

8 July 2022

Chief Executive Officer  
City of Melville  
10 Almondbury Road  
BOORAGOON, WA 6154

Dear Mayor and Councillors,

**Proposed Amendment to Two Storey Single Dwelling with Roof Terrace  
Lot 90 (No. 23) Carron Road, Applecross**

Lateral Planning acts for the owners of No. 26 Strome Road, Applecross (**Client**) in respect of the Application for Development Approval proposing amendments to the approved two storey dwelling (**Application**) at No. 23 Carron Road, Applecross (**Development Site**).

We have presented to you and circulated submissions on the Application, raising concerns with the considerable bulk and scale of the Application, impact on access to views of significance and inaccurate submission prepared by the Applicant.

It remains our view that the Application should not be supported by the Council for the reasons we have already raised with you.

At the Agenda Briefing Forum we discussed the impact of the Application on access to views of significance, which, in this instance, is a view of the Perth skyline and Swan River. Ultimately, you resolved to defer consideration of the Application pending advice on the need to consider, amongst other things, retaining access to views of significance.

We understand that the Council has been advised that access to views of significance is a relevant consideration. To assist in your consideration in this regard, we provide the following analysis.

**Views of Significance**

As overall building height is not compliant, the Application requires the Council to consider the appropriateness of the building height against Design Principles P6 of the R-Codes. This necessarily involves a consideration of the impact to views of significance.

For your own understanding, below is a photo taken by the undersigned from the Study of our Client's dwelling.



Figure 1: Existing View from Study of 26 Strome Road

It cannot be said that our Client enjoys a City 'glimpse'. The view of significance, as shown above, extends from the Woodside building (western extent of the Perth CBD) through to Crown Casino over the South Perth peninsular. This is an uninterrupted, sweeping view of several Western Australian icons.

The Applicant has submitted the below three-dimensional model of the proposal, superimposed over the view of the Perth skyline from our Client's study. We have stated since viewing the development plans that the model prepared by the Applicant is purposefully misleading and inaccurate, with the intention of depicting a lesser impact to our Client.

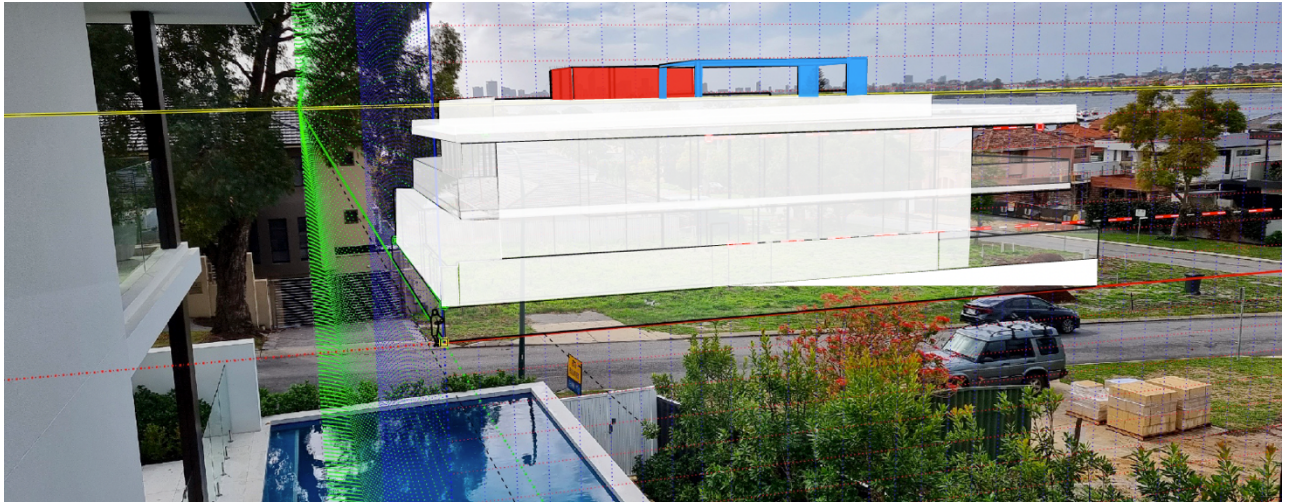
At the Agenda Forum it was accepted that *if the view completely disappeared, you might conclude there is a detriment and you would not necessarily support the variation.*



Figure 2: Three-dimensional Model Submitted by Applicant

To assist in your consideration of impact to views, Buchan Architects was engaged to provide an independent peer review of the submission prepared by the Applicant. The peer review is enclosed to this submission for your information. The peer review concludes that our Client's view of the Perth skyline will be entirely blocked by the proposed dwelling, where only the spire of Central Park Tower will remain visible.

