

Variation schedule – 11 Buchan Place, Hilllarys

| # | Item/Issue                            | Required   | Proposed  | APPLICANT JUSTIFICATION   |
|---|---------------------------------------|--|---|---|
| 1 | Lot boundary setbacks (6.3 of HOALPP) | Upper – 2m   | Unit 1 (East) – Bed 2 – 1.2m<br>Unit 1 (East) – Ens – 1.4m<br>Unit 1 (East) – Bed 3 – 1.67m<br><br>Unit 4 (East) – Ens – 1.32m<br>Unit 4 (East) – Bed 3 – 1.5m                                      | <p>As the proposed walls are not perpendicular to the boundary most of the walls have a greater setback then the required 2m. Only 10% of the wall's length is under the 2m setback.</p> <p>These small portions of the wall do not have a negative impact on the neighbouring property as majority of the building proposed a much greater setback then required and majority of the building bulk is well clear from the common boundary.</p> <p>There will be no negative impact on the neighbours as</p> <ul style="list-style-type: none"> <li>- We are facing their driveway &amp; extensive backyard</li> <li>- We propose highlight windows for privacy</li> <li>- We are facing the neighbour's southern boundary and do not overshadow their outdoor living areas.</li> </ul> <p>The proposed design allows for adequate privacy to both properties as well as passive solar design principles such as solar access and prevailing breezes.</p> |
| 2 | Boundary walls (6.3 of HOALPP)        | 1 boundary<br>Wall length – 9 metres<br>Maximum height – 3.5 metres<br>Average height – 3 metres | Boundaries to four sides (two external, two internal)<br><br><b>External Boundary Walls</b><br>Unit 1 (East) 9.09m length<br><br><b>Internal Boundary Walls</b><br>Unit 2 (North) – 3.25m av height | Unit 1 (East) 9.09m length – Although the wall is 90mm too long the wall is facing the neighbours extensive front setback area. The wall is facing the neighbour's carport and driveway. As the neighbour's residence and outdoor living areas are well clear from the boundary. Therefor we do not have a negative impact on the neighbours' living amenities.   |

|               |                              |   | <p>Unit 2 - Ground (South) 13.06m length<br/> Unit 2 – Upper - (South) 9.42m length<br/> Unit 4 (South) – Maximum &amp; Average height 3.49m</p>  | <p>Unit 2 (North) – 3.25m av height – Facing north and the common driveway of the proposed development. Does not cause any over shadowing and have a negative impact on the dwellings.<br/> Unit 2 - Ground (South) 13.06m length – Majority (8.8m) of the wall is directly abutting the Unit 1 boundary wall. The rest of the wall is facing the Unit 1 drying court. The wall is Internal and away from any habitable living areas therefore it does not have any negative impact on the dwellings.<br/> Unit 2 – Upper - (South) 9.42m length – This wall directly abuts the Unit A boundary wall (north). The has a greater then 2m setback from the boundaries on both sides of it. Therefore, it does not have a negative impact to the development.<br/> Unit 4 (South) – Maximum &amp; Average height 3.49m<br/> This wall has been reduced in height. It is now compliant in height from the outdoor living area of unit B</p> |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
|---------------|------------------------------|---|---|---|------------|---------------|---------------|--|--|-------|--------|--------|-------|--------|--------|---------------|--|--|-------|-------|--------|-------|-------|--------|---|
| 3             | Ventilation (18.1 of HOALPP) | All rooms, with the exclusion of store rooms, shall have operable windows. Window opening design shall maximise natural ventilation   | Unit 1, 2 & 4 – Pdr   | Although the Unit 1,2 & 4 Pdr do not optimize any natural ventilation there will be mechanical ventilation provided. As these wet areas are not habitable rooms logically, they will get the minor use. Although we might have mechanical ventilation instead of operable windows, we believe these areas will be sufficiently ventilated accompanied by good lighting and comfortable to use for the future residence.   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| 4             | Ventilation (18.2 of HOALPP) | <p>Habitable rooms shall have a window in an external wall which:</p> <ul style="list-style-type: none"> <li>Has a minimum glass area not less than 15% of the floor area of the room;</li> <li>Comprise a minimum</li> </ul> | <table border="1"> <thead> <tr> <th>Room</th> <th>&gt;15% glass</th> <th>&gt;50% operable</th> </tr> </thead> <tbody> <tr> <td><b>Unit 1</b></td> <td></td> <td></td> </tr> <tr> <td>Bed 2</td> <td>10.08%</td> <td>33.59%</td> </tr> <tr> <td>Bed 3</td> <td>10.17%</td> <td>33.90%</td> </tr> <tr> <td><b>Unit 2</b></td> <td></td> <td></td> </tr> <tr> <td>Bed 2</td> <td>8.20%</td> <td>27.32%</td> </tr> <tr> <td>Bed 3</td> <td>6.87%</td> <td>45.80%</td> </tr> </tbody> </table> | Room  | >15% glass | >50% operable | <b>Unit 1</b> |  |  | Bed 2 | 10.08% | 33.59% | Bed 3 | 10.17% | 33.90% | <b>Unit 2</b> |  |  | Bed 2 | 8.20% | 27.32% | Bed 3 | 6.87% | 45.80% | <p>Unit 1 – bed 2 – window increased in size<br/> Unit 1 – bed 3 – window increased in size<br/> Unit 2 – bed 2 – window increased in size<br/> Unit 2 – bed 3 – has two windows- glass % compliant<br/> Unit 2 – retreat – window increased in size<br/> Unit 2 – living –<br/> Unit 4 – bed 2 - window increased in size<br/> Unit 4 – bed 3 - window increased in size<br/> Unit 4 – study – compliant</p> |
| Room          | >15% glass                   | >50% operable   |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| <b>Unit 1</b> |                              |   |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| Bed 2         | 10.08%                       | 33.59%  |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| Bed 3         | 10.17%                       | 33.90%  |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| <b>Unit 2</b> |                              |   |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| Bed 2         | 8.20%                        | 27.32%  |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |
| Bed 3         | 6.87%                        | 45.80%  |   |   |            |               |               |  |  |       |        |        |       |        |        |               |  |  |       |       |        |       |       |        |   |

