

3.1.3 - Garages

Double garages are now a standard feature in most homes, but in many home designs, double garages dominate the appearance of the dwelling, either extending across a large part of the frontage or protruding forward, or both. This leads to streetscapes with large blank surfaces facing the street, diminishes the appearance of the dwelling and limits opportunities for passive surveillance onto and from the street.

DEEMED-TO-COMPLY PROVISIONS

Garage setback (Ref: R-Codes 5.2.1 - C1.1 & C1.4)

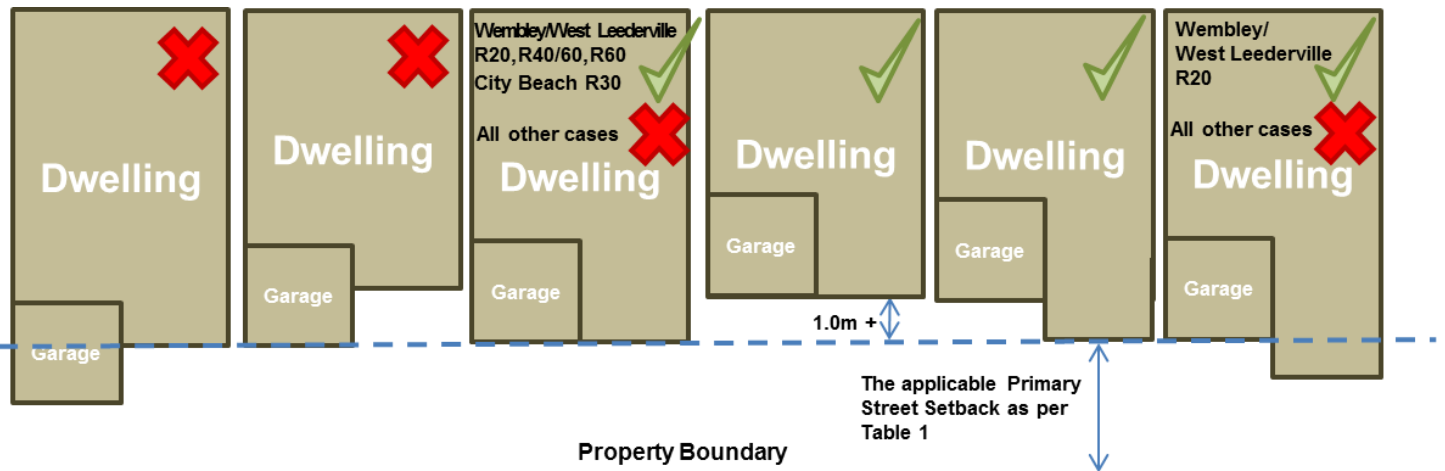
- The minimum setback for a double garage from the primary street boundary is to be in accordance with Table 4 below.

Table 4: Minimum primary street setbacks for double garages

Precinct	Density coding					
	R12.5	R15	R20	R30	R40	R40/60, R60
City Beach	7.0m	n/a	7.0m	4.0 m	n/a	n/a
Floreat	7.0m	7.0m	7.0 m	n/a	n/a	n/a
Wembley	n/a	n/a	6.0 m	5.0 m	5.0 m	4.0 m
West Leederville	n/a	n/a	6.0 m	5.0 m	5.0 m	4.0 m

Notes:- A garage may need to be set back further than the specified primary street setback to enable certain vehicle types to enter a driveway and to achieve acceptable crossover limits and gradients.

- All garages to be set back from the secondary street boundary in accordance with the minimum secondary street setbacks specified in Section 3.1.1 - Table 2 of this Policy.
- ~~Where the ground level at the front of the garage is sunken at least 1.5m below street level, it may be set back as per the minimum primary street setback specified in Section 3.1.1 - Table 1. Refer to the 'Minimum Primary Street Setback Diagrams' under Section 3.1.1 of this Policy for clarification.~~
- A double or wider garage shall not dominate over the rest of the dwelling. Regardless of whether the garage is set back as per all other primary setback requirements of this policy, at least two-thirds of the remainder of the ground floor of the dwelling must be in line or forward of the garage, subject to all other setbacks being met. In calculating this length of frontage of the remainder of the dwelling, porches, porticos, verandahs or similar are included. Refer to diagrams below for clarification.



Garage in front of dwelling and/or intrudes into street setback area - Not permitted in any circumstance.

Garage set back in line with dwelling at the street setback line in Wembley and West Leederville R20, R40/60, R60 and City Beach R30 areas.

In all other cases, garage should be at least 1.0m behind the street setback line required for the dwelling generally.

Garage set back in line with dwelling at least 1.0m behind street setback line/both are set back as per Table 4.

Garage set back at least 1.0m behind rest of dwelling and all setbacks are met.

Garage set back as per Table 4 and dwelling can be set back 5m where there is no carport or minor incursion in the street setback area - in Wembley and West Leederville R20.

Garage width (Ref: R-Codes 5.2.2 - C2)

- In zonings of R20 and above, a garage facing the primary street, including supporting structures, is not to occupy more than 50% of the frontage of the dwelling as measured parallel to the primary street. This may be increased to 60% where an upper floor or balcony extends for the full width of the garage and protrudes over it, and the entrance to the dwelling is clearly visible from the primary street.
- In zonings below R20, a garage facing the primary street is not to occupy more than 50% of the width of the frontage of the dwelling.