Based on the peer review, our Client has prepared the enclosed three-dimensional model of the proposed dwelling, which we have reproduced below.



**Figure 3: Three-dimensional Model of Proposed Dwelling**

The eye level of the model is taken from 1.6m in height from within the Study of our Client's Dwelling. As you can see, and as is consistent with the Buchan Architects analysis, the view of the Perth skyline *completely disappears*. It is this impact which we say is unacceptable, creates a considerable detriment to our Client and should not be supported by the Council.

The Buchan Architects analysis together with our three-dimension model is to be compared to the model submitted by the Applicant. We can demonstrate objectively that the proposed dwelling entirely blocks access to the view of significance.

Entirely blocking access to the view of significance fails Design Principle P6 which must be satisfied when considering the building height variation. We reiterate, Design Principles are not discretionary and must be satisfied when supporting a variation to the Deemed-to-Comply provision.

As the Application does not satisfy Design Principle P6, we submit that the Application cannot be approved.

### **Engagement with the Applicant**

Our Client is committed to working with the Applicant to find a workable solution. However, all attempts to meet with the Applicant have not been responded to.

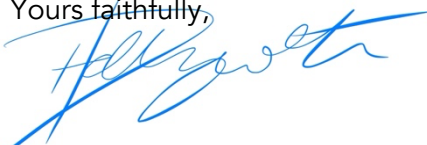
For the reasons we have set out previously, it is requested that the Council resolve to defer consideration of the Application pending engagement with the parties or refuses the Application for the reasons provided in our 10 June submission.

Central to the consideration of the Application is the impact of building height on access to views of significance. As we have shown above and enclosed, the Application entirely blocks the view of the Perth skyline, causing considerable detriment to our Client and fails Design Principle P6.

We submit to you that the Application cannot be approved in its current form.

Should you require any further information or clarification in relation to this matter, please contact Daniel Hollingworth on 0434 433 000.