|               |   |   |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
|---------------|---|---|---|--|--------|--------|---------|-------|--------|---------------|--|--|-------|--------|--------|-------|-------|--------|---------------|--|--|-------|-----|--------|-------|-----|--------|-------|-----|--------|--|
|               |   | <p>of 50% clear glazing; and,</p> <ul style="list-style-type: none"> <li>Is openable for 50% the size of the window.</li> </ul>   | <table border="1"> <tr> <td>Living</td> <td>17.46%</td> <td>42.18%</td> </tr> <tr> <td>Retreat</td> <td>8.57%</td> <td>28.57%</td> </tr> <tr> <td><b>Unit 3</b></td> <td></td> <td></td> </tr> <tr> <td>Bed 2</td> <td>13.11%</td> <td>87.43%</td> </tr> <tr> <td>Bed 3</td> <td>6.72%</td> <td>44.78%</td> </tr> <tr> <td><b>Unit 4</b></td> <td></td> <td></td> </tr> <tr> <td>Bed 2</td> <td>9.6</td> <td>32.00%</td> </tr> <tr> <td>Bed 3</td> <td>9.6</td> <td>32.00%</td> </tr> <tr> <td>Study</td> <td>9.4</td> <td>41.00%</td> </tr> </table> | Living   | 17.46% | 42.18% | Retreat | 8.57% | 28.57% | <b>Unit 3</b> |  |  | Bed 2 | 13.11% | 87.43% | Bed 3 | 6.72% | 44.78% | <b>Unit 4</b> |  |  | Bed 2 | 9.6 | 32.00% | Bed 3 | 9.6 | 32.00% | Study | 9.4 | 41.00% |  |
| Living        | 17.46%  | 42.18%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Retreat       | 8.57%   | 28.57%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| <b>Unit 3</b> |   |   |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Bed 2         | 13.11%  | 87.43%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Bed 3         | 6.72%   | 44.78%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| <b>Unit 4</b> |   |   |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Bed 2         | 9.6   | 32.00%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Bed 3         | 9.6   | 32.00%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| Study         | 9.4   | 41.00%  |   |  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| 5             | Size and layout of dwellings (16.1 of HOALPP) | <p>Minimum floor areas and dimensions of habitable rooms shall be:</p> <ul style="list-style-type: none"> <li>Master bedroom: 10m<sup>2</sup> and 3m dimension.</li> <li>Other bedrooms: 9m<sup>2</sup> and 3m dimension.</li> <li>Living room (other dwelling types): 4m dimension.</li> </ul> | <p>Unit 1<br/>Bed 2: 2.8m</p> <p>Unit 2<br/>Bed 2: 2.92m</p> <p>Unit 3<br/>Bed 2: 2.92m</p>   | <p>In relation to the minimum 3m dimension to the bedrooms. Where this dimension was unachievable, we have shown a greater dimension in the other direction. Additionally, we have also shown indicative queen size bed locations to all the bedrooms to further support the usability of the room. Overall, we believe we provide a functional floor layout for the future occupants</p>  |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| 6             | Size and layout of dwellings (16.2 of HOALPP) | <p>Dwellings shall have a minimum ceiling height of 2.7 metres in habitable rooms and 2.4 metres in non-habitable spaces.</p>   | <p>2.657m floor to ceiling over all developments.</p>   | <p>As per the notation on the drawings, the ground floor shows ceiling height of 31c (2.657m) which is minorly under the required 2.7m. The upper floor ceiling height of 30c (2.572m). The living areas have ceilings of 31c as they will be occupied and used majority of the time. The upper floor ceilings are at 30c which we believe is suitable for the bedrooms. All the bedrooms are larger in area then required. The bedroom spaces are all well-proportioned and facilitate compliant natural light and ventilation. We have shown the furniture in the bedrooms to show that it's a functional and livable space for the future residents</p> |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |
| 7             | Setback of garages and carports (7 of HOALPP) | <p>Where a dwelling does not orient to a primary street, the</p>  | <p>Unit 3 – Faces street however behind the dwelling line.</p>  | <p>The proposed garage to Unit C is behind the dwelling line as stated. This garage has now been relocated</p>   |        |        |         |       |        |               |  |  |       |        |        |       |       |        |               |  |  |       |     |        |       |     |        |       |     |        |  |