Garage design

- Garages must be designed and constructed in a manner complementary with the style and finishes of the dwelling.

DESIGN PRINCIPLES

Where the deemed to comply provisions are not met, applications are to be assessed against the relevant design principles of clause 5.2.1 Setbacks of Garages and Carports or clause 5.2.2 Garage Width of the R-Codes.

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Submission No.	Name	Suburb	Object/Support /Neither	Comment	Officer Response
1	Resident	City Beach	Object	I disagree with the changes and would like to have this amended such that each proposed design that is compliant to current rules is assessed and approved provided there is no significant impact to neighbours or the streetscape hence new limit can be applied if neighbours have valid reason to reject.	The changes relate to deemed-to-comply requirements, an application can still be approved - provided that the application satisfies the relevant design principle which is contained within the Residential Design Codes (R-Codes).
2		City Beach	Support	I support the proposal.	Noted.
3		City Beach	Neither	Do these amendments apply to the Pindan plans [applied for, or passed] which impact the Ocean Village precinct?	Local Planning Policies 3.1 and 3.3 apply to the Residential zone. The Ocean Village Precinct is zoned Local Centre.
4		City Beach	Neither	a) Why are Council considering different policies from City Beach general and Windarra Sub precinct or even other suburbs such as Wembley or Floreat? Are these policies also consistent with other suburbs in Western Australia?	a) Local Planning Policy 3.3 was first adopted by Council in October 2009, and has been amended on five occasions. Since its adoption, the policy has distinguished between other suburbs within the Town. Throughout metropolitan Western Australia, building height is governed by the Residential Design Codes (R-Codes), however it is capable of being amended via a requirement in a Town Planning Scheme or via a planning policy, should the Council wish to do so.
				b) What is the background behind these changes? Who proposed them? Why do we need them?	b) The change to both policies was proposed via an elected members motion at the Ordinary Council Meeting held on 24 April 2018. The following rationale was provided: <i>"In combination with application of the reduced setbacks in City Beach and Floreat, another aspect of concern is the consistent use of wall heights of 7.5m, when such wall height was introduced to the Building Height Policy 3.3 in order to allow for developments on land where there was a significant slope in terms of the natural ground levels across the block. Instead this increased wall height in excess of the wall height allowed in the R-Codes is applied for as of right and particularly in areas like City Beach where residents seek to improve views of significance. The policy is being used for developments on land which do not have significant slope and therefore this is inconsistent with the intention of the policy."</i>
				c) If I plan to extend my property outside these policies will Council just roll over and approve building applications as they have done previously, to my detriment?	(c) Should an application not satisfy a 'deemed -to-comply' requirement, the relevant design principles contained within the Residential Design Codes (R-Codes) should be met.
5		City Beach	Object	I don't think that there is a problem to be solved here. Leave it alone.	Refer to the response to comment 4(c) above.
6		City Beach	Object	At some point in the future we may wish to improve our property and these amendments will restrict what we are able to construct. The beauty of City Beach is the ability to construct dwellings that maximise the unsurpassed ocean views.	The amendments will restrict what you are able to construct as they affect the deemed-to-comply or as-of-right height requirements. However, should an application not satisfy a 'deemed -to-comply' requirement, the relevant design principles contained within the Residential Design Codes (R-Codes) should be met, which if appropriate, allows for increased height.
7	City Beach	Object	We bought in this suburb with the view to knock down and build on our current site. There are houses going up all around us and we are then going to be expected to do a smaller build? Why can't the current be left as it is? I voted this current mayor in because I was against subdivision. Not against the current heights.	Should Council adopt the changes, then the deemed-to-comply building height requirements will be 0.5m less than they are presently. However, should an application not satisfy a 'deemed -to-comply' requirement, the relevant design principles contained within the Residential Design Codes (R-Codes) should be met, which if appropriate, allows for increased height. Refer to the response to comment 4(c) above.	
8	City Beach	Object	I don't object to the intent of the policy in terms of streetscape objectives, but the exceptions need to be widened to include Empire Avenue, and possibly the Boulevard. We are on Empire Avenue under a density rating of R12.5, thus are	Local Planning Policy 3.1 applies to all residential development in the residential zones. Accordingly, a change to the application of the policy is	