Yours faithfully,



**Daniel Hollingworth**

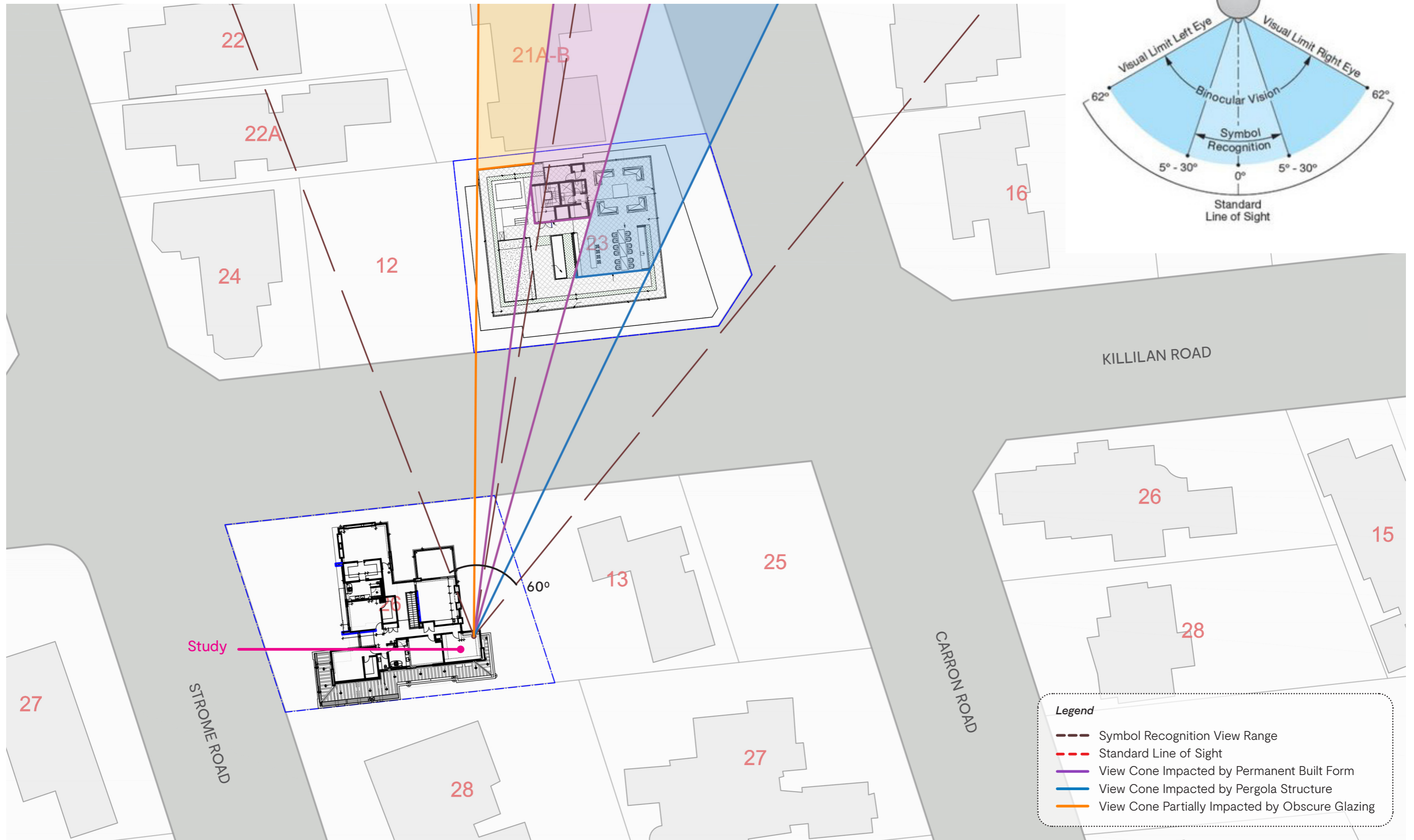
Lateral Planning

Encl.