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|   |  | garage shall be located behind the dwelling building line and not face the primary street.  |  | to 3m from the boundary. This will make it less visible from the primary street. The garage will also be slightly taken from view by the two trees in front of Unit A and Unit B down the common driveway. There are also 2 trees behind the proposed visitor bay. The garage doors do not dominate the streetscape or the view of the common driveway from the street.  |
| 8 | Outdoor Living Area (5.3.1 of the R-Codes & 15 of HOALPP)) | Outdoor living area not provided in the street setback area (R-Codes).<br>Outdoor living areas in the front setback area where the design enhances surveillance of the adjacent streetscape (HOALPP). | Unit 1 - The OLA is in the front setback area. Given the FFL of the OLA in relation to the street this is not considered to enhance surveillance of the streetscape. | <p>As a per the initial justification letter below. The OLA is only 0.6m below the natural ground line at the worst-case scenario. We would be open to providing a higher grade of materials to the fence. Please condition</p> <p>“Unit 1 – Taking into consideration the angle of the front boundary, the narrow entry to the lot, the topography of the land along with the one crossover policy the courtyard to Unit A has been designed to take advantage of the front setbacks. Although it does not take advantage of the northern aspect of the site, the courtyard has been designed</p> <ul style="list-style-type: none"> <li>- to be used in conjunction with the primary living space of the dwelling.</li> <li>- The outdoor living areas is of sufficient size and is functional</li> <li>- The outdoor living area provides functional landscaping</li> <li>- Greater setbacks to the main building and by having the garage to the rear of the proposed unit reduces the bulk on the streetscape</li> <li>- The courtyard also provides improved surveillance and security for the future occupants</li> </ul> |

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|    |   |  |   | <p>- The courtyard provides opportunity for interactions with neighbours</p> <p>By having the outdoor living area to the front of the unit instead of the garage it has a positive aesthetic impact on the street. With the narrow frontage and topography to this property, we believe the garage is better suited to the rear of the lot. Combining the increased street setback to the dwelling as well as the landscaping we believe this creates for a more attractive streetscape and it is a positive outcome for the area.</p>  |
| 9  | Tree canopy and deep soil areas – Landscape Area (11 of HOALPP) | <p>The minimum landscape area is to be calculated as 20% of the site area:</p> <ul style="list-style-type: none"> <li>• Unit 1: 48.31m<sup>2</sup></li> <li>• Unit 2: 45m<sup>2</sup></li> <li>• Unit 3: 46.1m<sup>2</sup></li> <li>• Unit 4: 48.3m<sup>2</sup></li> </ul> <p>Overall the development requires 187.70m<sup>2</sup></p> | <ul style="list-style-type: none"> <li>• Unit 1: 36.3m<sup>2</sup> (15.03%)</li> <li>• Unit 2: 30.1m<sup>2</sup> (13.38%)</li> <li>• Unit 3: 46.8m<sup>2</sup> (20.31%)</li> <li>• Unit 4: 45.3m<sup>2</sup> (18.76%)</li> </ul> <p>Overall the development provides for 158.5m<sup>2</sup> (16.88%)</p>  | <p>Landscaping Areas have been increased and 4 additional smaller trees have been provided to compensate for the landscaping.</p>   |
| 10 | Tree canopy and deep soil areas – Trees (12.1 of HOALPP)        | <p>Tree have deep soil area of 9m<sup>2</sup> and minimum dimension of 2m</p>  | <p>Unit 1 – Rear tree – 8.2m<sup>2</sup> &amp; &lt;2m<br/> Unit 2 – Tree at entrance – 8.3m &amp; &lt;2m<br/> Unit 3 – Rear (NE) – 7.84m<sup>2</sup> &amp; 2 (or 9m &amp; &lt;2m)<br/> Unit 3 – Rear (N) – 7.84m<sup>2</sup> &amp; 2 (or 9m &amp; &lt;2m)<br/> Unit 4 – Rear (N) – 8.9m<sup>2</sup> &amp; 2m (or 9m<sup>2</sup> &amp; &lt;2m)</p> | <p>Please refer to updated landscaping plan. Each Dwelling has two 90L trees, 8 in total. The deep soil area has been outlined and dimensioned. The deep soil area outline demonstrates it does not go below 2m in width. Unit 1 NE tree does have some permeable paving within the tree zone but logically this will allow for water to get through to the soil and roots. This tree is important to the development as it provides shade to the living area of unit 1.</p> <p>We have also included 4 additional 25L trees to the site. These are smaller trees and 3 of them are</p> |