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				not currently exempt from the proposed changes. Certainly for Empire Avenue, the Property Boundaries are a significant distance (10+ meters) from the road, which, accounting for the setback policy, places properties some 17 meters or more from the pavement. This is already more than ample, and leads to a streetscape composed of large unappealing areas of grass. To impart additional policy to move garages a further 1 meter from the Primary Street Setback, will not contribute to a nicer streetscape, but instead make these particular streets look more barren, in a suburb trying to promote more natural canopy. Any home builders looking to maximise living area, will likely build further towards the rear of the property (impacting available space for canopy and natural features), to accommodate this new policy change.	not recommended. The proposed change to location of the garage, relates to the location below street level. If Council adopt the additional changes to the policy, a garage will still be required to be setback from the primary street in accordance with the Town Planning Scheme or Local Planning Policy.
9	Resident	City Beach	Support	Amendment overdue. Building under construction next door at 4 Dodonia Gardens displays perfectly the intrusion of max height / min setback structures into the space of adjoining residences. Amplified when 800mm deep eaves project to within 200mm of the common boundary. Applicants for huge houses should have to submit modelling to adequately illustrate proposed height and mass against next door structures to allow neighbours to fully appreciate scale of building prior to planning approval. The proposed 3.1 amendment will be effective in bringing back domestic scale to new housing in city Beach	Comments are acknowledged. The Town's development application checklist sets out the requirements for the detail contained within development applications.
10		City Beach	Object	With so many new houses having already been built to the previous conditions, I recommend no change.	The new houses contribute to the character of City Beach. Refer to report for proposed modifications to the Policy.
11		City Beach	Object	<ul style="list-style-type: none"> The current policy on building height is long-standing, adopted in 2009, and only minor amendments have been made since then. The Council has not given any previous indication that it had concerns with or was investigating the policy and many residents, myself included, have purchased lots in City Beach on the basis of the existing policy. The original policy was, as noted in the Minutes of the Council Meeting held on 24 April 2018 (Minutes), designed in order to allow for developments on land where there was a significant slope in terms of the natural ground levels across the block to access views of significance. City Beach contains a very large number of streets with slopes and lots often have potential views from the rear or side of lots which are not able to be appreciated unless actually physically present on the lot. The potential views are a large contributor to the attractiveness of the suburb and the situation has not changed since the original policy was introduced. 	This part of the submission identifies background to amendment.
				<ul style="list-style-type: none"> Council appears to be rushing through the proposed amendment without sufficient research and evidence to support it. The Minutes comment that "The policy is being used for developments on land which do not have significant slope" and "Similarly we have a proliferation of two and a half storey builds in City Beach" however no evidence of such developments appears to have been provided to the Council. If the Council is considering implementing such amendment, particularly given the significant valuation impact on lots, then I strongly recommend the Council's Planning Department be requested to publicly provide evidence of the number of the number of developments which are considered to have sought approval under the existing policy without appropriate slope (considering the point highlighted in Section 2 that views are often difficult to appreciate without physical inspection), versus the total number of developments approved. 	This concern is acknowledged, however the remainder of the policy manual is not the matter of consultation and a systematic review of the policy manual is proposed for the coming year.
				The proposed amendment will have a significant impact on the development potential and assessment of all lots within City Beach. The existence of views (typically of ocean and parklands) are a significant feature of lots within City Beach and significant attraction to potential new residents. These features help maintain City Beach's attractiveness as a location to live and consequently	Refer to the response to comment 4(c) above.

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	Resident			maintain the valuation of lots within the suburb. Implementation of the proposed amendment will reduce the value of individual lots within the suburb, and thereby reducing the overall value of the suburb and reduce the rates the Council is able to receive according to the Gross Rental Valuation (GRV) assessment.	The concern is noted, however any change to the rates cannot be determined until after a decision is made on the proposed policy amendment.
				The Council is currently undertaking extensive investigation and consultation in relation to its Local Planning Strategy and Economic Development Strategy, yet this amendment appears to have been proposed in isolation of the broader planning strategy. Given the large potential impact of the policy, it seems very unusual and inappropriate for the Council to consider such an amendment on an ad-hoc basis.	At the Ordinary Council meeting held on 27 February 2018, Council noted a proposed schedule of review of the Town's policy framework.
				The proposed amendment will have a significant personal financial impact. My property in City Beach has a large slope with potential ocean views and I purchased it after discussion with Council on what planning policies were in place and what building heights would be possible under these policies. The implementation of this proposed amendment would have a substantial impact on the house design I'm intending for the re-development of my property, and would result in additional design costs, potential loss of views and therefore subsequent loss on re-sale of the property.	The implications that have been identified are noted. The proposed re-development of the property can still be considered against the design principles and proposed matters for consideration in application of the Design Principles.
12		City Beach	Object	The minutes of the Council Meeting held on 24 April 2018 state: "Streetscape policy 3.1 – Partially Sunken Garages Similarly we have a proliferation of two and a half storey builds in City Beach as a result of the following provision at page 34 of the Streetscape Policy 3.1:" (Emphasis mine) And further, "If the garage is required to be sunken at least 2.7m lower that the street level then we will have truly undercroft garages thereby reducing the bulk and scale of buildings from the street perspective." As with the proposed amendment to local planning policy 3.3, the Council appears to be responding to individual personal views of the perceived "proliferation" of two and a half storey builds in City Beach. The decision by Council to issue an Invitation to Comment does not represent a suitable means of obtaining rate payer's feedback (on which to act), as this matter will be only be of concern to individuals that are currently directly affected by the proposed policy changes. It appears that the Council is seeking consent by silence. Consent by silence should not and cannot be considered a true measure of the view of the Town's residents, nor should it be the basis for amendments to the local planning policy. In line with the Town's Code of Conduct; Councillors shall represent the interests of electors, ratepayers and residents of the district. If the Council has received sufficient comments or concerns from rate payers to elicit a review of the local planning policy, any such review should be conducted	Upon review of the submissions, it is proposed to remove this requirement. The consultation has been undertaken in accordance with Schedule 2, Part 2, Clause 5 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the submissions received will be considered by Council.
13	City Beach	Object	I strongly object to the proposed building height reduction from 7.5m to 7.0m, for the reasons set out below. 1. I understand that the existing 7.5 metre building height limit is long standing policy and has been in place for at least 15-20 years in City Beach. During this time, a large number of dwellings have been established with this height limit. If the proposal is adopted, many new dwellings in City Beach will be	1. Refer to response to comment 4(c) above. 2. Refer to commentary contained within the Town's Report. 3. Front setbacks are defined by Clause 20 of the Town of Cambridge Town Planning Scheme No. 1 (the Scheme). The Scheme and LPP3.1 allow for discretion to be exercised when a number of criteria are met,	

