

5.2 NO. 56 (LOT 3; S/P 7987) LINDSAY STREET, PERTH - PROPOSED ALTERATIONS AND ADDITIONS TO GROUPE DWELLING (ANCILLARY DWELLING)

Ward: South

Attachments:

1. Consultation and Location Plan
2. Development Plans
3. Heritage Impact Statement
4. Applicant Statement of Intent
5. Determination Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Alterations and Additions to Grouped Dwellings at No. 56 (Lot: 3; S/P 7987) Lindsay Street, Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 5:

1. Development Plans

This approval is for Alterations and Additions to Grouped Dwelling as shown on the approved plans dated 11 April 2023. No other development forms part of this approval;

2. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive to the satisfaction of the City;

3. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the approved schedule of finishes which forms part of this approval. The development must be finished, and thereafter maintained, in accordance with the schedule provided to and approved by the City, prior to occupation of the development;

4. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve; and

5. Operable Window

The proposed upper floor study window shall be operable in design, to the satisfaction of the City.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for Alterations and Additions to a Grouped Dwelling at No. 56 Lindsay Street, Perth (the subject site) that is included on the City of Vincent Heritage List as Management Category B – Conservation Recommended.

The application proposes the demolition of an existing ground floor roof and an existing upper floor window, to the rear elevation of the existing dwelling. The demolition works are proposed to facilitate the construction of a new upper floor addition. The upper floor addition includes a new study, bathroom and spiral staircase, which results in the creation of an ancillary dwelling. The proposed development plans are included as **Attachment 2**.

The proposed development requires an assessment against the objectives of the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Management Policy), which ensures the preservation of heritage value while enabling improvements to the heritage buildings. The proposal is acceptable as the demolition works and proposed additions do not impact the principal façade of the dwellings or the heritage significance of the place.

The proposed additions are acceptable as they are located to the rear of the subject site and are designed to be respectful to the existing dwelling and adjacent heritage properties. The form and scale are compatible with neighbouring dwellings, featuring a sympathetic roof design and rear alignment, with the additions being located to align with the existing ground floor and sit below the existing roof and eaves line. The proposed colours and materials have been implemented to complement the existing dwelling without mimicking or replicated the existing historic styles.

The elements of the proposal that require a design principles assessment and the exercise of discretion include solar access and natural ventilation and ancillary dwelling requirements. This is due to the bathroom not including a window on its external walls. The proposal is acceptable as a skylight and internal window are provided to the bathroom. This allows the room to receive natural daylight, while maintaining visual privacy to the subject and adjoining dwellings. A condition of approval has been recommended requiring the upper floor study window to be operable in design, to allow ventilation to flow through the upper floor spaces.

PROPOSAL:

The application proposes alterations and additions to the rear of one of the existing double-storey terrace houses on the subject site.

The addition would facilitate the provision of an ancillary dwelling to the rear of the existing grouped dwelling.

A summary of the works proposed is as follows:

- An extension to the upper floor of the existing dwelling of 18.8 square metres.
- The addition includes a study and bathroom, as well as an external spiral staircase that provides access between the study and ground floor outdoor living area.
- To facilitate the upper floor addition, the following demolition works are proposed:
 - The removal of the northern window on the south-east elevation. This is to create a doorway between the proposed additions and the existing bedroom on the first floor. The creation of the opening also requires the removal of the brickwork below the window to the floor level and the supporting brickwork surrounding the window.
 - The removal of ground floor metal sheet roofing, to facilitate the construction of the proposed upper floor addition.

The proposed development plans are included as **Attachment 2**. The applicant's supporting Heritage Impact Assessment and Statement of Intent are included as **Attachment 3** and **Attachment 4**, respectively.

DELEGATION:

This application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to proposals that propose the demolition of any structure or building on a heritage-protected place.

The application proposes demolition to a heritage protected place. The demolition relates to the existing window and surrounding bricks to the upper floor south-east elevation, as well as metal roof sheeting of the existing ground floor of the dwelling.

BACKGROUND:

Landowner (No. 56 Lindsay Street):	Melinda Jane Fisher and John Russell Walter Fisher
Applicant:	Nick Wild
Client:	Melinda Jane Fisher and John Russell Walter Fisher
Date of Application:	14 September 2023
Zoning:	MRS: Urban LPS2: Zone: Mixed Use R Code: R80
Built Form Area:	Mixed Use
Existing Land Use:	Dwelling (Grouped)
Proposed Use Class:	Dwelling (Grouped)
Lot Area:	693m ²
Right of Way (ROW):	No
City of Vincent Heritage List:	Yes – Management Category B
State Register of Heritage Places:	No

Site Context and Zoning

The proposal is located at No. 56 Lindsay Street, which is one of four terrace houses (54-60 Lindsay Street) located on the subject site. The subject dwelling is the second terrace house from the south, as shown in the Site Plan included in **Attachment 2**.

The subject site is a corner lot, bound by Lindsay Street to the north-west and Monger Street to the south-west. A mixed-use commercial development is located to the north-east and a common property access easement is located to the south-east providing vehicle access to the subject site and the adjoining properties at Nos. 235-241 Beaufort Street, Perth. These properties contain residential and commercial land uses. A location plan is included as **Attachment 1**.

The subject site and adjoining properties to the north, south and south-west along Lindsay Street are zoned Mixed Use R80 under the City's Local Planning Scheme No. 2 (LPS2). Adjoining properties to the east along Beaufort Street and the north-west across Lindsay Street are zoned Commercial under LPS2.

The properties zoned Commercial along Beaufort Street are within the Activity Corridor Built Form Area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy). The Commercial Zone properties along Lindsay Street and all surrounding Mixed Use Zone properties are within the Mixed Use Built Form Area under the Built Form Policy.

Heritage Listing

The subject dwelling, included as part of this proposal, forms part of a collection of four terrace houses across Nos. 54-60 Lindsay Street, Perth that are listed on the City's Heritage List as Management Category B – Conservation Recommended.

The Statement of Significance for the [heritage listing](#) reads as follows:

The terraces at No. 54-60 Lindsay Street demonstrate the suitability of this housing type to satisfy current housing needs a century after their construction. The size and scale of the group contribute to the streetscape.

The Physical Description of the site, included in the heritage listing, references the verandahs on both levels, balustrades with filigree infills, the stepping down of the roofing to the rear.

The History of the site, included in the heritage listing, references the extensive renovations and restoration of the dwellings, in the 1980s, to make way for the increasing popularity of inner-city living.

The subject site is also adjacent to four terrace houses to the south-east at Nos. 235-241 Beaufort Street, that are heritage listed and are orientated to Beaufort Street and setback significantly from the rear of the common property access easement and subject dwelling.

Previous Development Approvals

Two applications have been approved within the last 12 months in relation to subject dwelling and southern dwelling at No. 54 Lindsay Street. These include:

- On 5 July 2023, Administration approved under delegated authority, rear additions to Nos. 54 & 56 Lindsay Street, which included the addition of two carports, with access to the common property access easement at the rear of the dwellings.
- On [25 July 2023](#), Council resolved to approve an application for rear alterations and additions, including demolition to the rear windows and doors of Nos. 54 & 56 Lindsay Street as well as the demolition and rebuilding of a secondary street wall to Monger Street.

These approved works are yet to be undertaken.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the Residential Design Codes Volume 1 – Part C (R Codes), the City's Built Form Policy and the Heritage Management Policy. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Deemed-to-Comply/ Acceptable Outcomes/ As Existing	Requires the Discretion of Council
Private Open Space	✓	
Trees and Landscaping	✓	
Water Management & Conservation	✓	
Size & Layout of Dwellings	✓	
Parking	✓	
Ancillary Dwellings		✓
Site Cover	✓	
Streetscape	✓	
Street Setback	✓	
Lot Boundary Setbacks/Boundary Walls	✓	
Building Height/Storeys	✓	
Street Surveillance	✓	
Retaining Existing Dwellings	✓	
Solar Access & Natural Ventilation (Internal)		✓
Solar Access for Adjoining Sites	✓	
Visual Privacy	✓	
External Fixtures	✓	
Heritage Management Policy		✓

Detailed Assessment*R Codes Volume 1*

The R-Codes strongly advocate contextual and site-specific development solutions. To facilitate good design outcomes, the R-Codes Volume 1 provides two pathways for development assessment and determination.

Applications for development approval need to demonstrate that the proposal achieves the objectives of the R-Codes Volume 1 and the requirements of each design element through either of the following pathways:

1. **Deemed-to-comply** – deemed-to-comply provisions provide a straightforward means for the development proposal to demonstrate that it satisfies the objectives and design principles of the R-Codes. They outline the expected development standards that should be met through this pathway.

If a planning element of an application meets the applicable deemed-to-comply standard(s) then it is satisfactory and not subject to Council’s discretion for the purposes of assessment against the R Codes.

2. **Design principle** – the design principles pathway offers an alternative merit-based approach when one or more of the deemed-to-comply provisions are not satisfied. This allows for innovative design responses that may be more context and site responsive.

Where a deemed-to-comply provision is not met, the proponent should provide sufficient justification to demonstrate how they have met or exceeded the requirements of the relevant design principle(s) when this pathway is pursued.

If a planning element of an application does not meet the applicable deemed-to-comply standard(s) then Council’s discretion is required to decide whether this element meets the design principles.

The planning element of the application that does not meet the applicable deemed-to-comply standards and requires the discretion of Council is provided in the below table.

Heritage Management Policy

The Heritage Management Policy sets out that proposed development that complies with acceptable development standards will generally be approved, and that the performance criteria describe the desired outcome to be achieved.

The Heritage Management Policy also requires consideration of the proposal against performance criteria. This is also considered in the Comments section below.

The planning elements of the application that do not meet the applicable acceptable outcomes and require the discretion of Council are provided in the below table.

Solar Access & Natural Ventilation	
Deemed-to-Comply Standard	Proposal
<p>R Codes Part C – Clause 2.2 Solar Access and Natural Ventilation & Clause 2.8 Ancillary Dwellings</p> <p>C2.2.3 – Bathrooms located on external walls shall have a minimum of one openable window for natural ventilation.</p> <p>C2.8.1 – Ancillary dwellings should comply with Clause 2.2 Solar Access & Ventilation.</p>	<p>Upper floor bathroom, which forms part of the ancillary dwelling, provides a skylight in lieu of an operable window on its external walls.</p>
Heritage Management Policy	
Acceptable Outcomes	Proposal
<p>4. Development to Heritage Listed Buildings</p> <p>A2.1 – The additions and alterations do not alter the original roof pitch.</p>	<p>The proposed additions seek to demolish the rear ground floor roof to facilitate the upper floor additions.</p>

The above planning elements of the proposal have been assessed against the applicable design principles and performance criteria in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 14 days between 17 November 2023 and 1 December 2023. The method of consultation included a notice on the City's website and seventeen letters being sent to the adjoining and adjacent landowners and occupiers, as shown in **Attachment 1** in accordance with the City's Community and Stakeholder Engagement Policy.

Two submissions of support were received at the conclusion of the advertising period.

One of the submissions received provided no comments. The other submission provided support for the development assuming the current parking arrangements are maintained. In response to these comments, Administration confirms the proposal does not include any changes to the current parking arrangement.