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|     |   |  |  | visible from the common driveway. With the unusual and difficult shape of this block we believe we have provided sufficient landscaping that will enhance the visual aesthetics of the property but also the quality of living for the future residence.   |
| 11  | Parking (5.3.3 of R-Codes)                          | One visitor parking bay is required for four units.  | No visitor parking provided.   | Visitor bay has been provided – Refer to amended plans   |
| 12  | Design of Car Parking Spaces (5.3.4 of the R-Codes) | Driveway gradient has been raised as an issue. See comments from engineers.  |  | Spoon drain has been provided to the porch of Unit 1. The spoon drain and the permeable paving will keep stormwater from pooling within the porch area.<br>2. Spoon drain has been provided in front of unit A and the levels has been altered to suit a better transition from the verge to the garage of unit A.   |
| 13  | Access and Parking (10 of HOALPP)                   | Crossover width – 4.5m maximum   | 5.02m  | The proposed crossover is 4.2m wide, please refer to the dimension added to the site plan. Taking into consideration the angle of the front boundary, the shape of the block and the position of the street we believe the proposed crossover provides for the best access point to the property and makes for efficient use of space.   |
| 14a | Pedestrian access (5.3.6 of R -Codes)               | Separate pedestrian paths providing wheelchair accessibility connecting the entries to all buildings with the public footpath and car parking areas. | No information given on ability for pedestrians to access the development.       | As the proposed development is only 4 dwellings the common drive is to be shared between vehicles & pedestrians. As there will be very little vehicle traffic, we believe the common drive is safe and creates direct access for pedestrian. The dwellings down the common driveway have setbacks of 6.5m from the boundary, there is plenty of visibility to get to get from the street to the units. |
| 14b |   | Minimum setback to any wall with a major opening unless privacy screening is provided: 2.5m  | U1 – Living – 2m<br>U2 – Study – 2.4m<br>U3 – Study – 1.5m<br>U4 – Study – 1.92m | None of these major openings create a negative impact to the development as: <ul style="list-style-type: none"> <li>- They do not create any overlooking issued between the dwellings.</li> <li>- They are on the ground floor</li> <li>- No obstruction for surveillance</li> </ul> Trees and vegetation to provide a form of privacy   |

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| 15 | Site Works (5.3.7 of R-Codes)                     | Retaining walls, fill and excavation between street boundary and street setback, not exceed 500mm from NGL   | The retained level for Unit 3 (north) is unclear. If the retaining is at 20.643 (as appears in elevation) then no discretion.<br><br>If the retaining is at 20.814 as per the plan this is greater than 0.5m. | This note has been clarified on the drawings.   |
| 16 | Solar and daylight access (A4.1.4 - 17 of HOALPP) | The building is orientated and incorporates external shading devices to minimise direct sunlight to habitable rooms between late September and early March, and permit winter sun as per 4.1.1.  | Unit 1 – No eaves to Dining, bed 2, bed 3<br>Unit 2 – No eaves to bed 2, bed 3<br>Unit 3 – No eaves to Kitchen, Bed 3<br>Unit 4 – No eaves to Dining/living Bed 2, Bed 3                                      | Unit 1 – Dining – We have proposed a tree in this location to help with the shading.<br>Unit 1 – Bed 2 & 3 – Eaves have been provided<br>Unit 2 – Bed 2 & 3 – Eaves have been provided<br>Unit 3 – new design – retreat has eaves provided<br>Unit 4 – Dining – Alfresco & proposed tree to provided shading<br>Unit 4- Living – Proposed tree to provided shading<br>Unit 4 – Bed 2 & 3 – Eaves have been provided |
| 17 | External fixtures                                 | Enclosed, lockable storage area, matching dwelling where visible from street, accessible outside dwelling, minimum dimension 1.5m when external to dwelling and 1m when provided within garage and internal area of minimum 4m <sup>2</sup> for each grouped dwelling. | Unit 4 – 3.7m <sup>2</sup>  | Although the storeroom within the garage to Unit 4 is of an irregular shape and a portion of it is below the minimum 1m in width the storeroom provides 4.3m <sup>2</sup> which is greater then required. The storeroom is open to the garage and provides for functional store area with the maximum depth of 1.865m. Therefor we believe it meets the needs of the future residents.                              |