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				<p>significantly disadvantaged and negatively impacted from a development and outlook perspective compared to existing adjoining properties.</p> <ol style="list-style-type: none"> 2. Many properties in City Beach (including my property) are heavily sloping. Consequently, even a modest design for a new dwelling in City Beach may include a corner which penetrates the height envelope (as the property slopes down) and be labelled 'over height'. The existing 7.5m height (as opposed to standard R-Code 7.0m) was designated to take the local typography of City Beach into consideration. The proposal does not adequately distinguish between sloping and level sites and will significantly disadvantage sloping properties (including my property). It is imperative that the Town of Cambridge further considers the impact on sloping properties, particularly those located in City Beach, before implementing the proposal. 3. The proposal also appears to be incompatible with the Town of Cambridge's written Streetscape policy on front setbacks. The proposal would further encourage designs on sloping sites with ocean views to be pushed further back towards the rear of properties. This creates an incentive to further block the views of rear properties and encourages reduction of background areas. 4. The reduced building height will have a negative impact on the type of roof structure that building designers will be able to implement whilst still staying within the height limits. As a result, most roof structures will have a very low roof pitch. This type of roof is detrimental because services concealed within the roof cavity such as air conditioning, plumbing and electrics will be confined so tightly into the roof structure that it will be difficult to service and maintain them. 5. I understand that it is intended that the reduction in height limit as a result of the proposal will mean better consistency with the height limit stated in the existing R-Codes. However, there are already numerous development restrictions that apply to City Beach which have been imposed by the Town of Cambridge and which are above R-Code requirements. If the proposal is adopted, any future development in City Beach will be particularly onerous on landowners when compared to standard R-Code requirements. 6. My husband and I are proposing to demolish our existing dwelling on the property and have been working on plans for a new dwelling with our designed and builder, Grant Allen, for the last 9 months. Our plans have been based on the Town of Cambridge's existing planning policy and height requirements. If the proposal is to be implemented, and given the short notice period given to affected landowners, then I consider it reasonable for affected landowners to be given a grace period before the proposal is implemented. 	<p>which does not necessarily preclude the enhancement of ocean views.</p> <ol style="list-style-type: none"> 4. This comment does not relate to the amended Local Planning Policy in question and a response will be provided as part of the Schedule of Submissions for the building height policy. 5. Refer to response to comment 13(3) above. 6. If the draft amended planning policies are adopted by Council, they must be implemented from the date of adoption. Please also refer to response to comment 4(c) above.
14		City Beach	Object	<ul style="list-style-type: none"> • From our own experience building in City Beach many years ago where we had to deal with excavating and levelling upward sloping land, we expect that sinking a garage below street level will be quite costly, the further down you go the higher the cost. Had the regulations back then required garages to be sunken 2.7m below street level we wouldn't have built the house that we live in now due to the prohibitive increase in cost. Instead we would have chosen to keep the dwelling unchanged. Therefore it is possible others may come to the same conclusion in the future if such recommendations are put in place, leading to, a gradual aging of the houses in the area. Alternatively people may choose to compromise on other aspects of the appearance and or quality of the building in order to meet such regulations. If this occurs then City Beach will gradually lose the stylish, new and vibrant look that makes it such a great suburb to be in. • Being situated across the road from a primary school, I would also prefer to 	<ul style="list-style-type: none"> • Refer to response to comment 4(c) above. • Vehicle and Pedestrian Sightlines are requirements set out by Design Element 5.2.5 (sightlines) contained within the Residential Design Codes. • Noted.