The submissions of support are noted.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred to the City's DRP Member specialising in heritage conservation and architecture on three occasions for comment. The third referral related to the development plans included in **Attachment 2** and comments were sought on the acceptability of the proposed partial demolition and additions to a heritage-listed place.

The DRP Member provided comments in support of the proposal which are summarised as follows:

- The original form of the heritage building would be readily interpreted alongside the proposed additions.
- The proposed materiality would be suitable and visually recessive to the existing red brick materiality, as well as complimentary to the existing roof sheeting materials.
- The impact of the addition to the secondary street (Monger Street) is reduced due to the construction of the previously approved carports. This new context is more suitable for the proposed level of change as the intactness of this rear elevation would already be reduced.
- The design of the addition, in terms of its size, form and materiality, specifically in relation to the external wall being in line with the existing ground floor, reduces the visual impact of the proposed addition on the residence and the wider terrace group.
- The proposed works appear largely reversible with physical impacts limited to the removal of one window and a small portion of surrounding brickwork.

The DRP Member provided comments on the elements that required further consideration or were not supported, which are summarised as follows:

- The proposed addition and staircase are uncharacteristic for the highly visible and intact terrace group. The current level of intactness would be reduced by the carports previously approved behind Nos. 54 & 56 of the terrace group which will have a notable visual impact on the group and partially obscure some of the proposed additions.
- The proposed window could align better to the height datum set by the existing windows of the adjacent dwellings to maintain some uniformity in this elevation
- The colour of steel staircase has not been specified.

Amended Plans (dated 11 April 2024)

In response to the final DRP Member comments, the applicant made the following changes to the proposal:

- The proposed window location was amended to better align with that of the adjoining dwellings.
- The schedule of colours and materials were updated to include the colour of the steel staircase.

The DRP Member reviewed the additional information and revised plans and confirmed the applicable comments had been addressed.

Administration sought additional comments from the DRP Member in relation to additional window locations and the operability of the proposed window:

- An additional window or an increase in the size of the existing window to accommodate the R Codes openable window to bathroom requirements would adversely disrupt the established pattern of fenestration established across the terrace group elevation and have a larger visual impact than the proposed window to the study area.
- Operability of the proposed study window would have no adverse impact on the overall appearance or significance of the heritage place.

The table below shows the design review evaluation by the DRP Member as considered against the 10 principles of good design.

Design Review Progress Report			
	Supported		
	Pending further attention		
	Not supported		
	Not relevant to this proposal		
	DRP Chairperson		
	Referral 1 – Plans dated 14 September 2023	Referral 2 – Plans dated 21 February 2024	Referral 3 – Plans dated 25 March 2024
Principle 1 – Context & Character			
Principle 2 – Landscape Quality			
Principle 3 – Built Form and Scale			
Principle 4 – Functionality & Built Quality			
Principle 5 – Sustainability			
Principle 6 – Amenity			
Principle 7 – Legibility			
Principle 8 – Safety			
Principle 9 – Community			
Principle 10 – Aesthetics			

The table below provides a summary of the outstanding DRP comments and Administration’s response to these.

DRP Comments Received	Administration Comment:
<p><u>Principle 1 – Context & Character</u></p> <p>The first-floor addition and staircase are atypical amongst the largely intact terrace group.</p> <p><u>Principle 10 – Aesthetics</u></p> <p>The aesthetics are incongruous to the row of terraces.</p>	<p>The proposed additions have been designed to the rear of the subject site and are respectful and compatible with the existing dwelling and to the adjoining properties that are of heritage value.</p> <p>The form and scale of the proposed alterations and additions compliment the adjoining dwellings. The proposed roof would be reflective of the existing sloping roof and materiality and the additions are proposed to be in line with the existing rear of the dwelling. The additions will be partially obscured by the previously approved carports, once constructed.</p> <p>The proposed materials and finishes have been proposed to complement the materiality of the existing dwelling whilst not mimicking or replicating their existing historic styles.</p> <p>The acceptability of these aspects of the application as considered against the applicable design principles, acceptable development standards and performance criteria is referred to in the Comments section below.</p>

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Heritage Act 2018*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- Burra Charter;
- State Planning Policy 3.5 – Historic Heritage Conservation;
- Community and Stakeholder Engagement Policy;
- Residential Design Codes Volume 1 - Part C;
- Policy No. 7.1.1 – Built Form Policy; and
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with [Clause 67\(2\)](#) of the Deemed Provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015* (Planning Regulations) and in determining a development application, Council is to have due regard to a range of matters to the extent that these are relevant to the development application.

The matters for consideration relevant to this application relate to the compatibility of the development within its setting, amenity and character of the locality, heritage significance, consistency with planning policies and advice from the DRP.

Burra Charter

The Australia ICOMOS Charter for Places of Cultural Significance, the Burra Charter 2013 (the Burra Charter) sets a standard of practice for those who provide advice, make decisions about, and undertake work to places of cultural significance. The Burra Charter applies to all types of places of cultural significance, including the subject site.

In accordance with Article 8 of the Burra Charter, conservation of heritage places requires the retention of an appropriate setting with demolition which would adversely affect the setting, not considered appropriate.

In accordance with Article 22.1 of the Burra Charter, 'new work' is acceptable where it respects the cultural significance of the place. This can be done through consideration of its siting, bulk, form, scale, character, colour, texture and material. In accordance with Article 22.2 of the Burra Charter, the works should be readily identifiable but should respect the cultural significance of the place.

Residential Design Codes Volume 1 - Part C

The Residential Design Codes were gazetted on 10 April 2024. The changes to R Codes Volume 1 resulted in a split Volume 1 of the R Codes into Part B and Part C, as follows:

- Part B applies to all single houses R40 and below, grouped dwellings R25 and below, and multiple dwellings in areas coded R10-R25.
- Part C applies to all single houses R50 and above, grouped dwellings in areas coded R30 and above, and multiple dwellings in areas coded R30 to R60.

This proposal has been assessed against Part C of the R Codes. This is because the proposal relates to a Grouped Dwelling development on property coded Mixed Use R80.

State Planning Policy 3.5 – Historic Heritage Conservation

State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5) sets out principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage. These principles inform the heritage management standards of local planning policies.

Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties

As the subject site is a heritage listed property, the proposal is required to be assessed against Part 4 and 5 of the Heritage Management Policy.

The objectives of the Heritage Management Policy are to:

1. *Encourage the appropriate conservation and restoration of places listed on the City of Vincent Municipal Heritage Inventory (The Heritage List) in recognition of the distinct contribution they make to the character of the City of Vincent.*
2. *Ensure that works, including conservation, alterations, additions and new development, respect the cultural heritage significance associated with places listed on the City of Vincent Municipal Heritage Inventory.*
3. *Promote and encourage urban and architectural design that serves to support and enhance the ongoing significance of heritage places.*
4. *Ensure that the evolution of the City of Vincent provides the means for a sustainable and innovative process towards integrating older style buildings with new development.*
5. *Complement the State Planning Policy No. 3.5 'Historic Heritage Conservation' and the City of Vincent Residential Design Elements Policy and other associated Policies.*

Part 4 of the Heritage Policy relates to development to heritage listed buildings. The policy includes 'acceptable development' criteria as well as the following three performance criteria:

- P1 Development is to comply with the statement of significance outlined in Heritage Assessment, Heritage Impact Statement and/or Place Record Form.*
- P2 Alterations and additions to places of heritage value should be respectful of and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place.*
- P3 To ensure the cultural heritage significance of a place is conserved and the majority of the significant parts of the heritage place and their relationship to the setting within the heritage place should be retained.*

Part 5 of the Heritage Management Policy relates to development adjacent to heritage listed buildings. The policy includes 'Acceptable Development' criteria as well as the following three performance criteria:

- P1 New development maintains and enhances existing views and vistas to the principal façade(s) of the adjacent heritage listed place.*
- P2 New development maintains and enhances the visual prominence and significance of the adjacent heritage listed place.*
- P3 New development is of a scale and mass that respects the adjacent heritage listed place.*

RISK MANAGEMENT IMPLICATIONS:

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the City's Built Form Policy. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

There are limitations for the development to influence whole of life environmental impact of the entire dwelling on the site through this application. This is because the scope of the application is limited to an 18.8 square metre building extension.

Administration's assessment has identified that the proposed development would satisfy the [Local Housing Objectives](#) of the Built Form Policy in respect to environmentally sustainable design. This is because the development proposes the retention of most of the existing building and structures on-site to minimise building waste.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

COMMENTS:Summary Assessment

In assessing this application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- The proposed demolition and new additions, located to the rear of the subject site, would not impact on the primary façade and heritage significance of the place.
- The rear location and design of the proposed alterations and additions are respectful and compatible with the existing dwelling and to the adjoining properties that are of heritage value.
- The form and scale of the proposed alterations and additions are compatible and respectful to the heritage place. This is because the proposed roof design is complementary to the existing roof form, the additions sit within the existing building envelope, and the additional sit below the existing eaves line, resulting in a respectful built form outcome.
- The proposed materials and finishes complement the materiality of the existing dwelling whilst not mimicking or replicating the existing historic styles.
- The additions would improve internal amenity via the implementation of an openable window, to be conditioned, to the study to allow for solar access and ventilation across the upper floor.

Heritage Management Policy

The City's Heritage Management Policy sets out standards for development to heritage places and development adjacent to heritage places. The Policy requires the proposal to be considered against the performance criteria.

Comments are included below addressing how the proposed development meets the [performance criteria](#) and [objectives](#) of the Heritage Management Policy.

- Heritage Demolition: The Heritage Management Policy accepts partial demolition to heritage listed places where the parts to be demolished do not contribute to the cultural heritage significance of the place. The demolition of the existing structures on the subject site would not impact on the heritage significance of the place or structural integrity of the existing dwelling and adjoining dwellings. The demolition would be modest and relates to the removal of roofing to the ground floor, and to a window and the surrounding supporting brickwork, to the south-east elevation. The ground floor roof is not original as it has been previously modified.

