

Applicant justification for consultation – 4 Spring Way, Hillarys (one new two storey grouped dwelling) – DA21/0491

Item	Element	Clause	Required	Item
1	Side / rear lot boundary	6.3 (HOALPP)	Ground Floor: 1m Upper Floor: 2m	<ul style="list-style-type: none"> <li>The design of the proposed new dwelling on the land provides for the effective use of all available space and the creation of adequate internal and external living areas which will benefit the future occupants of the dwelling, given the relatively small area and irregular in shape of the subject land. The use of parapet walls will assist with providing usable internal and external living spaces.</li> <li>In addition to the above point, the proposed new dwelling has been designed to locate the outdoor living area to access the northern winter sun and allow for natural light to penetrate into the dwelling, Furthermore, the dwelling allows for good access to ventilation for habitable rooms.</li> <li>The proposed new dwelling on Strata Lot 1 meets the 'deemed to comply requirements' of Element 5.4.2 of the R-Codes (i.e. 'Solar access for adjoining sites') and will not detrimentally impact access to light and ventilation for the existing dwellings on any adjoining properties. As previously mentioned, the new dwelling has been designed to comprise an outdoor living area orientated north to obtain the northern winter sun.</li> <li>The parapet walls are well setback from the front boundary. As such, the parapet walls for the proposed new dwelling on Strata Lot 1 will not have an adverse impact on the local streetscape in terms of bulk and scale.</li> <li>The proposed parapet walls will assist with providing for improved privacy for the new dwelling and the adjoining properties. This includes providing some privacy for the proposed outdoor living area for the new dwelling.</li> <li>The parapet wall along the northern side boundary will not adversely impact the outdoor living areas for the existing dwellings on the adjoining northern property. In addition, the parapet wall will not cast a shadow over the adjoining northern property at 12 noon on 21 June (i.e. winter solstice).</li> <li>A review of the existing/future developments on the other adjoining properties has concluded that the parapet walls will not have an adverse impact on any major openings to habitable rooms or outdoor living areas associated with the existing/future dwellings on the adjoining properties.</li> </ul>
2	Boundary walls	6.4 (HOALPP)	Boundary walls to one lot boundary	
3	Natural Ventilation	18.1 (HOALPP)	All rooms, with the exclusion of store rooms, shall have operable windows. Window opening design shall maximise natural ventilation.	<ul style="list-style-type: none"> <li>The powder room for the new dwelling will be serviced by artificial light and fans (i.e. artificial ventilation). Given this, the powder room space will comprise good light and will be ventilated during use.</li> <li>It is deemed that the powder room is not a habitable space and will not be used by the future occupants of the dwelling for long periods of time. Given this, the use of this room will not result in high energy usage through the use of mechanical ventilation and lighting.</li> <li>In addition to the above point, the offending room will not be serviced by air conditioning due to the low usage of the room. This would assist with keeping energy consumption down.</li> <li>All habitable rooms for the dwelling have been provided with adequate openings to allow for good access to natural light and ventilation, in accordance with the City's Policy. In addition, the dwelling has been designed to include access to the northern winter sun and is provided with good cross ventilation.</li> <li>It should be noted that the City has recently supported a variation to the requirements to provide a window to a non-habitable room for a number of similar applications. This application is consistent with the City's recent position/decisions.</li> </ul>

4	Size and layout of dwellings	16.1b (HOALPP)	Minimum 3m dimension to bedrooms	<ul style="list-style-type: none"> <li>The minimum dimension of bedrooms 2 &amp; 3 is considered to be a minor variation (i.e. up to 190mm). It should be note that theses rooms are provided with the required area.</li> <li>The variation can be attributed to the irregular shape of the lot and angled lot boundaries that has placed some restriction on the layout of the dwelling.</li> <li>Each bedroom has been designed to provide adequate space and configuration to accommodate furniture to meet the needs of the future occupant. In addition, the room will allow for some flexibility to the layout and location of furniture and includes a robe. It should be noted that bedroom 3 comprises a length greater than 4 metres, which provides for good space. It is contended that the minor variation to the minimum dimension of the bedrooms will not compromise the future use of the rooms.</li> <li>The variation to the ceiling height is also minor (i.e. 30mm). The ceiling height is greater than the standard height for a dwelling and allows for natural light to penetrate into the dwellings, along with allowing circulation of air throughout the dwelling.</li> <li>Adequate openings have been provided to all rooms to allow for good access to light and ventilation.</li> </ul>
5		16.2 (HOALPP)	Dwellings shall have a minimum ceiling height of 2.7 metres in habitable rooms and 2.4 metres in non-habitable spaces.	
