

LOCAL PLANNING SCHEME NO. 6

Amendment No. X

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PLANNING & DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF MELVILLE

LOCAL PLANNING SCHEME NO. 6

AMENDMENT NO. X

RESOLVED that Council, pursuant to Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No. 6 by:

1. Recoding Lot 166 (No. 47) and Lot 52 (No. 45) Canning Beach Road, Applecross from R12.5 to R30; and
2. Amending the Scheme Map accordingly.

The Amendment is a Standard Amendment under Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The Amendment is consistent with the objectives identified in the Scheme for that zone;
- The Amendment is consistent with the local planning strategy that has been endorsed by the Commission;
- The Amendment would have a minimal impact on land in the scheme area that is not subject to the Amendment; and
- The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Date of Council Resolution _____

Dated this ____ day of _____ 2022

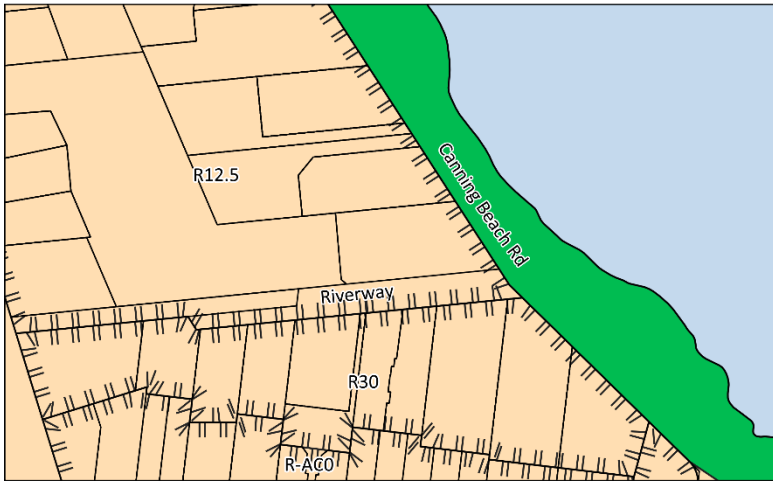
Marten Tieleman
CHIEF EXECUTIVE OFFICER

City of Melville

LOCAL PLANNING SCHEME No. 6

Amendment No. ____

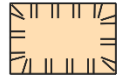
EXISTING ZONING



Legend

Local Planning Scheme No. 6 Zone

Residential



Metropolitan Region Scheme Reserve

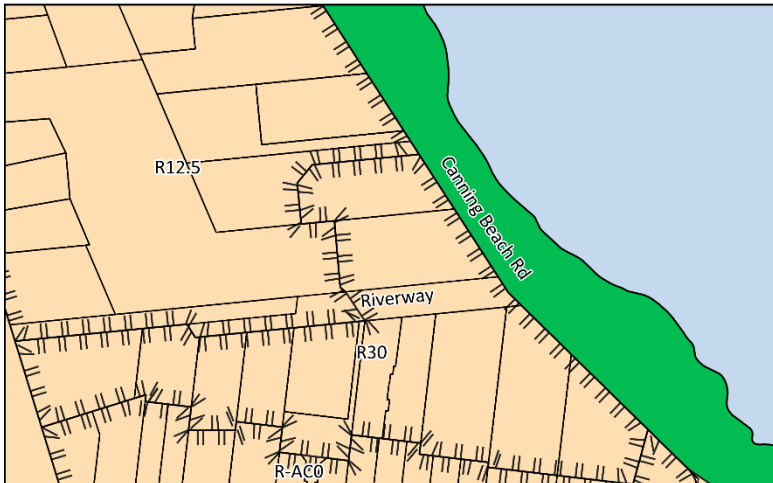
Parks and recreation



Waterways



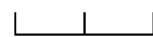
PROPOSED ZONING



North



0 25 50 m



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SCHEME AMENDMENT REPORT

3 INTRODUCTION

The purpose of this Amendment to the City of Melville (City) Local Planning Scheme No. 6 (LPS 6) is to extend the existing R30 coded area on the edge of the Canning Bridge Activity Centre Plan (CBACP) to include No. 45 and No. 47 Canning Beach Road, Applecross, as shown in Figure 2.

The intent is to facilitate the development of three multiple dwellings on No. 47 Canning Beach Road in the form of 'apartment houses', as illustrated in the design concepts produced by Leonhouse in June 2020 (refer to Attachment 1).

The Amendment is consistent with the strategic planning framework. It applies to properties with excellent access to public transport; increases the diversity of housing stock in Applecross; facilitates the development of an innovative new housing type; and creates new opportunities to age in place.

The City previously decided to not support the proposed Amendment on the premise of impending changes to the local planning framework and Officer advice to Council regarding the context and planning merits of the proposal. However, the intended changes to the planning framework have not eventuated in the manner or timeframe described, and the previous advice to Council requires further scrutiny and consideration. Accordingly, we again submit this Scheme Amendment request for Council's consideration along with additional supporting information and justification.

4 BACKGROUND

This Amendment was previously lodged with the City on 4 December 2020 and was considered by Council at its meeting on 16 March 2021 (Agenda Item P21/3902), at which time Council adopted the following Officer Recommendation:

That the Council:

- 1. Having regard to Section 75 of the Planning and Development Act 2005 refuse to initiate / adopt the Amendment requesting a higher density coding of residential R30 for 45-47 Canning Beach Road, Applecross, to City of Melville Local Planning Scheme No. 6.**
- 2. Not support the requested change to the residential density coding from R12.5 to R30 at this time for the following reasons:**
 - a. The local planning strategy will be implemented in a gradual and measured way, focussing initially on the higher priority areas.**
 - b. The City's strategic priorities for population growth and development are in key activity centres and along selected sections of public transport corridors.**
 - c. Local Planning Scheme 6 has only recently been implemented and it is considered that it would be premature to facilitate an increase in dwellings or development potential in this section of Applecross at this time.**
 - d. There is not considered to be a demonstrated short term need in the area for the requested rezoning.**
 - e. It is considered that it would be appropriate to consider this area holistically in future strategic planning in the medium to long term rather than the short term via proposed planning studies of residential coding's along key transport corridors in the City.**
- 3. That the Chief Executive Officer advises the applicant in writing of the Council's resolution and that the request be considered in the upcoming review of LPS6.**

Despite this previous decision, both the Officer report to Council and at the Council meeting, City staff and Councillors acknowledged the planning merits of this proposal and its consistency with the local planning framework, which is reinforced in this Scheme Amendment report.

Furthermore, the City acknowledged that the Amendment is a 'standard' amendment, as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which formally confirms that it is:

- Consistent with a local planning strategy for the Scheme that has been endorsed by the Commission; and
- Would have minimal impact on land in the scheme area that is not the subject of the Amendment.

The City's previous decision to not initiate the proposed Scheme Amendment was partly based on Administration's preference to pursue this type of recoding through a Scheme review process, rather than via an individual scheme amendment.

During the Council meeting on 16 March 2021, a Council Member questioned how long the individual Scheme Amendment process would take if the Amendment were progressed in isolation of the Scheme Review. In response, staff indicated the process would likely take 8 – 12 months.

Subsequently, another Council Member asked *"when are you anticipating the routine review of LPS 6 to be started and finished?"*, to which staff advised:

- The review of LPS 6 is scheduled to start in July 2021;
- The Scheme Review could be confined to a review of R-Codes and other concise issues; and
- If the Scheme Review were confined to those issues, the process would be a *"relatively quick 12 month plus project"*.

We contend this response contributed to an unrealistic belief among Council Members that including the proposed recoding in a future Scheme Review would take no longer than pursuing our proposed Scheme Amendment individually. This suggestion resoundingly conflicts with the City's website, which explicitly states – *"Scheme reviews typically take several years to finalise and there will be a number of phases that will include community consultation through the review process."* (our emphasis).

Nine months have now passed since Council's March 2021 decision and the City's Scheme Review process has only recently commenced (in October 2021), resulting in a Report of Review (ROR) being adopted by Council on 14 December 2021 (refer to Agenda Item P21/3955). The ROR recommends a targeted review and Amendment of LPS6 following investigation of key issues, including:

- State Planning framework changes
- Zero Emissions and Climate Emergency
- Zoning
- Tree retention on private land
- Short stay accommodation
- Zoning Table
- Non-Conforming Use Register
- Parking
- Construction management and compliance
- Economic Development
- Developer Contributions

These issues will take considerable time to investigate before a clear position can be established on whether or how these matters are to be addressed through amendment(s) to LPS6. In any event, the City may only take steps to begin acting on the recommendations of the ROR once the Western Australian Planning Commission (WAPC) has considered that report, which we expect will not occur until early-mid 2022. This means, if our initial Scheme Amendment had been adopted by Council in March 2021, it would

likely have been determined by the Minister for Planning before the WAPC even considers the ROR for the review of LPS6.

In our opinion, Council's previous decision to not initiate our Scheme Amendment was adversely influenced by inaccurate, incomplete, and immaterial information, including:

1. A comparison of the processing time for our Scheme Amendment versus a Scheme Review;
2. The potential to include the site within the Canning Bridge Activity Centre Plan (CBACP) boundary as part of the upcoming review of that Plan, noting the City has recently considered a proposal to reduce, not increase, the extent of the CBACP boundary; and
3. Whether our client's intent to remain as the owners and occupiers of the property once the Amendment is finalised, ought to be believed.

Before the 16 March 2021 Council Meeting, we repeatedly invited City staff and Council Members to visit the subject land to experience its context and observe the significant impact of the abutting High Care Aged Care Facility (HCACF) located immediately to the west, on land zoned Residential R12.5, see Figure 1 below. Regrettably, this invitation was never accepted.



Figure 1 – View of HCACF looking west from rear of dwelling at 47 Canning Beach Road (Friday 17 December 2021)

Given the preceding circumstances, we hereby resubmit our Scheme Amendment proposal for consideration by Council and respectfully request that it is adopted for public advertising.

This Amendment report has been updated with minor edits, additional justification and updated figures.

4.1 LOCATION & OWNERSHIP

No. 47 Canning Beach Road, Applecross is 1,295.9m² and owned Mr Graeme John Ferguson. The adjoining property at No. 45 Canning Bridge Road, Applecross is 1,024.7m² in area and owned by Ms Kristina Jane Behets of 40 Parkside Avenue, Mount Pleasant, who has consented to the inclusion of No. 45 in the Amendment and supports the intended future development of 'apartment houses' on No. 47.

The land parcels combine to form the subject land, which is shown in Figure 2, bound by Canning Beach Road to the East, Riverway to the south and a new High Care Aged Care Facility (HCACF) (which is currently under construction, see Figure 3) to the north and west. Accordingly, the land is in a unique context, in isolation of the remaining R12.5 area to the north, adjoining an intensive land use and on the edge of the Canning Bridge Activity Centre.

Opal Healthcare, owners of the adjacent HCACF, and the owners of No. 41 and No. 43 Canning Beach Road have also provided their written support for the proposed scheme amendment.