- **Streetscape:** The Lindsay Street façade is the primary façade due to the references of design features, within the Statement of Significance and Physical Description, detailed in the Heritage Listing section of this report. The proposed development would not modify the Lindsay Street principal façade or any other areas of significant fabric of the heritage listed property, with the additions only visible from Monger Street. The impact to Monger Street is acceptable on the basis that the additions have been designed to be compatible with the existing fabric, as detailed below.
- **Building Scale, Bulk and Mass:** The addition has been designed to reduce the overall scale, while respecting the heritage significance of the place. The proposed upper floor addition does not expand the established building footprint, as it aligns with the existing ground floor building line. The steel staircase is small in scale and lightweight in design, providing articulation to the rear. The angled roof form is consistent with and complementary to the existing angled roof of the ground floor. The overall height of the upper floor addition sits below the eaves line of the existing house, reducing the overall scale of the addition, and ensuring the additions do not dominate, when viewed from the surrounding context.
- **Doors and Openings:** The changes to the existing openings to the south-east elevation are consistent with Article 3 of the Burra Charter, whereby changes been reduced to a little as possible to facilitate the additions. The southernmost window is proposed to be retained and incorporated within the addition, as a window between the bathroom and stairwell. The northernmost window, surrounding supporting brickwork and brickwork below, is proposed to be removed to facilitate access between the existing house and the proposed addition. The new proposed window has been appropriately designed to reflect the orientation and height datum of the existing rear facing windows, ensuring consistency with the terrace group.
- **Materials, Finishes and Fences:** The proposed materials and finishes would complement the existing light grey zincalume roof of the existing dwellings. The materials include light grey compressed fibro cement, light grey anodized aluminium window frames and light grey steel staircase. These materials would not mimic or replicate historic styles and would not obscure the heritage fabric of the dwellings, and would seek to improve the existing development.
- **Adaptive Reuse:** The proposed additions seek to conservatively adapt and reuse the existing building into a dwelling that meets the needs of the current occupants, while appropriately responding to the heritage significance of the place.
- **Eastern Adjoining Heritage Properties:** The additions would not impact to the adjoining heritage listed properties along Beaufort Street due to the existing setbacks of the building. The proposed additions are orientated to the rear car parking area with a seven-metre setback from the rear of the adjoining properties.
- **Heritage Impact Statement:** The applicants Heritage Impact Statement has mentioned that whilst the additions will have an impact on the original fabric, the proposal will have no visual or physical impact on the Lindsay Street frontage. It includes details that confirm that the materiality and minimal intervention and demolition would result in an addition that is consistent with the contemporary residential developments in immediate proximity and could result in the additions be removable and reversible.
- **DRP Support:** The proposal is generally supported from the City's DRP Member as it has been confirmed that the minor demolition works are limited to one window and a small portion of brick wall and appear to be largely reversible. The alterations and additions have a minor impact on the heritage listed dwelling and adjoining dwellings but are supported given they are of an appropriate scale, would result in minimal impact to the heritage fabric and the materiality is suitable.

Solar Access and Natural Ventilation and Ancillary Dwellings

The proposed [Solar Access and Natural Ventilation](#) and [Ancillary Dwelling](#) would satisfy the Design Principles of the R Codes for the following reasons:

- **Ventilation:** A condition of approval has been recommended to provide an operable window to the upper floor study. This would allow ventilation to flow to the upper floor spaces, including the study and connected bathroom, as well as through to the entire upper floor beyond.
- **Solar Gain:** While the bathroom does not include windows to the external walls, the proposal would retain an existing internal window to the staircase and provides a new bathroom skylight. This would ensure the bathroom receives sunlight into the space, while maintaining visual privacy on the subject and adjoining dwellings.
- **Housing Diversity:** The proposal facilitates a high-quality ancillary dwelling, with good internal amenity through the provision of well sized living spaces and access to sunlight and ventilation. The proposed development would provide greater diversity of housing options, via adaptive reuse, to support the existing dwelling stock in the area.
















- DRP Support: The DRP Member confirmed that adding a window to the external walls of the bathroom, would adversely disrupt the established pattern of fenestration established across the terrace group elevation and have a larger visual impact to the heritage place. The DRP Member also confirmed that an openable study window would have no adverse impact on the overall appearance or significance of the heritage place.

**CITY OF VINCENT
LOCAL PLANNING SCHEME NO. 2
SCHEME MAP 1 - LEEDERVILLE**

LEGEND

METROPOLITAN REGION SCHEME RESERVES















Note: The Western Australian Planning Commission care of the Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves.

-  PARKS AND RECREATION
-  R Restricted Public Access
-  PRIMARY REGIONAL ROADS RESERVATION
-  OTHER REGIONAL ROADS RESERVATION
-  RAILWAYS
-  PUBLIC PURPOSES
Particular use denoted as follows:
-  H Hospital
-  HS High School
-  TS Technical School
-  CP Car Park
-  U University
-  CG Commonwealth Government
-  SU Special Use
-  WSD Water Authority of Western Australia
-  P Prison




CITY OF VINCENT LOCAL SCHEME RESERVES

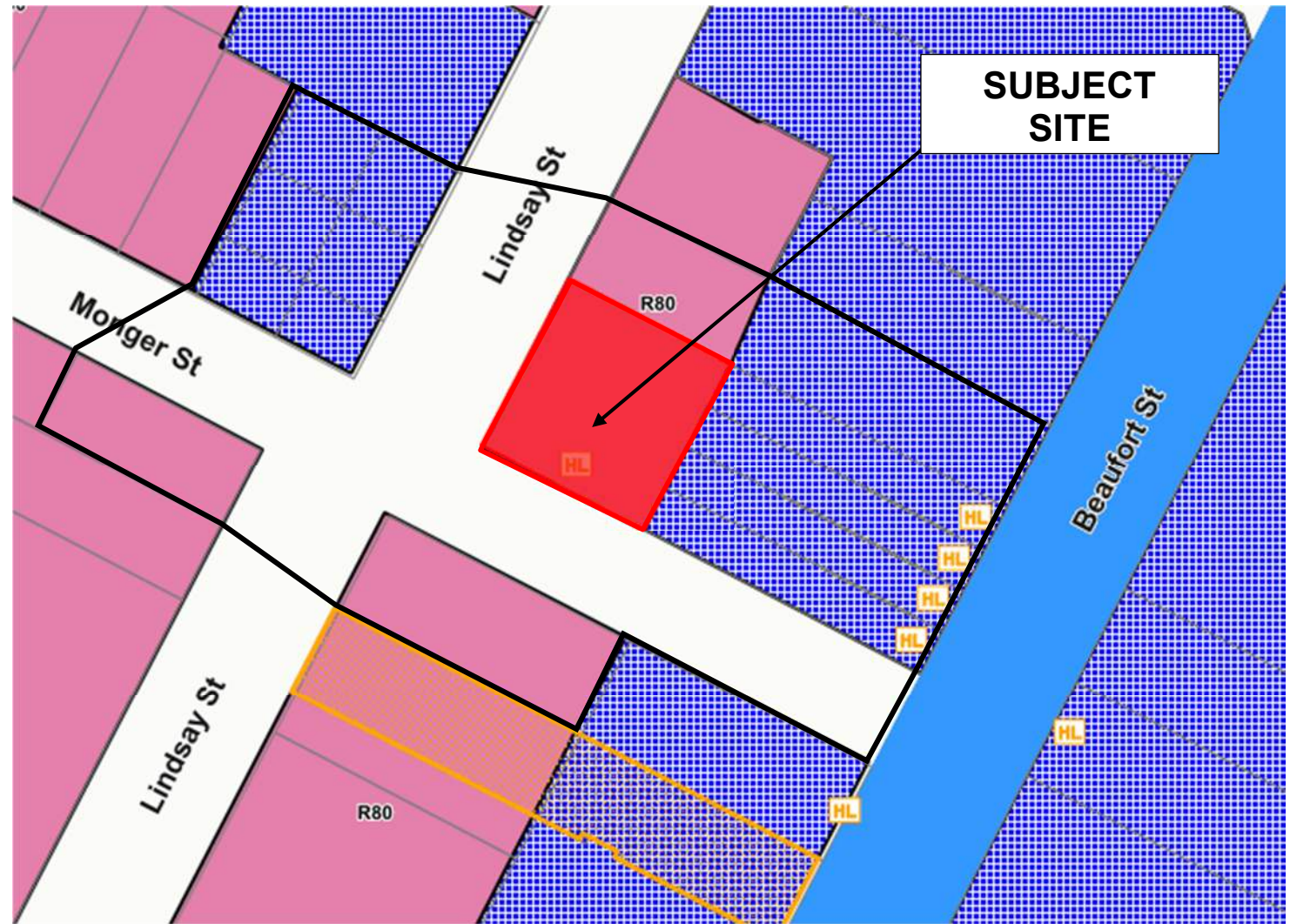
-  PUBLIC OPEN SPACE
-  R Restricted
-  PUBLIC PURPOSES
Particular use denoted as follows:
-  PS Primary School
-  CP Car Park
-  CU Civic Uses
-  HS High School
-  I Institute for the Deaf
-  W Water Supply Sewerage and Drainage
-  TS Technical School

CITY OF VINCENT SCHEME ZONES

-  RESIDENTIAL
-  MIXED USE
-  COMMERCIAL
-  LOCAL CENTRE
-  DISTRICT CENTRE
-  REGIONAL CENTRE
-  SPECIAL USE
Particular use denoted as follows:
-  CP Car Park
-  CU Community Use
-  FC Function Centre
-  HC Hall and Non Residential Club
-  H Hotel
-  PW Place of Worship
-  S Service Station

ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES

-  CODE AREA BOUNDARY
-  SCHEME AREA BOUNDARY
-  DENSITY CODE



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Consultation and Location Map

No. 56 Lindsay Street, Perth

Extent of Consultation



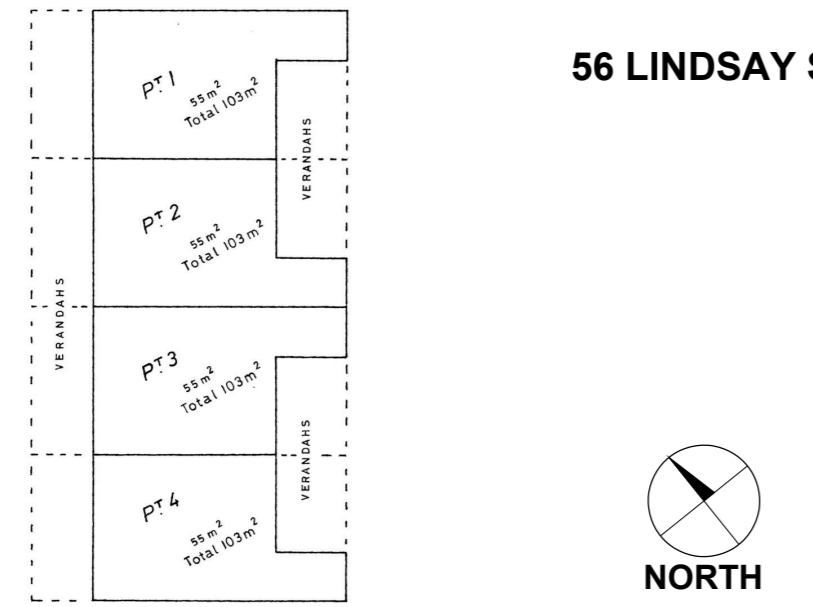
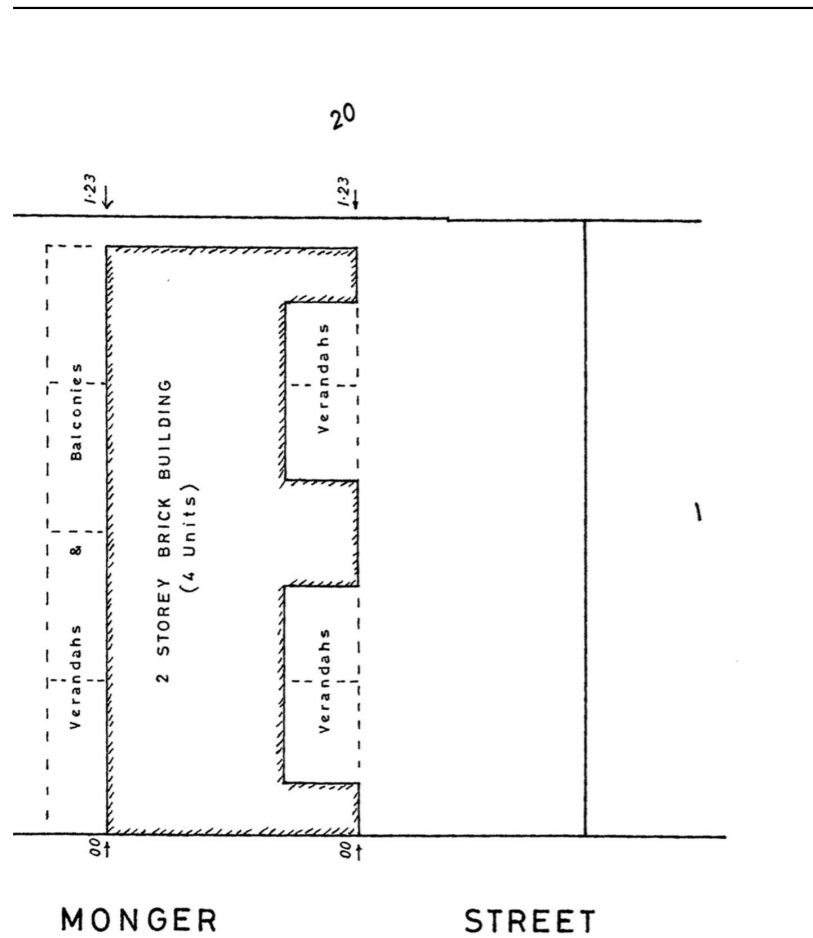


