

<b>Technical Report</b>			
<b>TRIM Number:</b>	<b>PA23/267</b>	<b>Synergy Number:</b>	<b>PA23/267</b>
<b>Date Received:</b>	<b>27 April 2023</b>	<b>DAU Date:</b>	
<b>Address:</b>	<b>L882, 9 Kingsbury Drive, Jarrahdale</b>		
<b>Proposal:</b>	<b>Carport Extension and Lot Boundary Fence</b>		
<b>Land Use:</b>	<b>'Residential – Single House'</b>	<b>Permissibility:</b>	<b>SA</b>
<b>Owner:</b>	<b>Damian and Joclyn Lamont</b>		
<b>Applicant:</b>	<b>As above</b>		
<b>Zoning:</b>	<b>'Special Use'</b>	<b>Density Code:</b>	<b>N/A</b>
<b>Delegation Type:</b>	<b>12.1.1</b>	<b>Officer:</b>	<b>Ryan Fleming</b>
<b>Site Inspection:</b>	<b>Yes</b>		
<b>Advertising:</b>	<b>Yes</b>		
<b>Outstanding Internal Referrals:</b>	<b>No</b>		
<b>External Referrals:</b>	<b>No</b>		
<b>Within a Bushfire Prone Area:</b>	<b>Yes</b>		
Part 10A, Cl. 78B of the Planning and Development (Local Planning Schemes) Regulations 2015 exempts the requirement for a BAL assessment.			

## Background:

### Existing Development:

The subject site of approximately 2,118m<sup>2</sup> is located within the Jarrahdale 'Woodlot' residential area. The site is currently developed with a dwelling, outbuilding and ancillary structures.



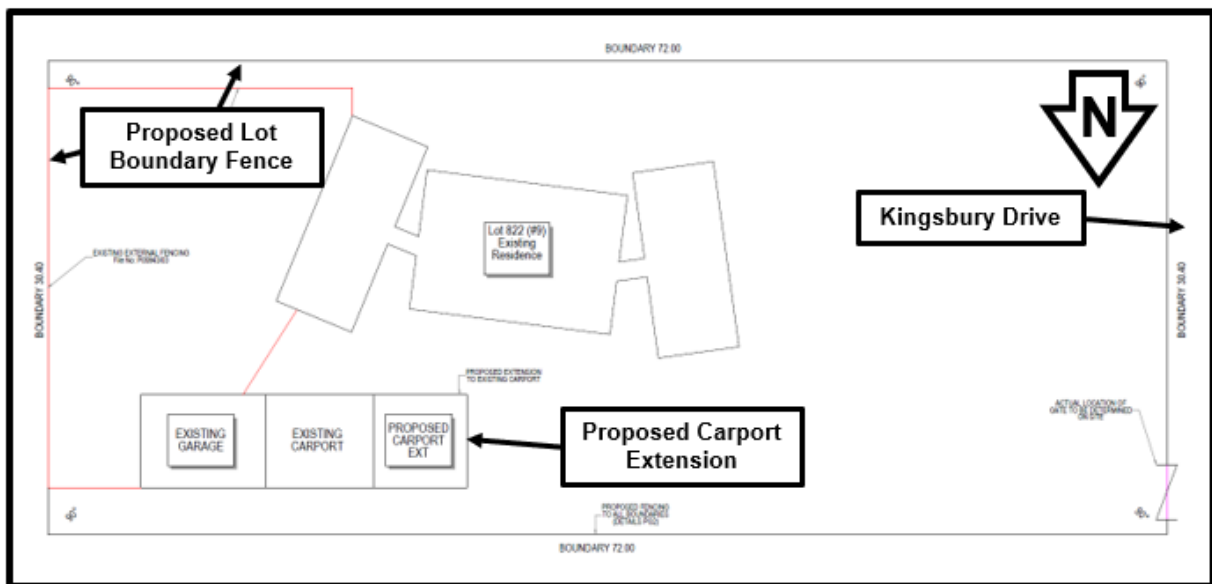
Figure 1: Aerial imagery of existing site

Proposed Development:

