

Applicant justification for consultation – 85A Macquarie Avenue, Padbury

HOA: [Development in Housing Opportunity Areas Local Planning Policy](#)

R-Codes: [Residential Design Codes Volume 1](#)

Item	Clause / element	Required	Applicant Justification / submission
1	6.4 (HOALPP)	Boundary walls To one lot boundary Behind street setback area Maximum length: 9m Maximum height: 3.5m Average height: 3.0m	<p>If second boundary is not permitted, the length of living areas will be reduced by more than 1m in some rooms and therefore not fitting with the design principle of having liveable sized habitable rooms. The 2nd boundary wall is also on the existing subdivision wall hence they are on the same strata lot - the division already accounted for in the initial subdivision planning of the block.</p> <p>Due to the nature of the lot, we feel justification is accepted in this instance as we have provided our client with a comfortable and liveable home to suit the limited 257sqm block. We have also considered access around the lot (via the garage) and provided an adequate reversing bay. We have maximized the rear setback of the home to suit the minimum requirements of the minimum 600mm clearance of the sewer</p>
2	18.2 (HOALPP)	Ventilation Habitable rooms shall have a window in an external wall which: <ul style="list-style-type: none"> • Has a minimum glass area not less than 15% of the floor area of the room; • Comprise a minimum of 50% clear glazing; and, • Is openable for 50% the size of the window 	<p>The activity room window has now been increased in width and height to maximize as much natural light and ventilation, however due to overlooking requirements an obscured film will be required to provide privacy to the neighbouring property therefore cannot meet the 50% clear glaze nor 50% openable to the entire window. However, we feel justification should be accepted in this case as the top openable section of the window has complied with the overall light and ventilation requirements.</p>
3	16.2 (HOALPP)	Size and layout of dwellings Dwellings shall have a minimum ceiling height of 2.7 metres in habitable rooms and 2.4 metres in non-habitable spaces.	<p>Due to our construction method being steel frame we achieve a height to the underside of the roof truss @2700mm above floor level, however due to the construction method ceiling battens are required bringing the lined ceiling height down to 2655mm above finished floor level. We feel justification should be accepted in this case as we feel we have achieved the design principle outlined within the policy of providing well-proportioned spaces to facilitate good natural ventilation and Daylight access.</p>

4		Outdoor Living Area	Minimum of 13.3 sqm of the outdoor living area is to be provided without shade cover.	Unfortunately, the outdoor living area doesn't not meet the compliance of the 2/3 uncovered area, we have reviewed the plans and have taken into account the compacted site area. We have come to the conclusion that due to the minimal size of the property if the overall alfresco is reduced in size the client will have limited functionality and furnishable area within the outdoor living. We do however comply with the majority of C1.1 outdoor living area (i, ii, iii and iv) and feel our justification to C1.1 – V has been encountered based purely on the fact our client will have a useful and furnishable space to appreciate the natural environment of the neighbouring surrounds .
5	12 (HOALPP)	Tree Canopy and Deep Soil Areas	Tree sizes and deep soil area definitions and requirements are as per Figure 3.3a–f and Table 3.3b of SPP7.3 — Vol. 2.	Refer to arborist report
6	5.3.7 (R-Codes)	Siteworks	Siteworks between 0.5 and 1 metre setback a minimum 1 metre	Due to the restricted block size, we feel justification is accepted in this instance as we have attempted to keep as much as possible of the dwelling off the boundary and to provide our client with a comfortable and furnishable home without compromising the ground floor space with additional levels within the home. However due to the natural slope of the site, retaining walls to suit these levels are required to achieve a functional and safe residence that is also cost effective and affordable to our client. We are confident there will be no negative implications or detriment to the neighbouring environment but will also provide not only our client but the neighbours with substantial boundary fencing & retaining.