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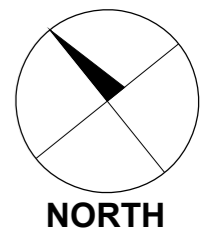
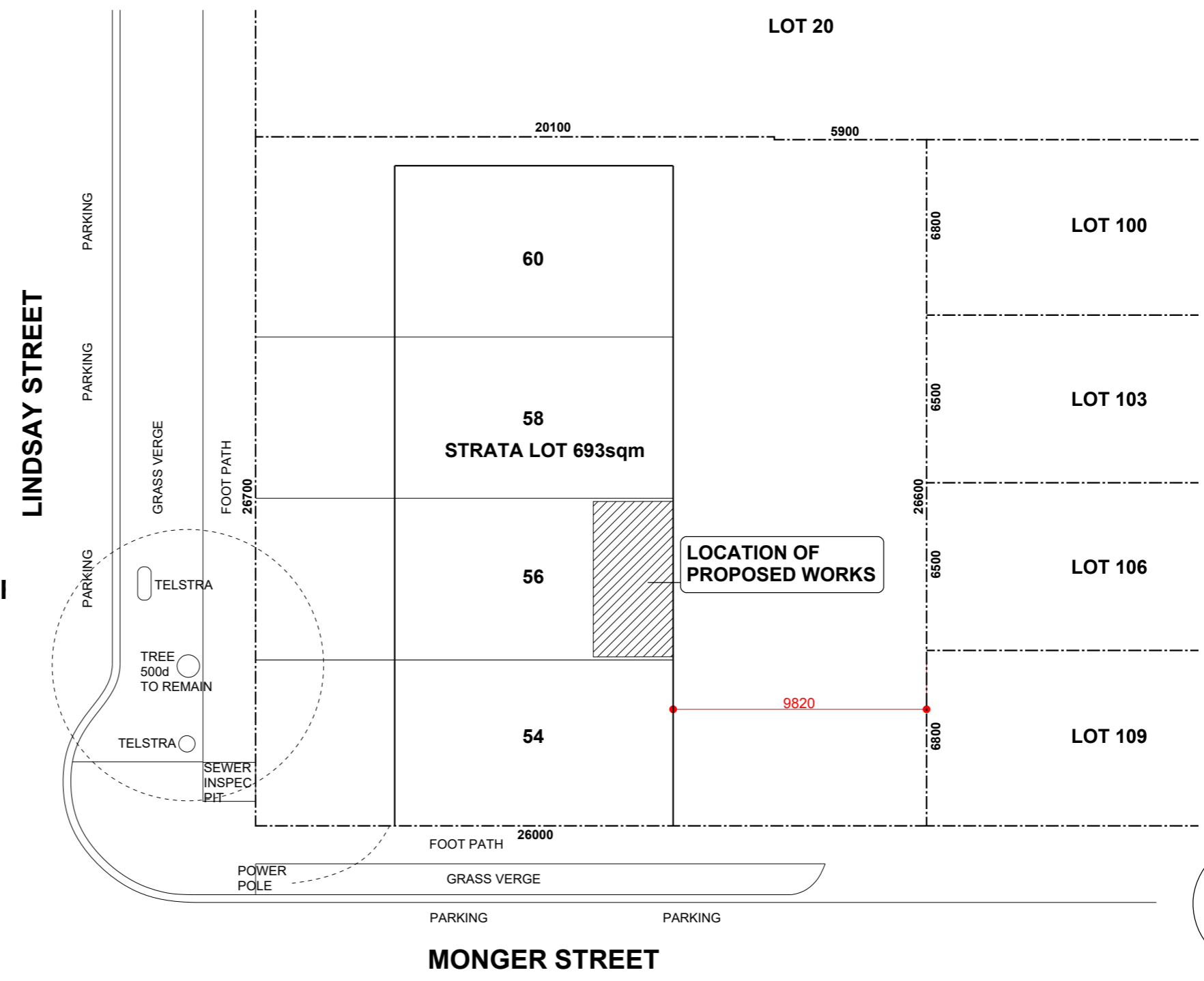
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No. 56 Lindsay Street, Perth





TITLE DIAGRAMS
NTS

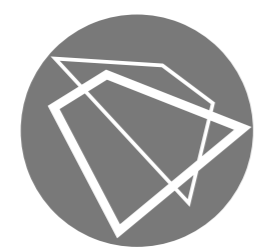


SITE PLAN

1 : 200

56 LINDSAY STREET

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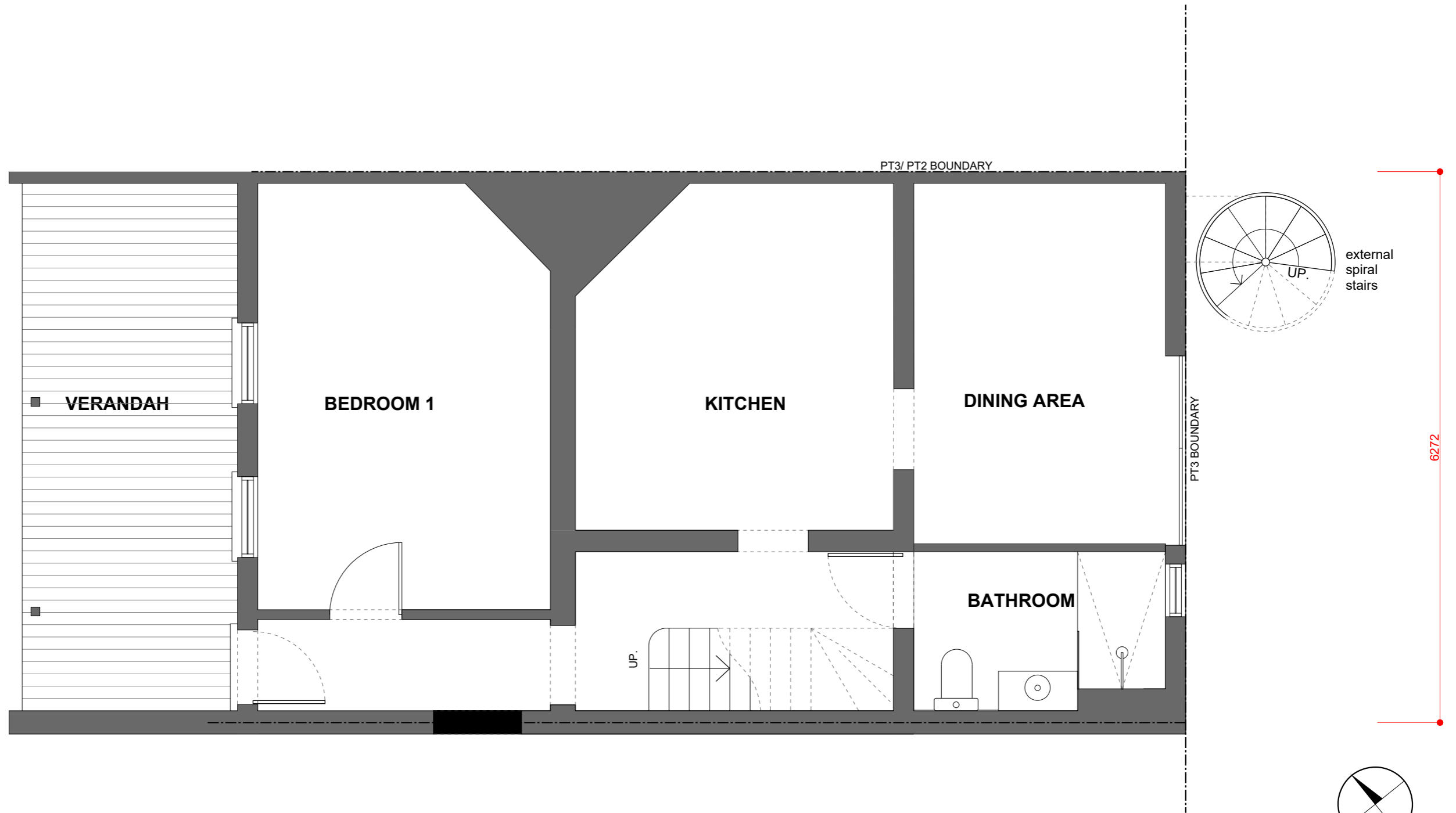


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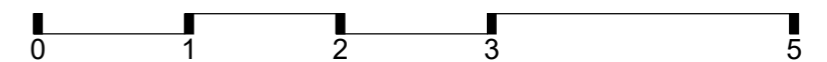
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			PLANNING APPROVAL					