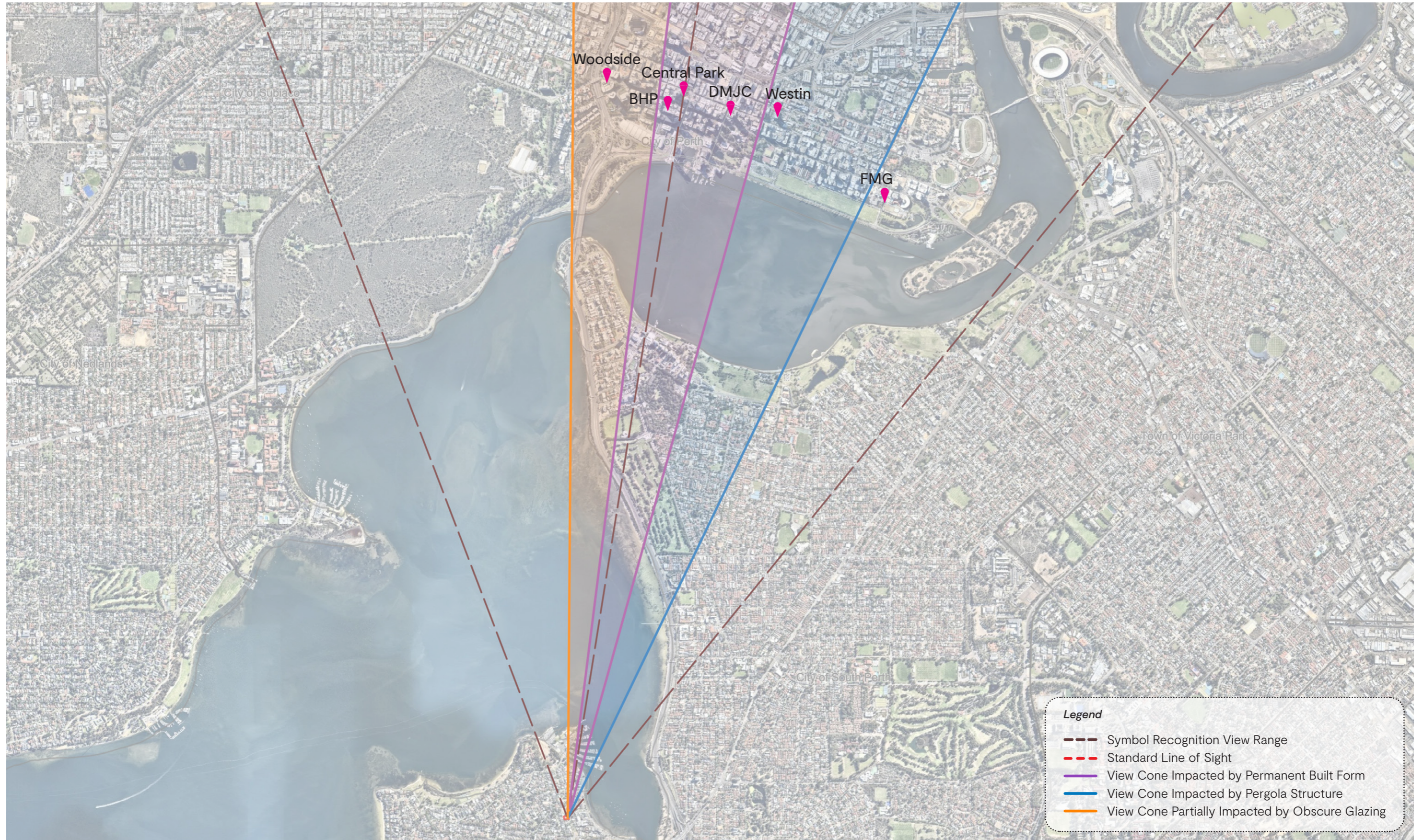




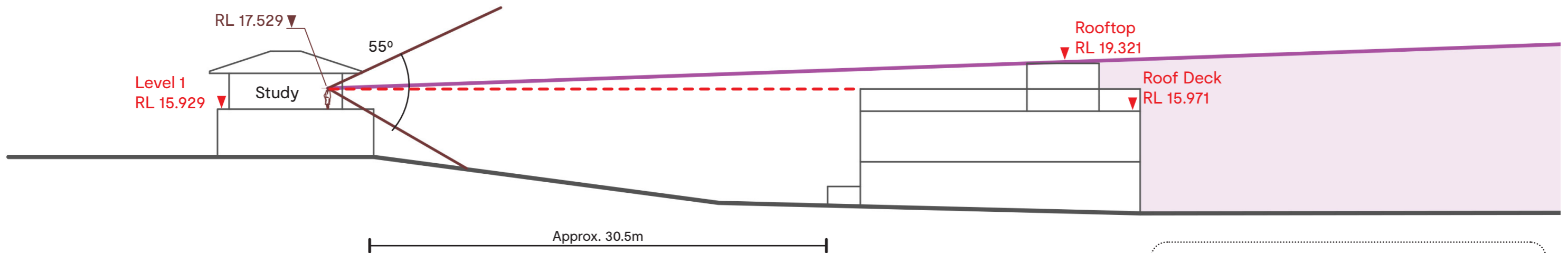
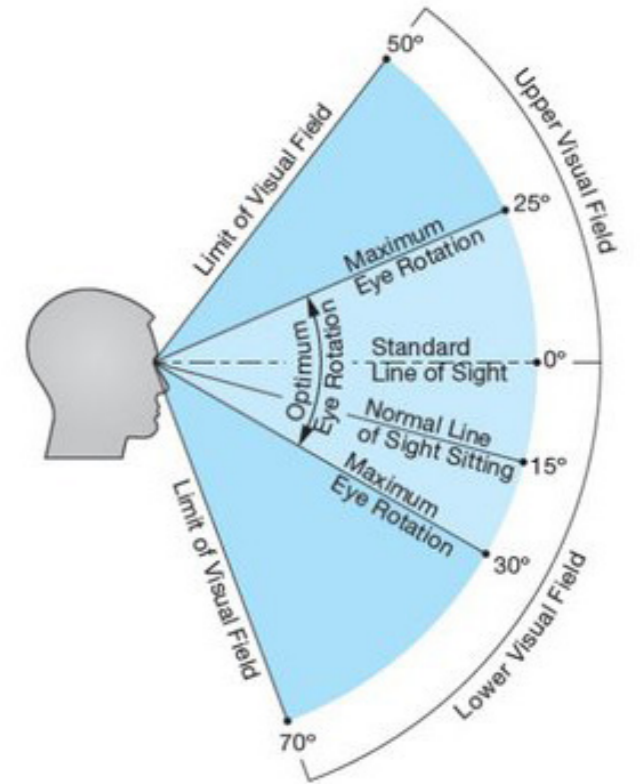
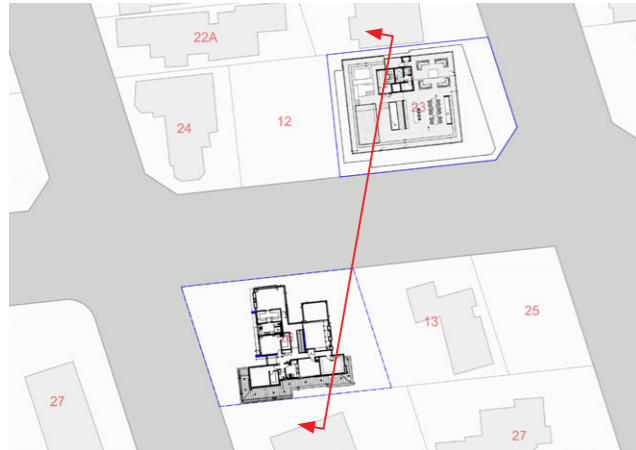
# Site Plan/ Micro Scale



