

To whom it may concern,

We, Alexander and Janna Cheshire, currently residing at 23 Margaret Street Bremer Bay, are in the process of purchasing the vacant land at Lot 84 Trevally Place. It is fair to say that living out the Point Henry Peninsular has been a lifelong dream for Alex and together we have been looking at suitable properties for the last 10 years. For us, the property at 84 Trevally Place captures everything we have been looking for and more. It is the place we want to raise our children, grow old and establish our forever home.

#### *Site and locality*

The subject site is described as Lot 84 Trevally Place, Bremer Bay. It has an area of approx. 7ha and is facing Dillon Bay. The site plan showing two meter contours indicates that there is an approximate 22m fall from the north eastern boundary to the south western boundary, falling toward the ocean.

The site is currently identified as vacant land and is uncleared apart from a strategic fire break that runs through the eastern part of the property.

The site is directly adjoining three properties, Lot 85 Trevally Place, Lot 90 Trevally Place and Lot 83 Black Rocks Road. It also shares the northern boundary corner with both Lot 92 and Lot 91 Black Rocks Road. To the east, the site is bound by a reserve for the use of public open space.

Most properties in this locality enjoy views of Dillon Bay, with significant views of Native Dog Beach, Blossoms Beach and Little Boat Harbour Beach.

The site is located in the Point Henry Peninsula precinct which is described as a precinct of mixed use permanently occupied dwellings and holiday residences with absentee land owners and both single storey and two storey dwellings form part of the Trevally Place and Black Rocks Road streetscape.

#### *Planning framework*

The Site is zoned Rural Residential in the Shire of Jerramungup Town Planning Scheme No 2 (TPS2). The subject land at the time of this application remains a single, vacant lot and the application must be assessed as a single house which is a permitted use in TPS2.

The objective of the zone is:

#### **Rural Residential Zone**

- To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, and rural-residential retreats.
- To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.
- To locate Rural Residential zones generally within 5 km of the towns of Jerramungup and Bremer Bay so that residents have convenient access to services and facilities without a drain on resources of the wider community.
- To encourage the use of cluster development in areas of natural beauty to minimise the overall impact of development on the land.

#### *Proposed development*

We are proposing to relocate the existing indicative building envelope from the north west corner of the site to south west corner of the subject land, nestling in on the northern and southern side of the existing strategic fire break.

We are proposing to build a single dwelling with attached garage.

The proposed overall heights of both the dwelling and garage exceed the desired development height of 5.0 meters as specified in the TPS2. The proposed combined roof structure of the buildings is a gable roof with a pitch of 18.5 degrees. The overall wall height of the buildings meets the recommended height of 4.2m. The apex of the roof however is proposed at 6.2m in order to accommodate a habitable second storey of the house.

All building setbacks are satisfying the requirements of a minimum setback of 30m from the front and 10m from the site boundaries. The setback to neighbouring properties are approx. 90m to Lot 90 Trevally Place, approx. 240m to lot 91 and 92 Black Rocks Road and approx. 215m to Lot 83 Black Rocks Road.

The roof and wall colour of the building are to be of non-reflective nature. We have chosen the Colourbond colour Jasper for our development.

The issues

The following main issues arise from proposed development:

1. Whether the proposed new building envelope is consistent with the planning framework; and
2. Whether the proposed building height is consistent with the planning framework; and
3. Whether the proposed building will cause a loss of significant views to the adjoining landowners.

#### *The character of the locality*

The planning framework uses phrases such as “consideration of ... building size, height, bulk, pitch”, “architectural style and design details of the building”, “relationship to surrounding development”, “be located so that any building is not visually prominent from tourist routes and roads to beaches” and “be located, wherever possible, so that new dwellings will not be visible from dwellings on adjacent or surrounding properties”.

Reviewing the development activities at Point Henry Peninsula, we find there is no consistency in development across the area. There are numerous single storey buildings but also multiple examples of two storey dwellings that exceed the 5.0m height limit. The existing buildings establish the built character of the area more than what the aged planning controls advocate for.

#### *How we have addressed the issues*

A summary of the neighbours’ feedback portrays the concern that our proposal does not meet the locality requirements and the planning framework requirements in terms of building height and locality of the building envelope.

We have respectfully taken these concerns into account and responded by making vital changes to our first design that was presented to the neighbours for their consideration.

In our initial design as also presented to Council at their August 2020 meeting, we planned the house with a 70 square meter foot print. However, with a family of three this space can get quite small, especially when trying to entertain other people at our house (family or friends visiting). Therefore, we chose to propose a second storey above the main house part, to be used as a sitting room, bigger lounge area or the like. In order to legally build a two storey home, there are certain height requirements to be adhered to: A room or space within a building must have sufficient height suitable for the intended function of that room or space. According to Building Code of Australia Vol 2 part

3.8.2, for this requirement to be satisfied, the ceiling height must not be less than: in a habitable room excluding a kitchen - 2.4 m.

When looking at the construction of a building, two storey buildings add up in height quite quickly, adding up the concrete floor 100mm + wall height ground floor 2400mm + second storey floor structure min 200mm + second storey wall height 2400mm. This already equates to an overall wall height of 5100mm without yet considering a roof and its supporting structure.

To be able to utilise the entire upper 70m square as habitable area, we therefore designed the dwelling with an overall height of 6.8m to the highest part of the skillion roof, understanding that we would need to seek Council's approval once again as this design exceeds the maximum allowed height for buildings out Point Henry by 1.8m (sketched up as Option 1).

We therefore believe a two storey building generally can be accommodated by the set planning framework. This believe is also manifested in the Shire's Information pack on "Point Henry Development" that indicates Council's general willingness for discretion to consider over height buildings by stating that building heights of "up to 7.5m can be considered".

Now, taking into account our neighbours feedback and their concerns of us intruding on their panoramic views, we have accommodated our building to make it less visually obtrusive.

Our final proposal to Council offers a reduction of overall building height to 6.2m from the initial 6.8m. This was achieved by changing the roof of the house from a skillion roof to a pitched roof. By making the change to a gable roof we are losing usable floor space in the second storey, as the required wall height of 2.4m can only be met close to the ridge. However, by increasing the angle of the roof, we can make use of nearly 40 square meters (instead of 70m<sup>2</sup>), which we are happy to compromise with. (Sketched up as Option 2)

To further reduce the impact on the neighbouring properties, we are proposing to shift the entire building approximately 10 m north east along the existing fire break. Building envelopes on most of the properties along the Point Henry Peninsula are indicative of nature and not affixed by means of caveats on the title. Therefore, there is opportunity for alternative building envelopes to be considered and it is common practice for most development application to establish a new building envelope as part of their planning approval. This same process was also undertaken by some of our adjoining sites and further properties within the streetscape.

By keeping our new proposed building envelope away from the indicatively chosen site, we will make the development less visible from the road. Further, by shifting the new envelope close to the existing fire break, we are minimising the clearing impact on our site, making use of the strategic break by incorporating it as part of our Asset Protection Zone, which is a requirement for all developments under the Point Henry Fire Management Policy.

Additionally, by shifting the building 10m north east, we will be able to reduce the overall building height that is visible above natural ground level further. By excavating approx. 300mm of the natural soil from the south corner of the building, we can achieve a maximum height of 5.9m above natural ground level at the highest point of the building, instead of the initially proposed 6.8m. The back norther corner of the building will even be dug in by as much as 1200mm below natural ground level.