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GROUND FLOOR PLAN

1 : 50



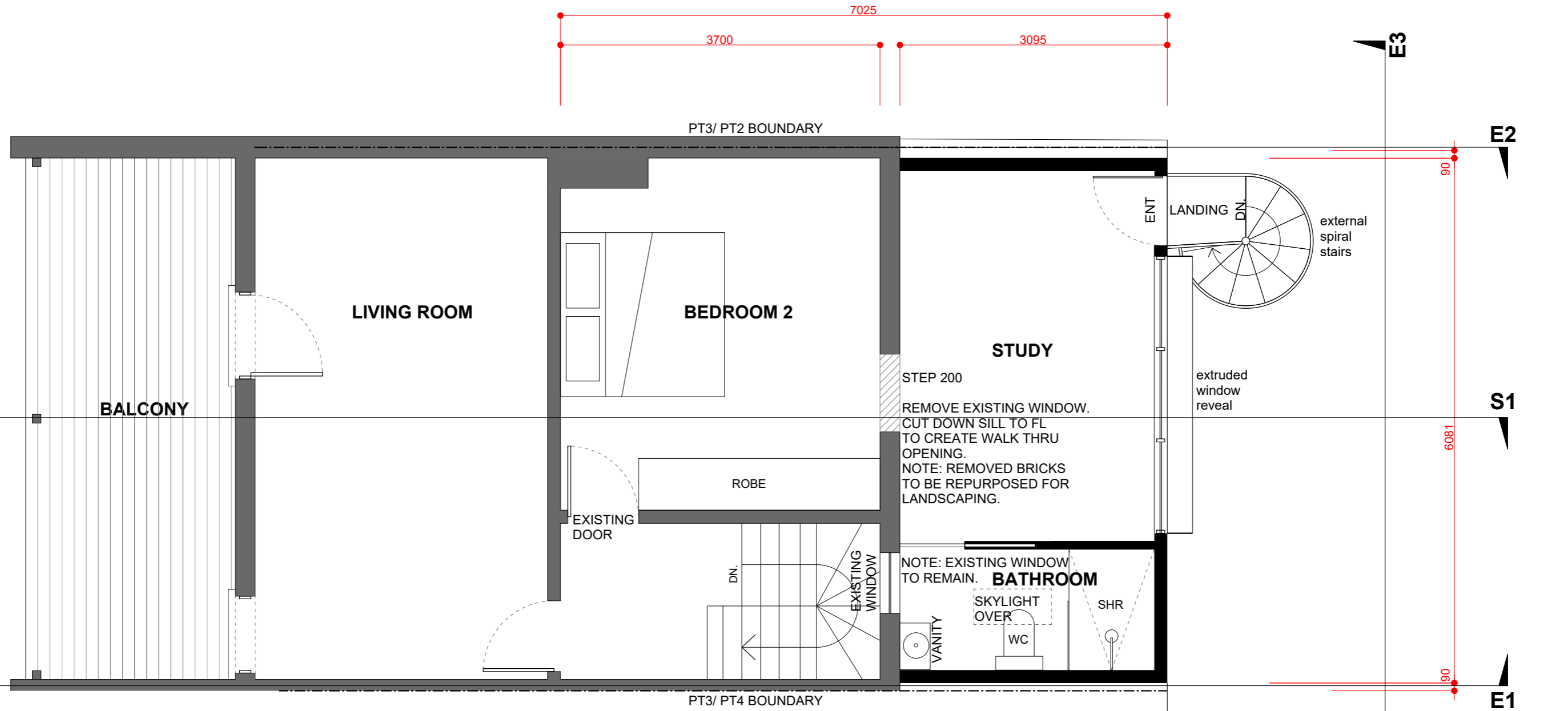
56 LINDSAY STREET

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WALL SCHEDULE

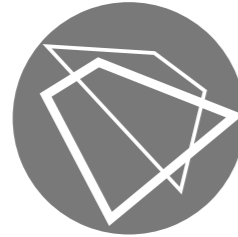
EXISTING WALL

NEW WALL

FIRST FLOOR PLAN

1 : 50

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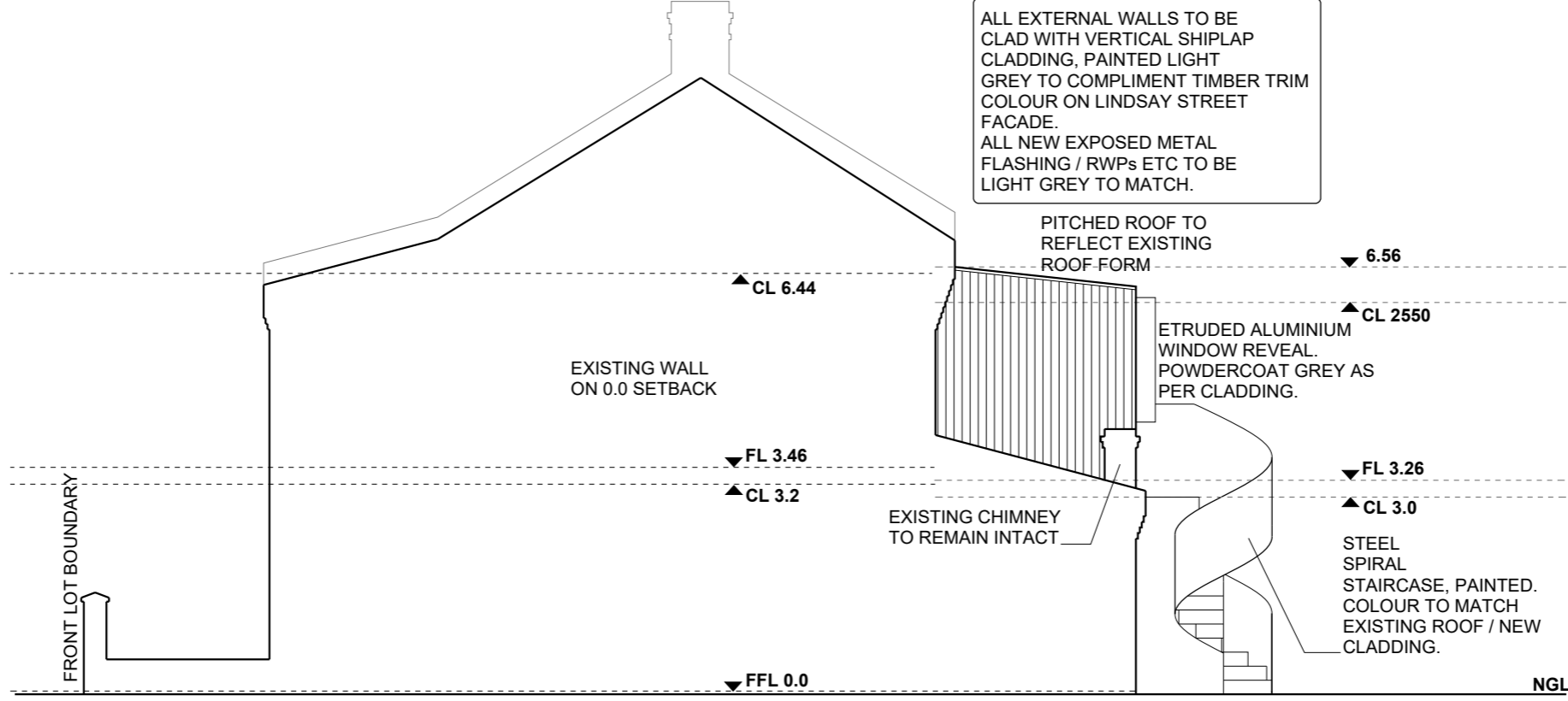


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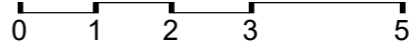
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			ISSUED FOR-	PAGE No-				

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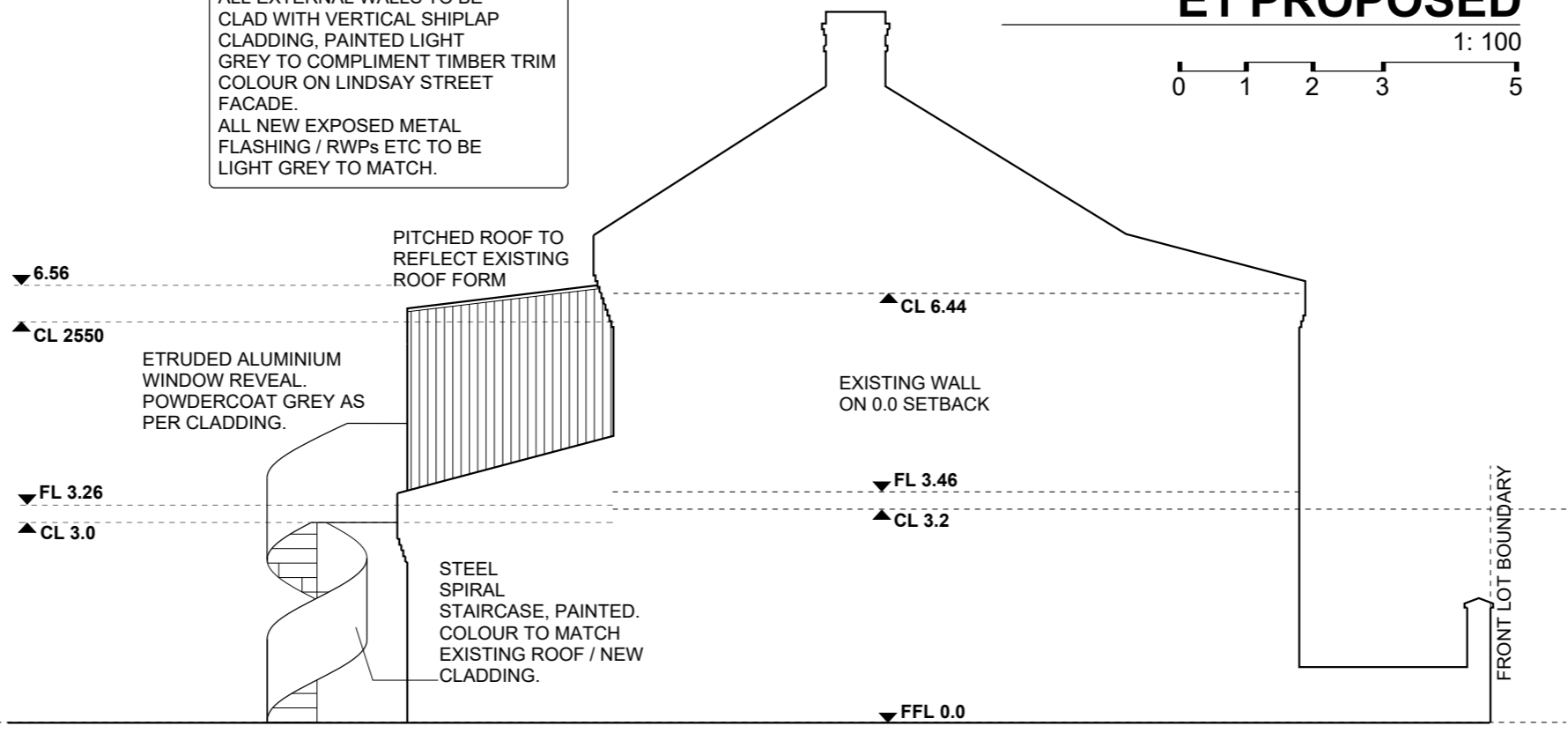


E1 PROPOSED

1: 100

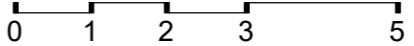


ALL EXTERNAL WALLS TO BE CLAD WITH VERTICAL SHIPLAP CLADDING, PAINTED LIGHT GREY TO COMPLIMENT TIMBER TRIM COLOUR ON LINDSAY STREET FACADE. ALL NEW EXPOSED METAL FLASHING / RWP's ETC TO BE LIGHT GREY TO MATCH.