# Site Plan/ Macro Scale



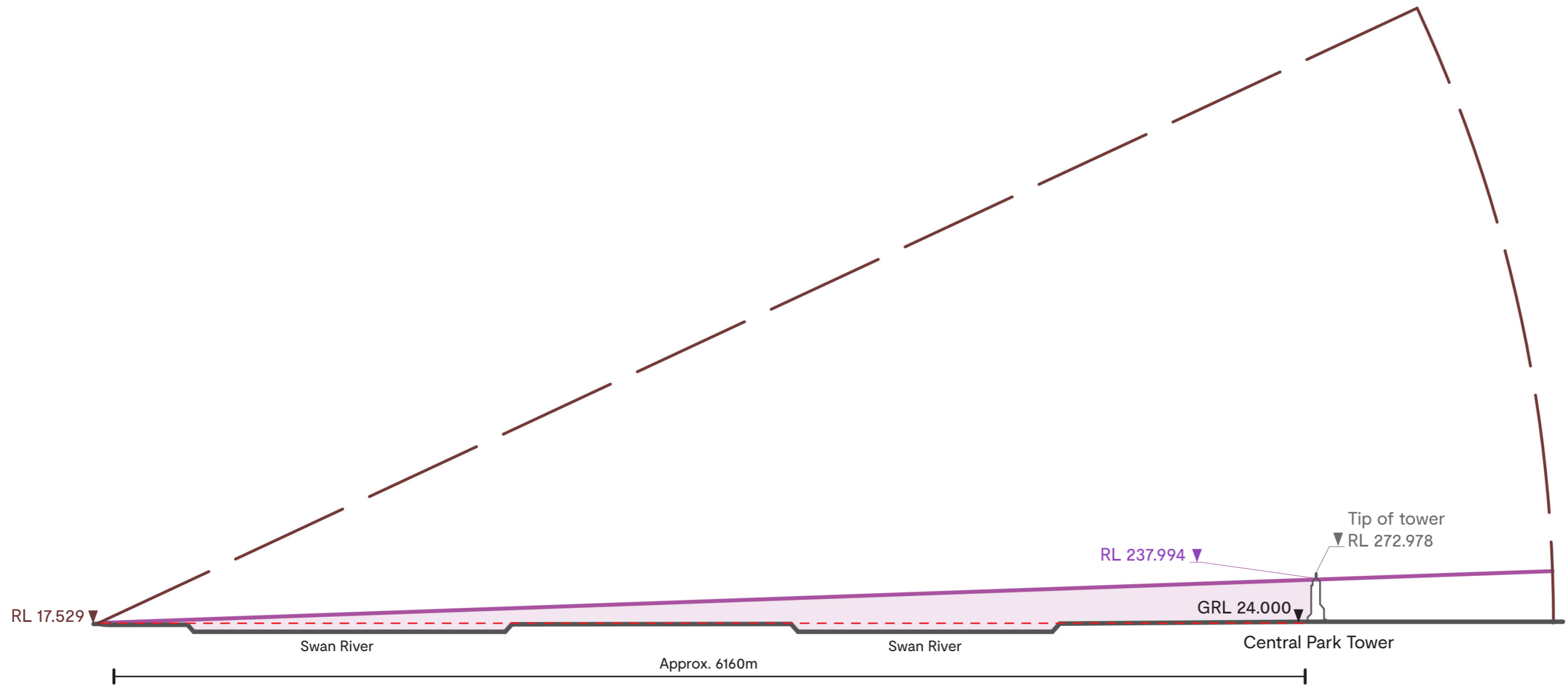
# Section/ Micro Scale



**Legend**

- Optimum Eye Rotation
- Standard Line of Sight
- View Cone Impacted by Permanent Built Form
- View Cone Impacted by Pergola Structure
- View Cone Partially Impacted by Obscure Glazing