### *Conclusion*

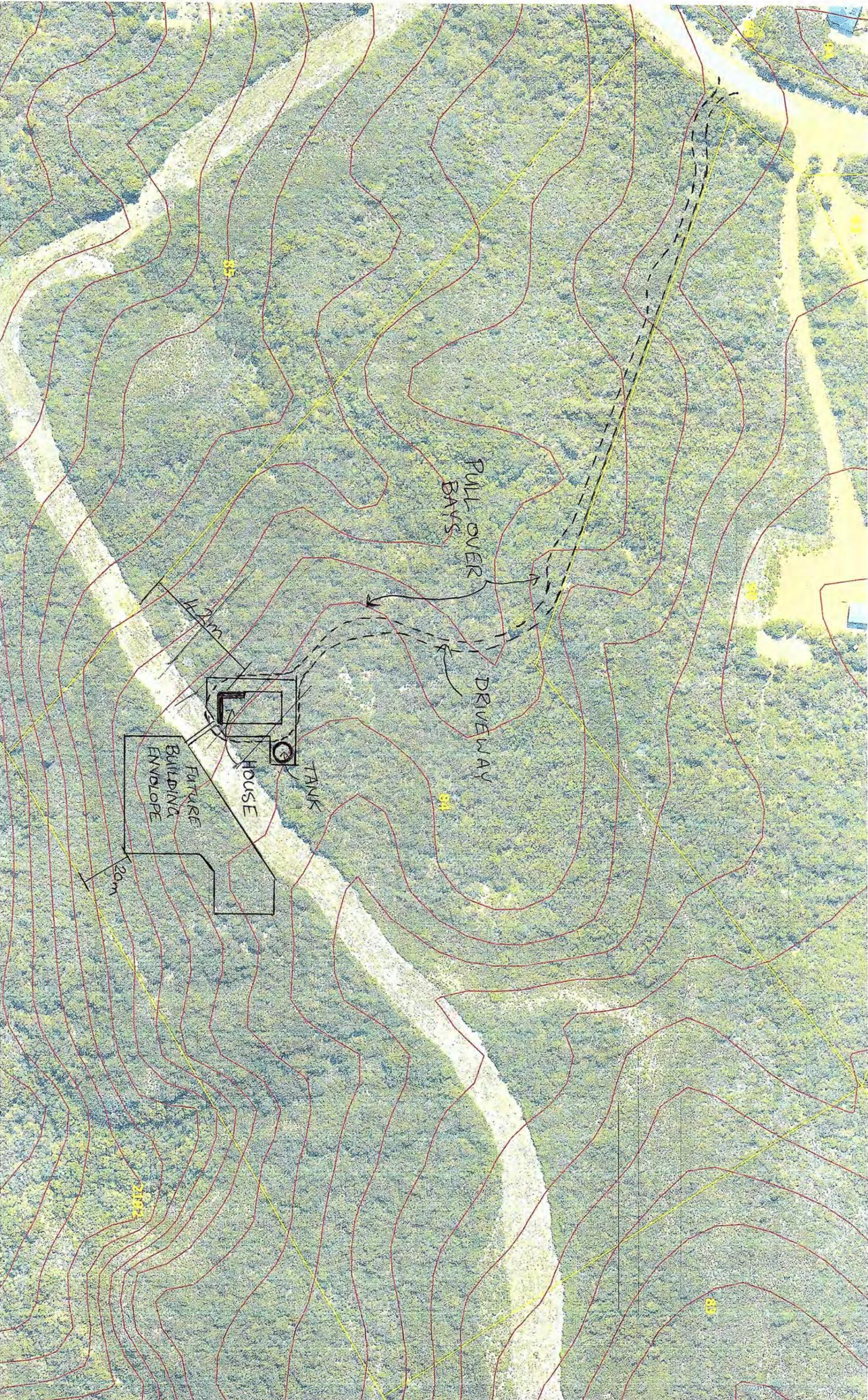
We accept that our proposed development does not meet all acceptable development standards but argue that we have taken great effort in reducing the overall visual impact our building might pose to adjoining properties, and tourist routes. We further argue that the building we propose does not vary extensively from other two storey dwellings that have been approved within the close vicinity to our site and along the Point Henry Peninsula in general. We also argue that due of the nature of the land and our block being the second in the row from Native Dog Beach with most adjoining properties being located upslope on elevations at least 10m higher to the next building site directly north from our proposed building site, regardless of where we will locate our building it is likely to be visible from the sideline of surrounding lots. Additionally, we argue that the marginal increase in building height (900mm above desired 5.0m nominal height) viewed over a minimum distance of 90m from the closes neighbouring boundary is unlikely to cause a loss of significant views of the entire Dillon Bay setting and even though our building might be in line of the view from some neighbouring properties, it does not block the view of any of the beaches visible from this part of the Peninsula, including Little Boat Harbour Beach, Blossoms Beach, Sharpie's corner and Stream Beach.

Having regard to the matters stated above we respectfully request Council to decide on this matter in favour of our proposed building envelope and dwelling as sketched up in option 3.

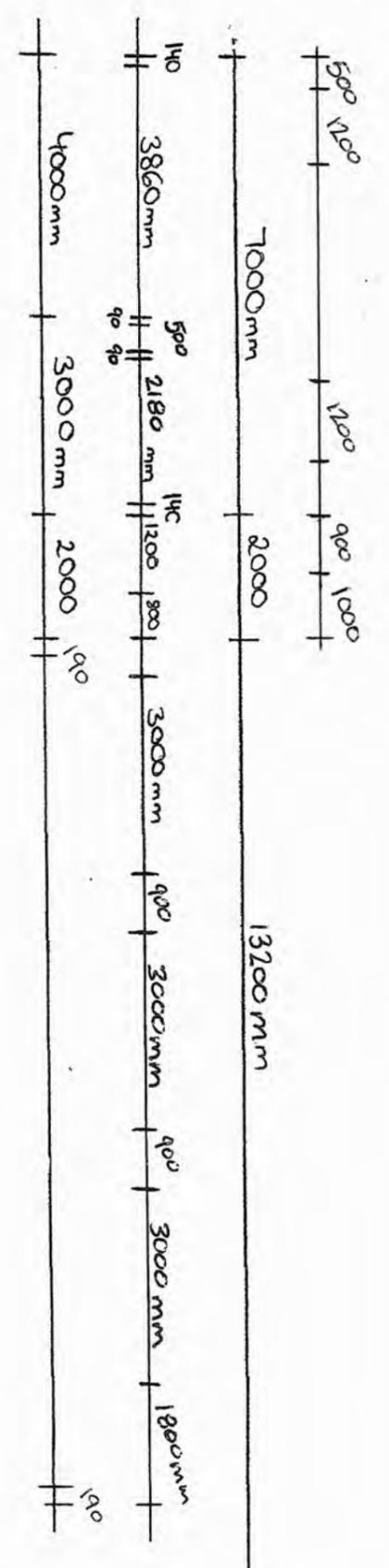
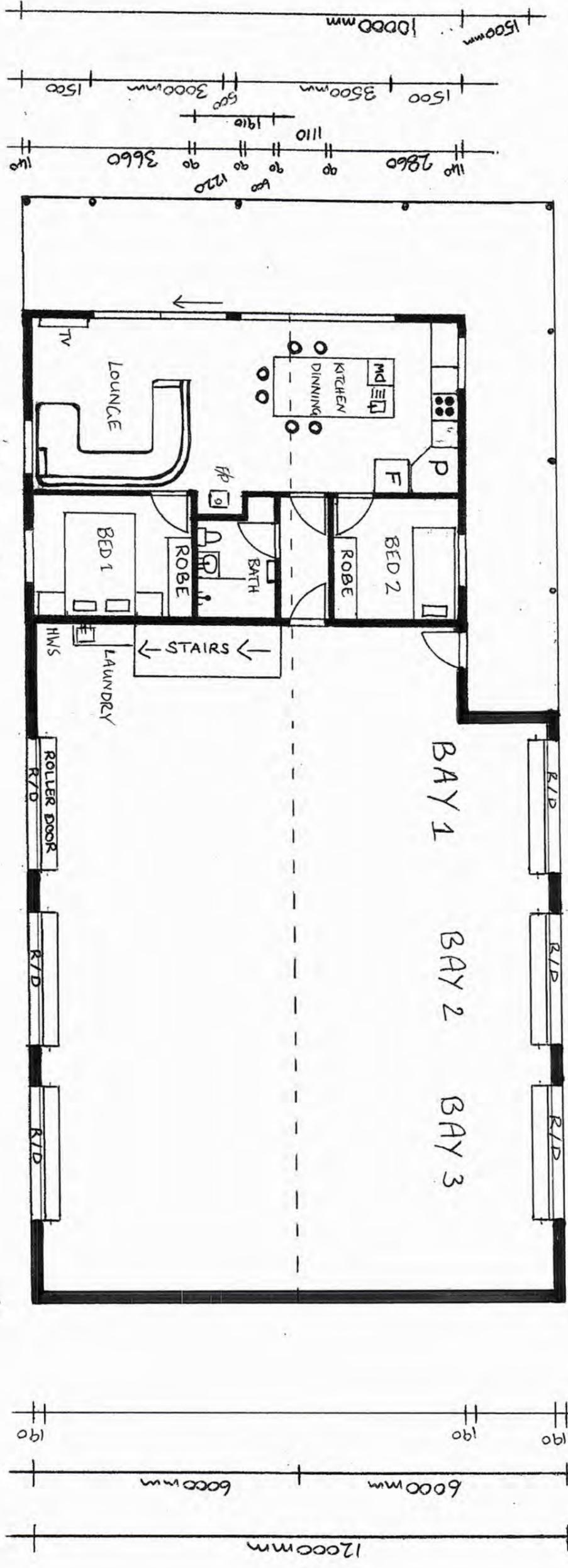
We thank you for your time and consideration.

Sincerely yours

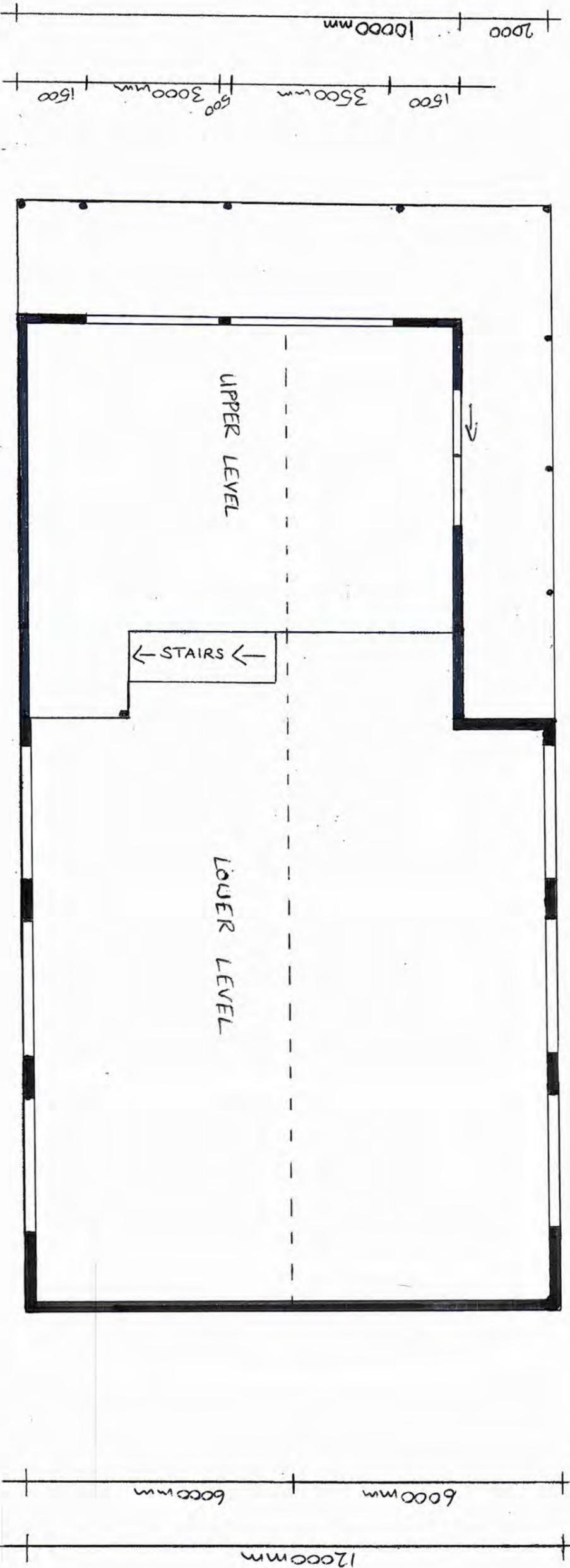
Alexander and Janna Cheshire  
22 September 2020