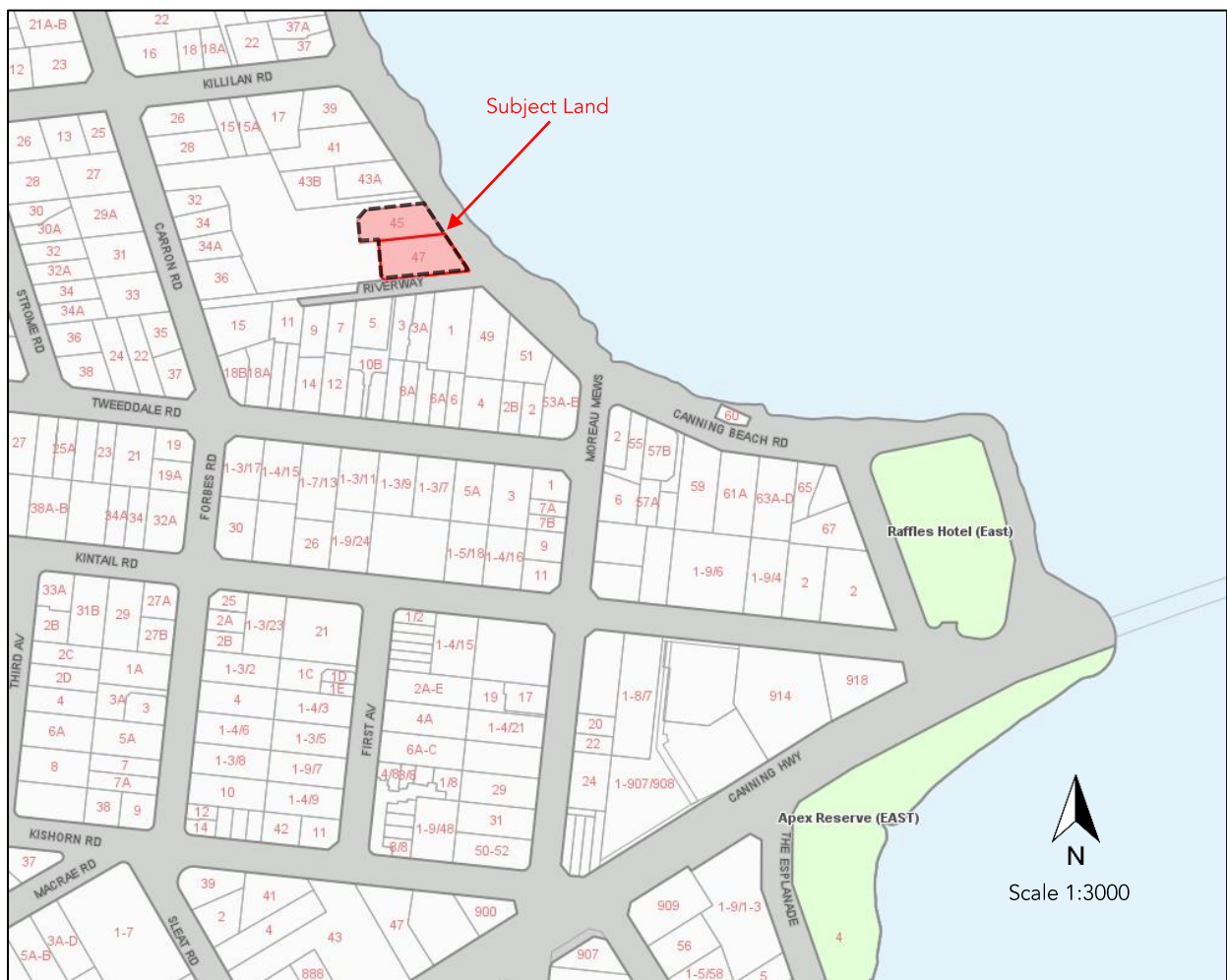


Figure 2 – Location Plan



Figure 3 – View of HCACF looking west from No. 47 Canning Beach Rd (17 December 2021)

4.2 SITE CONTEXT & CHARACTERISTICS

4.2.1 Local Context

The subject land benefits from having proximity to a range of local amenities, transport opportunities and public open space, including the following, as shown in Figure 4:

- Canning Bridge Activity Centre – 51.5m;
- Canning Highway – 376m;
- Canning Bridge Bus Port – 700m;
- Canning Bridge Railway station – 725m;
- Warwick Wild Park – 380m; and
- Point Heathcote Reserve – 530m

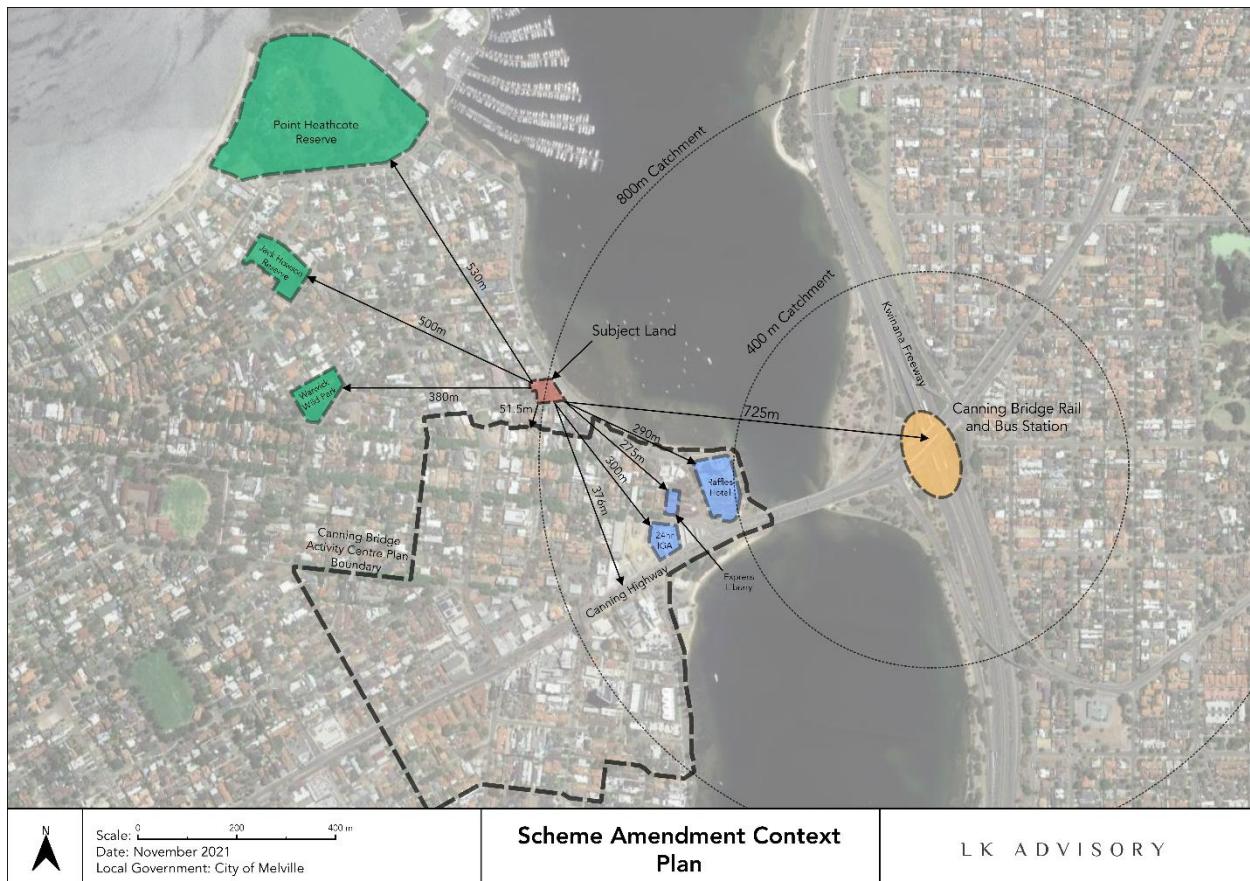


Figure 4 – Context Plan

4.2.2 Land Description

The subject land comprises two lots with a combined frontage of 52.6m to Canning Beach Road and a 55.3m frontage to Riverway.

The formal description of the lots is as follows:

- Lot 166 (No. 47) Canning Beach Road, Applecross on Plan 1751, Certificate of Title Vol. 1619, Folio 779
- Lot 52 (No. 45) Canning Beach Road, Applecross on Plan 57005, Certificate of Title Vol. 1535, Folio 288

A copy of the Certificate of Title for each property is included in Attachment 2.

The battle-axe lot shown in Figure 5, behind Lot 52, was formerly described as No. 45A (Lot 54) Canning Beach Road). Opal Healthcare acquired that property, and it now forms part of the HCACF development site. The amalgamated HCACF development site now comprises 6,737m² and is described as Lot 99 (No. 30) on Plan 417858 Carron Road, Applecross. The new lot configuration is shown in Figure 6 and Figure 7.



Figure 5 – Previous lot configuration, inclusive of No. 45A Canning Beach Road (Source: Metro Central JDAP Agenda – 18 March 2019)



Figure 6 – Amalgamation Plan (Source: Metro Central JDAP Agenda – 18 March 2019)



Figure 7 – Amalgamated HCACF Development Site (Source: Nearmap, Aerial Image: 4 March 2020)

4.2.3 Immediate Context

The subject land has a direct interface with Canning Beach Road, the HCACF (construction near-complete) and Riverway, as shown in Figure 8. There is no direct interface with any other low-density coded lots. The subject land is separated from the R12.5 area to the north by the 5m HCACF access driveway and a further 4m access driveway for No. 43B (Lot 55) Canning Beach Road.



Figure 8 – Immediate Context (17 December 2021)

The approved HCACF currently nearing completion on Lot 99 Carron Road comprises a three-storey building with 136 rooms split across a northern wing and southern wing, with allied health consulting rooms on the ground floor. In particular, the southern wing of the development incorporates a three-storey building and an above-ground car park with an immediate interface to the subject land. This represents a substantial increase to the scale and intensity of the aged care facility than previously existed on that portion of the site (Lot 62 Carron Road), particularly concerning building height, bulk, and proximity to the subject land. Furthermore, the form and appearance of the HCACF are not in keeping with the built form character of the broader residential area, particularly in terms of scale, setbacks and intensity.

We note that the City's Design Advisory Panel (Panel) considered the development on two occasions, on 5 July 2017 and 6 September 2017. At its initial meeting, the Panel raised concern regarding the 'size of the development. However, rather than reducing the development size, the applicant acquired No. 45A (Lot 45) Canning Beach Road, increased its footprint, and added 30 rooms to the design.

When complete, the HCACF will comprise 136 beds over 6,737m² of land, equating to a density of 201 beds/hectare. Given that the average household size in Applecross is 2.53 persons per dwelling¹, the equivalent residential dwelling density of the HCACF development, in terms of 'occupancy', is 79

¹ Forecast.id (2021) - <https://forecast.id.com.au/melville/population-households-dwellings?WebID=110>

dwellings/ha. This interpretation is conservative as it does not consider the 35+ staff expected to operate the facility nor any of the proposed non-residential (Allied Health) uses that will be located on the ground floor, which again will attract additional staff and clients. Based on these calculations, the abutting HCACF development is equivalent in land-use and built form intensity to at least a residential density of R80.

The Metro Central Joint Development Assessment Panel (JDAP) approved the southern wing of the development on 16 April 2018 (DAP/18/01367) and the northern wing on 18 March 2019 (DAP/19/01552). Figure 9 depicts the extent of the southern wing of this development and its relationship to the subject land, while Figure 10 depicts the built form scale of the HCACF relative to the subject land.



Figure 9 – Interface with Southern Wing of HCACF Site (Source: Metro Central JDAP Agenda – 18 March 2019)



Figure 10 – Scale of HCACF development viewed from Subject Land (Source: Metro Central JDAP Agenda – 18 March 2019)

4.2.4 Public Transport Accessibility

Regular bus services operate on Kintail Road approximately 200 meters from the subject land, providing a direct connection to the bus/train interchange at Canning Bridge rail station, which is less than 800m from the subject land. The Canning bridge bus port operates at a very high service frequency as it consolidates several bus routes (111, 114, 115, 148, 158, 160 and 910) and provides a critical transfer point to passenger rail. In addition, the Mandurah Rail line provides a service every 5 minutes during the morning and evening peak periods.

The public transport network map for the locality is shown in Figure 11.

The Canning Bridge interchange combines two high-frequency modes of public transport that facilitate swift and convenient access to major employment and education centres, including the Perth City Centre (PCC), Curtin University, Murdoch University and Fiona Stanley Hospital.

