



— City of —
Melville

REPORTS AND RECOMMENDATIONS

FROM THE

DEVELOPMENT ADVISORY UNIT

MEETING

HELD ON

1 JULY 2008

- NOTES:**
1. This Meeting makes Recommendations to the Manager Planning & Development Services.
 2. Should any Elected Member want any matter referred and considered by the Council, please contact the Manager Planning & Development Services prior to the Tuesday (or Wednesday if Monday is a public holiday) following the date of this Meeting.
 3. Unless 'called in' by an Elected Member it is expected that the Manager Planning & Development Services will after the 'call in' date approve the recommendations, refer the matter to the Council or back to the Development Advisory Unit for further considerations.

DISTRIBUTED: 4 JULY 2008



— City of —
Melville

10 Almondbury Road Booragoon WA 6154
Postal Address: Locked Bag 1, Booragoon WA 6954
Tel: 08 9364 0666
Fax: 08 9364 0285
Email: melinfo@melville.wa.gov.au
Web: www.melville.wa.gov.au

**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,
BOORAGOON, COMMENCING AT 1:30PM ON TUESDAY 1 JULY 2008**

PRESENT

D Vinicombe (Presiding Member)
J Gonzalez
T Capobianco
D Monteiro
R Jessup
R Bailey

Manager Planning & Development Services
Planning Services Coordinator
Principal Building Surveyor
Environmental Health Officer
Senior Horticultural Technical Officer
Technical Officer

APOLOGIES

IN ATTENDANCE

OBSERVERS

DISCLOSURES OF INTEREST

ELECTED MEMBERS' ATTENTION

Nil

DELEGATED AUTHORITY – PLANNING POLICY (1) 2

The following items are recommendations to the Manager Planning & Development Services for decision.

DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

TABLE OF CONTENTS

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)	4
U08/0093 – (RJ) - STREET TREE REMOVAL REQUESTS DAU MEETING 1 st JULY 2008	17

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

Ward : Bicton - Attadale
Category : Operational
Application Number : DA-2008-288
Property : Lot 1 (192) Preston Point Road, Bicton
Proposal : Ancillary Accommodation
Applicant : Dom Mariani Design
Owner : Mr A and Mrs A Allchin
Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer : David Vinicombe
Manager Planning & Development Services
Previous Items : Not applicable

AUTHORITY / DISCRETION

- | | <u>Definition</u> |
|--|---|
| <input type="checkbox"/> Advocacy | <i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> Executive | <i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets</i> |
| <input type="checkbox"/> Legislative | <i>includes adopting local laws, town planning schemes & policies.</i> |
| <input type="checkbox"/> Review | <i>when Council reviews decisions made by Officers.</i> |
| <input checked="" type="checkbox"/> Quasi-Judicial | <i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Application is for a detached Ancillary Accommodation unit;
- Unit is to be placed on top of an existing garage on the southern boundary;
- Affected southern neighbours have expressed strong concerns regarding building bulk and loss of views;
- Proposal has a plot ratio of 62.59 sqm in lieu of the former 60 sqm requirement;
- With the introduction of the 2008 R-Codes, the Acceptable Development standards now require a maximum floor area of 60 square metres rather than plot ratio;
- The maximum floor area of the unit is actually 81.59 sqm in lieu of 60 sqm;
- No privacy screening to the side of the balcony is proposed in order to maintain views towards the river from the adjoining property.
- Application is recommended for approval.

BACKGROUND

The proposed ancillary accommodation is to be placed on top of an existing three-car garage also containing a rest/change room.

The initial application received was designed to be built on the four structural corners of the garage, which would have made it cheaper to build and would have also created a façade similar to the northern face of the existing residence. This would have resulted in the entire wall having a setback of 1.2 metres in lieu of the Acceptable Development (AD) standard of 1.5 metres and the plot ratio floor area exceeding 90 sqm in lieu of the AD 60 sqm.

If approved as initially proposed, the southern adjoining landowners at No. 128A Petra Street would have had a large wall directly opposite their upper floor living area and balcony, which have had considerable bulk and amenity impacts. With regard to amenity, the proposal would have blocked all views towards the river and beyond.