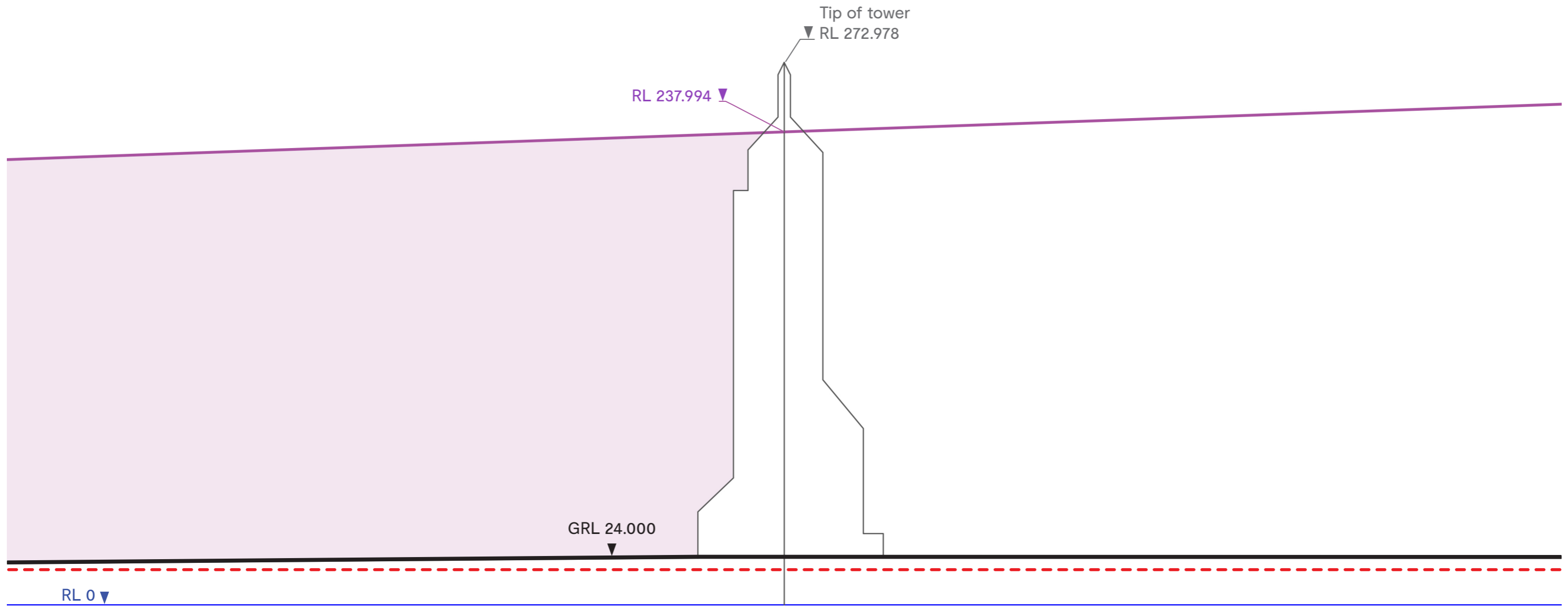
# Section/ Macro Scale



**Legend**

- Optimum Eye Rotation
- Standard Line of Sight
- View Cone Impacted by Permanent Built Form
- View Cone Impacted by Pergola Structure
- View Cone Partially Impacted by Obscure Glazing

# Section/ Central Park Tower




Central Park Tower

**Legend**


- Optimum Eye Rotation
- Standard Line of Sight
- View Cone Impacted by Permanent Built Form
- View Cone Impacted by Pergola Structure
- View Cone Partially Impacted by Obscure Glazing



Key to Colour Coding:

 Lift Building

 Pergola

 Ground and first stories and rooftop with balustrades.