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				<p>have a clear line of sight when reversing out of the driveway. A sunken garage will diminish this to some extent making it a little more difficult to see if there are children cycling or walking past.</p> <ul style="list-style-type: none"> • Lastly, we don't find properly designed street level garages unattractive, there are some examples on our street (Dupont Avenue). Rather, we would personally find it an eyesore if we had to live in a house that looks like it's built on a deep ditch. 	
15		City Beach	Object	<ul style="list-style-type: none"> • The above policies, 3.1 and 3.3, severely impact the design of a house and the ability to obtain views from a block. We have looked at several blocks including 6 Challenger Parade and 28 Boscombe Avenue, both in City Beach and your proposals diminish the value of those blocks. For example, we have been advised by a builder that to construct a house on 28 Boscombe Avenue with a sunken garage to 2.7m below street level will add an additional \$400,000 to the build given the gradient of the block and the proximity of the adjoining houses. • We are currently in limbo waiting to see if the new policies will come into effect which will instruct our decision whether to build a new home or purchase an established property. The uncertainty that these proposed amendments are placing on the property and building market are substantial. You have a duty to your rate payers to provide clear and transparent policies and be accountable when that is not the case. • There has been no rationale provided for the policy amendments and the implications will only be to reduce the value of houses in City Beach, with limited ability for new houses to obtain a view. Will there be a reduction in land rates based on the reduced property values? • The block sizes in City Beach are substantial and the proposed policy amendments are ill considered for application in City Beach. Street appeal can still be maintained under the current policy. • As a resident of City Beach for the past 12 years, I strongly oppose the proposed policy amendments. 	<ul style="list-style-type: none"> • The cost of excavation is acknowledged. • Refer to response to comment 13(6) above. • Refer to response to comment 4(b) above. • The proposed additional matters for consideration as proposed in report DV18.98 recognise the predominant building height and topography of the area. • Noted.
16		City Beach	Object	<p>The proposal is poorly thought through and will lead to safety issues and more street parking. Creating an incentive for developments with an undercroft garage 6 metres away from the lot boundary with a fall of 2.7m is a 24 degree incline (a garage with a fall of 1.5m results in a manageable 14 degree incline). That is not suitable for parking vehicles off street in the set-back and thus will put more pressure on existing street parking, reducing the amenity of the area. Further, a sharp 24 degree incline has reduced visibility to an exiting driver, particularly when reversing, which poses increased danger to pedestrians using pathways and other road users.</p> <p>There is such a large volume of houses that are already 2.5 stories in City Beach that I strongly oppose risking the safety of residents and visitors to encourage a design element to contain a horse that bolted long ago.</p> <p>An undercroft garage is an expensive feature in a residence, so this incentive is likely to be utilised for designs of houses that are of significant bulk and scale (defeating the purpose for which the amendment is introduced).</p> <p>If the Town of Cambridge wishes to encourage undercroft garages, the better mechanism is to require a 7m set back to address incline issues and offer concessions for building on the boundary where adjoining an undercroft garage. This will also assist with reducing the prominence of the garage versus other</p>	<p>The concerns regarding the safety issues are noted. Refer to commentary in the report.</p>

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				design features of large residences.	
17	Resident	City Beach	Object	<p>I have several concerns/comments for which I believe warrant attention and consideration. I would appreciate feedback and response in consideration of my comments as a current rates payer. I understand the intent of the amendments, in my circumstances, specific comments are made below as I believe the implications are significant.</p> <ol style="list-style-type: none"> 1) With respect to existing dwellings and the opportunity to improve appearance and/or quality of street scape by way of modernising an existing property. Should an owner wish to modernise and improve appearance, they should not be disadvantaged with the inability to obtain approval for such amendments should the policy be implemented as written. i.e. reinvigorating a carport to modern garage and the requirement to sink the garage a further 1.2m would warrant existing dwelling design not practical and prevent improvements. Consideration is requested to enable modifications to existing properties (i.e. renovations and home improvements to draw back on original approved design rather than have to work to complete new standard), particularly when the improvements would add to the street scape by way of improved visual appearance. 2) Specifically on sloped land (which the meeting minutes note as the intent of the policy as currently written), the implications would be significant. Where the land is already sloping down from street level, the ability the further sink garage by 1.2m would highly likely prove impractical, thereby seriously impacting the ability to renovate and reinvigorate the house appearance. Should an owner wish to modernise and improve appearance, they should not be disadvantaged with the inability to obtain approval for such amendments should the policy be implemented as written. i.e. reinvigorating a carport to modern garage and the requirement to sink the garage a further 1.2m would warrant existing dwelling design not practical and prevent improvements. Consideration is requested to enable modifications to existing properties (i.e. renovations and home improvements to draw back on original approved design rather than have to work to complete new standard), particularly when the improvements would add to the street scape by way of improved visual appearance. 3) Where several precedents exist within the vicinity of the proposed improvements, these should be considered as part of the council approval process. This is due to the value in maintaining a consistent street scape appearance and the overall benefit of visual appearance. <p>Thank you for your review of comments noted above, I appreciate the consideration and practical application of the proposed amendments with due consideration of items noted above.</p>	<ol style="list-style-type: none"> 1) Refer to response to comment 4(C) above. 2) The proposed additional matters for consideration in the application of Design Principle P6 recognise the prevailing character and topography of the area. 3) Noted. LPP3.1, in relation to precedent, identifies that there will be examples of dwellings and features that do not comply with the policy and that it .
18		City Beach	Support	I am pleased the council is looking at sensible ways to reduce the impact of oversized residences.	Noted.
19		City Beach	Object	<ul style="list-style-type: none"> • Policy 3.1.1 (Setbacks) provides for 6 metre dwelling setbacks in Floreat and City Beach. Policy 3.1.3 states that garages must be set back at least 7 metres from the street (i.e. 1 metre greater than the minimum for a dwelling), unless that garage is 1.5 metres below the street level, in which case it can be 6 metres. <p>Policy 3.1.3 states: "Where the ground level at the front of the garage is sunken at least 1.5m</p>	<ul style="list-style-type: none"> • Should there be any inconsistencies between a Town Planning Scheme Provision and a policy provision, the Scheme requirement prevails. • This feedback is acknowledged and discussed within report DV18.96. • Noted.