E2 PROPOSED

1: 100



56 LINDSAY STREET

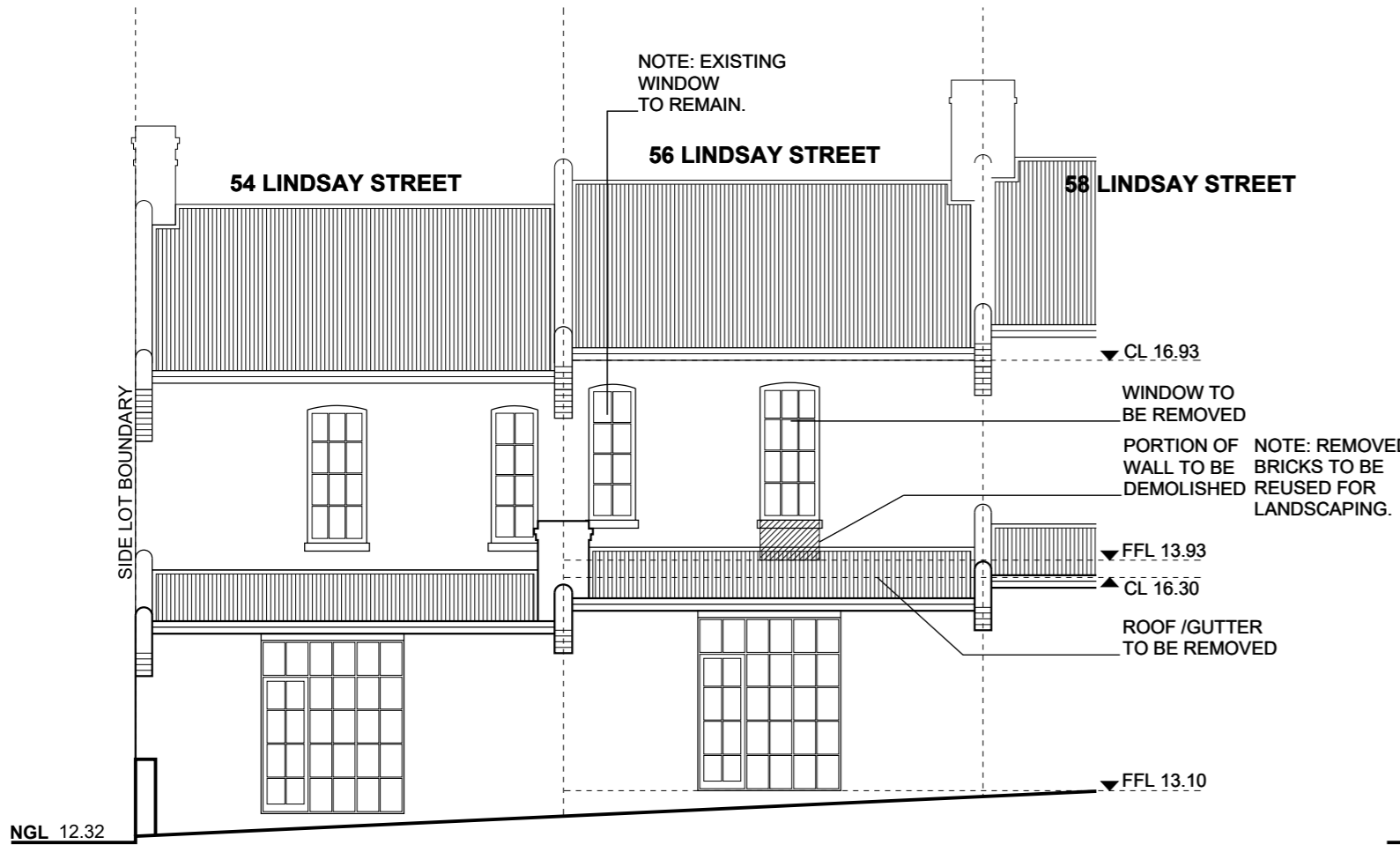
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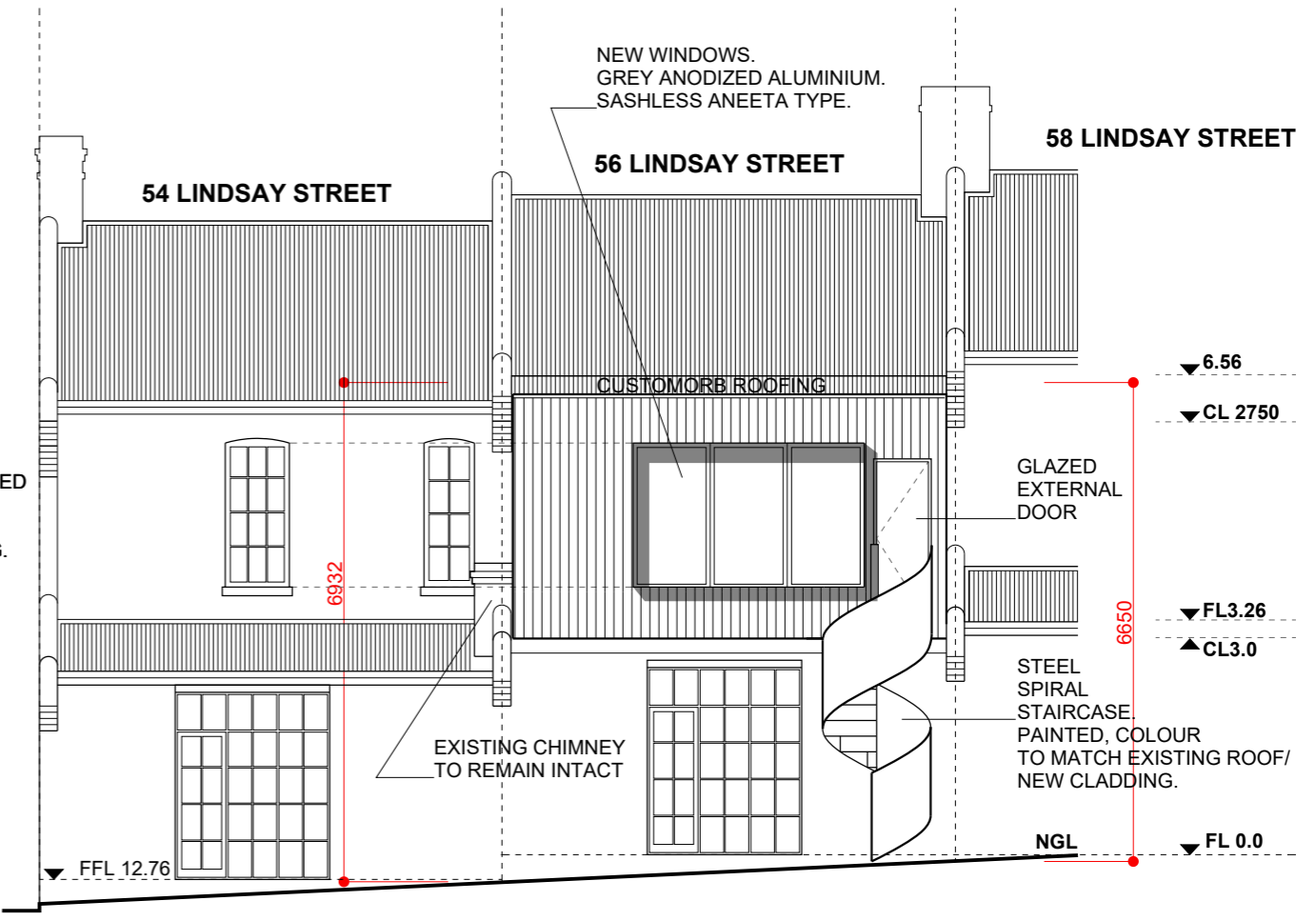
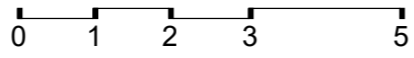
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			ISSUED FOR-	PAGE No-					
			PLANNING APPROVAL						

04

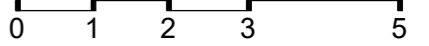


EAST ELEVATION EXISTING
1 : 100



ALL EXTERNAL WALLS TO BE CLAD WITH VERTICAL SHIPLAP CLADDING, PAINTED LIGHT GREY TO COMPLIMENT TIMBER TRIM COLOUR ON LINDSAY STREET FACADE.
ALL NEW EXPOSED METAL FLASHING / RWP's ETC TO BE LIGHT GREY TO MATCH.