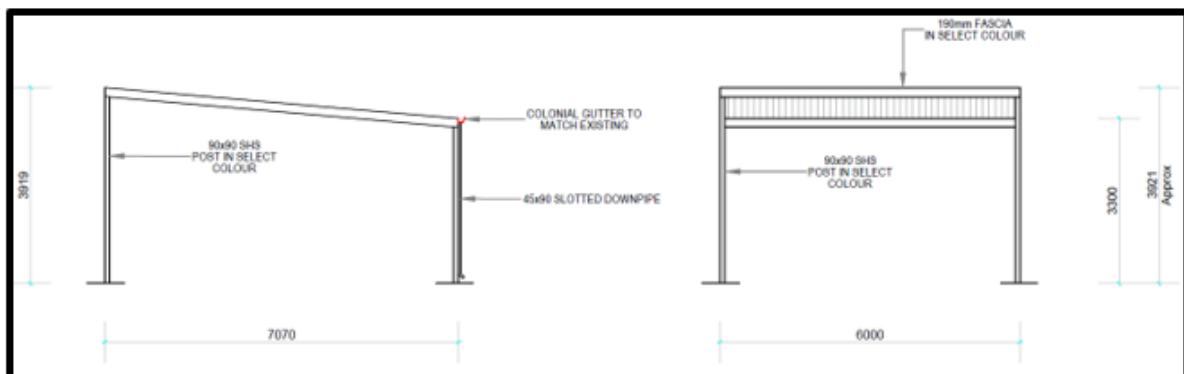
The development application seeks approval for a carport and lot boundary fence, comprising of the following:

- A carport extension with:
  - An area of 6m by 7m;
  - A wall height of 3.3m;
  - A roof height of 3.9m; and
  - Set back 5m from the side lot boundary (north).
- A lot boundary fence to all boundaries:
  - 1.2m high; and
  - Of a post and wire design.

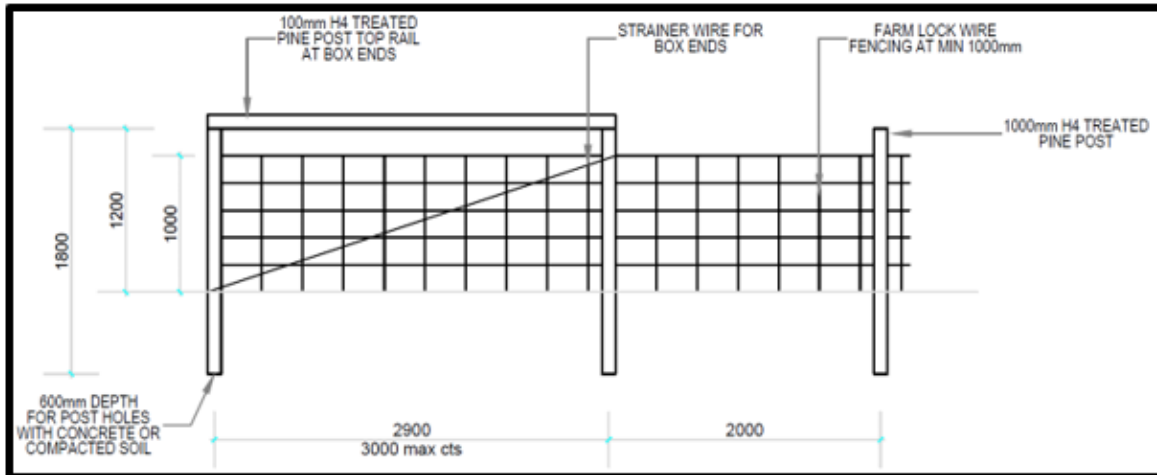
The development plans are depicted in the following figures:



**Figure 2: Site plan depicting proposed carport extension and lot boundary fence to all boundaries**



**Figure 3: Elevation plan of carport extension**



**Figure 4: Elevation plan of lot boundary fence**

### **Community / Stakeholder Consultation:**

The application was advertised to adjoining landowners for a period of 14 days from 27 April 2023 to 11 May 2023, in accordance with the Shire's Local Planning Policy 1.4 – Public Consultation for Planning Matters. During this period, no submissions were received by the Shire.

### **Statutory Environment:**

#### Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*

#### State Government Policies

- State Planning Policy 7.3 - Residential Design Codes Volume 1 (R-Codes);

#### Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2);
- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No.3 (LPS3); and
- Local Planning Policy 3.2 - Woodlot Subdivision Jarrahdale Design Guidelines (LPP3.2).

### **Planning Assessment:**

A comprehensive assessment has been undertaken in accordance with section 67 of the Planning and Development Regulations 2015, the assessment can be viewed as part of the attachment.