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				<p>below street level, it may be set back as per the minimum primary street setback specified in Section 3.1.1 - Table 1.”</p> <p>Policy 3.1.1 is currently subject of review, due to inconsistencies between it and the Town Planning Scheme. Given that Policy 3.1.3 relies on the setbacks in Policy 3.1.1 - setbacks which are less than those prescribed in the Scheme - it is my understanding that it is unable to be applied in Floreat and City Beach by the Town/Administration without Council approval at this time.</p> <p>Policy 3.1.3 states that constructing both the dwelling and the garage at 7 metres setback is also acceptable. Considering the current 'deemed-to-comply' setbacks are 7.5 metre and 9 metres in City Beach and Floreat, respectively, it would also seem that the policy is inapplicable to those suburbs at this time.</p> <ul style="list-style-type: none"> • Regardless of the issues with Policy 3.1.1, if applicable, Policy 3.1.3 would permit a garage at 6 metres in lieu of 7 metres, provided it was 1.5 metres below the street level. AS/NZS 2890.1 notes that the maximum gradient of a domestic driveway should be no more than 25% (1:4), and that transitions are required for such a gradient to prevent vehicles bottoming-out. To provide a 2.7 metre drop in level, a garage would have to be set back approximately 12.8 metres from the street. This would have the effect of further nullifying the policy. It seems counterproductive to me to amend a policy such that its requirements are almost certainly physically incapable of being fulfilled. <p>Policy 3.1.3 refers to garages being at least 1.5 metres below street level and not 1.5 metres below natural ground level. It concerns me that in proposing this amendment, the arguments put forth by elected members appear to have arisen from the construction of dwellings which have no level reduction from the street. This is likely due to the natural ground level on those sites increasing from the street boundary and may result in a garage which is almost entirely below the original natural ground level but is level with the street. In these cases, it would seem to me that these developments would not have been eligible to utilise the subject of the clause elected members are trying to amend.</p> <ul style="list-style-type: none"> • I believe no further Administrative time should be spent on amending the Policy 3.1.3 until the review of Policy 3.1.1 is completed. Elected Members need to work with the Administration to better explain what they want to see in Town policy and arrange for the Administration to draft appropriate amendments. 	
20	Submission on behalf of current applications/existing property owners	Subiaco	Object	<p>Properties affected- Specifically – 19 Talgarth Way, 15 Falmouth Way (current client properties) but all City beach properties that have not been developed in the last 20 years are affected.</p> <p>I would like to comment on the Town of Cambridge’s current proposal to reduce the building height from 7.5m to 7.0m (flat/concealed roofs) and to 6.5m to 6.0m (hipped or gable roofs) . The proposed amendments have been advertised as a ‘minor amendment’ but this is a significant policy change that will have considerable impact on undeveloped properties in City Beach. I wish to make the following points:</p>	<p>Points 1- 2 relate to the draft amended Local Planning Policy 3.3 'Building Height', refer to report DV18.98 for further comment.</p> <p>3. This concern is acknowledged, however the remainder of the policy manual is not the matter of consultation and a systematic review of the policy manual is proposed for the coming year.</p>