<b>BUILDER:</b> DRAWN BY: Alex Cheshire		<b>REVISION</b> Site Plan Site plan - moved building envelope		<b>REVISION</b> A B		<b>SCALE:</b> 1:1250 A3		<b>DRAWING:</b> Site Plan		<b>PROJECT:</b> 84 Trevally Place, Bremer Bay WA 6338	
						<b>DATE:</b> 01-10-20		<b>PAGE NO.:</b> 1 of 10		<b>CLIENT:</b> Alex and Janna Cheshire	



<b>BUILDER:</b> Alex Cheshire		<b>REVISION</b> Floor Plan		<b>SCALE:</b> 1:100 A3		<b>DRAWING:</b> Downstairs Floor Plan		<b>PROJECT:</b> 84 Trevally Place, Bremer Bay WA 6338	
<b>DRAWN BY:</b> Alex Cheshire		Floor Plan - decrease size of garage		1:100 A3		2 of 10		<b>CLIENT:</b> Alex and Janna Cheshire	
		<b>REVISION</b> A		<b>DATE:</b> 01-10-20		<b>PAGE NO.:</b> 2 of 10			
		B							



<b>BUILDER:</b> Alex Cheshire	<b>REVISION</b>		<b>SCALE:</b> 1:100 A3	<b>DRAWING:</b> Upstairs Floor Plan	<b>PROJECT:</b> 84 Trevally Place, Bremer Bay WA 6338
	<b>REVISION</b> Floor Plan upstairs	<b>REVISION</b> 4			
<b>DRAWN BY:</b> Alex Cheshire	<b>REVISION</b> Floor Plan upstairs - decrease size of garage		<b>DATE:</b> 01-10-20	<b>PAGE NO.:</b> 3 of 10	<b>CLIENT:</b> Alex and Janna Cheshire

**BUILDER:**

**DRAWN BY:**  
Alex Cheshire

REVISION	REVISION
Elevations	A
Elevations - change of roof + heights	B

**SCALE:**  
1:200 A3

**DATE:**  
01-10-20

**DRAWING:**  
Elevations

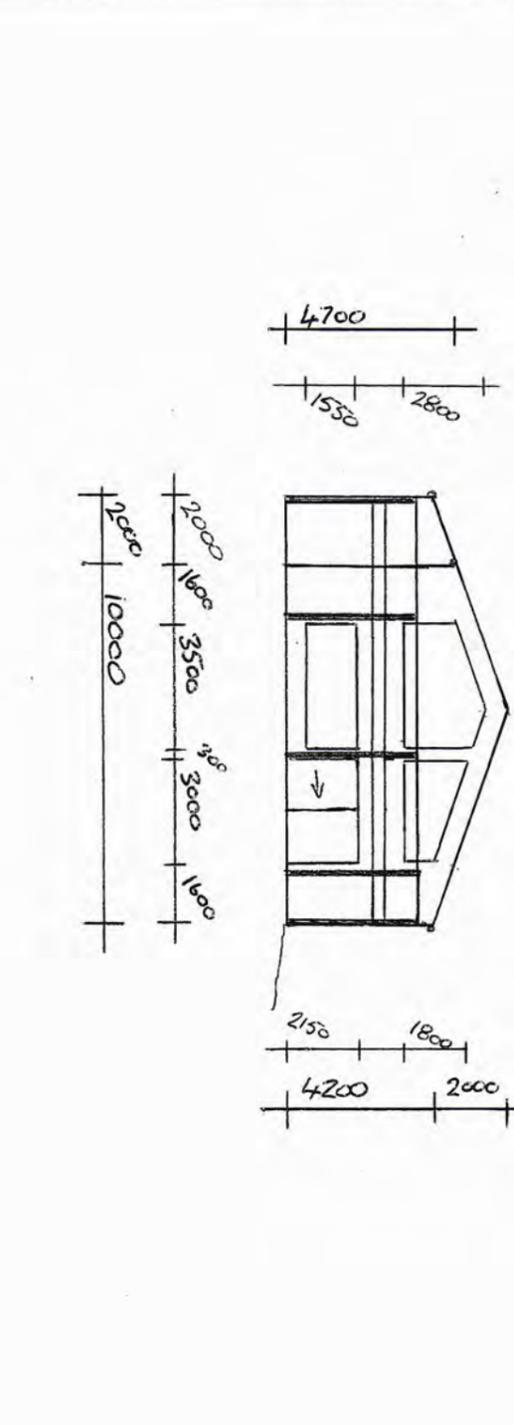
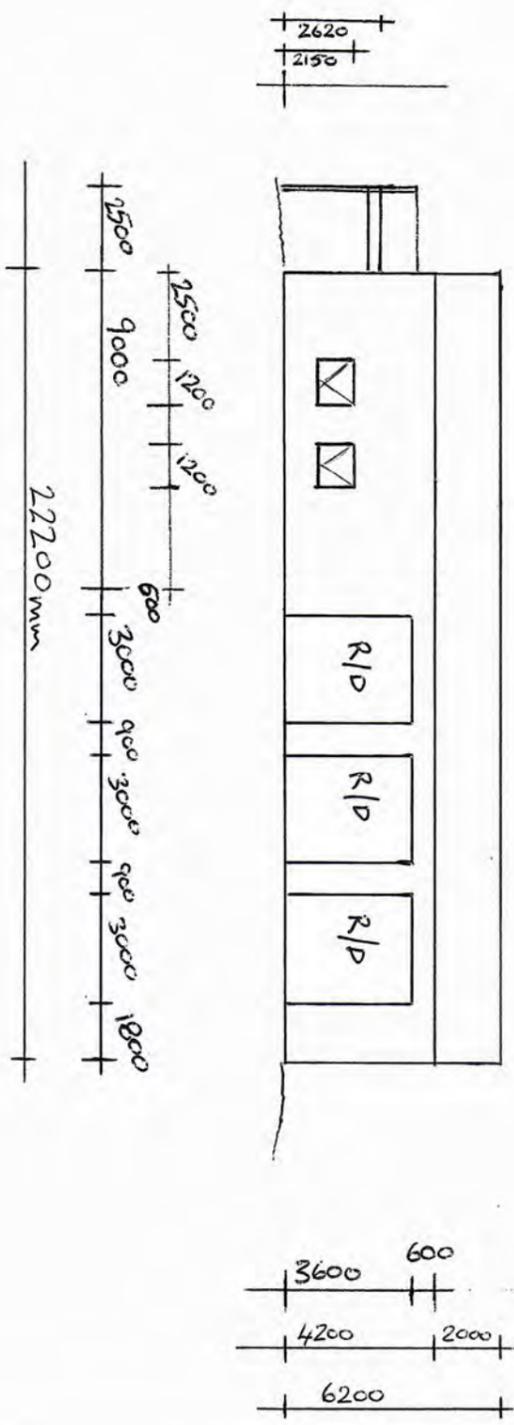
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4 of 10