6	Resident parking - location	7.1 (HOALPP)	Garages to be set back 5.5 metres from the primary street boundary	<ul style="list-style-type: none"> <li>The variation to the minimum front setback of the garage for the new dwelling can be attributed to the irregular shape of the land (i.e. angled front boundary).</li> <li>On reviewing the streetscape, it is noted that the existing development on the adjoining northern property is constructed well forward of the proposed new dwelling on Strata Lot 1. Given this the garage setback for the new dwelling on Strata Lot 1 will not have an adverse impact on the local streetscape in terms of bulk and scale. Furthermore, the setback is in keeping with the existing built form along the street. As such, the proposed new dwelling is consistent with other existing development within the HOA.</li> <li>In light of the above, the proposed front setback of the garage pertaining to the new dwelling will not have a detrimental impact on the local streetscape or the amenity of any adjoining properties.</li> <li>The upper floor of the new dwelling will be located above the garage to assist with reducing any dominance the garage may have on the streetscape.</li> <li>Abutting Strata Lot 1 is a substantial verge area with a width of approximately 7 metres along the land's frontage with Sporing Way (see Figure 1 - Aerial Site Plan). The verge width provides an increased setback between the proposed new garage and the road pavement, therefore minimizing any potential built form impacts the garage for the new dwelling may have on the local streetscape.</li> <li>There is sufficient space forward of the garage and within the verge area to accommodate the parking of visitor cars.</li> <li>The verge area and the front setback area of the new dwelling will be comprehensively landscaped to help soften any potential negative visual impacts that the garage may have on the local streetscape.</li> <li>The design layout of the building does not result in the new dwelling having reduced connectivity within the local streetscape, with the dwelling comprising a major openings to a habitable rooms orientated towards the street to provide improved passive surveillance of the public realm and activation of the street.</li> <li>The garage door width is required to accommodate the needs of the future occupants of the dwelling and to comply with the Australian Standards and will provide for the parking of two (2) vehicles in a secured environment.</li> <li>The new dwelling has been designed to have effective use of space.</li> <li>The garage setback for the proposed new dwelling will not have an adverse impact on the visual outlook from any adjoining properties on the street.</li> </ul>
7		7.4 (HOALPP)	Garage maximum 50% width relative to frontage at setback line	

8	Urban design – public domain interface	1.3 (HOALPP)	Blank walls, vehicle access and building services (e.g. bin store, booster hydrant) shall not exceed 20% of the total lot frontage to the public realm, except for development with two street frontages, where no blank walls will be permitted to either street frontage.	<ul style="list-style-type: none"> <li>• The proposed new dwelling will not result in a detrimental impact on the local streetscape or the amenity of any adjoining properties.</li> <li>• The verge area abutting the subject land is approximately 7 metres wide, which will allow for the front setback and verge areas to be comprehensively landscaped to soften any impact the dwelling may have on the local streetscape. This includes the potential to plant a street tree within the verge area to increase tree canopy coverage.</li> <li>• The proposed new dwelling has been designed to comprise a varying front setback and the inclusion of major openings to assist with providing an interesting, articulated facade and improve passive surveillance to the street.</li> <li>• The façade will also include a feature panels to provide visual interest when viewed from Spring Way.</li> <li>• The subject land does not comprise any significant vegetation worthy of retention.</li> <li>• The design of the new dwelling makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit the future Occupants.</li> </ul>