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				<p>1) HISTORICALLY ESTABLISHED PRECEDENT: The 7.5m building height in City Beach is not a new or even recent policy. It has been well established historically and has been at 7.5m for an extremely long time (at least 17 years which is my memory but probably a lot longer than that)</p> <p>In that time a substantial precedent has been set as a high proportion of properties have been developed under this height limit. By now creating an arbitrary 'line in the sand' time wise, it will create a 'two tier' system with-in the suburb. Properties that now cannot be developed to the same extent as surrounding properties will be at a significant disadvantage in terms of obtaining views (around or over pre-existing 'tier one properties') and maintaining adequate ceiling heights. This will also affect property values of the 'second tier' properties as the development potential of these properties is reduced.</p> <p>The basic premise of this proposed change is blatantly unfair to properties that are yet to be developed and gives a 'free kick' to the properties that have been developed.</p> <p>2) SLOPING PROPERTIES : Many properties in City Beach has a significant slope. The height limit follows natural ground level. Therefore , it is very easy for even a modest design have a corner of the proposed house penetrate the height envelope (as the property slopes down) and be labelled 'over height'. The 7.5m height (as opposed to standard R-code 7.0m) was designed to take this local typography into consideration.</p> <p>Council is claiming that this has led to higher properties being developed on flatter sites but that was the way the policy is written. The policy does not distinguish between sloping and level sites. As a 'remedy' to this situation, council is again proposing a 'one size fits all' policy change which would significantly disadvantage sloping properties. The proposed amendment is repeating this 'problem' by not distinguishing between sloping and flatter sites.</p> <p>Combined with the council's recent decision to go against their own written streetscape policy on front setbacks (Policy was 6m but now council are insisting on 7.5m), this policy amendment would further encourage designs on ocean facing sloping sites to be pushed further back towards the rear. This creates an incentive to further block views/aspect to rear properties and encourages reduction of backyard areas.</p> <p>3) TOWN OF CAMBRIDGE'S CURRENT PLANNING POLICY'S vs STATE INITIATED RESIDENTIAL PLANNING SCHEME (R-CODE) POLICY'S- The council is claiming that the reduction in height limit will align the height limit with the standard R-code height limit. Whilst this is correct, it needs noting that currently there is also a raft of council-imposed development restrictions that apply to City Beach which are well above R-Code requirements. For the current council to use the justification that the proposed reduction in height is merely bringing the height limit in line with 'R-code standard' is extremely selective especially when viewed in the context of the recent council decision to</p>	
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				<p>change front setbacks to well in excess of 'R-code standard' (6m).</p> <p>Many of the non R-code policy's were brought in recently (2015) with the new streetscape policy. Whilst many are onerous and restrictive, at least there was some equity as the restrictions were balanced with the continuation of the 7.5m height policy and a reduction of the front setback from 7.5m to 6m.</p> <p>As above, the council has now removed the relaxing of the front setback requirements and now wants to reduce the height limit also. The reliance on an R-code requirement to justify a height reduction appears to 'cherry pick' the R-code requirements to justify a specific decision, but the ignores this argument as it retains all the other substantial council-initiated development restrictions! The balance that previously existed is being removed and residents are lumbered with layer upon layer of onerous policies accumulated under multiple council administrations.</p> <p>If the current council are unhappy with aspects of the streetscape policy that was initiated by the previous administration, surely a more substantial review is required rather than a piecemeal approach?</p> <p>Development restrictions which currently apply to City Beach which are over and above State initiated Residential Planning codes (R-codes):</p> <ol style="list-style-type: none"> a. Front Setback- An absolute 7.5m whereby R-codes allow 6m (and averaging of this setback allowed under R-codes) b. Side Setback (Corner Sites). 3.75m whereby R-codes allow 2m setback (at R12.5 zoning). c. Garages set back a further 1m to the main building (unless low enough- currently 1.5m but this current council amendment wants to change this to 2.7m). No requirement in R-codes for garages to be set back further and could even go to 4.5m setback with averaging. d. Habitable room with substantial clear glass window facing the street on every level. R-codes only require 1 habitable room facing the street on any level. Cambridge requires habitable rooms to face side streets on corner lots but no r-code requirement on corner properties. e. Peculiar to the Town of Cambridge: 'Non-habitable rooms may only be allowed at the front of a dwelling where in aggregate, these form a minor part of the façade'. There is no mention of anything like this in the R-codes and this is a very onerous requirement on sites where the ocean views and/or northern orientation face away from the street and common-sense dictates orientating habitable areas to the views/north. f. Garage width- In zonings of R20 or less, Cambridge requires garages (including structure) to be less than 50% of frontage. R-codes allow 60% if upper floor or balcony extends across width of the house. g. Front door of a dwelling must face the street whereby R-codes only require clearly definable entry points from the street. h. A whole raft of front fencing requirements over and above R-codes. i. Retaining walls in front setback restricted to 750mm. No specific 	
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				<p>r-code mention.</p> <p>j. Front landscaping- Cambridge require 60% minimum soft landscaping in front setback (can be reduced to 50% if certain requirements are met). No specific R-code requirement.</p> <p>Whilst some of the above would have wide support and are well-intentioned, these further restrictions on the development potential of existing properties need to be understood in the context of the raft of pre-existing extra restrictions.</p>	
21	Resident	City Beach	Object	<p>Given the topographical arrangement of various suburbs this will affect, it will become even more difficult to achieve these new requirements. With the site slopes and average ground floor levels taken into account this amendment will further impede achieving a good outcome for residential redevelopment, which is becoming more common and which is required to rejuvenate many of these areas.</p> <p>The existing requirements are appropriate and in keeping with good and proper Planning.</p>	The proposed additional matters for consideration in the application of Design Principle P6 recognise the prevailing building height and topography of the surrounding area.
22		City Beach	Object	<p>As there are many older properties within the Town of Cambridge, the addition of double garages towards the front of the existing property is not usual. This is often the only option where renovations are made to existing properties. I believe this would unnecessarily penalise residents wishing to make alterations to their properties.</p>	Noted. It is proposed to remove this requirement from the policy.
23		City Beach	Support	<p>Building heights have continued to grow to the ridiculous, it seems on the basis of appeal and precedence or claiming to have forgotten to accommodate the air conditioning (Real Example in Kingsland Ave). This has to stop!!!! Council must ensure the guidelines are upheld on behalf of all ratepayers, not give in to developers</p>	Comment relates to Building Height Policy. Refer to LPP3.3 schedule of submissions.
24		City Beach	Object	<ol style="list-style-type: none"> 1. Firstly I do not believe that a reduction of height of <u>500mm</u> is a minor amendment to the Streetscape Policy. 2. As such the proposed amendment has not followed the procedure of amending Local Planning Policy as set out in the Planning and Development Regulations 2015 pages 105 and 106, clauses 5(1) and 5(2). 3. The proposed amendment appears to be a rushed 'one size fits all'/'box ticking' solution which will result in poor design outcomes. 4. The amendment was brought about by the mayor as a motion and as such no report was provided by the Town's planning department. Given the proposed amendment is significant (at an absolute minimum 500mm is equal to the roof structure component of a dwelling) a thorough investigation into the ramifications of such a major change to height restrictions should have been carried out. This investigation should consider the following: - <ol style="list-style-type: none"> a. Cross ventilation as a result of dwellings being lowered into the 'ground' and reduced ceiling heights to achieve the 6.0 and 7.0 metre reductions; b. What would be the possible design outcomes of dwellings on a sloping site; c. Is reducing roof heights actually going to achieve the council's desired outcomes of neighbours views not being blocked; d. On sites that slope to the street will landowners simply push the dwelling up the slope which is more likely to block neighbours views; e. From a streetscape consideration how will the new dwelling be constructed at the proposed new height fit in with existing dwellings built under the current policy; 5. Many properties in City Beach have a significant slope. The 6.5 metre and 7.5 metre height restriction in the Policy was designated to take this into account; 	<ol style="list-style-type: none"> 1. The resolution of Council on 24 April 2018 recognised that the amendment was not a minor amendment. 2. The advertising set out by Schedule 2, Part 2, Clause 4(1) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> have been adhered to. 3. Noted. 4. Refer to discussion contained within Reports DV18.96 and DV18.98. 5. The policy requirement was prepared based 6. Noted. The proposed additional matters for consideration in applying design principle P6 recognise the prevailing streetscape character of the area and the topography. 7. Refer to DV18.96 for background to the streetscape; 8. At the Ordinary Council Meeting held 27 February 2018, Council noted a schedule for review of the Town of Cambridge's Local Planning Policies. 9. Noted. Refer to response to comment 24(6) above.

