



Job Ref: 9612
12 July 2022

City of Melville
10 Almondbury Road
BOORAGOON WA 6154

Dear Councillor

**AMENDED DEVELOPMENT APPLICATION – INFORMATION FOR COUNCIL
LOT 90 (NO. 23) CARRON ROAD, APPECROSS**

Rowe Group acts on behalf of the Applicant in relation to the Development Application with the City of Melville ('City') for a single house at Lot 90 (No. 23) Carron Road, Applecross ('subject site'). This Application will be considered at the City's 12 July 2022 Agenda Briefing Forum.

This letter and the images enclosed have been prepared in order to provide Council with further information demonstrating the proposal maintains access to views of significance, as per the Design Principles of State Planning Policy 7.3 Residential Design Codes Volume 1 ('R-Codes').

The views of significance in question are those from No. 26 Strome Road, Applecross, which is depicted in the marked-up Google Street View image at Figure 1, below.

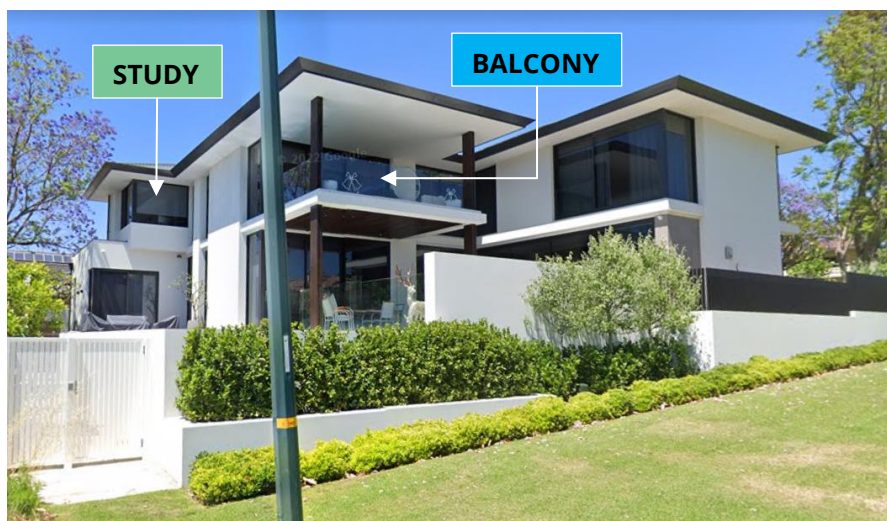


Figure 1. Google Street View image of No. 26 Strome Road, as viewed from Killian Road (with mark-ups)

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The four-step test described in the deputation delivered on behalf of the owners of the Strome Road site at the June Agenda Briefing Forum was provided in *Tenacity Consulting Ptd Ltd v Warringah Council* [2004] NSWLEC 140 (cited in *Warden and Town of Mosman Park* [2019] WASAT 88 ('Warden'); *Prosser and Town of Cottesloe* [2021] WASAT 115). We accept this is an appropriate mechanism to evaluate the impact of the proposal on views. The four steps summarised in *Wardern* follow:

- a) *Step 1 - an assessment of the view to be affected*
- b) *Step 2 - consider from what part of the property the views are obtained;*
- c) *Step 3 - assess the extent of the impact; and*
- d) *Step 4 - assess the reasonableness of the proposal that is causing the impact.*

In assessing the views of significance to be affected as per Step 1, we note the following:

- We have considered the views from the upper level study and upper level balcony of the Strome Road site (as depicted in Figures 2, 3 and 4, below);
- The study currently has significant views to the City and Swan River to the north-east; and
- The balcony currently has partial significant views of the City, and of the Swan River, to the north-east.



Figure 2. North-east view from upper study of Strome Road site



Figure 3. North-east view from upper balcony of Strome Road site



Figure 4. Eastern view from upper balcony of Strome Road site

In considering from what part of the property the view are obtained as per Step 2, we note the following:

- The most complete City views are visible from the study on the upper floor;
- The upper balcony offers only partial City views; and
- A study is intended to be a less active habitable space than a balcony to a main living space.

In relation to Step 3, the extent of the impact is demonstrated in Figures 5, 6 and 7, below. Figure 5 depicts the proposed development superimposed on the view from the study. Figures 6 and 7 depict the view corridor from the balcony (in blue) and from the study (in blue and in green).

