of the topography of the site which has a 2m difference between the front and rear of the existing unit making it difficult to build any upper floor addition on the eastern side within the normal height restrictions. Furthermore, the height of the proposed addition will match that approved and constructed on the adjoining strata lot (Unit 1 - Approved 15 September 1997).

The relevant Performance Criteria of the Residential Design Codes (Clause 6.7.1) in relation to height states:

Building height consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including, where appropriate:

- *adequate direct sun to buildings and appurtenant open spaces;*
- *adequate daylight to major openings to habitable rooms; and*
- *access to views of significance*

There is a variety of housing types in the locality including two-storey houses and older style flats (multiple dwellings) directly opposite the site. Furthermore, the proposed height of the addition has been designed to match the height of the existing extension on the adjoining unit fronting Avonmore Terrace.

The location of the proposed addition on the northern side of Rosendo Street ensures that adequate direct sun and daylight will be maintained to adjoining properties despite the increased height of the roof as overshadowing will be restricted to the road reserve.

Views of significance are also unlikely to be affected by the proposal as the existing flats on the eastern side (which may have some ocean views) are higher than the subject site and don't appear to be adversely affected by the existing similar addition that has built to Unit 1.

Front Setback

The proposed extension to the carport and bedroom will have a minimum setback of 5.35m to Avonmore Terrace and therefore will intrude into the required 6m front setback (Council Resolution 28/10/02). However, the majority of the addition will have a setback in excess of 6m and will match the extension built on to Unit 1. It is also well screened from the street by vegetation and its floor level will be approximately 1m below the street level thereby further reducing its visual impact on the streetscape.

The relevant Performance Criteria of the Residential Design Codes (Clause 6.2.1) in relation to front setbacks states:

- Buildings set back an appropriate distance to ensure they;*
- contribute to the desired streetscape;*
 - provide adequate privacy and open space for dwellings; and*
 - allow safety clearances for easements for essential service corridors.*

It is considered that the reduced front setback to the proposed addition can be approved under performance criteria of the Codes as it will not have an adverse visual impact on the streetscape or affect privacy and open space and will not impact on existing service corridors.

CONCLUSION

The proposed additions and alterations can be supported with the variations sought as it satisfies the relevant performance criteria of the RD Codes. Furthermore, although Council's discretion is sought in regards to height, issues such as privacy, views and general amenity are satisfactorily addressed and the proposed roof height can be supported.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee was supportive of the proposal and appreciated that Council had previously approved larger extensions to Unit 1 which were considered to work well. Officers explained how the proposal suited the dwelling, site and streetscape. The MDS also advised that many older townhouses in Cottesloe are relatively modest or outdated, whereby renovations and additions are proposed to make them more liveable by today's standards.

1.1 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Jo Dawkins, seconded Cr Greg Boland

That Council GRANT Approval to Commence Development for the proposed alterations and additions at 2/21 (Lot 32) Avonmore Terrace, Cottesloe, subject to the following conditions:

- (1) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.**
- (2) The external profile of the development as shown on the approved plans, not being changed whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.**
- (3) The proposed upper floor balcony addition being screened to a minimum 1.65m above its floor level as indicated on the approved plans to the satisfaction of the Manager Development Services.**

Carried 6/0

ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING

Nil

MEETING CLOSURE

The Presiding Officer announced the closure of the meeting at 6.15pm.

CONFIRMED: PRESIDING OFFICER _____ *DATE: .../.../...*