**PROJECT:**  
84 Trevally Place, Bremer Bay WA 6338

**CLIENT:**  
Alex and Janna Cheshire

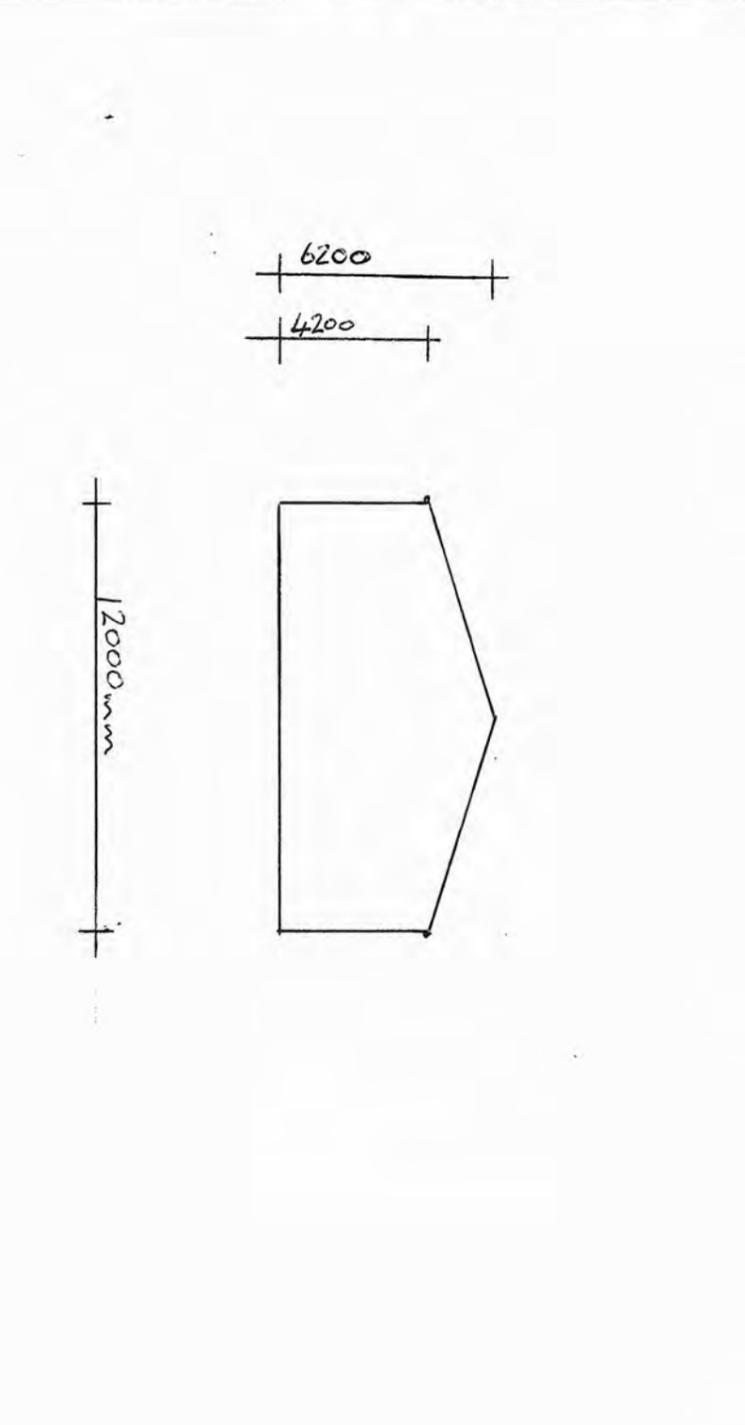
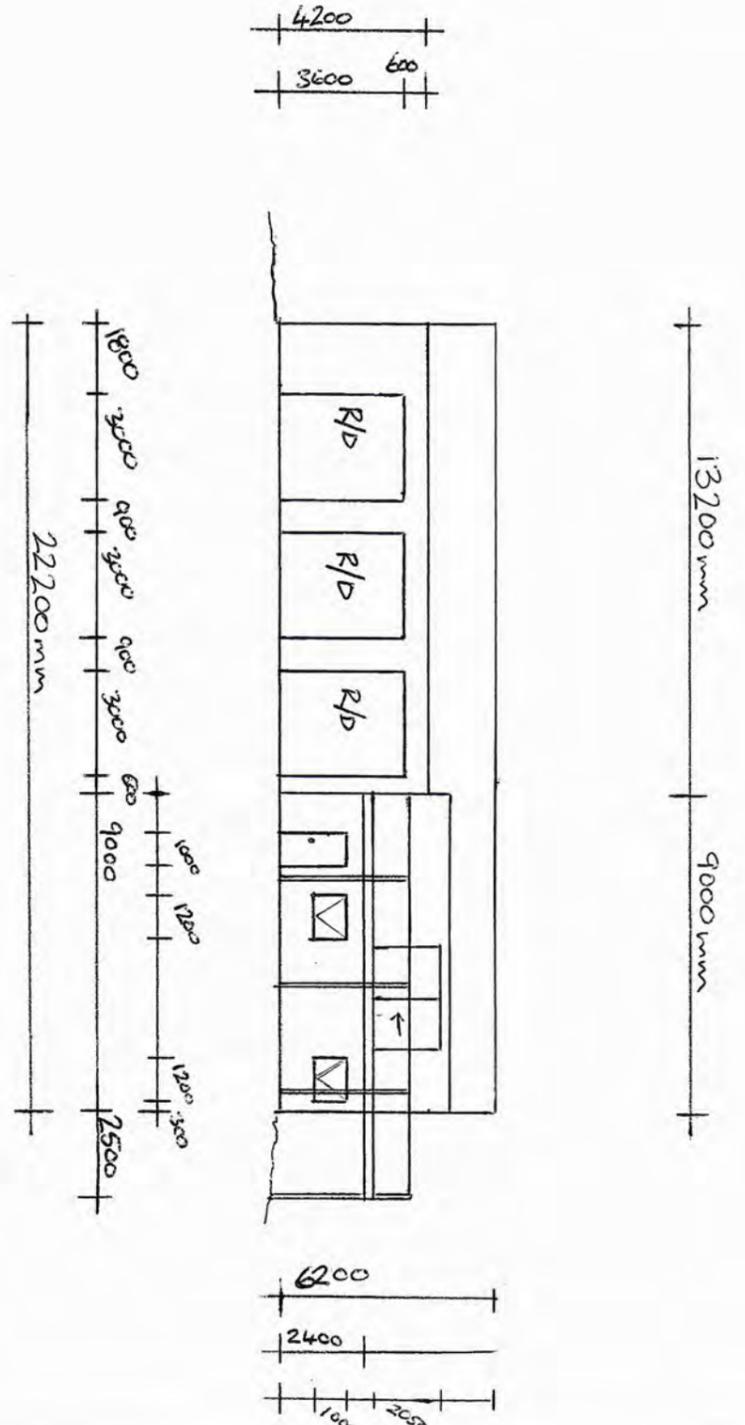
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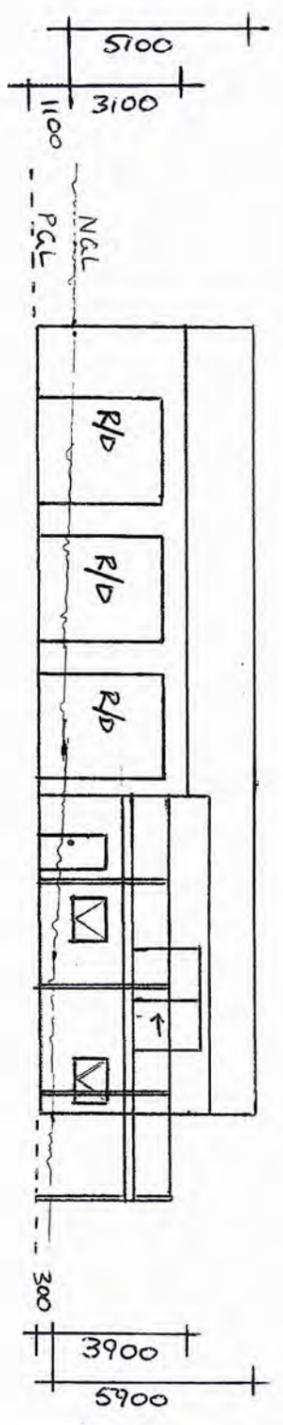


NORTH

EAST



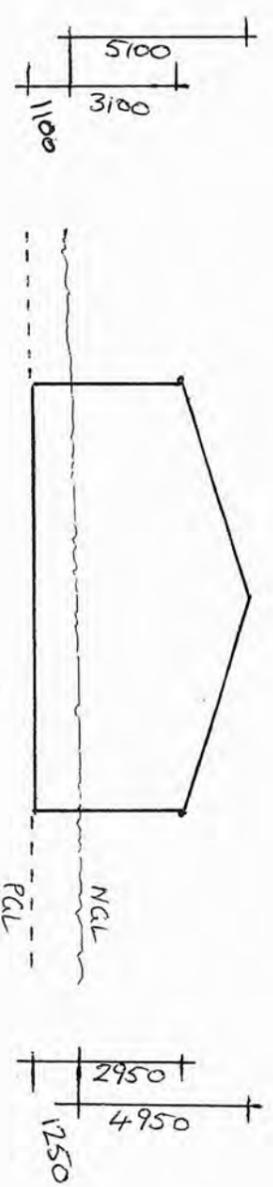
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1800 | 3000 | 3000 | 3000 | 600 | 9000 | 600 | 1200 | 1200 | 2500

22200mm

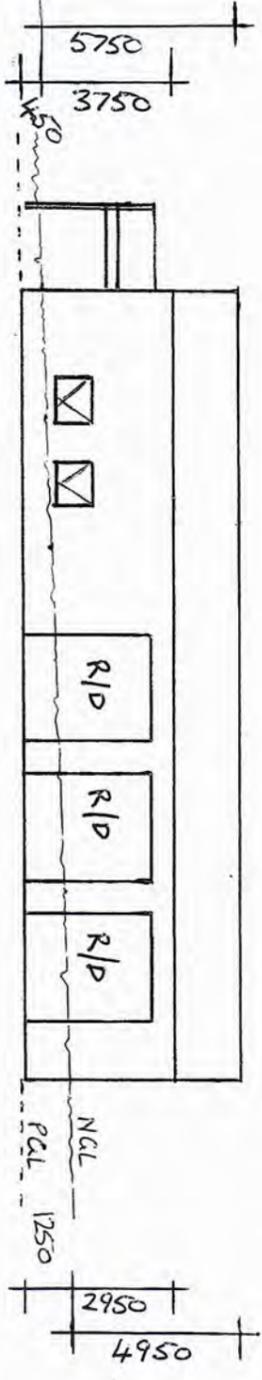
NORTH



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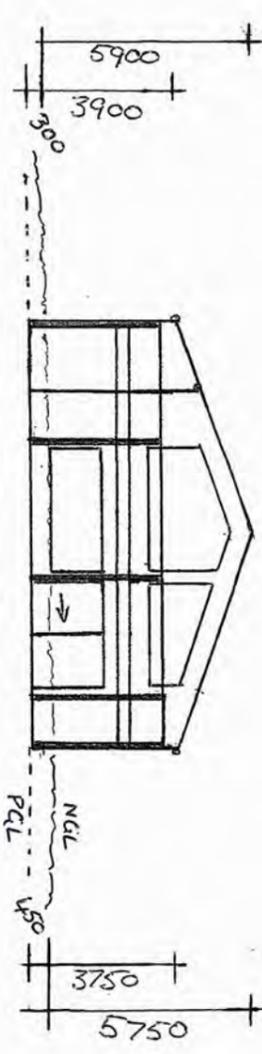
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PGL = Proposed Ground Level