#### Land Use

The subject site is zoned 'Special Use' under TPS2. The proposal is for a carport extension and lot boundary fence to be used in association with the existing 'Residential - Single House' land use. Section 4 of Appendix 2 in TPS2 indicates that within this 'Special Use' zone, the

proposal would constitute a permitted land use. Therefore, by way of land use the proposal is considered consistent with the planning framework.

### Local Planning Policy 3.2 – Woodlot Subdivision Jarrahdale Design Guidelines (LPP3.2)

The purpose of LPP3.2 is to provide design guidelines to development within the 'Woodlot Subdivision'. LPP3.2 seeks to ensure development takes into account the historic context of the Jarrahdale Townsite and employs sustainable building design, noting the nearby presence of the State Forest. The background of LPP3.2 states:

*“The development control provisions of these guidelines will be given full regard by Council and any development application to depart from these provisions will require justification and approval of the Council.”*

The proposal maintains general consistency with LPP3.2, though seeks variation to three provisions. Approval may be issued should Council be satisfied that the objectives of the guidelines of LPP3.2 are satisfied. The Primary Objective of LPP3.2 is as follows:

*“Council’s objective, recognising the site’s ecological significance and relationship to the Jarrahdale Heritage Park site and adjoining State Forest, is to ensure retention of the character of the site as a whole and set a new standard in building design and construction that incorporates sustainable building principles and practices.”*

Consistency with the above objective and relevant design principles are considered in the following sections of the report.

#### *3.1 Site Layout & 3.2 Existing Site: Landform, Soil and Vegetation*

The relevant aims of Clause 3.1 and 3.2 of LPP3.2 seek to protect the integrity of the site and vegetation. The provisions varied relate to the same matter and are as follows:

- *Buildings are only permissible to be constructed within the 350m<sup>2</sup> building footprint area. Figure 1 shows approximate locations for siting of buildings on each lot. The 350sqm area allowable for buildings can be any shape to allow flexibility in the design of the building. Written approval by Council is required to substantially vary the location of the building envelope.*
- *Maximum 350sqm of site can be used for building (measured by building footprint and inclusive of garage and shed). This is also the maximum area that can be cleared of existing vegetation if required for building (including all existing site vegetation groundcovers, shrubs and trees). This area is to be from within the designated building footprint envelope area as per, 3.3.1 Site Layout and Figure 1.*

The proposed carport extension would mean the total building footprint of development on site would total to 477m<sup>2</sup>, varying the 350m<sup>2</sup> acceptable standard. Also, the carport extension would be location outside of the modified building footprint area. The dwelling was approved in 2008 and the building footprint altered as shown in the image below:





**Figure 5: Approximate location of building footprint area as per Figure 1 of LPP3.2**

Officers note that the design principles and objectives of LPP3.2 relevant to this provision seek to ensure development has a minimal impact on existing vegetation and landform features. The proposed carport extension has only a small building footprint. It would be positioned next to the existing carport, which is already levelled and is in an area already clear of vegetation. The carport has a simplistic design, being a steel post framed structure. The carport would not require significant earthworks or foundation works to establish a building pad, meaning there would be a minimal impact on the landform of the site. Furthermore, the close proximity of the carport to existing structures on site would maintain a clustered form of development, ensuring vegetation to the west of site is retained and not impacted by development. Officers therefore consider the proposal consistent with the design provisions of Clause 3.1 and 3.2, as well as the primary objective of LPP3.2 in this regard.

The proposed carport includes a 'colonial gutter' design and a form generally consistent with existing development within the Jarrahdale Townscape. The aim of LPP3.2 includes ensuring development is consistent with heritage themes. Therefore, Officers recommend a condition requiring a colour and materials schedule for the structure so that it either matches the existing colours and materials of development on site, or demonstrates consistency with broader heritage themes of Jarrahdale, to the satisfaction of the Shire.

### 3.4 Hard Landscaping

The aim of Clause 3.4 of LPP3.2 includes the intention to, "maintain existing water flows on site". This is achieved mainly through limiting hard surfaces across development. One provision in this section states:

- *No boundary fences are permitted between properties. Properties can be marked by posts on corners of boundary to adjacent properties. Boundary fencing to the street frontage and the state forest boundary interface is permissible as a 1.2m post and rail to street frontage and 1.2m post and wire to the State Forest interface. No vegetation is to be cleared when any such fences are constructed.*

In this instance, the variation is that a lot boundary fence is proposed to all boundaries of the site. Additionally, the boundary fence to the street boundary is proposed to be of 'post and wire' instead of 'post and rail' construction. LPP3.2 seeks to limit fencing within the subdivision

area to minimise the removal of vegetation and therefore maintain existing water flows, in line with sustainable development principles.