9	Tree canopy and deep soil areas	13.1 (HOALPP)	One medium tree	<ul style="list-style-type: none"> <li>• The proposed variation to the type/size of tree and required deep soil zone is unlikely to have a detrimental impact on the amenity of the local streetscape or any adjoining properties. In fact, it is contended that the provision of three (3) smaller trees in lieu of one (1) medium tree is a better outcome for the new dwelling.</li> <li>• The proposed new trees will be located throughout the site, including the front setback of the new dwelling to enhance the street and the common driveway. In addition, the new trees will provide for good shade over the new dwelling and the hardstand associated with the common driveway.</li> <li>• The proposed new dwelling has been provided with sufficient landscaping throughout the site, which is consistent with the objectives of the City's Policy and the City's vision to provide adequate coverage of the land to provide a more environmentally sensitive urban area (given the constraints of the land).</li> <li>• The location of one (1) new tree abutting the outdoor living area will improve the amenity of the dwelling and the outdoor living area for its future occupants.</li> <li>• The subject land currently comprises little vegetation. As such, the proposed landscaping for the new dwelling will be a far better outcome than the current situation on the land.</li> <li>• The proposed new dwelling will include the planting of three (3) trees to provide a 'urban forest' that will allow for improved amenity and tree canopy coverage for the immediate area.</li> <li>• The development has included permeable paving and runoff from the handstand areas into landscaping areas to allow for improved stormwater drainage.</li> <li>• Concerns are raised in regard to the City's Policy applying the tree size and deep soil requirements prescribed within Volume 2 of the R-Codes (which related to apartments) to single dwellings. It should be noted that most apartment developments are on larger lots and usually provide a communal open space area to accommodate the planting of larger trees and associated larger deep soil zones, whilst single dwellings tend to comprise smaller lot sizes. The City's approach of applying the provision of Volume 2 of the R-Codes to a lot with an area of 295m<sup>2</sup> is restrictive and is not achievable. When considering the required deep soil zone for a medium tree along with a 4 metre minimum required front setback, limitations for parapet walls, a required 5.5 metre minimum setback for a garage and required lot boundary setbacks, there is little space to actually accommodate a dwelling. Given this, it is not practical to apply development standards applicable to an apartment development to a single dwelling.</li> </ul>

				<ul style="list-style-type: none"> <li>Therefore it must be recognized and acknowledged that there is a predisposition to greater variations to the landscaping requirements (i.e. tree sizes and deep soil zones) to assist with the positioning of a dwelling on the land.</li> </ul>
10	Vehicular access	5.3.5 (R-Codes)	Vehicular access to be provided from a communal street where one exists.	<ul style="list-style-type: none"> <li>It is not uncommon throughout the Perth Metropolitan Area for grouped dwellings developments to comprise a separate crossover for the front dwelling. An observation of existing and recent grouped dwelling developments within the Housing Opportunity Areas has concluded that the City has granted approval for a number of grouped dwelling developments within the area with two (2) crossovers (i.e. a separate crossover for the front dwelling to that of the rear dwellings).</li> <li>Sporing Way is a low traffic volume roadway, which comprises a low traffic speed (i.e. 50 km/hour max). Given this the road does not experience any district or regional traffic movements (i.e. through traffic). As such, it is contended that the design and location of the proposed crossover for the new dwelling on Strata Lot 1 does not adversely impact traffic movements, traffic safety or pedestrian safety along the local road network.</li> <li>The design and location of the crossover for the new dwelling does not adversely impact traffic movements, traffic safety or pedestrian safety along the local road network. It should be noted that the Sporing Way road reserve abutting the subject land does not comprise a pedestrian footpath (along the verge area abutting the subject land).</li> <li>The separation of the access point for the dwelling on the front and rear strata lots will provide for the effective use of land and create separation between the front dwelling and the rear dwelling. This will provide for improved amenity and a sense of separation for the occupants of the new dwelling on Strata Lot 1 with the future dwelling on Strata Lot 2.</li> <li>The verge area abutting the subject land comprises sufficient space to accommodate the planting of a mature street tree. In addition to any potential street tree, the landscaping within the front setback area of the new dwelling on Strata Lot 1 will enhance the appearance of the overall development and soften any potential impact the crossovers may have on the local streetscape.</li> <li>The provision of two (2) crossovers for the overall strata development in lieu of one (1) crossover, will not have an adverse impact on the local streetscape or the adjoining properties.</li> <li>The individual width of the crossovers and the aggregate width of the overall crossovers for the strata development on the parent lot meets the 'deemed to comply requirements' of Element 5.3.5 C5.2 of the R-Codes.</li> <li>The proposed crossover has been designed to provide a defined and legible access point for the new dwelling on Strata Lot 1 and to provide safe access to the street for the dwelling, along with avoiding potential vehicle conflict within the common driveway.</li> <li>The crossover for the new dwelling on Strata Lot 1 will provide adequate area to allow for visitor parking and avoid vehicles parking along the road pavement, which may have an adverse impact on traffic safety.</li> <li>In light of the above points and justification, it is contended that the vehicle access configuration for the new dwelling on Strata Lot 1 will provide improved traffic and pedestrian safety and the efficient use of land. In addition, the City has previously approved grouped dwelling developments in the past with dual vehicle access points where there is merit. As outlined within this report, the proposal has merit.</li> </ul>

11	Pedestrian access	5.3.6 (R-Codes)	Major openings to be set back 2.5 metres from the communal street	<ul style="list-style-type: none"> <li>• It should be noted that the master bedroom is located on the upper floor and will not be adversely impacted by the vehicle movements along the common driveway.</li> <li>• The proposed secondary street setback variations for the new dwelling on Strata Lot 1 from the common driveway are considered minor and will not result in the dwelling having a detrimental impact on the local streetscape or the amenity of any adjoining properties. It is significant to note that the setback areas will be comprehensively landscaped to soften any impact the development may have on the local streetscape and/or the common driveway.</li> <li>• In addition to the above, the setback variation can be attributed to the irregular shape of the lot (i.e. angled boundary) and the relatively small lot area.</li> <li>• It is significant to note that portions of the proposed new dwelling include setbacks that are compliant or even greater than the minimum requirements.</li> <li>• The proposed new dwelling on Strata Lot 1 provides sufficient and usable open space for each dwelling.</li> <li>• The dwelling has been designed to comprise a varying setback to the communal driveway to assist with providing an interesting and articulated front facade along the communal driveway. Furthermore, the reduced setbacks for the dwelling will not interfere with the future dwelling on the rear Strata Lot 2 having an outlook over the common property area. The outlook proposed from the new dwelling on Strata Lot 1 will allow for passive surveillance of the common driveway, will provide security for the occupants of the overall development and minimize any opportunities for concealment and entrapment.</li> <li>• The proposed new dwelling will comprise sufficient landscaping along the driveway to assist with softening any potential impacts that the dwelling on Strata Lot 1 may have on the common driveway in terms of bulk and scale. It is contended that the extent of landscaping along the driveway is considered to be sufficient. An indicative landscaping plan has been prepared in support of the application for the City's consideration.</li> <li>• The proposed new dwelling meets the 'deemed to comply requirements' of Element 5.4.2 C2.1 ('Solar access for adjoining sites') of the R-Codes. It should be noted that the vehicle movements along the common driveway will be minor and will not adversely impact the occupants of the proposed new dwelling on Strata Lot 1 in terms of vehicle noise and headlight glare.</li> <li>• The proposed new dwelling makes effective use of all available space and provides for the creation of adequate internal and external living areas which will benefit the future occupants of the dwelling.</li> </ul>
12	Solar and daylight access	17.2 (HOALPP)	The building is orientated and incorporates external shading devices in order to minimise direct sunlight to habitable rooms between late September and early March, and permit winter sun.	<ul style="list-style-type: none"> <li>• No comments provided.</li> </ul>