1500 | 9000 | 1200 | 1200 | 600 | 3000 | 3000 | 3000 | 1800

22200mm

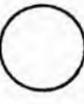
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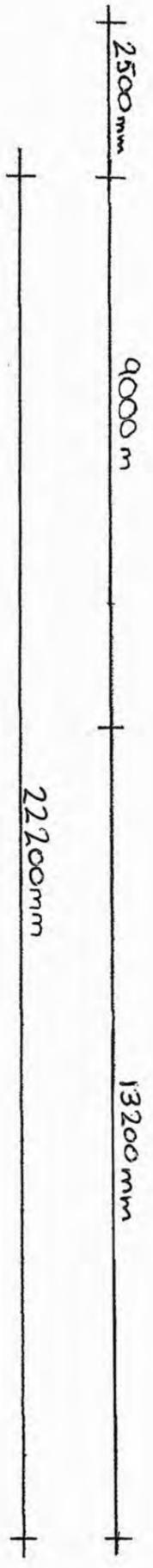
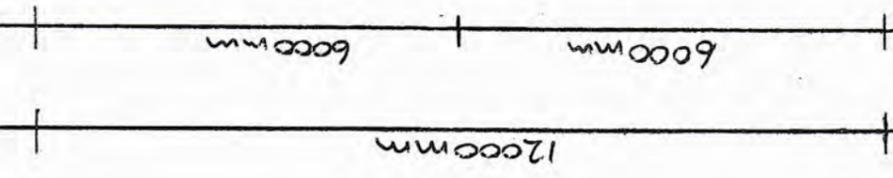
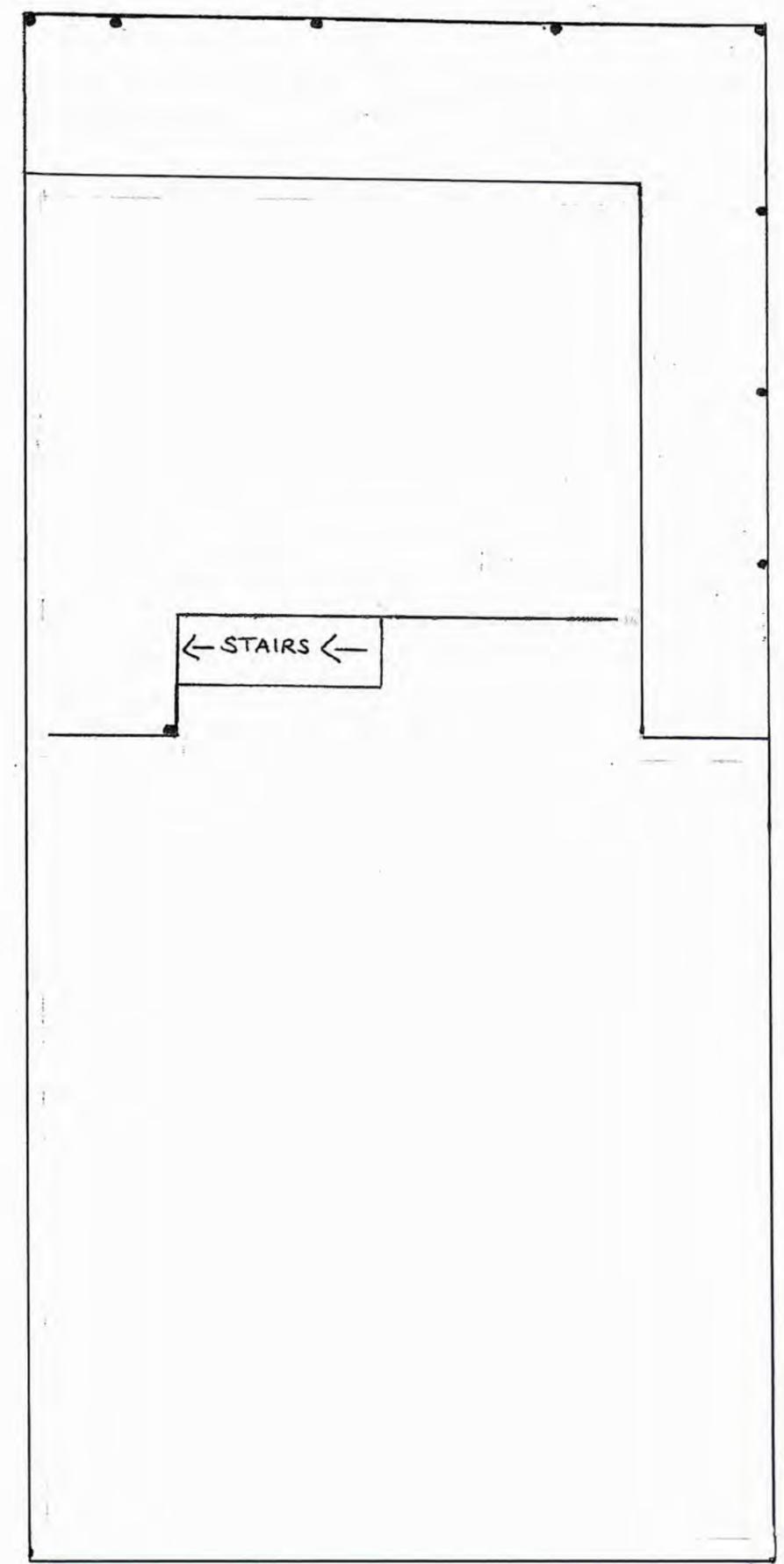
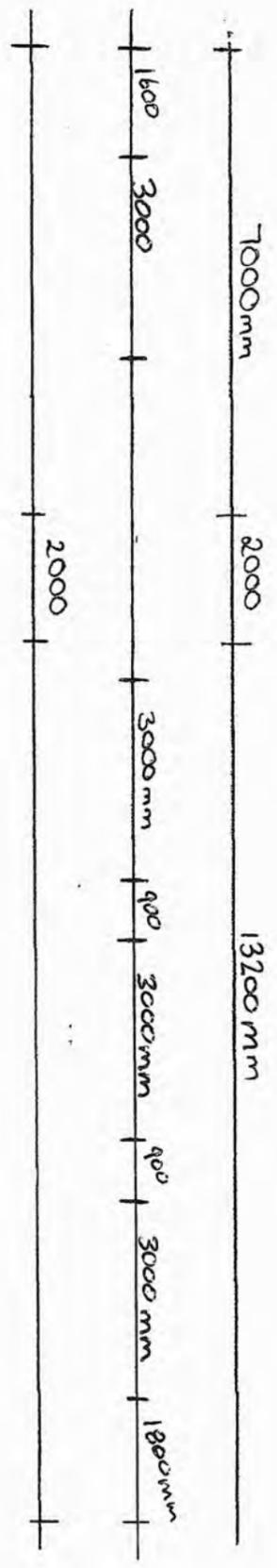
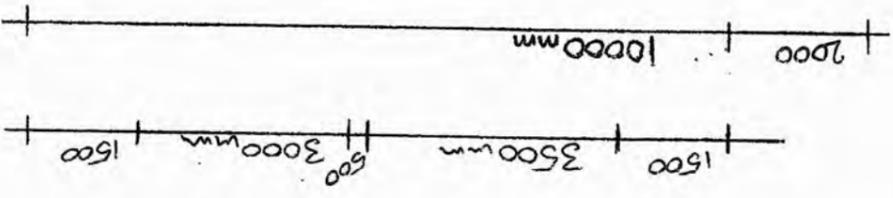