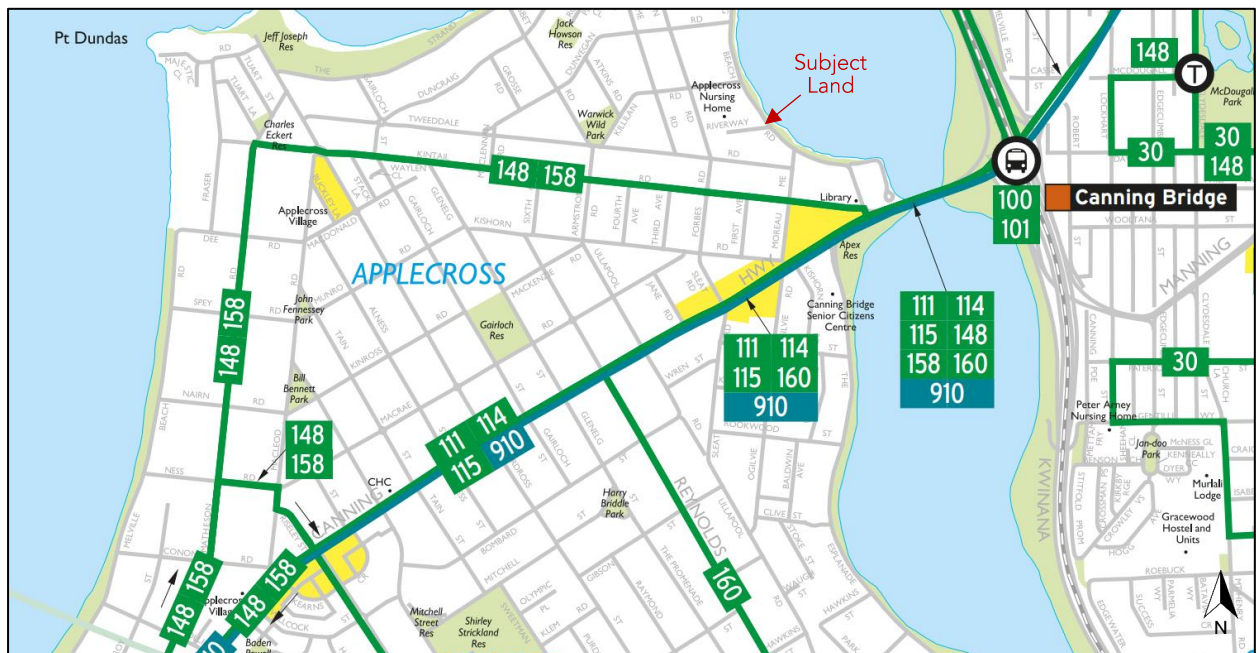


Figure 11 – Bus Service Timetable Map (Source: Public Transport Authority)

Spatial Network Analysis for Multimodal Urban Transport Systems (SNAMUTS) is a planning and decision-making support tool developed by Curtin University and RMIT to assist urban planning and infrastructure delivery practitioners. SNAMUTS combines in-depth analysis of the performance of the public transport network with the land-use intensity (density and spatial distribution of residents and jobs) that interfaces with that network within a walkable catchment.

SNAMUTS demonstrates that public transport accessibility is not simply a matter of proximity to bus stops and rail stations. Instead, it is a complex interplay between service speed and frequencies, the density of residents and jobs within a walkable catchment, and the network structure's performance. While Canning Bridge scores well in terms of service speed and frequency. It also scores well on several other accessibility benchmarks that consider service capacity, consolidation of network paths, the ability to act as a hub and potential network coverage within 30 minutes travel time.

The SNAMUTS Composite Index (as shown in Figure 12) consolidates the public transport accessibility measures into a snapshot comparable between cities in Australia, Europe, North America and Asia. Figure 12 demonstrates that the subject land is within an area identified as having 'good (23.3-26.7 points)' public transport accessibility in the most recent 2016 SNAMUTS model (which is derived from the 2016 census data). Notably, the Canning Bridge catchment is the *only* location with a score this high outside of the Perth City Centre. Moreover, it is likely to be even higher when the 2021 census data is released due to greater density being achieved (since the last census) under the Canning Bridge Activity Centre Plan. This demonstrates that the subject land benefits from some of the best public transport accessibility in the Perth metropolitan region.

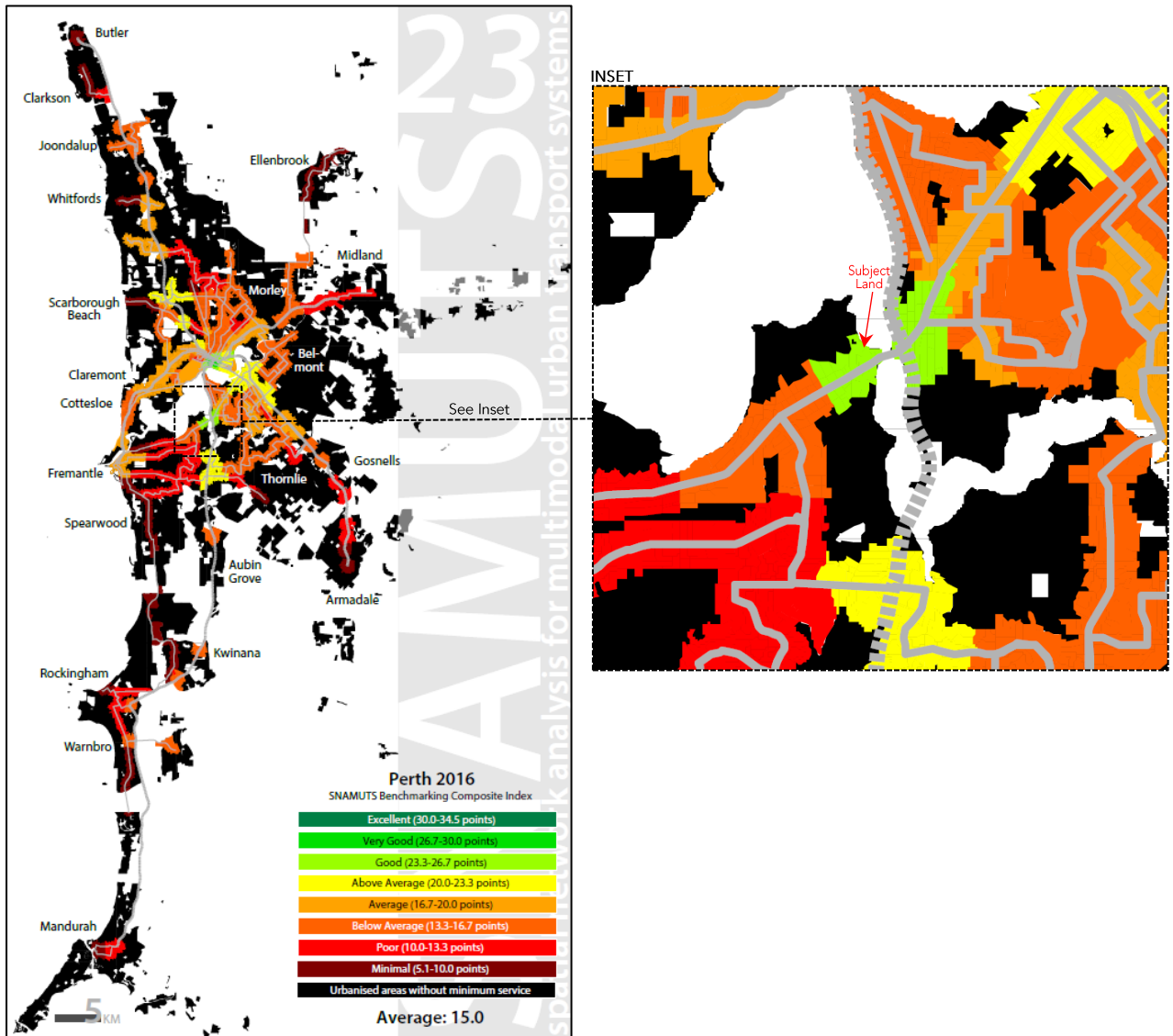


Figure 12 – SNAMUTS Composite Index

4.3 SERVICING

The subject land has access to all necessary services and infrastructure, including reticulated water and sewer, underground power, gas and telecommunications.

5 PLANNING FRAMEWORK

5.1 REGIONAL PLANNING CONTEXT

5.1.1 Metropolitan Region Scheme

The subject land is zoned "Urban" under the Metropolitan Region Scheme (MRS), as shown in Figure 13.

Land immediately to the East of the property (including Canning Beach Road) is reserved for "Parks and Recreation" under the MRS. The remaining land around the property is zoned "Urban".



Figure 13 – Metropolitan Region Scheme (MRS)

5.1.2 State Planning Policies

State Planning Policy 7 – Design of the Built Environment

The Western Australian Planning Commission (WAPC) published State Planning Policy 7 – Design of the Built Environment (SPP 7) in February 2019. The policy sets out the objectives, principles and processes which apply to the design and assessment of built environment proposals through the planning system. This provides an overarching framework for a range of supporting State Planning Policies that provide design quality guidance and requirements for specific types of planning and development proposals.

The design principles established by this policy, as shown in Figure 14, improve consistency and line of sight within the complex WA Planning framework through their embedment within the following key documents:

1. State Planning Policy 7.3 – Residential Design Codes
 - a. Volume 1
 - i. Part A – Operation of the Code
 - ii. Part B – Low-Density Code
 - iii. Part C – Medium-Density Code
 - b. Volume 2 (Multiple Dwellings in areas coded greater than R40)
2. Design Review Guide
3. State Planning Policy 7.1 – Neighbourhood Design
4. State Planning Policy 7.2 – Precinct Design

<p>➤ 1. Context and character</p> <p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<p>➤ 6. Amenity</p> <p>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</p>
<p>➤ 2. Landscape quality</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<p>➤ 7. Legibility</p> <p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</p>
<p>➤ 3. Built form and scale</p> <p>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p>	<p>➤ 8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>
<p>➤ 4. Functionality and build quality</p> <p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</p>	<p>➤ 9. Community</p> <p>Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.</p>
<p>➤ 5. Sustainability</p> <p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</p>	<p>➤ 10. Aesthetics</p> <p>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</p>

Figure 14 – Design of the Built Environment Principles (SPP 7)

5.1.3 State Planning Policy 7.3 – Residential Design Codes: Medium Density Code

Residential Development in Perth has traditionally been governed by the R-Codes Parts 5 and 6, which dealt only with single houses, grouped dwellings (traditionally villas or townhouses) and apartment buildings. Recently, the State Government replaced Part 6 of the R-Codes with the R-Codes Volume 2, which deals only with apartments in areas coded R40 and above (soon to be only R80 and above). All remaining dwelling types are currently governed by the R-Codes Volume 1 alone. Due to its prescriptive nature, the R-Codes Volume 1 facilities only a relatively narrow range of dwelling types; typically, single houses, battle-axe and grouped dwelling ‘plex’ developments.

The WA planning framework does not currently support a broader range of other housing types that have a role to play in diversifying the local housing market in Perth. These types of housing are often referred to as the Missing Middle. Figure 15 demonstrates their importance in providing greater dwelling diversity. This variety of housing types provides for increases in density in suitable locations without harming streetscape character and neighbourhood amenity whilst also providing an appropriate transition between high and low density development.

Missing Middle housing

- coined in 2010 by American architect Daniel Parolek;
- sits within the spectrum of the polar extremes of single houses and apartments;
- is low to medium scale and of moderate intensity;
- is often geographically linked with the middle ring suburbs;
- has become increasingly attractive to Australian state governments as a potentially sensitive form of densification.