The natural materials involved in the proposed post and wire fencing style maintains strong consistency with rural and historical Jarrahdale themes. Post and wire fences are characteristic of the broader Jarrahdale Heritage Town area. Additionally, Officers note that the properties within the Woodlot Subdivision area itself already have post and wire fences addressing Jarrahdale Road. This can be viewed in the following figure. Therefore, Officers consider the proposed fencing would be consistent with Jarrahdale Heritage themes, in line with the primary objective of LPP3.2.



**Figure 6: Existing post and wire fencing on street lot boundaries in the Woodlot Subdivision Area**

The proposal to install a post and wire fence would result in minimal impact to existing vegetation on site. The process of installing posts only has a small, immediate area of impact. Posts can be placed around or in between existing vegetation and then connected by wire. The applicant has advised in writing to Officers that no existing vegetation would need to be removed when installing the fence. A condition has been recommended to this effect. As the proposal would not result in the removal of vegetation and be sympathetic to the heritage themes of Jarrahdale, Officers consider that the proposal would meet the objectives of LPP3.2 in this regard.

#### **Options and Implications:**

Option 1: Council may resolve to approve the application subject to conditions.

Option 2: Council may resolve to refuse the application subject to reasons.

Option 1 is recommended

#### **Conclusion:**

The application seeks approval for a carport extension and lot boundary fence. It is considered that despite the variation to the provisions of LPP3.2, the policy objectives are satisfied. A condition of determination is recommended to ensure the protection of the existing vegetation on site and that the design of the carport extension is consistent with existing development in the locality. Therefore, Officers recommend approval for the application subject to conditions.

**Attachments:**

Deemed Provisions – CI 67 Matters to be considered by local Government

**Land Use:**

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: Refer to TPS2 comments within the land use section. The site is zoned 'Special Use', in which the proposed development can be considered as a 'Residential – Single House' land use, which is 'SA' in accordance with Section 4 of Appendix 2 of TPS2.**

b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: The site would be rezoned to 'Residential R5' under the draft LPS3. However, it would still be subject to the specific design considerations of LPP3.2 for this estate.**

c) any approved State planning policy	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: The proposed carport extension would be compliant with the required setback and height provisions for carports under the SPP7.3 (R-Codes), based on the prospective R5 designation of the site under draft LPS3. The carport extension would maintain the existing 3m setback and line of development to the nearest north boundary, while also be setback significantly from the streetscape. The proposed height of 3.3m for the posts and 3.921m for the roof also aligns with the existing form of development, and is compliant with Table 3 of the R-Codes.**

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

e) any policy of the Commission	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

f) any policy of the State	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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<b>Comment: SPP7.3 (R-Codes) has been considered in this assessment.</b>			

g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: Refer to assessment of LPP3.2.</b>			

h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment:</b>			

## Development:

k) the built heritage conservation of any place that is of cultural significance	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: Refer to LPP3.2 assessment.</b>			

l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: Refer to LPP3.2 assessment.</b>			

m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: Refer to LPP3.2 assessment.</b>			

n) the amenity of the locality including the following –	YES	NO	N/A
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I. Environmental impacts of the development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. The character of the locality			
III. Social impacts of the development			
<b>Comment: Refer to LPP3.2 assessment.</b>			

o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment: Refer to LPP3.2 assessment.</b>			

q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment: Refer to LPP3.2 assessment.</b>			

r) the suitability of the land for the development taking into account the possible risk to human health or safety	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

s) the adequacy of –	<b>YES</b>	<b>NO</b>	<b>N/A</b>
I. The proposed means of access to and egress from the site; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles			
<b>Comment:</b>			

t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road system in the locality and the probable effect on traffic flow and safety	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

u) the availability and adequacy for the development of the following –	<b>YES</b>	<b>NO</b>	<b>N/A</b>
I. Public transport services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. Public utility services			
III. Storage, management and collection of waste			

IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)			
V. Access by older people and people with disability			
<b>Comment:</b>			

v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

w) the history of the site where the development is to be located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

y) any submissions received on the application	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: No submissions received during the advertising period.</b>			

Za) the comments or submissions received from any authority consulted under clause 66	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			