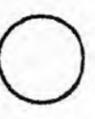
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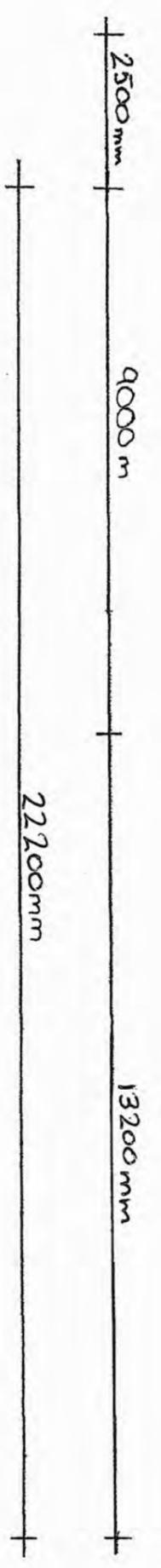
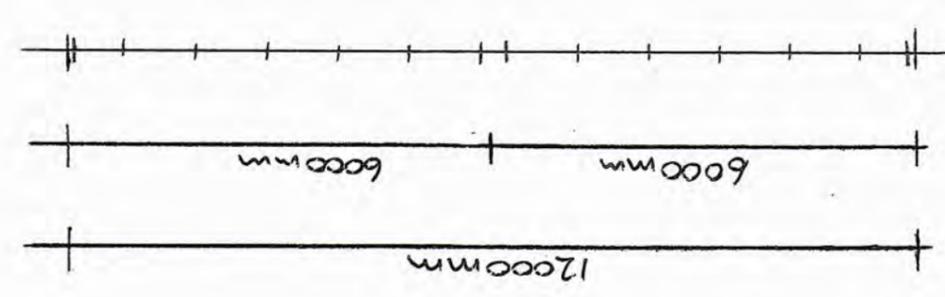
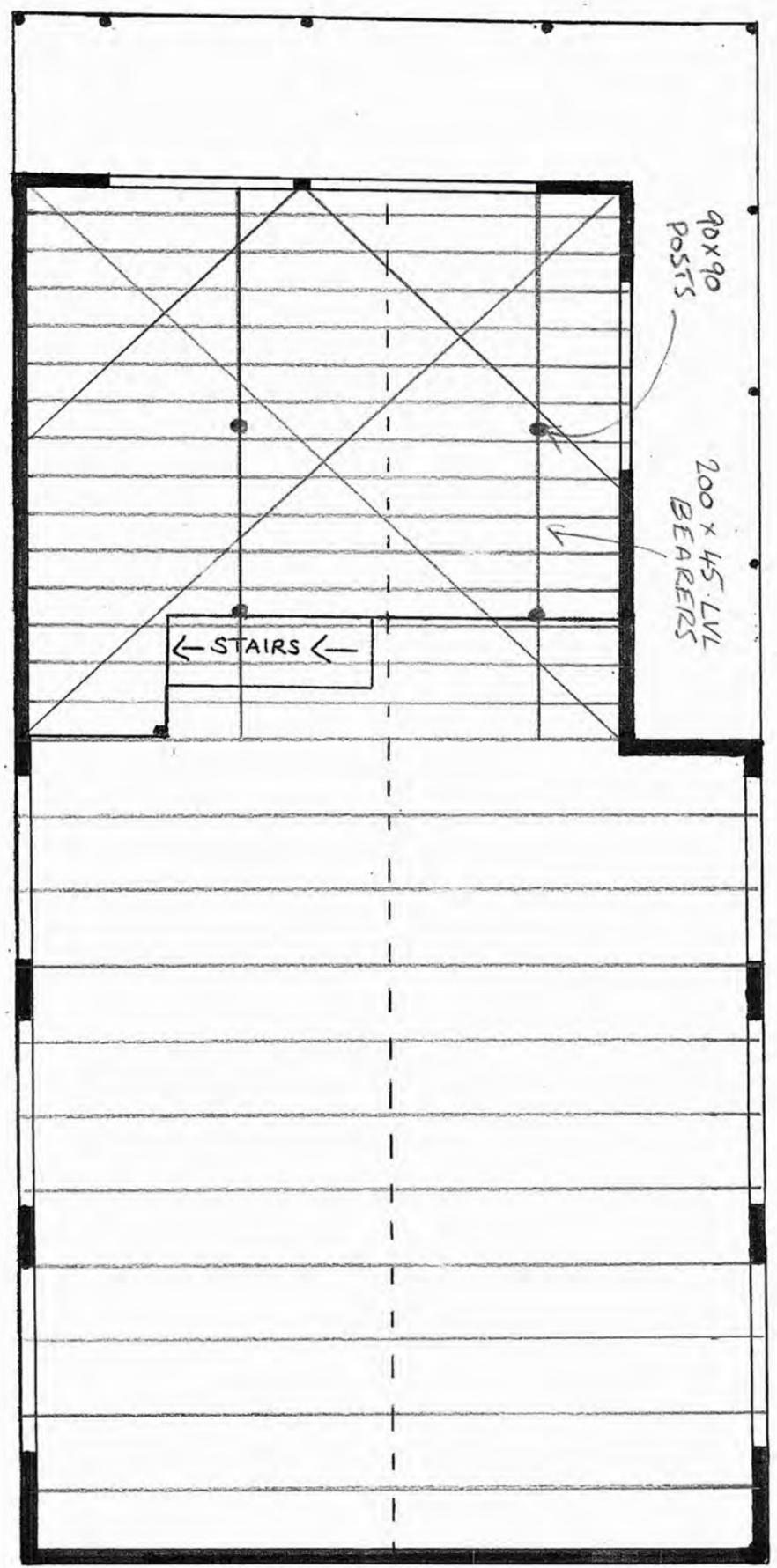
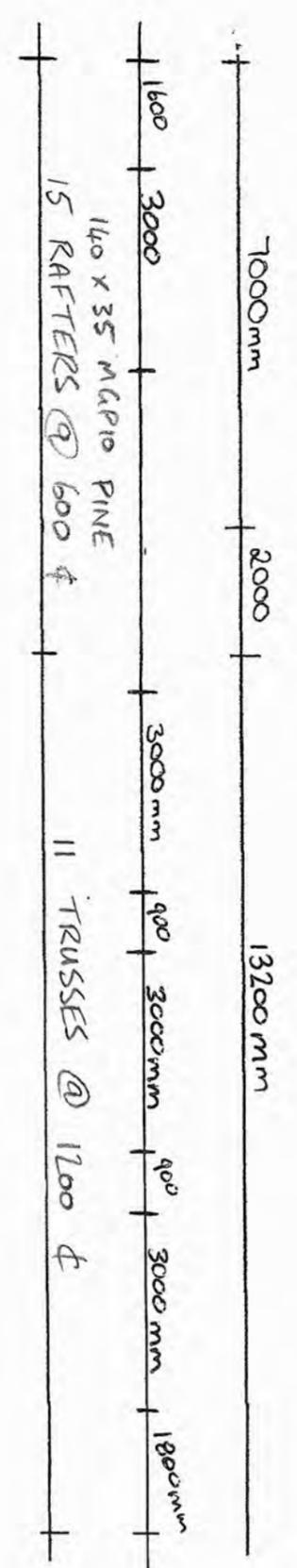
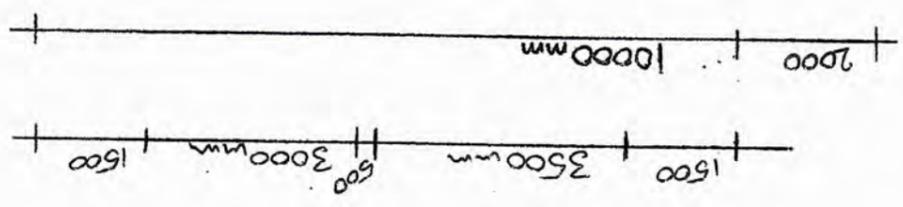
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WEST

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	<b>DRAWN BY:</b> Alex Cheshire		Elevations with ground levels				
			Elevations with GL - change of heights		<b>DATE:</b> 01-10-20	<b>PAGE NO:</b> 5 of 10	<b>CLIENT:</b> Alex and Janna Cheshire
					<b>REVISION</b>		
			A				
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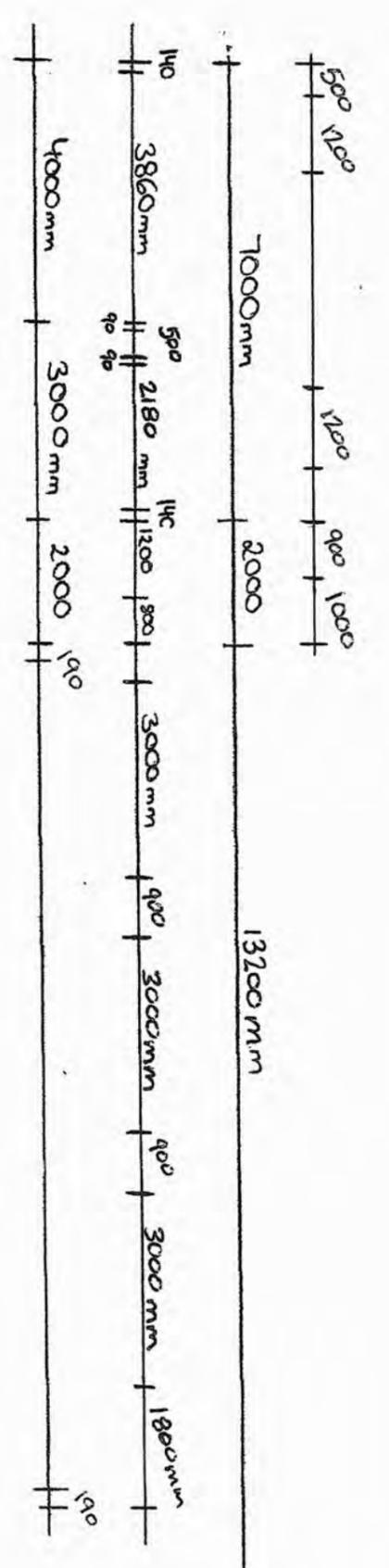


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				A		DATE: 01-10-20		PAGE NO: 6 of 10		<b>CLIENT:</b> Alex and Janna Cheshire	