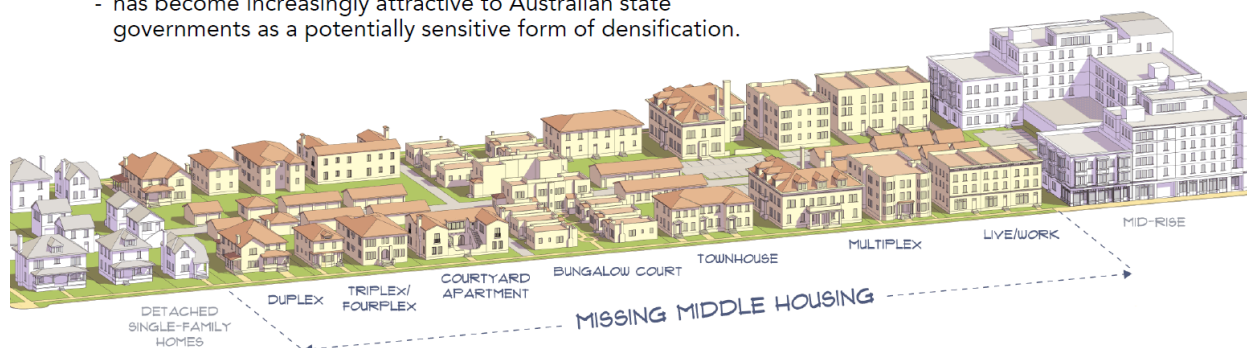


Figure 15 – The Missing Middle

On 27 November 2020, the Western Australian Planning Commission published the draft Medium Density Explanatory Guidelines, Medium Density Housing Diversity Guide and proposed modifications to State Planning Policy 7.3 (SPP 7.3) R-Codes Volume 1 to include a new Part C – Medium Density Code for public comment (concluding in April 2021).

The Medium Density Code operates similarly to the R-Codes Volume 2 (Apartment Design) with a focus on four key elements as follows:

Land

The policy provides minimum and average site area requirements, which determines the potential number of dwellings that development can achieve under the applicable R-Code for that site. Site area provisions also encourage various housing types, including providing incentives for aged and dependent persons' accommodation and small dwellings. The provisions also include yield incentives for development with street frontage (rather than dwellings in backyards) and those sites that are particularly suited to medium density, including larger sites, corner locations or laneway access.

The Garden

Clear guidelines for the size and location of gardens recognise the importance of green space, sunlight and ventilation to physical and mental health, ensuring residents have access to good outdoor space for recreation and socialising. The policy includes:

- Minimum garden sizes
- Outdoor spaces linked to main living areas
- Space for trees and deep soil areas
- Communal and private open space
- Climate and passive solar orientation

Buildings

The policy incentivises diverse building types, orientated for natural light, ventilation and an attractive outlook, with multi-purpose living spaces focused around 'one good room'. The policy includes:

- Flexible spaces for changing resident needs
- Minimum dwelling and room sizes
- Adaptable housing for people of all abilities
- Car parking that does not dominate
- Provision for ancillary buildings
- Site concessions to encourage one and two-bedroom dwellings

Neighbourliness

Well-designed homes that sit well in the streetscape, encourage social interaction and provide community amenity make it easier for people to live closer together. The policy includes:

- Context-sensitive design standards for building height and boundary setbacks
- Site cover controls to preserve open-air between buildings
- Consistent street setbacks with space for trees

- Protections for visual privacy and overshadowing
- Dwellings that face the street with reduced garage dominance
- More flexibility in front fencing

Medium-density housing in the context of the R-Codes includes all single and grouped dwellings coded R30 and above, and all multiple dwellings coded between R30 and R60. While the R-Codes defines medium density housing by a residential density code range, it does not dictate the form of that development. As a result, the diversity of residential building types that can be delivered under the code are extensive and include, but are not limited to, those types shown in Figure 16 (the proposed 'apartment house' type is outlined in a red dashed line).

Importantly, Figure 16 is not a sliding scale that dictates dwelling type relative to the applicable R-Code on the site. Instead, any of the dwelling types can be accommodated within areas coded R30 – R60; the R-Code governs the permitted density of dwellings per hectare of land, not the building typology. In this case, the future 'apartment houses' proposed on No. 47 Canning Beach Road include only three dwellings on a 1,295m² lot, or 431m² per dwelling, equivalent to an R20 dwelling density.

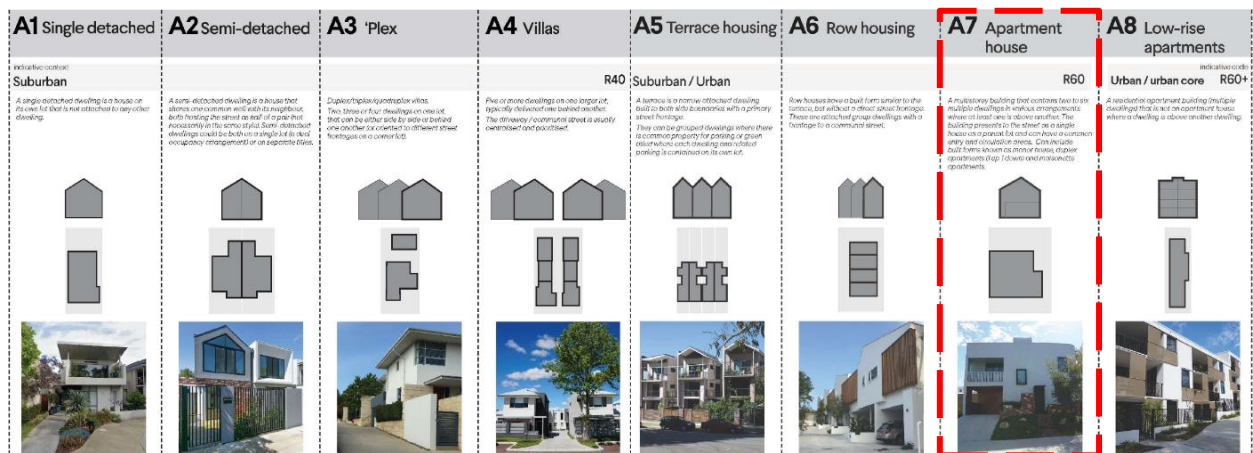


Figure 16 – Medium Density Typologies

There are limited examples of 'apartment houses' in Perth. However, those that exist demonstrate their remarkable potential to accommodate additional density with little to no impact on the streetscape while significantly improving housing diversity. Figure 17 is an example of three apartments within a structure that carefully aligns with the adjoining single houses' height, setbacks, and scale.



Figure 17 – Yokine 'apartment house' example

One of the most successful examples of this innovative building typology is known as the Gen-Y / Step House in White Gum Valley (Figure 18), which received the following awards:

- National Commendation: National Architecture Awards - Sustainable Architecture
- Winner: National Sustainability Awards - Best of the Best
- Winner: National Sustainability Awards - Multiple Dwelling
- Winner: AIA Architecture Award: Residential Architecture - Multiple Housing
- Winner: AIA Architecture Award: Sustainable Architecture



Figure 18 – White Gum Valley ‘apartment house’ example

5.1.4 Housing Diversity

The introduction of the medium-density code provides a timely opportunity to facilitate the implementation of several key strategies in the City’s Local Housing Strategy (LHS), particularly the need to accommodate housing diversity. A greater variety of medium-density development will improve housing choice and allow residents to stay in their communities as their housing needs change. This is particularly beneficial for older residents that seek to downsize and remain within their community.

Diversity in medium-density housing allows building types to respond to site and context and contribute to coordinated streetscapes and quality neighbourhoods and the transition between differing neighbourhood types. For example, a row of terrace houses may be well-suited to narrow-frontage lots with laneway access. In contrast, low-rise apartments may offer an appropriate interface to a busy activity corridor. Responding to the site, neighbourhood context and occupant needs help to facilitate developments that meet the expectations of residents and the wider community.

5.2 LOCAL PLANNING CONTEXT

5.2.1 Local Planning Scheme No. 6

The subject land is zoned “Residential” under LPS 6 and designated with a residential density code of R12.5 (see Figure 19).

LPS 6 restricts multiple dwellings on land coded R12.5 to a minimum of 800m² in site area per dwelling. Increasing the R-Code to R30 reduces the minimum site area per multiple dwelling to 300m² or an average of 300m² and a minimum of 260m² for single houses and grouped dwellings. Therefore, this Amendment will enable the proposed development of three multiple dwellings on No. 47 Canning Beach Road, in the form of a three-storey building resembling a large single house, with one ‘apartment house’ dwelling per floor.

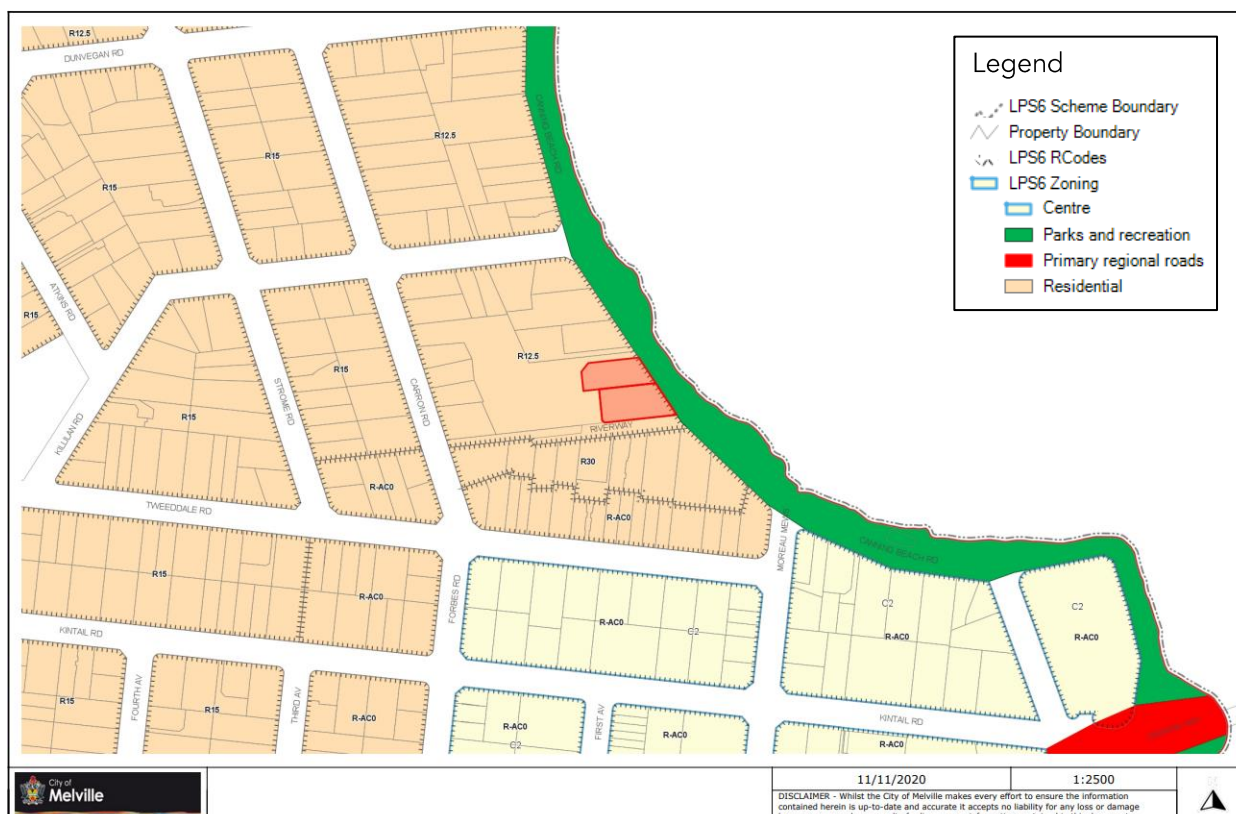


Figure 19 – Extract of Local Planning Scheme No. 6 (subject land shown in red outlines)

5.2.2 Strategic Community Plan

The City of Melville’s Strategic Community Plan (SCP) is a long-term overarching document that sets out the community’s vision and aspirations for the future. It also sets out the key strategies and actions required to achieve these aspirations. Table 1 shows how the City’s Local Housing Strategy (LHS) provides a clear interpretation of the community’s aspirations relevant to housing and density.

Table 1 – Strategic Community Plan Aspirations - Housing

Aspirations	Relevance to Local Housing Strategy
Safe and Secure	Housing diversity will strengthen social connections in each local community and improve safety and the perception of safety.
Sense of Community	Lively and vibrant public spaces can be stimulated and sustained through increased residential density in and around activity centres.
Healthy Lifestyles	Residential density in key areas strengthens rationale for increased investment in public spaces.
Clean and Green	Greater residential density and diversity should take advantage of access to public transport, cycling and walking facilities to reduce car reliance, and private open space should be maximised.
Sustainable & Connected Transport	Implies need for more residential density around transport corridors and hubs Growth and Prosperity Implies need for more residential density in/around centres to support commercial activity
Growth & Prosperity	Greater residential density in and around activity centres will increase the customer base and support for local businesses.

5.2.3 Local Planning Strategy

The City of Melville Local Planning Strategy (LPS) was endorsed by the Western Australian Planning Commission on 18 April 2016. The LPS carefully aligns with the community aspirations in the SCP, sets out the City's long-term planning direction (20 years and beyond), provides a strategic basis for LPS 6 and a local response to the State strategic planning framework. The LPS encourages increased development in and around activity centres, transport nodes, and transport corridors to provide greater housing choice, improve employment, and promote sustainable transport options.

This Amendment accords with the following LPS strategies and actions:

Transport

- Maximise development to support viable public transport corridors in accordance with Directions 2031 and Beyond;
- Ensure that land use supports walking and cycling through mixed-use developments, safe routes and attractive pedestrian-friendly precincts;

Housing

- Provide for a range of residential densities to facilitate the development of a variety of housing types and neighbourhood characteristics based on proximity to services, existing character and landscape characteristics;
- Promote innovative, high-quality residential developments on opportunity sites;
- Capitalise on residential development opportunities;
- Support increases in housing density where character and amenity of the neighbourhood is not prejudiced and there is capacity in existing infrastructure and services;
- Investigate allowing the development of housing or additions to housing where there is no significant adverse impact upon the amenity of adjoining properties;
- Promote a diversity of housing to better enable ageing in place;
- Provide an opportunity for a minimum of 18,500 new dwellings beyond 2031 in areas where access to transport and facilities can reduce dependency on private motor vehicles;

The LPS identifies the Canning Bridge Precinct as Strategic Development Area 1 and notes the Canning Bridge Activity Centre Plan (CBACP) was endorsed by the WAPC in December 2015. The LPS identifies the main objectives of the CBACP, including an objective to *'Increase the density and diversity of housing in and around the CBACP to improve land efficiency, housing variety and affordability'* (emphasis added).

The LPS Map (see Figure 20) depicts the subject land located within the immediate vicinity of the CBACP and within the broader walkable catchment of the Canning Bridge rail station.

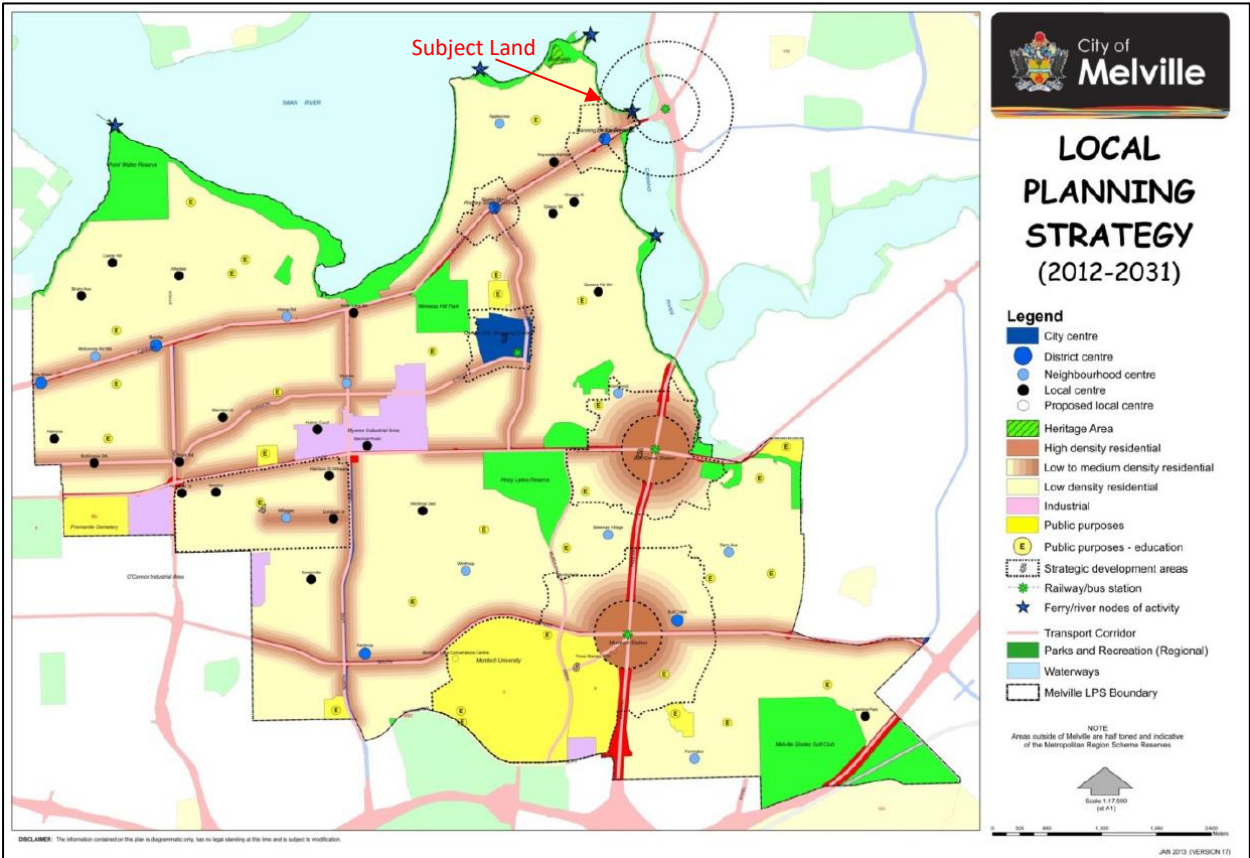


Figure 20 – City of Melville Local Planning Strategy Map

Census Data

The LPS emphasises the need to diversify housing stock to accommodate a rapidly ageing population and support opportunities to age in place. This Amendment fulfils these objectives.

The subject land falls within the Australian Bureau of Statistics (ABS) Statistical Area Level 1 (SA1) – 15117501, which provides fine-grained demographic information for the small area shown in Figure 21.



Figure 21 – Statistical Area Level 1 (15117501)

As of the 2016 census, there were 244 persons aged 55 and over within this statistical area, representing more than 56% of its population. The proportion of residents aged 55 years and over is considerably higher in this local area than the City of Melville as a whole, which according to the 2016 census, comprised 31,756 persons aged 55 and over or 31.5% of the City's total population. This illustrates a strong need to provide a greater diversity of housing in this area to accommodate its predominantly ageing population.

5.2.4 Local Housing Strategy

The City of Melville adopted its Local Housing Strategy (LHS) on 20 March 2020. The LHS considers whether the City's current housing supply meets the needs of the community now and into the future and identifies three key issues to be addressed, consistent with those outlined in the LPS:

- Affordability;
- Insufficient housing diversity; and
- Seniors' housing issues.

These issues are fundamentally linked to the City's greatest housing challenge, accommodating a rapidly ageing population. Accordingly, the City's LHS responds to these issues with two key objectives, as follows:

1. *To provide for a variety of lot sizes and housing types to cater for the housing needs of residents at all stages of life.*
2. *To identify suitable areas for consideration for the provision of greater housing choice which:*
 - *are strategically located close to, or well connected to, existing and future services such as employment centres, major transport routes/hubs, community facilities, and activity centres;*
 - *are opportunity sites in need of private or public investment to regenerate ageing housing stock'*

The LHS also incorporates the following age-friendly initiatives, with which this Amendment is aligned:

1. *Provide for a range of residential densities to facilitate the development of a variety of housing types and neighbourhood characteristics based on proximity to service, existing character and landscape characteristics;*
2. *Promote innovative, high-quality residential developments on opportunity sites;*
3. *Capitalise on residential development opportunities;*
4. *Support increases in housing density where character and amenity of the neighbourhood is not prejudiced, and there is capacity in existing infrastructure and services;*
5. *Investigate allowing the development of housing or additions to housing where there is no significant adverse impact upon the amenity of adjoining properties;*
6. *Have regard to WAPC Directions 2031 and Beyond dwelling targets for the City; and*
7. *Promote a diversity of housing to better enable ageing in place.'*

Further, the LHS identifies the following relevant demographic issues which this Amendment will address:

1. *60 to 85 is the fastest-growing demographic;*
2. *More age-appropriate housing is required near shops, transport and services;*
3. *More residential care is required, especially those that offer more high care facilities;*
4. *There is a need for more multi-level apartments, accessible and with elevators, which are close to public transport;*
5. *There is a need for more information to be delivered about housing options;*
6. *Seniors want to remain in their own homes independently for as long as possible; and*
7. *Access public transport, local amenities and services.'*

The LHS sets out the following criteria to guide the consideration of density increases:

1. *Most suburban areas should remain low-density, coded no higher than R20 or R25*
2. *In accordance with sections 4.1 (d), 7.3, 8.4.2, 8.4.4 of Directions 2031, areas of especially low coding (R17.5 or less) that have close proximity to public open space, foreshores, parks and other such high amenity could be considered for upcoding to higher codes within the low-density code range. Considerations would also include the age of housing stock, street layout and the pattern of subdivision.*

6.1 OVERVIEW OF SCHEME AMENDMENT

The purpose of this Amendment to the City of Melville's Local Planning Scheme No. 6 (LPS 6) is to extend the existing R30 coded area from the south to include No. 45 and No. 47 Canning Beach Road, Applecross.

The Amendment is intended to facilitate the development of three multiple dwellings on No. 47 Canning Beach Road in the form of 'apartment houses', as illustrated in the design concepts produced by Leonhouse in June 2020 (see Figure 23 and Attachment 1).

6.2 SCHEME AMENDMENT CLASSIFICATION

This scheme amendment is classified as a "standard amendment" under Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as:

- a) The Amendment is consistent with the objectives identified in the Scheme for that zone;
- b) The Amendment is consistent with the local planning strategy that has been endorsed by the Commission;
- c) The Amendment would have a minimal impact on land in the scheme area that is not subject to the Amendment; and
- d) The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

6.3 SCHEME AMENDMENT APPROACH

The existing dwelling at No. 47 Canning Beach Road is ageing (circa 40 years old), showing signs of dilapidation, has reached the end of its useful life, and is not appealing or feasible to renovate and refurbish. The owners of No. 47 are both nearing retirement and have a long-established history with the land. Their family's tenure in this area dates back more than three generations. As a result of this enduring attachment to the land, they wish to continue living on the property post-retirement in a new and more age-friendly dwelling that provides vertically segmented and multi-generational living opportunities.

The existing dwelling on No. 45 Canning Beach Road is substantial, relatively new and unlikely to be demolished in the near future. Notwithstanding, the Amendment includes both No. 45 and No. 47 Canning Beach Road for orderly and proper planning purposes, consistent with sound planning principles. This approach results in an appropriate arrangement of R-Codes on the Scheme Map and requires only a minor change to the boundary between the R12.5 and R30 areas. It leverages a practical and logical boundary, with a natural, physical separation between the potential medium density development facilitated by the R30 code and the lower density development permitted by the R12.5 code farther to the north. For example, Figure 22 demonstrates the approximate 12m combined width of the HCACF driveway, battle-axe leg to No. 43B and the driveway for No. 43A.



Figure 22 - Driveway Width in Aggregate (17 December 2021)

Although the owner of No. 45 has no current plans to redevelop their property, increasing the R-Code to R30 will facilitate future redevelopment and/or conversion of the property into an 'apartment house' building (similar to Mr and Mrs Ferguson's proposal), also comprising up to three multiple dwellings, with no potential for any impact on the amenity of adjoining properties. This approach is likely to become more desirable to the owner of No. 45 in the future.

Based on the above, the Amendment is not a 'spot recoding' and does not set an undesirable precedent for ad-hoc recoding to an R30 density elsewhere else in the City. The subject land has a unique location, both in isolation within its immediate context and well connected to local amenities within its broader context. The proposed Amendment will enable a unique form of development that is compatible with the abutting and nearby built form. Based on the guidance provided by the LPS and the LHS, any property, or group of properties, that benefit from the same unique contextual circumstances of the subject land should be given due consideration for a higher density code, as this is the only way to achieve the objectives of the strategic planning framework.

6.4 FERGUSON RESIDENCE

The future Ferguson residence proposed for No. 47 Canning Beach Road (see Figure 23) comprises three apartments in a form that resembles a three-storey single dwelling – of which there are many examples in the locality. The proposed residence incorporates a single pedestrian entry to the primary street, with vehicle access taken from the secondary street.



Figure 23 – Concept Design of Ferguson Residence (Canning Beach Road elevation) (By: Leonhouse)

This form of development will provide an appropriate transition to the more intensive three storey, 136 room HCACF to the rear and the nearby Canning Bridge Activity Centre. Furthermore, the development design will be entirely in keeping with the built form and high-quality aesthetics of the surrounding area while effectively screening the highly intensive and out of keeping HCACF from the public realm.

Following the scheme amendment process, the proposed development will require development approval from the City and, at that time, will need to demonstrate compliance with the requirements of the R-Codes Volume 1 (as amended), Local Planning Scheme No. 6 and any applicable local planning policies. Therefore, matters such as future built form, setbacks, plot ratio and height will be addressed in detail through the development application process and should not prejudice consideration of this scheme amendment proposal.

6.5 MID-BLOCK BOUNDARY

In its report to Council on 16 March 2021 (Agenda Item P21/3902), the City identified that a mid-block transition from R12.5 to R30 is a 'Medium' level of risk with 'Moderate' consequences. However, it is unclear if the City formed this view based on a typical risk classification matrix assessment of likelihood versus consequence. The City's risk assessment does not articulate what it considers to be the 'risks' associated with a mid-block boundary nor the 'consequences' or 'likelihood of those risks coming to fruition.

There is no Council endorsed policy or City of Melville planning provision that opposes mid-block boundaries. Furthermore, mid-block R-Codes transitions are commonplace in the City of Melville, as shown in the examples provided in Figures Figure 24 & Figure 25.

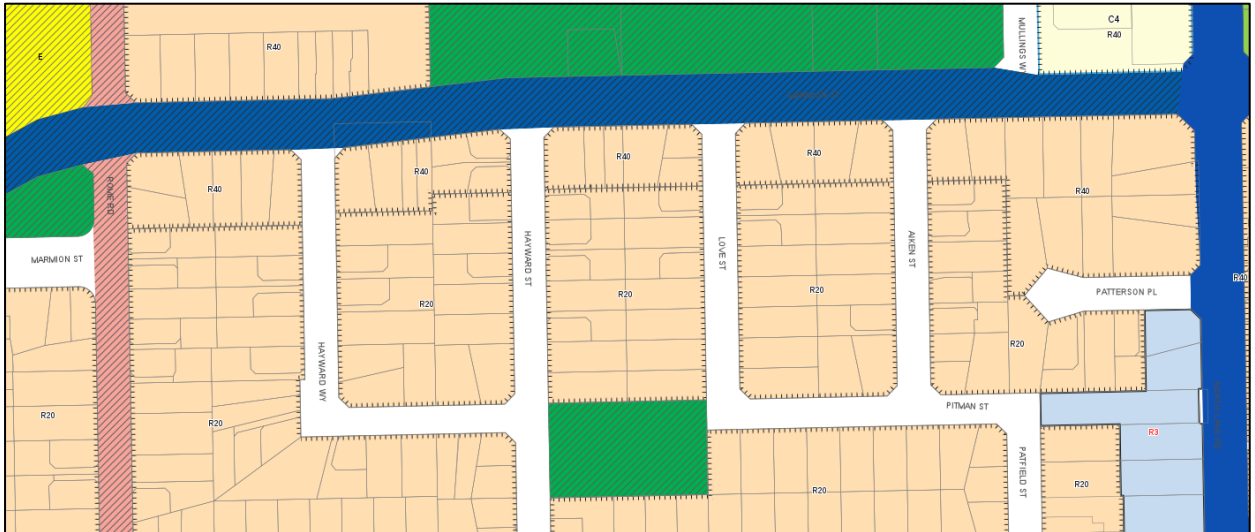


Figure 24 - Mid-block boundary example 1

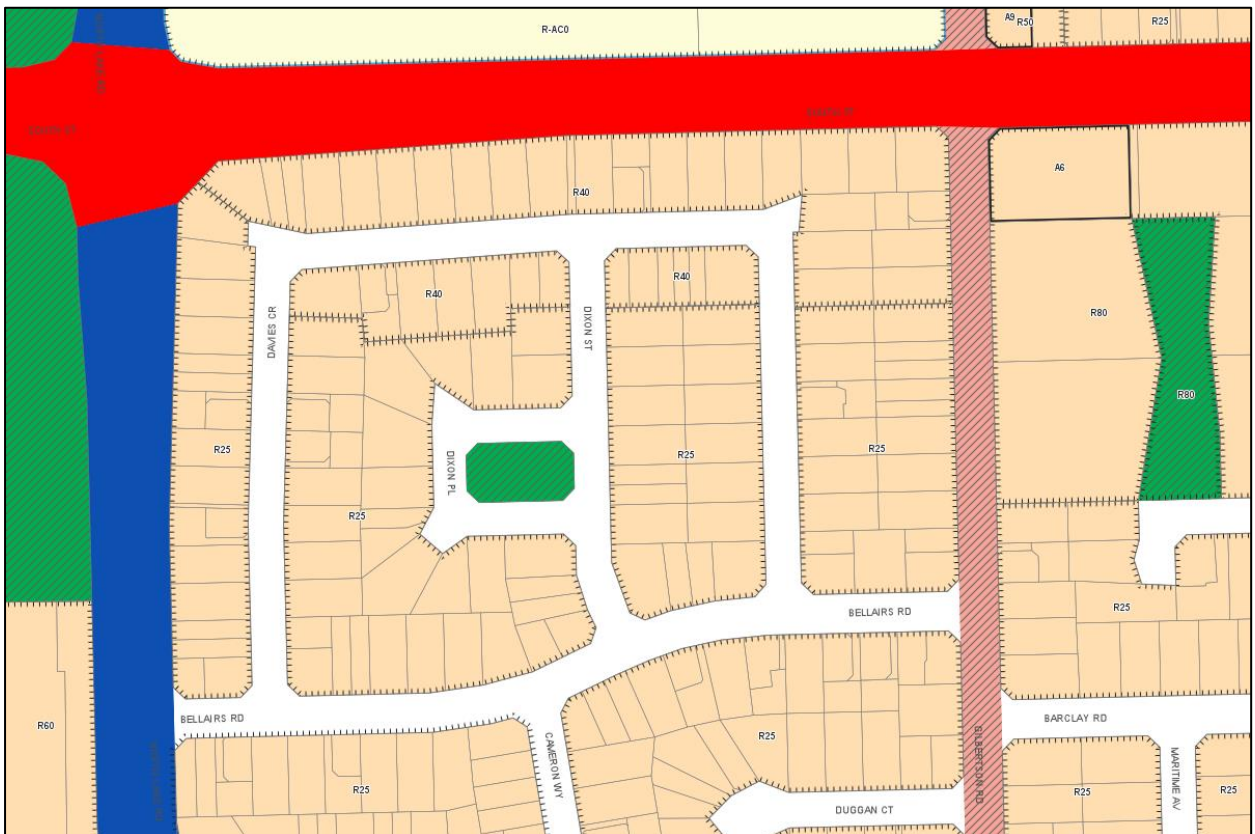


Figure 25 - Mid-block boundary example 2

Elsewhere in the City of Melville, mid-block boundaries exist in much higher risk scenarios, where higher coded lots are directly north of lower coded lots, causing issues relating to overshadowing, visual privacy, bulk and scale. None of these issues will arise with our proposal due to the unique, isolated site context.

7 PLANNING JUSTIFICATION

In addition to the matters already outlined in this Scheme Amendment Report, set out below is further planning justification for this proposal:

- a) The subject land is within close walking distance to a range of local amenities and benefits from some of the best public transport accessibility outside the Perth City Centre, as demonstrated by the 2016 SNAMUTS analysis.
- b) The Amendment will facilitate an innovative housing typology to contribute to a greater diversity of housing stock, enabling opportunities for residents to age in place while maintaining continuity of lifestyle.
- c) The proposed 'apartment houses' on No. 47 Canning Beach Road will resemble a large single dwelling sympathetic in style and form to other low-density housing in the locality.
- d) The owners of No. 45 Canning Bridge Road and the HCACF facility are supportive of the proposed Amendment.
- e) The existing home on No. 47 Canning Beach Road is declining in condition and nearing the end of its life. Demolition of the home and construction of a new home at the R12.5 coding would likely yield another large two or three-storey single dwelling, contributing to an already abundant and over-represented type of housing stock in the area, entirely inconsistent with the objectives of the LHS.
- f) The new HCACF facility significantly increases the built form and land-use intensity in the immediate context of the subject land. Therefore, the proposed 'apartment houses' provide an appropriate interface by matching the built form and scale of the HCACF facility in an ideal location while simultaneously achieving the objectives of the LHS. Furthermore, the development will screen the HCACF from the view of the public realm.
- g) The subject land is ideally suited to an R30 coding due to its proximity to the CBACP and the Swan River foreshore, nearby public open space, high-frequency bus services, and the passenger rail line.
- h) The proposed 'apartment houses' location and design will not adversely affect streetscape character, the amenity of adjoining properties, or the broader area as the proposed development is specifically designed to integrate with the built form character of the streetscape.
- i) There is ample capacity in existing infrastructure and services to accommodate the proposed density increase.
- j) The proposed dwelling yield of three 'apartment houses' on No. 47 Canning Beach Road is equivalent to the minimum and average lot sizes under the R20 density code.
- k) The Amendment provides a low-risk opportunity for the City to consider a new and innovative type of housing in an ideal location, thereby contributing to a greater variety of housing typologies to satisfy the needs of residents in all stages of life.
- l) The Amendment aligns with each of the applicable initiatives in the Local Housing Strategy and satisfies the relevant criteria for minor increases to density, as shown in Table 2.

Table 2 – LHS Density Increase Rationale

Local Housing Strategy – Density increase rationale	Planning Assessment
<p><i>'Most suburban areas should remain low-density, coded no higher than R20 or R25'</i></p>	<p>The Amendment maintains most areas at low density as it only affects a minimal land area adjacent to the CBACP.</p>
<p><i>'In accordance with sections 4.1 (d), 7.3, 8.4.2, 8.4.4 of Directions 2031, areas of especially low coding (R17.5 or less) that have close proximity to public open space, foreshores, parks and other such high amenity could be considered for upcoding to higher codes within the low-density code range. Considerations would also include the age of housing stock, street layout and the pattern of subdivision.'</i></p>	<p>The subject land currently comprises an especially low coding of R12.5, well below the R17.5 specified in this criterion. As demonstrated in this report, the property has proximity to public open space, the foreshore and parks, including Warwick Wild Park (380m) and the Point Heathcoat Reserve (530m). The existing house is near the end of its life and, if the Amendment is unsuccessful, will likely be replaced by a large and unsustainable two or three-storey single house.</p> <p>The intended development includes only three dwellings on a 1,295m² lot or 431m² per dwelling, which is closer to the R20 coding in actual dwelling density. The proposed development could be contemplated on land coded R25. However, this would result in an unusual and inconsistent arrangement of R-Codes on the scheme map, being R30, R12.5 and a small area of R25 in isolation. Furthermore, the R30 code invokes the application of the Medium Density Code, which is designed to deliver a vastly improved design outcome.</p> <p>The street layout acts to support the proposed development and isolates the subject land from nearby residential properties. This provides a physical limitation on the potential impact of the development on the amenity of adjoining properties.</p> <p>The Amendment and subsequent proposed development will not impact the street layout or pattern of subdivision in the locality. The proposed development comprises 'apartment houses' that are specifically designed to accommodate a minor increase in density while maintaining absolute consistency with the built form character of the area.</p>

8 CONCLUSION

This scheme amendment proposes to extend the existing R30 coded area south of Riverway to include the subject land.

This report demonstrates that the proposed Amendment is consistent with the local planning framework, as it will address key housing issues, including:

- the need for a greater diversity of housing stock;
- enabling ageing in place; and
- accommodating an increase in density in the right locations.

Adoption of this Scheme Amendment will allow more detailed planning and design considerations to be addressed through the development application process for the proposed 'apartment houses' on No. 47 Canning Beach Road

We respectfully request that Council reconsider its decision to refuse this Amendment on 16 March 2021 and that the Amendment be adopted for public advertising based on the reasons outlined in this report and permit it to run its course through the applicable regulatory framework.

PLANNING & DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF MELVILLE

LOCAL PLANNING SCHEME NO. 6

AMENDMENT NO. X

RESOLVED that Council, pursuant to Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No. 6 by:

1. Recoding Lot 166 (No. 47) and Lot 52 (No. 45) Canning Beach Road, Applecross from R12.5 to R30; and
2. Amending the Scheme Map accordingly.

ADOPTION

Adopted by resolution of the City of Melville at the Ordinary Meeting of the Council held on the _____ day of _____ 2022.

George Gear
MAYOR

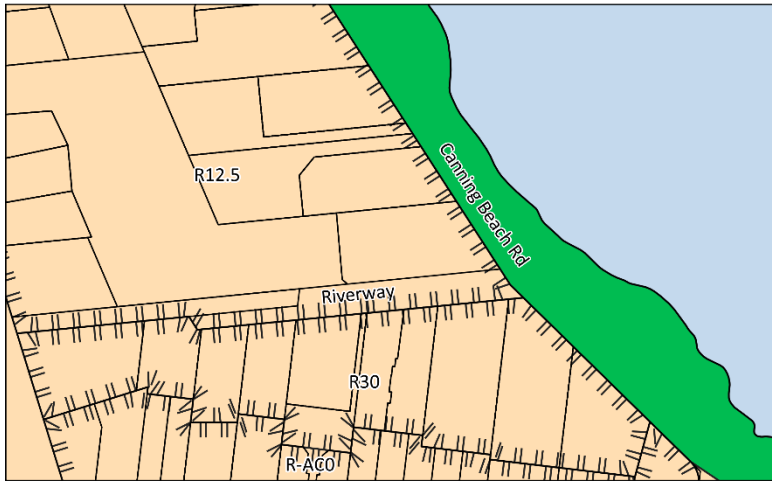
Marten Tieleman
CHIEF EXECUTIVE OFFICER

City of Melville

LOCAL PLANNING SCHEME No. 6

Amendment No. ____

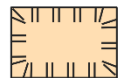
EXISTING ZONING



Legend

Local Planning Scheme No. 6 Zone

Residential



Metropolitan Region Scheme Reserve

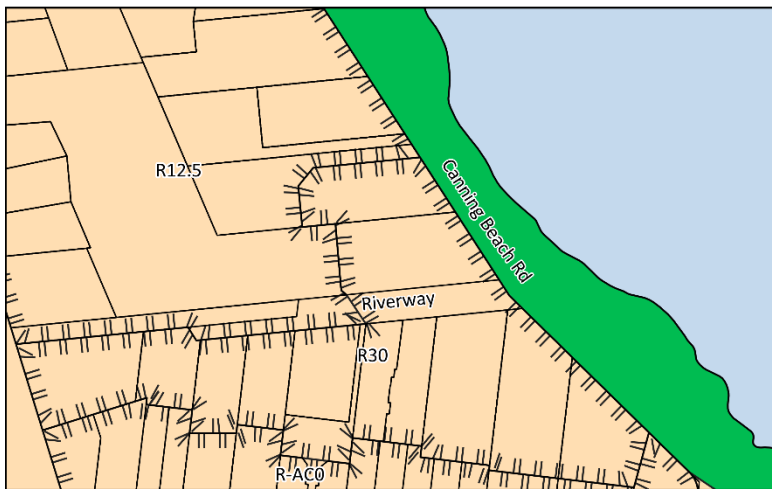
Parks and recreation



Waterways



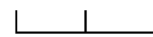
PROPOSED ZONING



North



0 25 50 m



FINAL ADOPTION

Adopted for final approval by the City of Melville at the Ordinary Meeting of the Council held on the on the _____ day of _____ 2022, and the Common Seal of the City of Melville was hereunto affixed by the authority of a resolution of the Council in the presence of:

George Gear
MAYOR

Marten Tieleman
CHIEF EXECUTIVE OFFICER

Recommended / Submitted for Final Approval
DELEGATED UNDER S.16 OF PD ACT 2005

DATE
FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

DATE



47 CANNING BEACH ROAD APPLECROSS

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PAGE 2

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47 CANNING BEACH ROAD APPECROSS

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47 CANNING BEACH ROAD APPLECROSS

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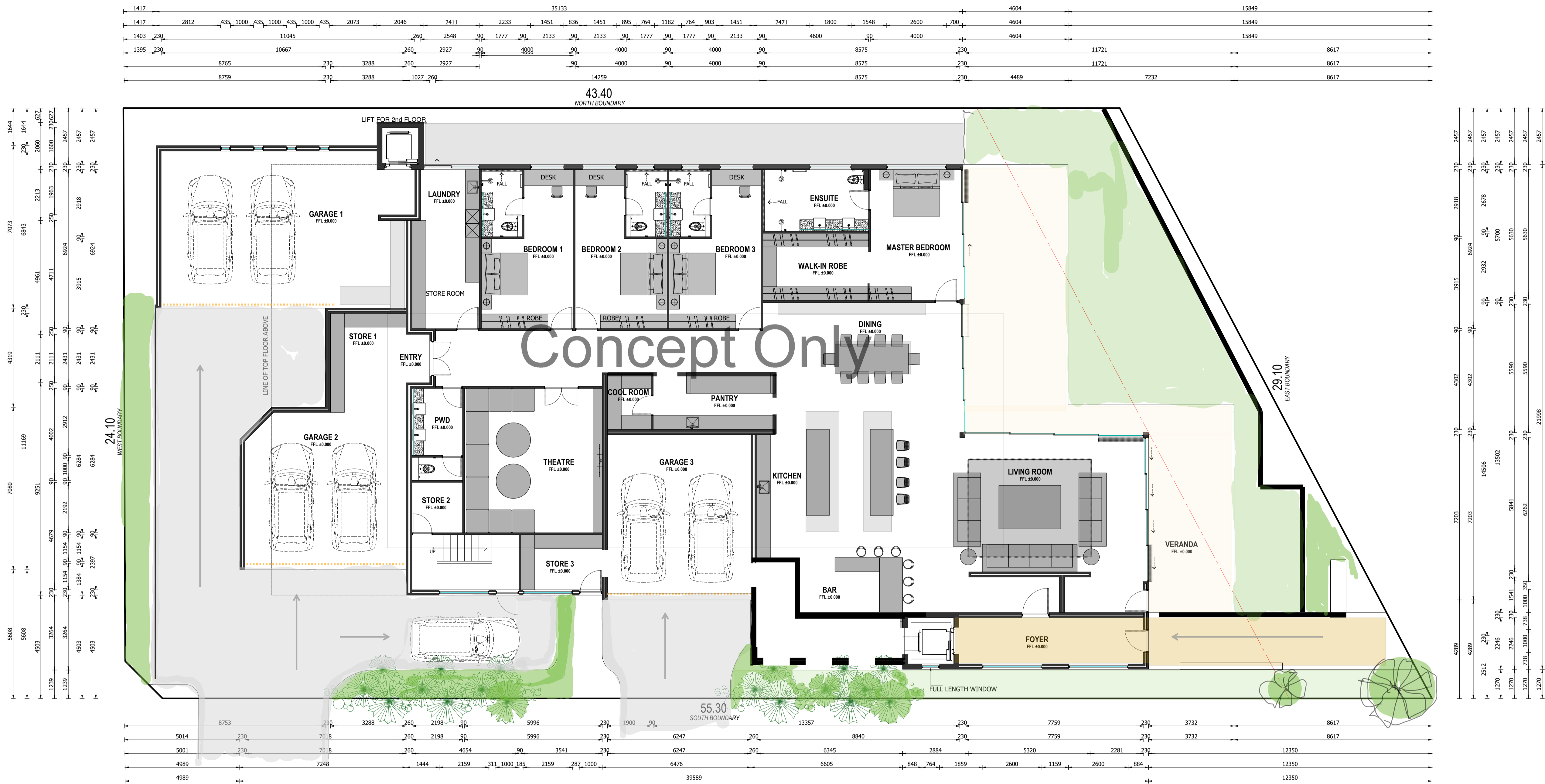
47 CANNING BEACH ROAD APPLECROSS

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SCALE 1:100

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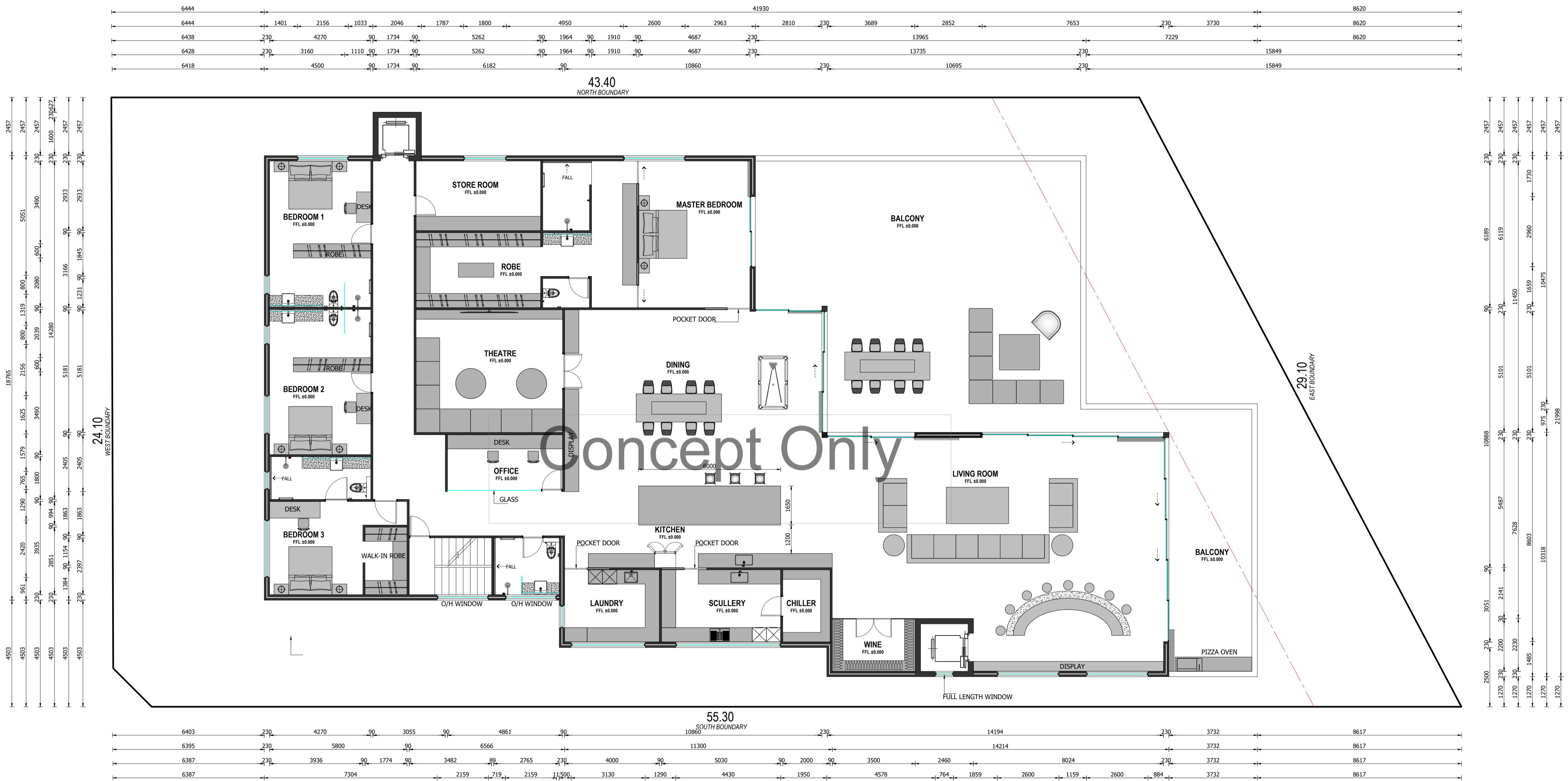
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30.06.2020	D	MODIFY LAYOUT
26.02.2020	C	CHANGE GARAGE, STORAGE & BEDROOM 1
13.02.2020	B	CHANGE ENTRY & GARAGE
18.10.2019	A	ISSUED FOR CLIENT

leonhouse
0430 117 986
leonhouse design pty ltd
PO Box 873 canning bridge applecross wa 6153
leonhouse.net

CLIENT FERGUSON			
PROJECT THE FERGUSON RESIDENCE			
47 CANNING BEACH ROAD,APPLECROSS			
DRAWN/DESIGNED RUDI/NGR	DESIGN/DRAFTING CHECK LEON HOUSE	START DATE 18.10.2019	ISSUE DATE 30.06.2020

TITLE GROUND FLOOR PLAN			
SCALE 1 : 100 @ A1	PROJECT No 1064	DRAWING No 1064-PR-GF-01	REV D

PLEASE NOTE: ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE SUMMARY SHEET FOR ALL RELEVANT DETAILS & PROCEDURES ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY CONSTRUCTION BEING STARTED AND ANY DISCREPANCIES BETWEEN SITE DIMENSIONS AND DRAWINGS TO BE NOTIFIED TO LEON HOUSE PRIOR TO CONSTRUCTION



SCALE 1:100

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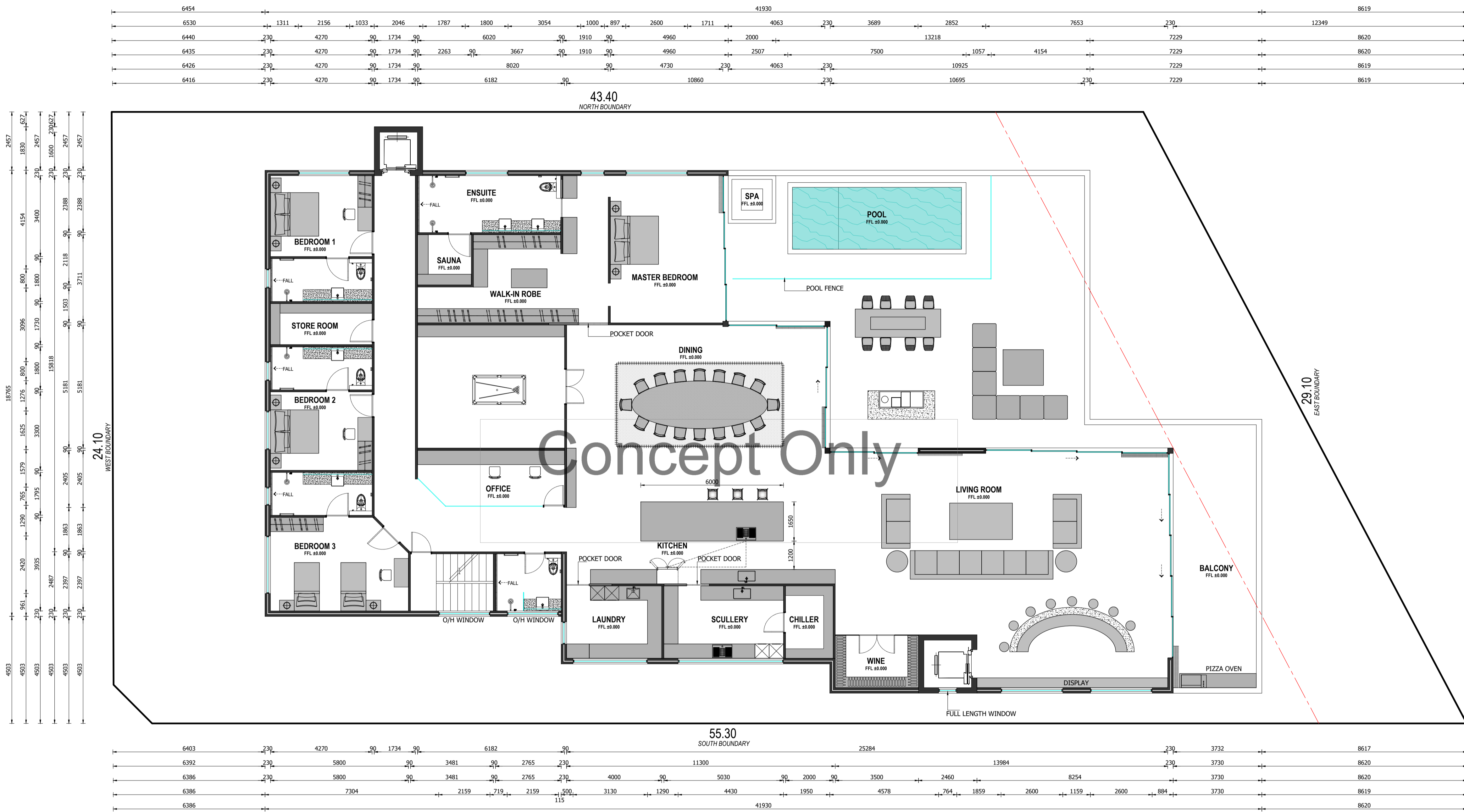
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13.02.2020	B	CHANGE ENTRY & GARAGE
18.10.2019	A	ISSUED FOR CLIENT

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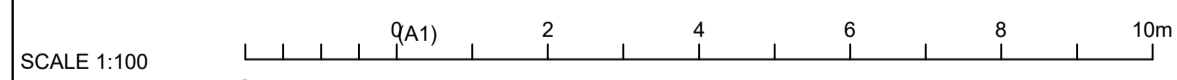
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DRAWN/DESIGNED	DESIGN/DRAFTING CHECK	START DATE	ISSUE DATE
RUDI/NGR	LEON HOUSE	18.10.2019	30.06.2020

TITLE FIRST FLOOR PLAN			
SCALE	PROJECT No	DRAWING No	REV
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Concept Only



PLANS DRAWN TO BE PRINTED TO SCALE

Confidential property of Leon House Design to be returned on request. Not to be disclosed to others, reproduced or used for any other purpose except as authorised in writing by Leon House Design. All quantities need to be double checked by the builder before ordering. Written dimensions on these drawings shall take precedence over scaled dimensions, contractors shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variations from the dimensions and conditions shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication. All sizes of appliances are to be measured from the appliance in the factory not off brochures, all appliances are to be pre-fitted in factory where possible, not on site so as to have good lines and clearances, the factory needs to have insurance cover for goods while in factory storage. All templates are to be in good stable board product, not dirty packing sheets so as not to confuse the separate contractors. All templates are to be sent to the contractors by the cabinetmaker, the cabinetmaker is solely in charge of all other contractors supplying goods for the kitchen, the services to site should also be organised in regards to having site ready for installation and having the services in the correct position. If there are any changes to the design after confirmed tender drawings Leon House Design will make changes to drawings for an extra fee discussed at that time. The cabinetmaker is to read all plans and specifications carefully at both tender and construction times so as to not make any mistakes in both processes. The cabinets and tops once installed are to be covered with good strong protective material so as to stop any damage while waiting for handover. Any queries please contact the office or leon@leonhouse.net for any questions.

DATE	REV	AMENDMENT
30.06.2020	E	MODIFY LAYOUT
26.05.2020	D	MODIFY LAYOUT
26.02.2020	C	MODIFY LAYOUT
13.02.2020	B	CHANGE ENTRY & GARAGE
18.10.2019	A	ISSUED FOR CLIENT

leonhouse
0430 117 986
leonhouse design pty ltd
PO Box 873 canning bridge applecross wa 6153
leonhouse.net

CLIENT FERGUSON			
PROJECT THE FERGUSON RESIDENCE			
47 CANNING BEACH ROAD,APPLECROSS			
DRAWN/DESIGNED RUDI/NGR	DESIGN/DRAFTING CHECK LEON HOUSE	START DATE 18.10.2019	ISSUE DATE 30.06.2020

TITLE SECOND FLOOR PLAN			
SCALE 1 : 100 @ A1	PROJECT No 1064	DRAWING No 1064-PR-2F-01	REV E

PLEASE NOTE: ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE SUMMARY SHEET FOR ALL RELEVANT DETAILS & PROCEDURES ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY CONSTRUCTION BEING STARTED AND ANY DISCREPANCIES BETWEEN SITE DIMENSIONS AND DRAWINGS TO BE NOTIFIED TO LEON HOUSE PRIOR TO CONSTRUCTION

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE
 UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER 166/P1751	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 2/8/2005

VOLUME 1619 FOLIO 779

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
 REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 166 ON PLAN 1751

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

GRAEME JOHN FERGUSON OF 47 CANNING BEACH ROAD APPLECROSS WA 6153
 (T I927740) REGISTERED 23/6/2004

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
 (SECOND SCHEDULE)

1. THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE. VOL 1619 FOL 779.
2. *O247016 MORTGAGE TO WESTPAC BANKING CORPORATION REGISTERED 27/9/2019.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1619-779 (166/P1751)
 PREVIOUS TITLE: 706-182
 PROPERTY STREET ADDRESS: 47 CANNING BEACH RD, APPLECROSS.
 LOCAL GOVERNMENT AUTHORITY: CITY OF MELVILLE

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING O247016

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE
 UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER 52/D57005	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 25/10/2011

VOLUME **1535** FOLIO **288**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
 REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 52 ON DIAGRAM 57005

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

KRISTINA JANE BEHETS OF 40 PARKSIDE AVENUE, MOUNT PLEASANT

(TL750156) REGISTERED 4/10/2011

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
 (SECOND SCHEDULE)

1. B731059 EASEMENT BENEFIT SEE SKETCH ON VOL 1535 FOL 288. REGISTERED 15/6/1979.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1535-288 (52/D57005)
 PREVIOUS TITLE: 1535-286
 PROPERTY STREET ADDRESS: 45 CANNING BEACH RD, APPLECROSS.
 LOCAL GOVERNMENT AUTHORITY: CITY OF MELVILLE