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				<p>6. The policy does not distinguish between flat or sloping sites;</p> <p>7. The Streetscape Policy includes many other restrictions specific to City Beach and Floreat which are over and above the Residential Planning Codes yet it appears that height has been 'cherry picked' from the policy;</p> <p>8. If the Council is uncomfortable with aspects of the Streetscape Policy then surely it would be more appropriate to review the entire policy with the involvement of the Town's planning department rather bringing about an specific amendment (in this case height reduction) via an elected members motion;</p> <p>9. There should be some flexibility of design outcomes particularly on sloping sites in city beach. Flexibility will encourage better design outcomes. One size fits all approach will result in square box homes.</p>	
25		City Beach	Object	<p><u>I am opposed to the proposed amendments.</u> Based on the following;</p> <p>a) I believe that each property in City Beach is unique in orientation and topography. This variance between properties makes it very difficult to have a 'one size fits all' approach to development.</p> <p>b) Reducing the height limit will put new developments at a disadvantage when compared to recently completed developments.</p> <p>c) There are instances where the final development impact on neighbours and surroundings would be better if the development were specifically designed for light, outlook and orientated rather being limited by height and setback restrictions.</p> <p>d) The proposed amendments will encourage people to 'renovate' two levels from their existing floor level, when really a new development would be more appropriate for the site.</p> <p>e) Forcing lower developments results in less outdoor and green spaces.</p> <p>f) Forcing lower developments often results in larger building 'footprints'.</p> <p>g) The more rules there are to comply with, the more difficult it becomes to build that best home for the owner, and for the neighbours.</p> <p>h) I personally prefer to maximise green garden spaces. In my search for a home, I have in many instances avoided single level developments in City Beach because the house is built across a significant majority of the block. This single level maximisation often results in a pool/alfresco area only, with little allowance for garden and trees.</p> <p>I am not a supporter of the 'over development' of City Beach blocks. I believe there have been some developments that are simply out of proportion with the surrounding properties. However, I also believe that the more rules are imposed, the more difficult it becomes to design and build the best home for each block. It would be convenient if every block were the same. Every block is different, we need to be smart enough to make developments fair and appropriate.</p> <p>Please ensure fairness to past, present and future developments.</p>	<p>a) Noted. Refer to discussion within item DV18.96 and the proposed modifications to the policy.</p> <p>b-f) these comments relate to Building Height Policy. Refer to LPP3.3 schedule of submissions.</p> <p>G) Noted. Refer to response to comment 4(c) above.</p> <p>H) Site cover is addressed by Table 1 of the Residential Design Codes</p>
26	Private Consultancy on behalf of	City Beach	Neither	No Comment	Noted

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	landowner				
27	Resident	City Beach	Support	<p>Regarding the proposed amendment to the minimum primary street setback we wish to make the following comment:</p> <ul style="list-style-type: none"> • That any measures taken by the Town to reinstate the historic front boundary setbacks of 7.5m in City Beach and 9.0m in Floreat are strongly supported. • It will help to preserve the Garden Suburb qualities of these suburbs by creating wider landscaped spaces in front of homes. • It will help to maintain continuity of our streetscapes and prevent newer homes visually intruding upon the street presence of older existing dwellings. • It will help to stop new homes from unfairly blocking the views of significance enjoyed by older existing homes. 	Comments relate to the inconsistency between the setbacks contained within Town Planning Scheme and Streetscape Policy. Refer to item DV18.96 on this agenda.
28	Private Consultancy on behalf of landowner	City Beach	Neither	No Comment	Noted
29	Resident	City Beach	Object	The proposed amendment to policy 3.1 will generally reduce the flexibility when wishing to add a garage to an existing older home such as ours. Where the block slopes across its frontage, developing an undercroft garage 2.7m below NGL is made very difficult by the proposed change.	Refer to commentary within report 18.96 regarding sloping sites.