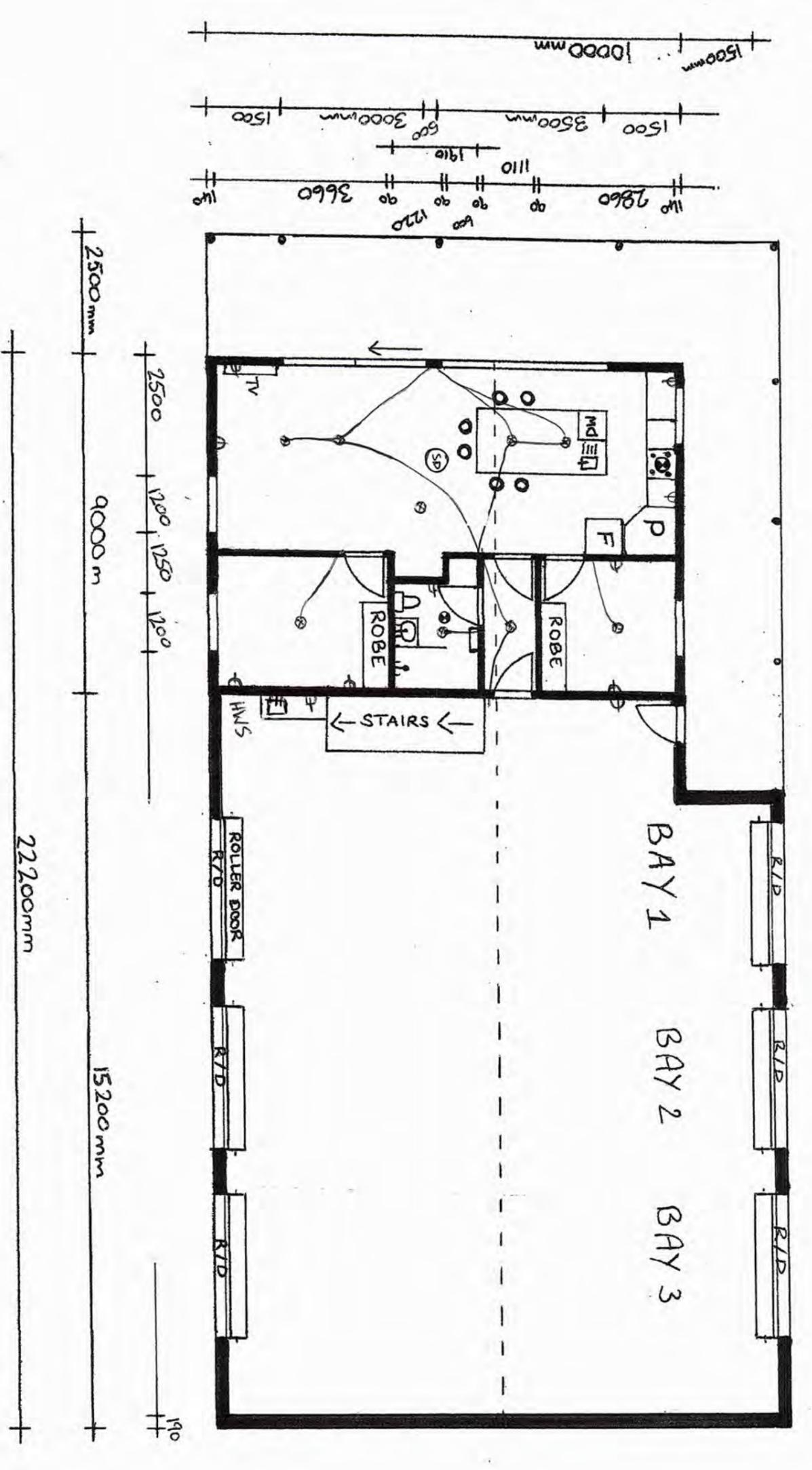


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				A		DATE: 01-10-20		PAGE NO: 7 of 10		CLIENT: Alex and Janna Cheshire	

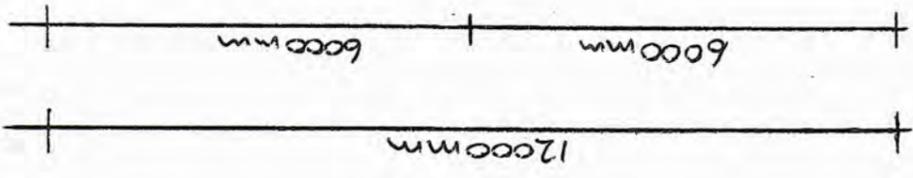
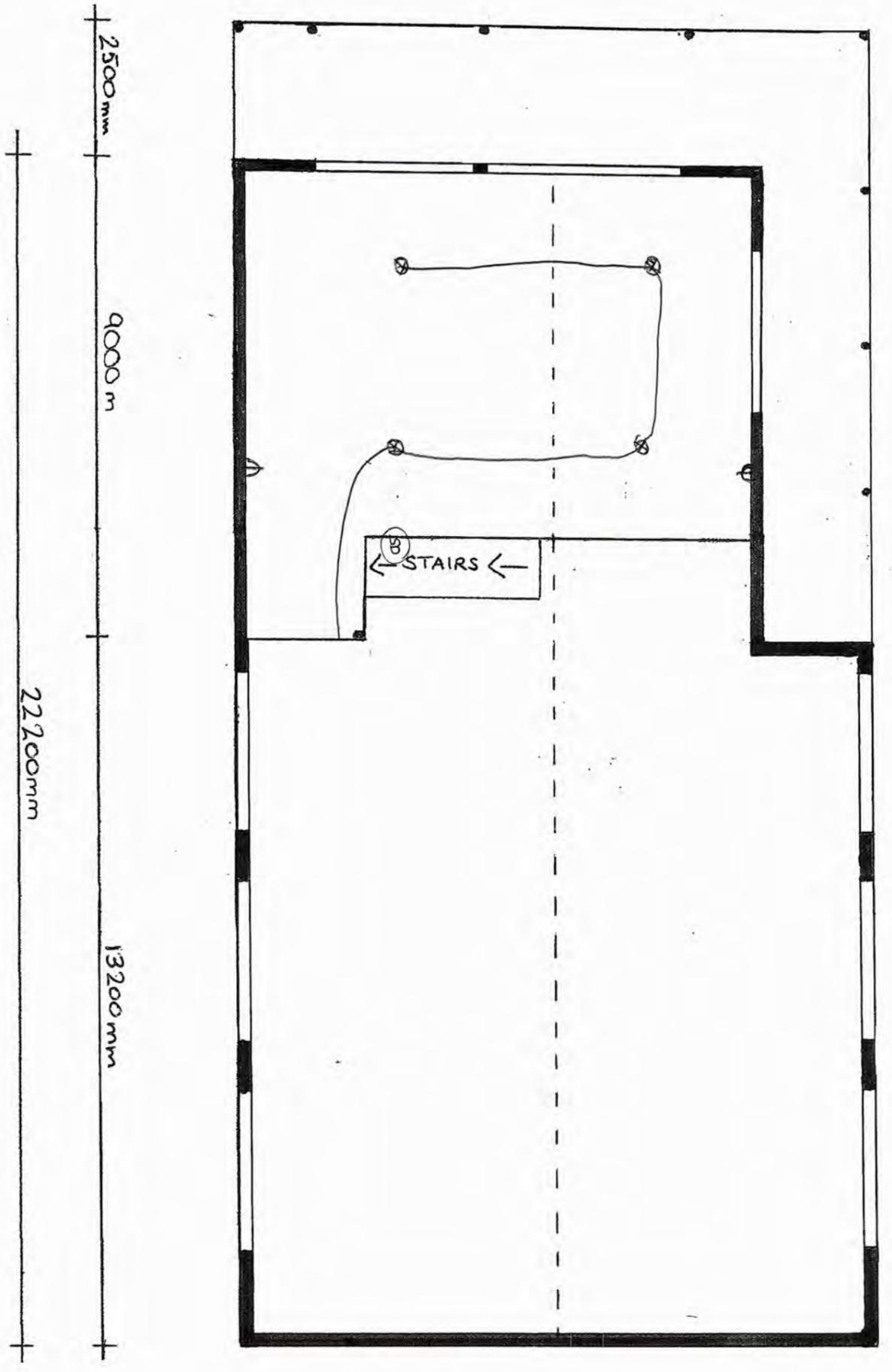
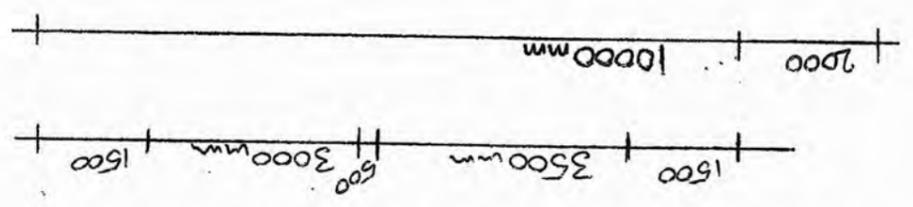
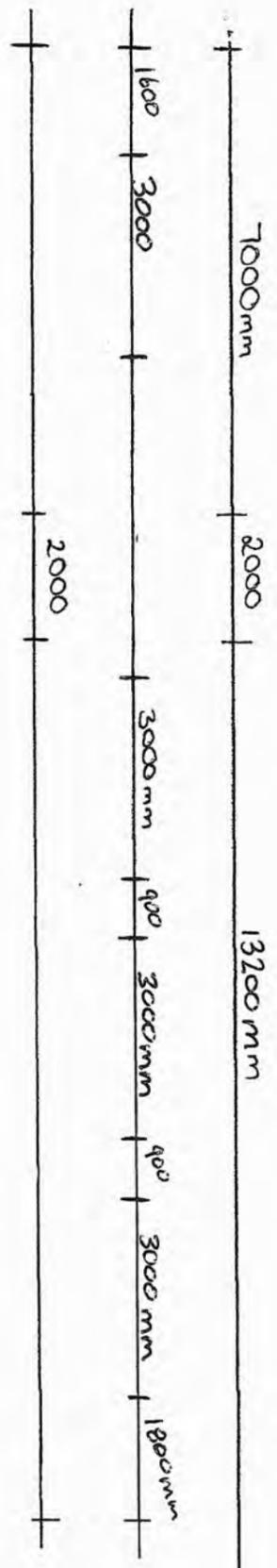