The southern neighbours objected to the development and amended plans with justification were submitted. These amended plans did not alleviate the concerns raised by the southern neighbours nor the Performance Criteria of the Residential Design Codes (R-Codes). A subsequent meeting was held with the applicant in order to suggest outcomes which would satisfy both the applicant and the amenity of the southern neighbours. Further revised plans were submitted, which are now subject of this report.

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

Scheme Provisions

MRS Zoning : Urban
 CPS 5 Zoning : Living Area
 R-Code : R17.5
 Use Type : Residential Dwelling
 Use Class : P – Permitted use

Site Details

Lot Area : 653.4 sqm
 Retention of Existing Vegetation : Not applicable
 Street Tree(s) : Not applicable
 Street Furniture (drainage pits etc) : Not applicable
 Site Details : [U08_0090_PROPERTY_MAP.pdf](#)

[U08_0090_June_2008.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Friday 4 July 2008.

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Maximum Floor Area	60 sqm	81.59 sqm	Does Not Comply	MPDS	

(Note: Non compliance is emphasised in bold)

Setbacks

Wall	Required	Proposed	Comments	Delegation to approve Variation	Plan Notation
Side (bed 2, east side of south wall)	1.2m	1.01m	Does Not Comply	MPDS	

(Note: Non compliance is emphasised in bold)

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: Yes

Reason: Non-Compliance with required setback and floor area
Support/Object:: 2 letters objecting from the same owner

Submission Number	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/Up Held/Non Up Held)
	<p>Concerns raised with regards to loss of views, loss of property value, size of unit, and additional traffic.</p> <p>Proposal will cause impact on streetscape amenity.</p> <p>The additional boundary wall will result in loss of light and ventilation.</p>	<p>Objection</p>	<p>Property values are not a Planning consideration, however bulk and views are important amenity considerations relative to this application.</p> <p>Proposal may generate additional traffic but will have no impact on the streetscape.</p> <p>Amended plans have been submitted showing portion of the former additional boundary wall removed and reducing the bulk of the proposal. The length of the remaining boundary wall now complies with the R-Codes.</p>	

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

1.	<p>Concern also raised that unit may be capable of use for short term accommodation.</p> <p>The owner has thanked the City for dealing with this matter in an even handed manner, however still has concerns with regard to the size of the proposal, parking and size of the balcony, together with loss of views.</p>		<p>A condition in accordance with R-Codes for family members only will be recommended. Balcony has been reduced and will be conditioned to remain open to the south to allow views to the river from the adjoining property.</p> <p>Concerns relative to the size of the accommodation are addressed in the comments below. The Codes require provision of 3 parking bays for the single house and ancillary accommodation and 3 bays are provided. Modifications have been made to allow for views through balcony. Deletion of portion of balcony addressed in comments below.</p>	Non Up Held and Conditon for the balcony
----	---	--	--	--

STATUTORY AND LEGAL IMPLICATIONS

Should the City of melville refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

N/A

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

N/A

POLICY IMPLICATIONS

There is no Council Policy that relates to this proposal.

COMMENTS

The application for an Ancillary Accommodation is deemed acceptable in residential areas according to and subject to the R-Codes requirements. According to the R-Codes, and more specifically the Performance Criteria, for an Ancillary Accommodation to satisfy the objectives it must be able to demonstrate that it can accommodate the needs of large or extended families without compromising the amenity of adjoining properties.

As the applicants have specifically stated the proposal is to house the landowners' son and subsequent grandchildren, the first part of the Performance Criteria can be easily satisfied.

The second part however, is not so easily satisfied particularly as a result of the subsequent objections received from the southern adjoining neighbour. There is no doubt that the initial plans created significant amenity issues as there would have been significant loss of views and increased building bulk. However, the applicants have made substantial efforts by modifying the design to setback the bulk of the building behind balcony areas to allow the southern neighbours to retain portion of their views through the balcony areas.

Nevertheless, the following additional elements of the development proposal are required to be discussed under the Performance Criteria of the R-Codes:

Maximum Floor Area

As the initial submission for approval was drafted, and assessed, under the 2002 version of the R-Codes, a plot ratio calculation was used. This initial application contained a plot ratio which exceeded 80 sqm and has now been reduced to 62.59 sqm.

