

25 October 2022

CITY REF: DA8879.4

Element
Level 18, 191 St Georges Tce
PERTH WA 6000

Dear Sir / Madam

Amendment to Local Development Plan - Albero Estate ANKETELL 6167

Thank you for your application for the abovementioned Local Development Plan (LDP).

Your application has been approved in accordance with Clause 52 of the Deemed Provisions.

Please find enclosed an endorsed copy of the approved LDP for your records.

Should you have any queries regarding this matter, please do not hesitate to contact Marius LeGrange of the City's Planning Department on 9439 0239.

Yours faithfully,

Asha Logan
Coordinator Statutory Planning

City of Kwinana Administration

Corner Gilmore Avenue and Sulphur Road, Kwinana WA 6167 | **Hours** Monday to Friday 8am to 5pm
PO Box 21, Kwinana WA 6966 | **Telephone** 08 9439 0200 | **Fax** 08 9439 0222 | **NRS** 133 677 (hearing/speech impaired)
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- Legend**
- Site Boundary
 - Primary Orientation of Dwelling
 - Uniform Acoustic Fence by Developer
 - Residential R30
 - Preferred Location of Garage
 - Street Tree - New Planting
 - Residential R40
 - Lots subject to Bushfire BAL Construction Standard
 - Lots subject to Transport Noise
 - Street Tree - Retained Existing Tree (All street tree locations shown are approximate only. Street trees are not to be removed or relocated by landowners.)

Local Development Plan Variations to the Residential Design Codes

The provisions outlined in this Local Development Plan (LDP) constitute variations to the requirements of the Residential Design Codes (R-Codes) and City of Kwinana Town Planning Scheme No. 2 (TPS 2). The requirements of the R-Codes and TPS 2 shall be satisfied in all other matters. Consultation with neighbouring and/or nearby landowners to achieve a variation to the R-Codes in accordance with the provisions of this LDP will not be required.

Setbacks

1. (a) A 2m minimum and 5m maximum primary street setback applies to all lots with a lot depth less than 28 metres (no average).
(b) A 2m minimum and 4m maximum primary street setback applies to all lots with a lot depth equal to or less than 24 metres (no average).
2. Secondary street setback minimum 1.0m.
3. For lots with a frontage of 10.5m or less or where otherwise designated on this LDP, nil setbacks are permitted to both side boundaries behind the primary street setback line to a minimum of 4m from the rear boundary for a wall height of 3.5m or less. Where possible, nil setbacks should be positioned on the boundary that maximises solar access to the dwelling.
4. For lots with a frontage of more than 10.5m or where otherwise designated on this LDP, a nil setback is permissible to one side boundary behind the primary street setback line to a minimum of 4m from the rear boundary for a wall height of 3.5m or less. Where possible, nil setbacks should be positioned on the boundary that maximises solar access to the dwelling.
5. Garages are permitted to have a nil side setback to one boundary. The garage nil side setback is not required to be on the same nil side setback boundary as the dwelling.
6. A porch, balcony, verandah or the equivalent may project not more than 1 m into the primary street setback area, provided that the total of such projections does not exceed 50% of the frontage at any level.

Garages

7. Minimum primary street setback maybe reduced to 4.0m, provided the garage is in line with or behind the dwelling alignment and where a footpath is setback 0.5m or greater from the lot boundary. For Lots 121-132 and 205-217, where the footpath is 0.3m setback from the lot street boundary, the minimum garage primary street setback is 4.2m, in order to achieve a minimum separation distance of 4.5m from the garage to the footpath.
8. Where a lot(s) have a frontage of 12m or less, garages may exceed 50% of the primary lot frontage to a maximum of 60% of the primary lot frontage.
9. Where a garage exceeds 50% of the primary lot frontage, it shall comply with the following:
 - (a) A clear indication of the dwelling entrance;
 - (b) The dwelling entrance shall be the dominant feature of the front elevation and shall include a projecting portico or verandah with a minimum depth of 1.5m; and
 - (c) Garages are to be setback at least 0.5m behind the dwelling alignment with the exception of two storey dwellings.
10. All garages are to have doors to enclose them.
11. Garages are not to be forward of the dwelling alignment. Garages may be aligned with the dwelling subject to a 4m setback being achieved for the garage
12. Garages may be forward of the dwelling alignment to a maximum of 1 m for two storey dwellings where the following requirements are met:
 - (a) The garage alignment complies with the primary street setback;
 - (b) A balcony with a minimum depth of 1.5m is provided to the front facade of the dwelling; and

(c) A verandah or portico feature is provided to the front facade of the dwelling which extends in front of the garage.

Open Space

13. Site cover may be increased to 65% (for lots with depth less than 28m) subject to the provision of 20m² of outdoor living area with a minimum dimension of 4m, two thirds of this area uncovered and located behind the street setback area.
14. Site cover may be increased to 70% (for Lots 142, 143, 148-155, 161-174, 187-189, 256-259 & 107-132 inclusive) subject to the provision of 16m² outdoor living area with a minimum dimension of 4m.

Bushfire Management

15. The land subject to this LDP is within a bushfire prone area, as designated by the Department of Fire and Emergency Services. Those lots identified on this LDP as being subject to a Bushfire Management Plan require a Bushfire Attack Level Assessment and certification prior to construction, in accordance with Australian Standard 3959.

Fencing

16. Front fences within the primary street setback shall be visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.
17. For secondary street boundaries, fencing shall be visually permeable above 1.2m behind the primary street setback, for a length of up to 3m behind the truncation with a habitable room addressing the street.

Design Elements

18. Dwellings shall provide a high quality design interface with the surrounding streetscape by incorporating at least three of the following architectural design features;
 - (i) Articulation in dwelling facade (i.e. varied wall setbacks);
 - (ii) A minimum of two building materials, colours and/or finishes (e.g. render, brick, cladding);
 - (iii) Major habitable room openings incorporating large windows to provide surveillance;
 - (iv) Roof forms that incorporate gables;
 - (v) A balcony, portico or verandah; or
 - (vi) A built in planter box

Streetscape

19. In accordance with the City's Policy, a minimum of one street tree per lot and three street trees for corner lots is required. Street trees will be provided by the developer within the road verge, and maintained for a minimum of two years until established. Street trees are to be generally located as shown on this Local Development Plan, subject to detailed landscape design. Street trees are not to be relocated or removed by landowners.

Noise Attenuation

20. Lots 101-105, 133-135 and 225-232 are subject to noise attenuation and accordingly dwelling design is to address Western Australian Planning Commission Statement of Planning Policy 5.4 'Road and Rail Noise' (SPP 5.4) through implementation of 'Quiet House Design Package B' to achieve an acceptable level of noise mitigation, unless supported by a noise assessment from a suitably qualified acoustic consultant which demonstrates an alternative form of noise mitigation which complies with SPP 5.4 to the satisfaction of the City of Kwinana.



Approval

This Local Development Plan (LDP) has been approved by the City of Kwinana under Clause 52 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

This LDP is an amendment to the LDP approved on 4 September 2017 and is valid to 4 September 2027.

Manager/Coordinator: _____ Date: 25/10/22 City Ref: DA8879.4