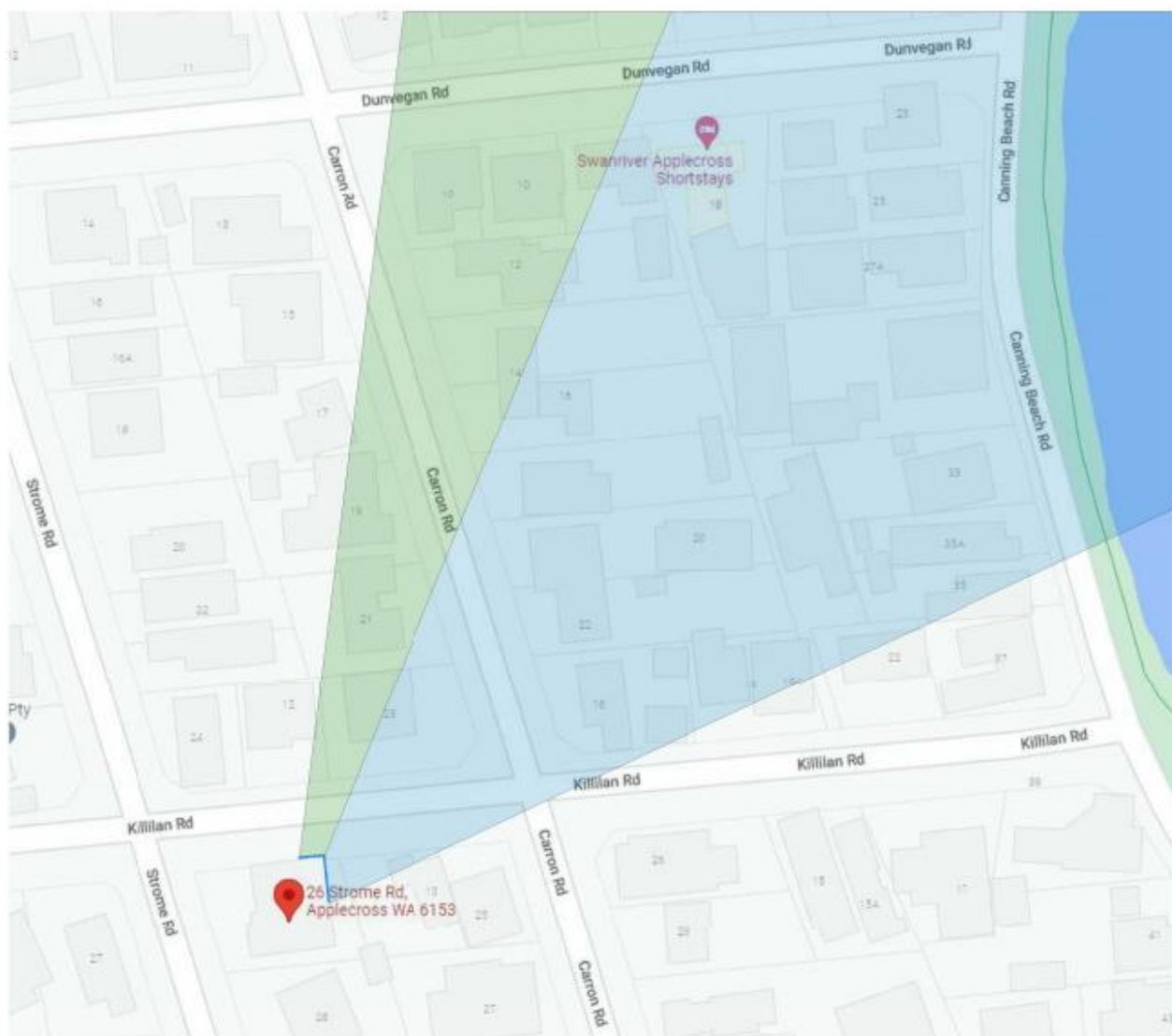


Figure 5. View corridor from Strome Road site (blue: view from study and balcony; green: view from study only)

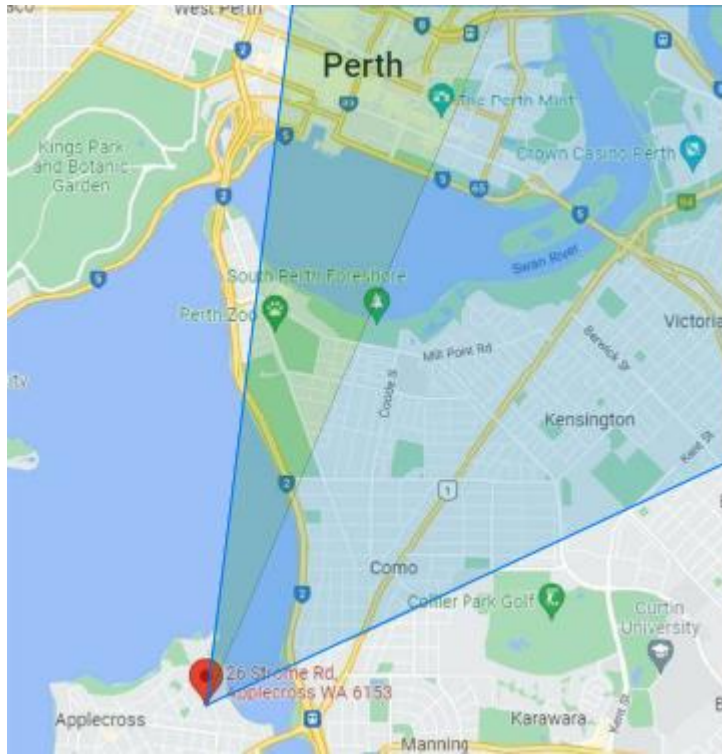


Figure 6. View corridor from Strome Road site (blue: view from study and balcony; green: view from study only)



Figure 7. Proposed development superimposed in view from study



With regard to the impact on access to views of significance resulting from the proposed development, and the reasonableness of the proposal (Steps 3 and 4), we note the following:

- There is a tree line within the view corridor, between the subject site and the City;
- This tree line is the single most important factor in restricting views of the City from the Strome Road site;
- View of the City from the balcony at the Strome Road site are already significantly obscured by the street tree within Killian Road and the tree line;
- The proposed development, therefore, does not limit access to City from the balcony;
- The proposed building, including structures on the roof terrace are below the tree line and therefore do not impact City views from the study at the Strome Road site; and
- Accordingly, the height of the buildings satisfies the Design Principles of the R-Codes in relation to building height.

We trust the above will assist your consideration of this matter.

Should you require any further information or clarification in relation to this matter, please contact David Maiorana on 9221 1991.

Yours faithfully,

David Maiorana

Rowe Group