The application was prepared and submitted for approval in accordance with the requirements of the 2002 R-Codes, however now requires assessment under the 2008 R-Codes. The fundamental difference between the two versions of the Codes is the change from Plot Ratio to Maximum Floor Area requirements. If assessed relative to the former Codes, the revised drawings would now contain a plot ratio area of 62.59 sqm, which would be a minor variation relative to the former 60 sqm requirement. However as it must be assessed as a maximum floor area, the area now increases to approximately 81.59 sqm.

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

According to the Acceptable Development Standards of the R-Codes, Ancillary Accommodations which do not exceed 60 square metres are required to meet the Performance Criteria.

As stated previously, the Performance Criteria relate to the affect on the amenity on the adjoining landowners. In this case, amenity is impacted by elements relating to setback, privacy and loss of views. Setback and privacy are dealt with in detail below.

With regard to views, the Explanatory Guidelines of the Codes indicate that with regard to building height, that *“obtaining and keeping views is a significant issue. Because views are an important part of the amenity enjoyed by people in certain areas, designers should take into account the desirability of protecting views enjoyed by the neighbours and, in some cases, modify the design of the dwellings accordingly. While the codes cannot guarantee the protection of views, council’s may exercise a degree of control by primary and secondary street setbacks setbacks and height controls and enhanced by local planning policies as permitted under design element 6.2 and design element 6.7 respectively.”*

Although the Explanatory Guidelines specify that these amenity considerations are restricted to apply to setbacks and height requirements (Elements 6.2 and 6.7 as referred to above), Community Planning Scheme No 5 provides for Council to consider other amenity impacts of proposed development under Clause 7.8. As a result, it is reasonable for the application to be considered in the context of its impact on views.

It is noted above that the initial plans significantly impeded the views towards the river and beyond with the front wall of the extension being setback 6.25m. However, revised plans step this wall back further at 12.75m, 9.7m, 9.1 and 7.5m. This provides for portion of the existing views to the river and beyond to be retained from the adjoining property. It is significant to note that if this application was to be assessed under the 2002 Codes, the variation in plot ratio would only be 2.59 sqm. Accordingly, prior to the new Codes, the variation would have been considered minor and as a result, the impact on amenity (views) would have also been considered as minor and development plans may have been further modified to bring about full compliance with the Acceptable Development requirements and therefore consideration of the amenity impacts would not be of concern. The former plot ratio calculations did not include balcony or stair areas, whereas the current floor area calculations do – this adds 19 sqm to the floor area. Notwithstanding the increase in floor area relative to the balcony and stairs, as the stairs are located to the north side of the building and as the balcony is proposed to be open sided, the impacts of this floor area are limited. In this instance, the adjoining owner will maintain some views through the balcony towards the river and beyond (see comments on privacy below).

It is noted that should the development be made to comply with the Acceptable Development standards, the additional floor area could be taken from the northern side and thus have no realised increase in the amenity on the neighbours.

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

Whilst it is important to retain views as much as possible to maintain amenity, the southern affected landowners do not own the rights to the view. Hence whilst the building may compromise views to some extent and therefore amenity, efforts have been made to ensure some views and amenity will remain.

In this instance it is considered that the amenity impacts of the additional floorspace are significantly reduced by the open sided nature of the balcony and the revised plans present a suitable design solution to provide retention of some views for the adjoining property owner. Accordingly, it is considered that the Performance Criteria relative to ancillary accommodation are satisfied.

Privacy

The privacy cone of vision from the balcony to the front of the unit is proposed to be set back 3.1 metres from the southern boundary whereas the Acceptable Development Standards require 7.5 metres in the case of outdoor living areas with a floor level of 0.5 metres above ground level.

With regard to 6.8.1, the Performance Criteria for visual privacy indicate as follows.

“Direct overlooking of active habitable spaces and living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.

Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.

Where these are used, they should be integrated with the building design and have minimal impact on residents’ or neighbour’ amenity.

Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.”

In this regard, the proposed balcony may enable views in line with an existing balcony directly in line with the cone of vision. Nevertheless, these openings are clearly visible from the street.

In addition to the 2008 Residential Design Codes, Explanatory Guidelines relative to the privacy requirements prepared and presented as part of the Codes include the following extracts:

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

“A lesser need for privacy protection is usual in the case of front gardens and areas visible from the street.... The basis for this acceptance is that control of overlooking for areas visible from public areas would be largely ineffective in terms of privacy protection and also could limit outlook over, and surveillance of, the public places themselves.

The acceptable development provisions are limited to protection of areas of adjoining property behind its street setback line.

Acceptable point-to-point privacy distances can be calculated by aggregating the privacy setbacks of the acceptable development provisions.

In the case of active habitable spaces, including outdoor living areas and balconies, an effective separation distance would be in the order of 15 m or more. Clearly this is not realistically achievable. An acceptable compromise setback, where intervening screening is not provided, would perhaps be in the order of 7.5 m.

Assessment of applications which involve departures from the acceptable development provisions generally will require plotting the position of the adjacent dwelling, the location of any major openings to habitable rooms and any associated outdoor living areas. This will enable identification of areas and openings which fall in the cone of vision.

Evaluation of proposals should take into account only the potential impact of sight lines in those sectors in the plane of vision where separation distances do not meet the acceptable development provisions. With respect to those sectors of the plane of vision where separation distances accord with the acceptable development provisions, a higher standard of privacy protection would not be justified.

Minimisation of overlooking should not be interpreted as an absolute prohibition on visual interaction. The objective for this element is to minimise the impact of development on the visual privacy of nearby residents. It is clear that complete protection of privacy is not realistically achievable. Limits to the protection of privacy are also borne out by reference to the general approach to separation as an alternative to the interruption of sight lines, to achieve what is referred to as an acceptable compromise.

With reference to the application of the performance criterion in circumstances where an applicant seeks a departure from the acceptable development provisions, the focus should be on what constitutes a reasonable level of privacy in the circumstances and what is realistically achievable. This may vary depending on the circumstances, with general higher levels of privacy achievable in low-density areas than is practical in the higher-density areas. Differing community expectations in different situations also should be kept in mind.....”

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

Clearly, consideration must be given to the separation, or 'remoteness' of the two dwellings. In this case, the closest point achieved is 7.3 metres between balconies, which does not appear to satisfy the 'remoteness' perspective. Nevertheless, it is apparent these areas which are visible from public places, even though they are generally behind the setback line (the most western portion of balcony on the proposed unit is set back at 5.07 metres, which is within the front setback area), should not be afforded the same levels of privacy as those sensitive private open space areas on the adjoining property (i.e. rear open space areas or areas in front of the property hidden behind enclosed fencing).

Nevertheless, the affected southern neighbour has objected to the privacy intrusion, stating that as the section of balcony extending from the main bedroom will directly face their living areas, there will be an increase of privacy intrusion. The objector states preference for the portion of balcony extending from the main bedroom be deleted from the plan.

Should the portion of balcony extending from bedroom 2 (main bedroom) be deleted from the plan, the privacy intrusion would still exist from the remaining portion of balcony which would be set back approximately 6.25m from the side boundary. However, as stated previously, the affected living areas of the adjoining property are clearly visible from the street.

Accordingly, it is considered that there is no 'direct overlooking'. In order for views to the river and beyond to be retained as far as possible from 128A Petra Street, it is recommended that a condition be placed upon approval stating that the balcony should not be screened, subject to compliance with balustrading in the Building Codes of Australia.

Side setback

A 2.91 metre long wall with a height of 5.8 metres containing the eastern side bedroom 2 (the plans submitted show two "bedroom 2" rooms rather than bedrooms 1 and 2) is proposed to be set back at 1.01 metres whereas 1.2 metres is required to meet the Acceptable Development Standards. In this case the portion of wall is minor in length and seeks only to increase height above an existing setback.

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

The 2008 Codes state the term ‘up to the boundary’ meaning either on the boundary or between the boundary and the setback provided by tables 1, 2a and 2b, figures 2a-2e, and figure 3. The result of this essentially requires the consideration of the Performance Criteria under 6.3.1 (Buildings setback from the boundary) and satisfaction of either the Acceptable Development requirements or Performance Criteria under 6.3.2 (Buildings on boundaries). In this instance it is noted that as the property is coded R17.5, there are no Acceptable Development standards for boundary walls under the Codes. Accordingly, assessment of the technical boundary wall must be made under Performance Criteria 6.3.2 P2 (Buildings on boundary).

In terms of 6.3.1, the following Performance Criteria applies:

“Buildings setback from boundaries other than street boundaries so as to:

- *provide adequate direct sun and ventilation to the building;*
- *ensure adequate direct sun and ventilation being available to adjoining properties;*
- *provide direct sun to the building and appurtenant open spaces;*
- *assist with protection of access to direct sun for adjoining properties;*
- *assist in ameliorating the impacts of building bulk on adjoining properties; and*
- *assist in protecting privacy between adjoining properties.”*

The southern side setbacks satisfy the Performance Criteria above as the development will not exceed overshadowing requirements on the adjoining property, and compliant setbacks would have a similar impact on the access to sunlight of the adjoining property. In addition, the bulk of the building is ameliorated by articulation of the wall and by a minor opening which maintain required levels of privacy.

With regard to 6.3.2, the Performance Criteria for buildings on boundary indicate as follows.

“Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:

- *make effective use of space; or*
- *enhance privacy; or*
- *otherwise enhance the amenity of the development;*

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

- *not have any significant adverse effect on the amenity of the adjoining property; and*
- *ensure that direct sunlight to major openings to habitable rooms and outdoor living areas of the adjoining properties is not restricted.”*

The reduced setback makes for effective use of the development site, satisfies privacy considerations, does not have an additional impact on amenity of the adjoining property in terms of access to direct access to sunlight to major openings of habitable rooms when compared to a compliant development. Accordingly, the Performance Criteria in this regard are satisfied.

CONCLUSION

As a result of the mediation between the applicants and the southern adjoining landowners, the revised application significantly reduces the impact on the amenity of the adjoining landowners by way of building bulk and loss of views.

As demonstrated above, and due to the articulation of the walls on the southern side, the overall size of the building makes for little building bulk impact and has no deemed significant impact.

In consideration of the above, the proposed Ancillary Accommodation is deemed to meet the Performance Criteria and is therefore recommended for conditional approval.

OFFICER RECOMMENDATION**APPROVAL**

THAT THE PROPOSED ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD, BICTON BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

SPECIAL CONDITIONS:

- 1. THE SOUTHERN AND WESTERN SIDES OF THE BALCONY NOT BEING SCREENED OR OTHERWISE MADE OBSCURE AT ANY TIME, SUBJECT TO COMPLIANCE WITH THE BUILDING CODES OF AUSTRALIA.**
- 2. THE USE AND/OR DEVELOPMENT HEREBY PERMITTED SHALL AT ALL TIMES COMPLY WITH THE REQUIREMENTS OF THE ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997. PLEASE CONSULT WITH HEALTH SERVICES PRIOR TO THE INSTALLATION OF ANY NOISY EQUIPMENT.**

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

- 3. ANY OCCUPIER OF THE ANCILLARY ACCOMMODATION SHALL BE A MEMBER OF THE FAMILY OF THE OCCUPIER OF THE EXISTING MAIN DWELLING.**
- 4. A NOTIFICATION UNDER SECTION 70A OF THE TRANSFER OF LAND ACT IS TO BE PREPARED IN A FORM ACCEPTABLE TO THE DEPARTMENT OF LAND ADMINISTRATION AND LODGED WITH THE REGISTRAR OF TITLES FOR ENDORSEMENT ON THE CERTIFICATE OF TITLE FOR THE SUBJECT LOT, PRIOR TO THE ISSUE OF A BUILDING LICENCE. THIS NOTIFICATION IS TO BE SUFFICIENT TO ALERT PROSPECTIVE LANDOWNERS OF THE USE RESTRICTIONS OF THE ANCILLARY ACCOMMODATION AS STIPULATED UNDER THIS APPROVAL. ALL COSTS ASSOCIATED WITH THE FULFILMENT OF THIS CONDITION SHALL BE MET BY THE LANDOWNER**

STANDARD CONDITIONS:

- 5. THE MATERIALS AND FINISHES OF THE DEVELOPMENT TO COMPLEMENT THE EXISTING BUILDING TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**
- 6. THE EXTERNAL FACE OF THE PARAPET WALL TO BE FINISHED TO THE SATISFACTION OF THE ADJOINING NEIGHBOUR OR, IN THE EVENT OF A DISPUTE TO BE FINISHED TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT SERVICES.**
- 7. ROOFING MATERIALS BEING OF A NON-REFLECTIVE MATERIAL (ZINC OR WHITE COLOUR METAL ROOFING MAY ONLY BE PERMITTED THROUGH SPECIAL PLANNING CONSENT).**
- 8. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THE COUNCIL REQUIRES THE PROVISION OF A SUITABLE RECEPTACLE FOR THE CONTAINMENT OF WINDBLOWN RUBBISH. THE RECEPTACLE (GENERALLY A WIRE MESH CAGE) SHOULD HAVE MAXIMUM OPENINGS OF 100MM; HAVE A BASE OF 4M² AND A HEIGHT OF 1M AND A HINGED LID. THE RECEPTACLE SHOULD NOT BE ALLOWED TO OVERFILL.**
- 9. THE DEVELOPMENT IS TO BE CONNECTED TO THE WATER CORPORATION'S RETICULATED SEWERAGE SYSTEM.**

U08/0090 – (PS) – ANCILLARY ACCOMMODATION ON LOT 1 (192) PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)

10. A NOTIFICATION UNDER SECTION 70A OF THE TRANSFER OF LAND ACT IS TO BE PREPARED IN A FORM ACCEPTABLE TO THE DEPARTMENT OF LAND ADMINISTRATION AND LODGED WITH THE REGISTRAR OF TITLES FOR ENDORSEMENT ON THE CERTIFICATE OF TITLE FOR THE SUBJECT LOT, PRIOR TO THE ISSUE OF A BUILDING LICENCE. THIS NOTIFICATION IS TO BE SUFFICIENT TO ALERT PROSPECTIVE LANDOWNERS OF THE USE RESTRICTIONS OF THE ANCILLARY ACCOMMODATION AS STIPULATED UNDER THIS APPROVAL. ALL COSTS ASSOCIATED WITH THE FULFILMENT OF THIS CONDITION SHALL BE MET BY THE LANDOWNER

ADVICE NOTE:

IT IS STRONGLY RECOMMENDED THAT NO AIR-CONDITIONING BE PLACED ON THE SOUTHERN BOUNDARY OF THE ANCILLARY ACCOMMODATION IN ORDER TO ADDRESS SPECIAL CONDITION 2 ABOVE.

U08/0093 – (RJ) - STREET TREE REMOVAL REQUESTS DAU MEETING 1ST JULY 2008

The following tree removal proposals were discussed at the Development Advisory Unit (DAU) meeting on 1 July, 2008. Although these matters are regularly discussed at DAU, the reporting of these proposals has not taken place. Provision of this information in the DAU reports is a new initiative to provide greater accountability in the decision making process for these applications.

	LOCATION	TREE/BACKGROUND	RECOMMENDATION
1.	30 Riseley St, Ardross	One Box Tree Potential dwelling is at design stage by Impressions Homes	Refused. The potential dwelling needs to be redesigned to match approved subdivision or redesign front dwelling with the new proposed subdivision configuration to avoid tree removal.
2.	198 A/B Bateman Road, Brentwood	One Box Tree BA (no condition on DA) Tree is in poor condition	Remove and replace at the applicant's expense.
3.	83 Coogee Road, Ardross	One Box Tree in Drew Rd (cnr lot). The proposal shows a logical design but there is insufficient access to the garage due to location of tree.	Remove and replace at the applicant's expense..
4.	14 Shadbolt Street, Booragoon	Three trees: one Jacaranda located on private land and two Robinias on verge	The owner is encouraged to retain the Jacaranda for its streetscape amenity qualities. The two Robinias may be removed and replaced with one tree on the verge to the applicant's expenses to the satisfaction of the City of Melville as these trees are not desirable on the street verge.
5.	11 Lilian Avenue, Applecross	One small Jacaranda is located on the way of a proposed circular driveway.	Support the relocation of the Jacaranda and all work is to be carried out by applicant.

U08/0093 – (RJ) - STREET TREE REMOVAL REQUESTS DAU MEETING 1st JULY 2008

d
()