E3 PROPOSED
1: 100

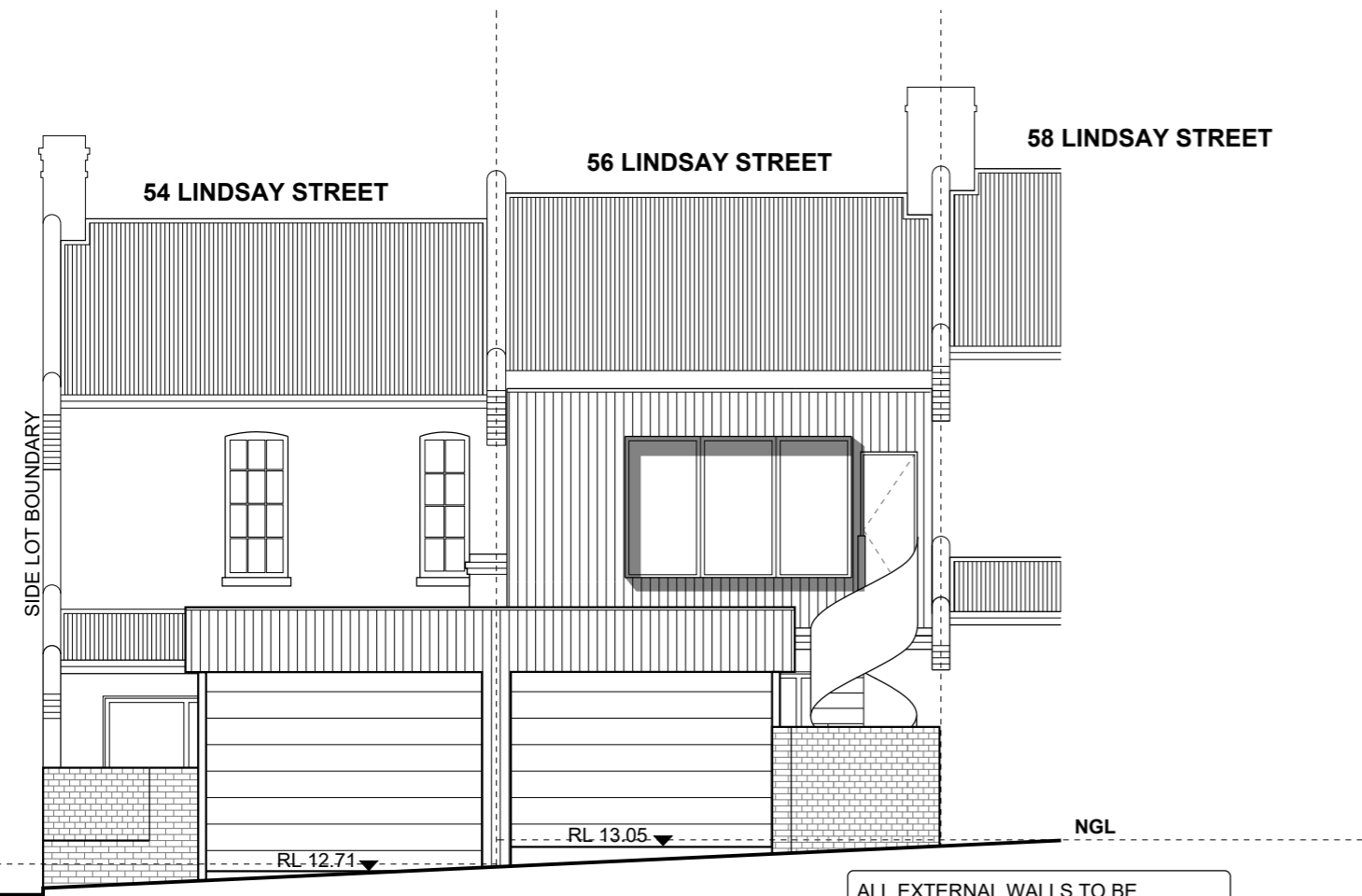


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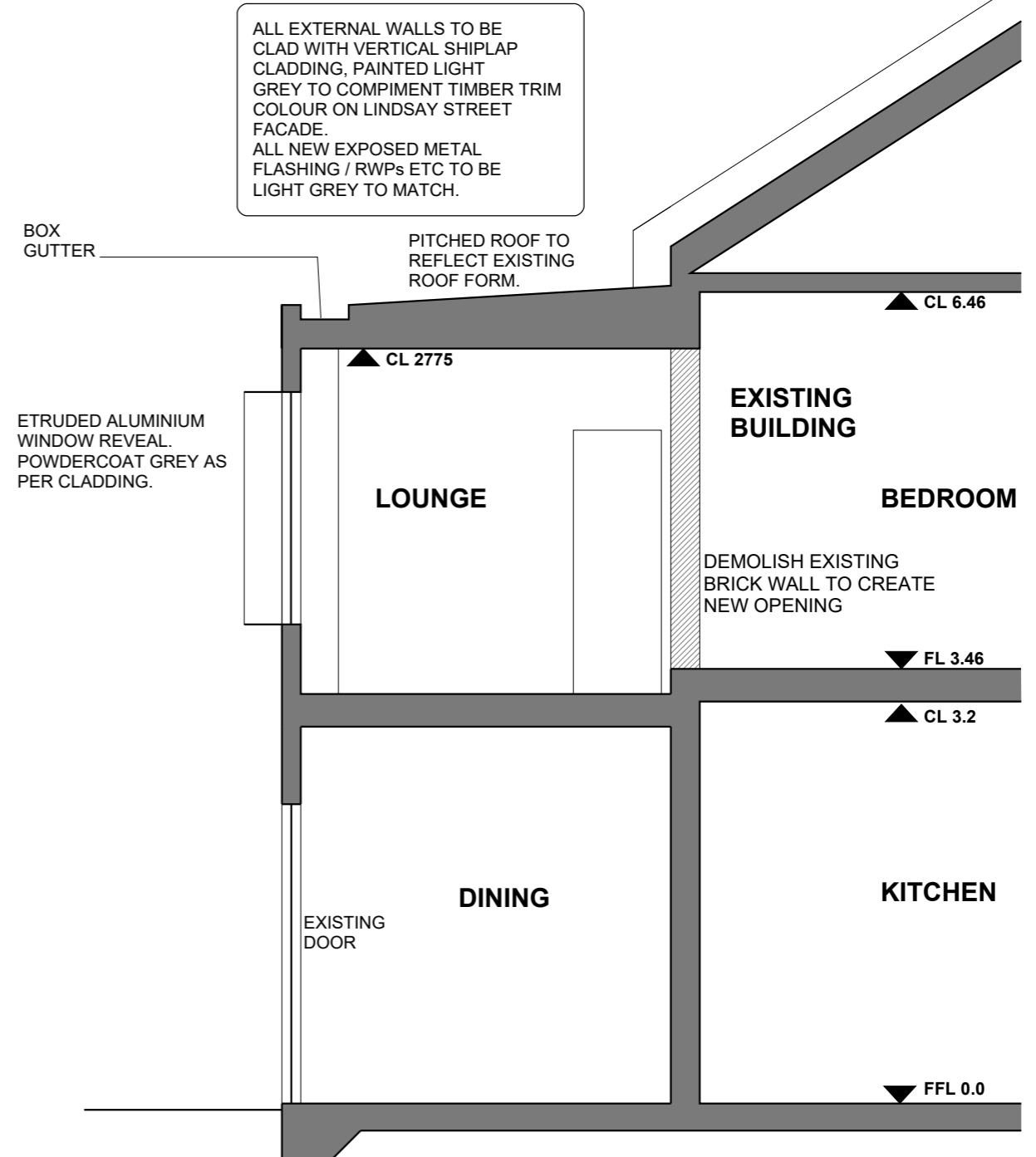
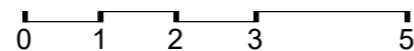


**PROPOSED ADDITION
SHOWN IN CONTEXT WITH
PROPOSED CARPORTS
AS APPROVED (DA No. 5.2023.152)
DATED 25 JULY 2023.**

ALL EXTERNAL WALLS TO BE CLAD WITH VERTICAL SHIPLAP CLADDING, PAINTED LIGHT GREY TO COMPLEMENT TIMBER TRIM COLOUR ON LINDSAY STREET FACADE.
ALL NEW EXPOSED METAL FLASHING / RWP's ETC TO BE LIGHT GREY TO MATCH.

E3 PROPOSED

1: 100



ALL EXTERNAL WALLS TO BE CLAD WITH VERTICAL SHIPLAP CLADDING, PAINTED LIGHT GREY TO COMPLEMENT TIMBER TRIM COLOUR ON LINDSAY STREET FACADE.
ALL NEW EXPOSED METAL FLASHING / RWP's ETC TO BE LIGHT GREY TO MATCH.

BOX GUTTER
ETRUDED ALUMINIUM WINDOW REVEAL. POWDERCOAT GREY AS PER CLADDING.

PITCHED ROOF TO REFLECT EXISTING ROOF FORM.

EXISTING BUILDING
DEMOLISH EXISTING BRICK WALL TO CREATE NEW OPENING

LOUNGE

BEDROOM

DINING

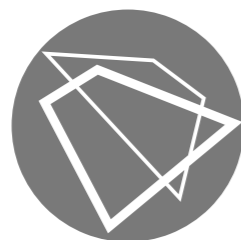
KITCHEN

S1 PROPOSED

1: 50



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			PLANNING APPROVAL						

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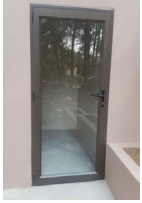

25.03.24

ALTERATIONS.
56 LINDSAY STREET, PERTH.


FENESTRATION / MATERIAL SCHEDULE.

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FENESTRATIONS

ITEM	TYPE	MATERIAL	COLOUR	IMAGE
DOOR TO 56 LINDSAY STREET.	STANDARD HINGED GALAZED DOOR.	FRAMES - ALUMINUM GLAZING- VIRIDIAN COMFORT PLUS, CLEAR	LIGHT GREY ANODIZED TO COMPLIMENT EXISTING ZINCULUME ROOF.	
WINDOW TO 56 LINDSAY STREET.	4 PANEL ANEETA TYPE, VERICAL SLIDING.	FRAMES - ALUMINUM GLAZING- VIRIDIAN COMFORT PLUS, CLEAR	LIGHT GREY ANODIZED TO COMPLIMENT EXISTING ZINCULUME ROOF.	

CLADDING

ITEM	TYPE	MATERIAL	COLOUR	IMAGE
EXTERNAL WALLS.	JAMED HARDIE 'AXON' VJ CFC PANEL.	COMPRESSED FIBRO CEMMENT	LIGHT GREY TO COMPLIMENT EXISTING ZINCULUME ROOF.	

NOTE : STEEL STAIRCASE TO BE PAINTED LIGHT GREY TO MATCH EXISTING ROOF/ NEW CLADDING.

IMAGES SHOWING RESTORED FACADE OF BUILDING ALONG LINDSAY STREET.



HERITAGE IMPACT STATEMENT

56 Lindsay Street PERTH

Proposed rear addition



Name	Terrace residence
Address	56 (Strata lot 3) Lindsay Street Perth
Date	18 February 2024
Prepared by	Laura Gray, Heritage & Conservation Consultant trading as Heritage Intelligence (WA)
Prepared for	Owners: Melinda and John Fisher
Heritage Listings	Heritage Council's InHerit database No. 8724 (Terraces 54-60 Lindsay Street) City of Vincent: Municipal Heritage Inventory (August 2023) City of Vincent Policy No. 7.6.6 (2005) Heritage Management-The Heritage List (Municipal Heritage Inventory)
Statement of Significance	Extract from Municipal Heritage Inventory <i>The terraces at No. 54-60 Lindsay Street demonstrate the suitability of this housing type to satisfy current housing needs a century after their construction. The size and scale of the group contribute to the streetscape.</i> Extract from inherit database record notes that: <i>Integrity/authenticity: Moderate- 1980s adaptation has reduced intactness.</i>

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The context

The terrace residence at 56 Lindsay Street is one of four two-storey terraces between 54 and 60 Lindsay Street, on the east corner of Money Street. Number 56 Lindsay Street is flanked by number 54 on the southwest side and 58 on the northeast side, with a right of way along the rear (southeast) providing vehicular access to each of the four terraces. Along the southeast side of the right of way is a row of garages associated with the buildings that front Beaufort Street to the southeast.

The streetscape of the frontage of the Lindsay Street terraces is mostly obstructed from view by a ambient mature street tree. Views from Money Street show an exposed rear view of the terraces with concrete hardstands at the rear of each terrace, adjoining the right of way with no fences or barriers.

Broader streetscape views of the adjacent Money and Lindsay street residential developments about the south corner reveal face brick and grey colour contrasts including profiled metal sheeting. On the northwest side of Lindsay Street, the residences are more eclectic and on the northeast side of the terraces on the Lindsay Street frontage, there is a contemporary multi storey development.

Other places in the streetscape context make minimal or no contribution heritage that serves to highlight the heritage aesthetic of the Lindsay Street terraces.

The place

The four terraces that include 56 Lindsay Street demonstrate the Federation style of architecture.¹ The two-storey, one-room frontage of the terrace is asymmetrical with the entry door and surround on the south side, mirrored with the terraces at numbers 54 and 58 respectively.

A low face brick fence with piers and metal spear infill is consistent in material, and form and colour with the remainder of the terraces, forming a continuum.

The terrace buildings have small setback (2.4 metres) from the front boundary. Number 56 has formed a timber decked outdoor room in the space with the entry path along the southwest side.

The four terraces with each divided by a party wall have skillion roofs that extend over the first-floor front veranda. Number 56 has spaced timber board floors for the ground-level and first-floor verandas. The frontage of face brick, timber detailing and other elements are original and in good condition. The first-floor original decorative balustrade is currently off-site being restored.

The rear view shows the one-storey room at the rear wall with a skillion roof. The rear wall, as for the other terraces, is face brick, with non-original openings on the ground floor walls and original double-hung sash-windows at the first-floor level.

The proposal

It is proposed to:

Construct a first-floor addition over the existing ground-floor building at the rear, cantilevering 1.5 metres beyond the ground-floor wall. A spiral staircase in the east corner will provide access from the first-floor to ground floor level, for convenience and safety.