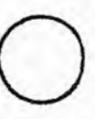
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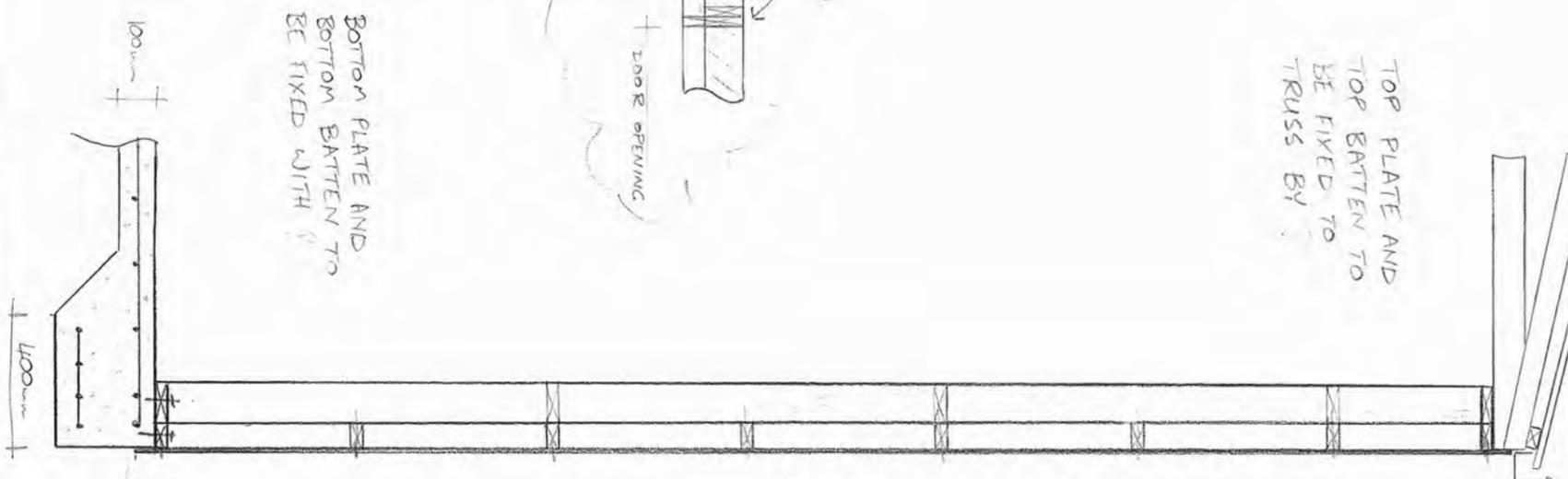
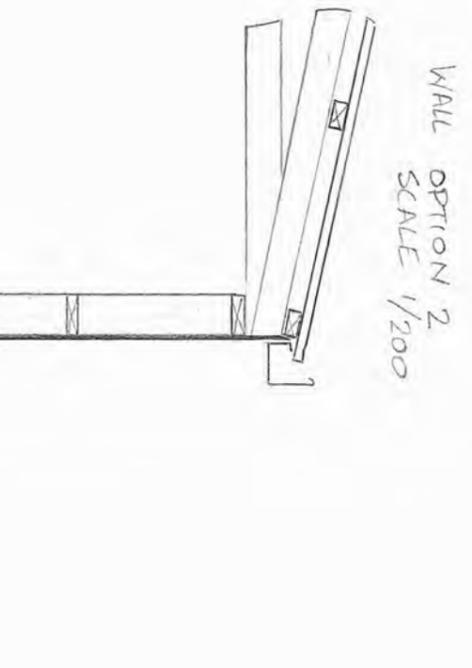
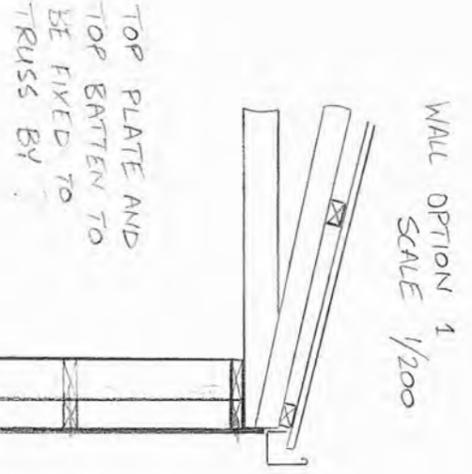
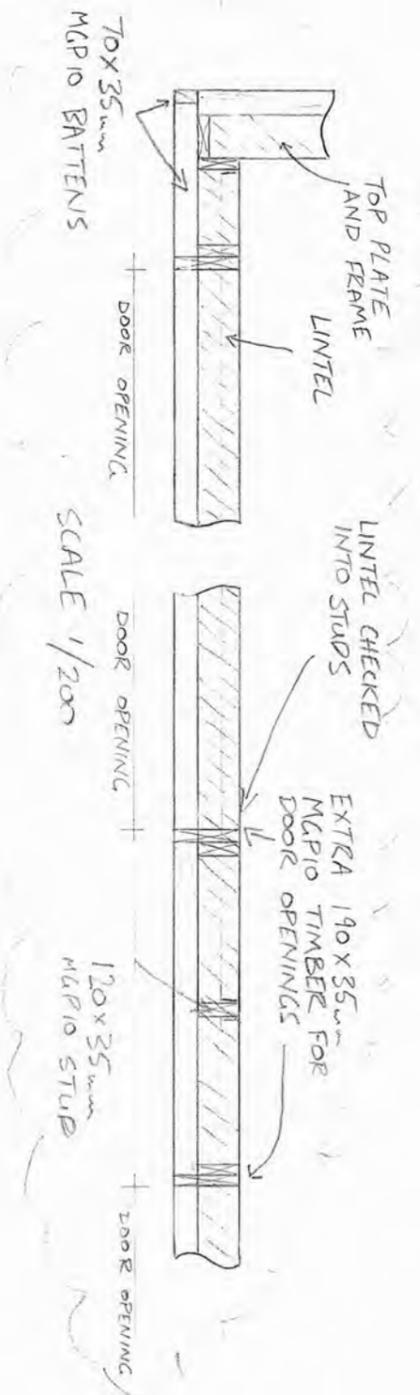
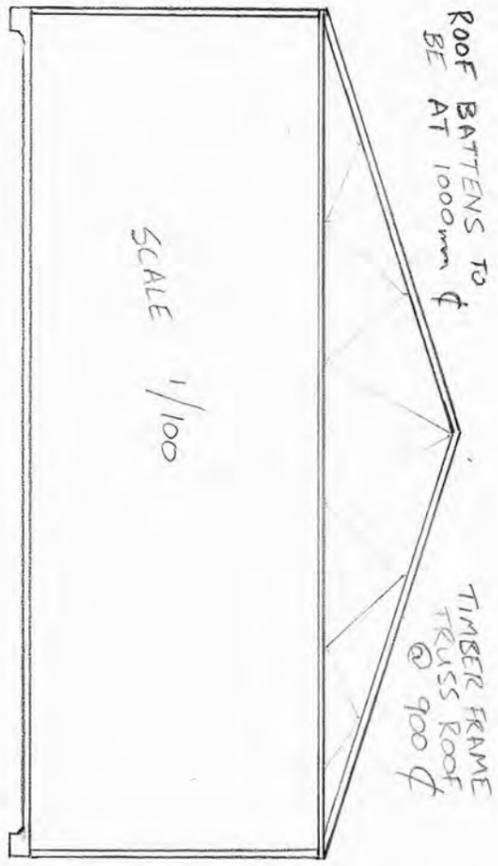


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DRAWN BY: Alex Cheshire		Downstairs electrical plan		1:100 A3		Electrical plan downstairs		84 Trevally Place, Bremer Bay WA 6338	
		A		DATE: 01-10-20		PAGE NO: 8 of 10		CLIENT: Alex and Janna Cheshire	

(SD) - Smoke detector  
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	<b>BUILDER:</b>		<b>REVISION</b>		<b>SCALE:</b>		<b>DRAWING:</b>		<b>PROJECT:</b>	
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			A		DATE: 01-10-20		PAGE NO: 9 of 10		CLIENT: Alex and Janna Cheshire	

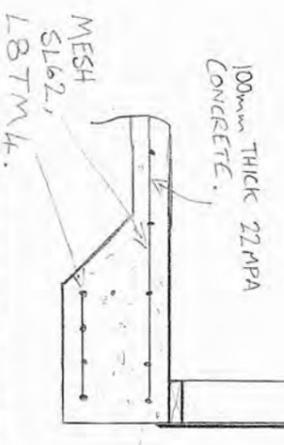


120x35mm MGP10 TREATED PINE STUD WALL FRAME @ 900mm  $\phi$  MAX, NOGGINGS @ 1200mm  $\phi$  MAX.

70x35mm MGP10 TREATED PINE WALL BATTEN @ 600mm  $\phi$  MAX FIXED INTO STUDS WITH 1/50mm LONG BATTEN/BUCCLE SCREW PER INTERSECTION.

CLADDING TO BE SCYON STRIA FLAT 14mm THICK CEMENT SHEET WEATHER BOARD, TO BE FIXED ONTO WALL BATTENS.

NOTE: 4200mm LONG BOARDS RUN FULL HEIGHT OF WALL AND HELD TIE DOWN FRAME.



BOTTOM PLATE AND BOTTOM BATTEN TO BE FIXED WITH 100mm

PLAN: SECTIONAL DRAWINGS

SCALE: on A3

PROJECT: Page No: 10 of 10

LOCATION: LOT 84 TREVALLY PLACE BREMER BAY WA 6338

CLIENT: Janna and Alexander Cheshire

