The existing rear face brick wall will be retained as original (not painted). The bathroom window will be retained insitu with opaque glazing for bathroom privacy. The other window will be removed together with bricks below, to form a doorway

¹

For consistency, all references to architectural style are taken from Apperly, R., Irving, R., Reynolds, P. *A Pictorial Guide to Identifying Australian Architecture. Styles and Terms from 1788 to the Present*, Angus and Robertson, North Ryde, 2002.

from the existing rear room of the first-floor level addition. The bricks will be repurposed on site.

The timber framed addition will be clad with panelled compressed fibro cement (CFC) sheeting.

The cladding colour scheme as presented, in shades of grey as for the existing painted detail on the front of the terrace, and complementing the nearby contemporary residential development.

Aspects of the proposal that respect the heritage significance of 56 Lindsay Street and the terrace group (54-60 Lindsay Street).

The proposed addition on the first-floor of the rear wall elevation, above an original ground-floor room, will have a degree of impact on the original fabric, to construct a floor for the first-floor addition. The existing original face brick of the rear wall of the first floor will be retained with the minimal intervention of the window removal for access between the original build and the addition.

The timber-framed and lightweight cladding of the addition presents a removable element should that ever be considered, to reveal the original rear wall that is being retained at this time.

Aesthetically, the proposed addition has no visual or physical impact on the Lindsay Street frontage of the terrace at number 56 or the other three terraces, or the context of the Money/Lindsay streets intersection.

It will not be visible in the Lindsay Street views or looking to the southeast in Money Street. The rear addition will be visible from Money Street between Lindsay and Beaufort streets. It will be somewhat noticeable as the first of the terraces to construct a rear addition.

There are some interventions on the rear wall; the removal of the larger to the two double-hung sash-windows and some bricks below, to make way for a doorway from the existing rear first floor room into the addition. The smaller double hung window will also be retained, although it will be enclosed in the addition, not visible from the exterior.

The form, materials and colour of the addition are consistent with the contemporary residential developments in immediate proximity on the southeast on Money Street, and similar on the Lindsay Street frontage of the east corner of the Lindsay/Money intersection.

The proposed additions are clearly identified as new fabric against the significant original form and fabric of the original terrace residence. The proposal has no impacts on the Lindsay Street streetscape or context, some visual impact from Money Street, although the context of that view is predominately concrete and contemporary garages at the rear of the Beaufort Street buildings and the impact is negligible in that context.

The visual impact of the proposal, is minimised by the starkness of the rear yards concrete context and in providing a meaningful context of colour and form, consistent with the nearby residential development on the Lindsay Street frontage of the east corner of Money Street corner.

Aspects of the proposal that could have a detrimental impact on the heritage significance of 56 Lindsay Street and the terrace group (54-60 Lindsay Street)

The proposed additions are in line with best practice whereby additions are clearly identified as new construction to emphasise the heritage significance of the place and provide an honest representation of the place. The proposed additions are removable with minimal intervention to the original external wall or form of the terrace residence.

What measures (if any) are proposed to ameliorate any adverse impacts? Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

The owners have already taken heritage advice and minimised the physical impact of the proposed addition. The light-weight structure of the proposed addition provides for removal of the addition with minimal impact on original fabric or form.

Alternative solutions that have been considered and why they have been discounted.

The proposed additions have been through design development taking into account heritage issues and respect for the building and its original fabric. In so doing the access to the addition from the rear of the first-floor building has been reduced to the width of the window to be removed rather than expansive opening that would have meant the loss of considerable face-brick fabric of the rear wall. The proposal maximises the retention of that wall with no further interventions (no painting of the wall).

Conclusion about the nature and extent of the heritage impact of the proposal.

The proposed first-floor addition at the rear of the terrace at 56 Lindsay Street has no impact on the Lindsay Street elevation of number 56, the other three terraces 54-60, or the streetscape context. The addition will be visible in the Money Street context but minimised in the starkness of vast concrete and garages in the rear areas of the Lindsay and Beaufort streets buildings, and the complementary response to the residence about the east corner of Lindsay and Money streets intersection.

Recommendation

It is recommended that the proposed addition be supported.

It has no impact on the Lindsay Street frontage or streetscape, minimal impact on views of the rear of the terraces, from Money Street, minimal impact on the original fabric and is a removable lightweight structure.

The proposed addition provides for the long-term conservation of the place, liveability and amenity for 21st century living in the 19th century heritage that is retained and enhanced with a high degree of integrity and authenticity.

PLANS: Attached

PHOTOGRAPHS L Gray 18 January 2024



Front views of the 56 Lindsay Street terrace. (original balustrade infill is offsite being restored).

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Streetscape view looking east from the Lindsay/Money streets intersection.



Streetscape view looking northeast in Lindsay Street from the Money Street intersection.

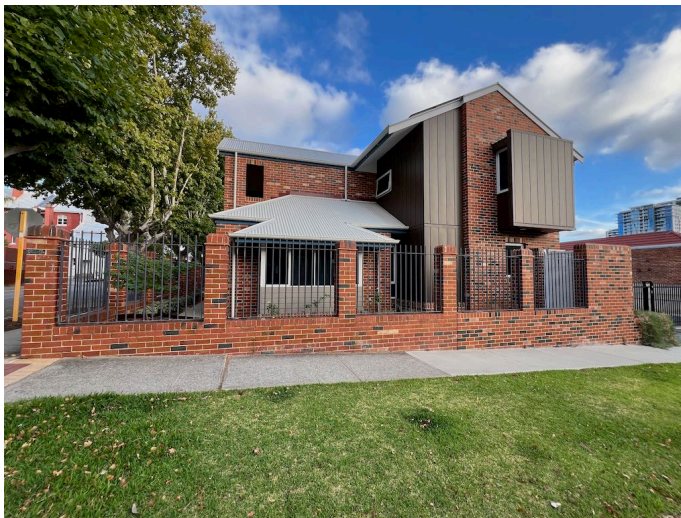


Streetscape view looking north from the Lindsay/Money streets intersection.

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Streetscape view looking southwest in Lindsay Street north from the Money Street intersection.



Complementary fabric demonstrated in the Lindsay Street residence on the south corner of Money Street.



Money Street view to the west, from directly opposite the driveway entry to the rear of the terraces.

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Streetscape view looking northeast in Money Street "frontage".



Streetscape view looking east in Money Street showing the rear of the Beaufort Street buildings and garages.



Streetscape view looking north in Money Street "frontage".

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View looking northeast from Money Street showing the expansive rear area of the terraces and of the Beaufort Street garages (right).



Streetscape view looking northwest, showing the rear elevation of the terraces (No. 56 with vehicle).



Rear (southeast) elevations of the terraces (No. 56 with vehicle).



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Streetscape view looking east in Money Street showing the rear of the Beaufort Street buildings and garages.



View to southeast from the rear of 56 Lindsay Street showing the rear of the Beaufort Street buildings and garages.

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Statement of Intent – 56 Lindsay Street, Perth

The purpose of this statement is to provide City of Vincent with detail about the intent for the proposed application from us as the applicants, owners and residents of 56 Lindsay Street, Perth.

Background & Context

Prior to purchasing 56 Lindsay Street, Perth (**the Property**), we had lived for 20 years in our family home at 111 Bourke Street, Leederville. This was a lovely, old, character home built in 1914 and served us well as a home to raise our three children in, and even our first two grandchildren.

We decided to sell 111 Bourke Street, Leederville, as the kids had now grown up and we were looking to downsize and move towards living arrangements better suited to us in our retirement.

We purchased 56 Lindsay Street (**the Property**) in September 2020. We immediately fell in love with its charm, reminiscent of English town houses (note, applicant John Fisher is from London prior to emigrating to Australia in 1988) and it being in the City of Vincent. This was also enhanced by the fact that our long-time close family friends Sally and Michael Vernon purchasing the townhouse next door 54 Lindsay Street, Perth and us being able to be neighbours together for this next chapter of our lives.

Condition and use of property prior to purchase

Prior to purchase we undertook a range of inspections and viewings. The Property had been vacant and unused for 5 years prior to our purchase. Before it had become vacant the property was used for commercial office space. During our inspections it was evident that the Property had become very run down from the lack of use and upkeep. This was evident for example from the wood poles, beams, and floorboards on the front first floor balcony being rotten and unsafe for use. External brick work had fretting. Some of the internal walls had damp and the plaster was crumbling and falling away. The iron lace on the balcony was rusted. As the building had previously been used for commercial office space the entire building had been stripped of any electrical and plumbing services.

Required property works

After we acquired the property, we addressed its poor condition immediately to ensure safety and suitability. We replaced the rotten wood on the balcony with new timbers, re-pointed the external brickwork, restored and powder coated the iron lace on the balcony and addressed the damp and crumbling plaster on the internal walls. We also had the Property re-wired and the plumbing reconnected. We also had plans approved by the City of Vincent for a secure car port at the back to enhance the parking and back access security.

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Our intention for the property

Upon seeing the Property from the first inspection we knew straight away that we wanted to restore it and turn it into our family home for this next chapter of our lives, maintaining its heritage and character that we loved so much in our previous home and made us want to purchase it. We got to work on the plans for the renovation and restoration.

The plans were developed in consultation with our needs as a family and for a bedroom and bathroom to be placed on the first floor. The intention for this is twofold, the first was to provide our son, who works Fly In Fly Out (FIFO) on the mines, with the ability to live with us because of the housing crisis and severe housing shortage here in WA. The second is so we can frequently have our grandchildren over who stay with us when their parents need to travel for work. Adding this extra space would bring the property to a suitable liveable standard for our family.

Actions & Commitment to Maintaining Heritage

After numerous meetings and months of discussions with the Council Planners, (we also meet and consulted with an external Heritage Consultant to obtain a Heritage Impact Statement on advice by the Council Planners) and meeting and discussions with Marc Beattie (CoV Heritage Consultant on 12 March 2024) we have taken on this advice and suggestions each step of the way. This has led to incorporating all suggested amendments to our plans for further minimise the impact the addition will have on the heritage of our property. To summarise, the following changes to the plans have been made in this regard:

- Reducing the 1.5m cantilever over the back to delete the overhang and the back wall of the new first floor addition is in line with the back wall of the existing back wall of the ground floor.
- Using light grey cladding of the new development to tie in with the existing tin roofing colour.
- Minimised demolition of the rear internal wall/window on the first floor to a single doorway and re-using and repurposing of original materials in downstairs landscaping.
- The external back brick wall, of the existing first floor bedroom, which becomes an internal wall, is to be retained as original exposed brick to further minimise the impact of the rear of the building.
- Retaining the existing chimney
- Ensuring the addition is removable in the future and of the smallest/lowest possible impact to the originality of the building.

Impact of not approving the plans

Should these plans not be approved, after long consultation and working with the Council, this will leave us in a very difficult position. We will have a property which will not be completely adequate for our family needs.

We hope the Council will approve this plan so we can move forward with the restoration and development of this beautiful heritage property within the heart of Perth, allowing us to make this our family home and enhance the Lindsay Street precinct.

Thank you for taking this statement into consideration.

Regards

Melinda and John Fisher

Owners and (future) residents of 56 Lindsay Street

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Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
6. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
7. NO verge trees shall be removed. The verge trees shall be RETAINED and PROTECTED from any damage including unauthorised pruning.
8. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to the commencement of works, and will be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond shall be made in writing. The bond is non-transferable.
9. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
10. The owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls.
11. All stormwater produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings.