

A 242 Leach Hwy, Myaree WA 6154
PA PO Box 4028, Myaree BC, WA 6960
T 08 9317 0100
W summithomes.com.au



Our Ref: 166300

8 September 2023

Chief Executive Officer

City of Joondalup

Attn: Manager Approval Services

Dear Sir/Madam

**APPLICATION FOR DEVELOPMENT APPROVAL FOR A NON-COMPIANT SINGLE HOUSE (TWO STOREY)
AT 20A (STRATA LOT 1) MOFFAT PLACE, WARWICK**

Please find the enclosed application for Development Approval for a Single House on a newly created lot resulting from a side-by-side subdivision. The site is zoned Residential R20/R60 with development proposed at the higher code. The applicable planning framework is the HOA-LPP and the R-Codes. The design is largely within the limitations of the Deemed-to-Comply standards and in keeping with the intended character and scale of development in the R20/R60 precinct. Components of the proposal seeking assessment under the Design Principles are addressed below.

PLANNING FRAMEWORK	
MRS	Urban
LPS 3	Residential 'R20/R60'
LPP	Development in Housing Opportunity Areas Local Planning Policy
SPP 3.7 Bushfire Prone	Not Applicable outside policy area
SPP 5.4 Road and Rail Noise	Within policy area
SPP 7.3 R-Codes	Volume 1 – 2021

APPLICABLE PLANNING FRAMEWORK

NEW HOMES

RENOVATIONS

GRANNY FLATS

DEVELOPMENTS



SPP 5.4 – Road and Rail Noise

Please refer to the enclosed Acoustic Engineer report confirming compliance with internal noise levels subject to attenuation.

HOA LPP C6.3b – Upper Floor Setback

The first-floor wall adjacent to the southern boundary would be setback 1.204m to 2.004m in lieu of 2m and the first-floor wall adjacent to the northern boundary would be setback 1.5m to 2.3m. It is noted the objective of HOA – LPP is as per below:

“Dwellings are to be designed to respond to passive solar design principles, including orienting outdoor and indoor living spaces towards north, orienting mass and windows to capture prevailing breezes and controlling solar access to the west and east to limit heat gain”

Given the site is to the south of No. 20B there would be no impact with regard to loss of light. The proposal would meet other Design Principles of the R-Codes in relation to this property given the scale of the building is in keeping with the maximum two storey built form intended for the area.

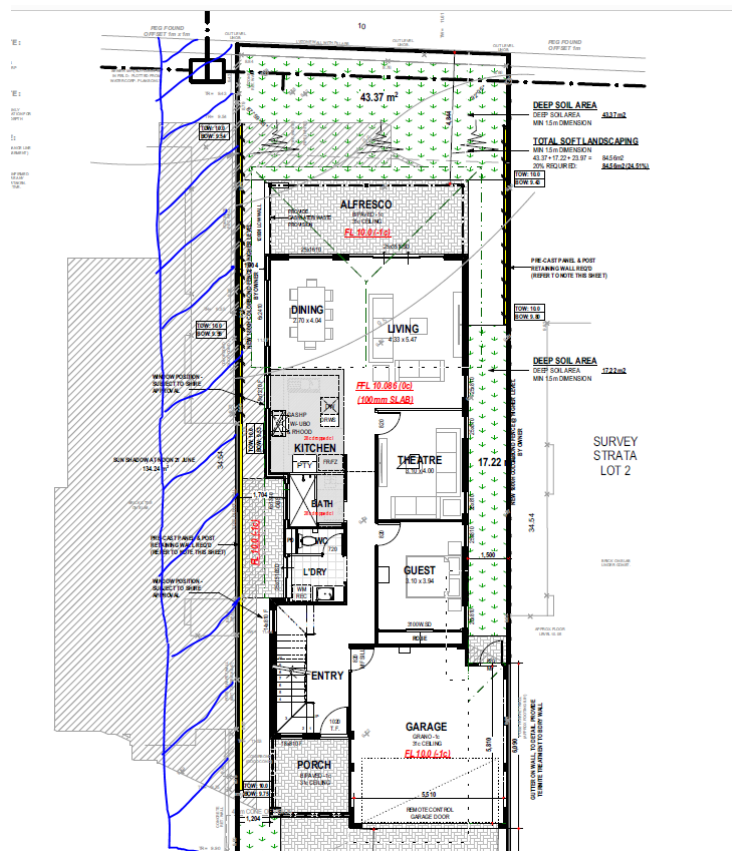
While the proposal would result in loss of light to No. 18 Moffat Place given the site circumstances it is considered the impact would not be unreasonable. The two storey component of the dwelling would be largely adjacent to boundary walls on the affected property largely mitigating its impact. Some of the windows in the northern elevation of No. 18 serve non-habitable rooms such as a laundry. It is likely the primary living space is at the rear and would benefit from dual aspect. Accordingly, the proposed wall would not compromise the only source of light to this room as its rear aspect would be maintained.

The shadow cast by the development would still enable the solar panels on the dwelling access to light for at least 4 hours of the day. It should also be noted the panels would have full access to light during the summer months. The proposal is well within Overshadowing Deemed-to-Comply limitations and the total extent of overshadowing is not significantly in excess of the shadow cast by the dividing fence. Again, given the scale of the building is in keeping with the maximum two storey built form intended for the area.

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NORTHERN ELEVATION OF NO. 18



EXTENT OF OVERSHADOWING AND SHADOW CAST BY FENCE MARKED IN BLUE

NEW HOMES

RENOVATIONS

GRANNY FLATS

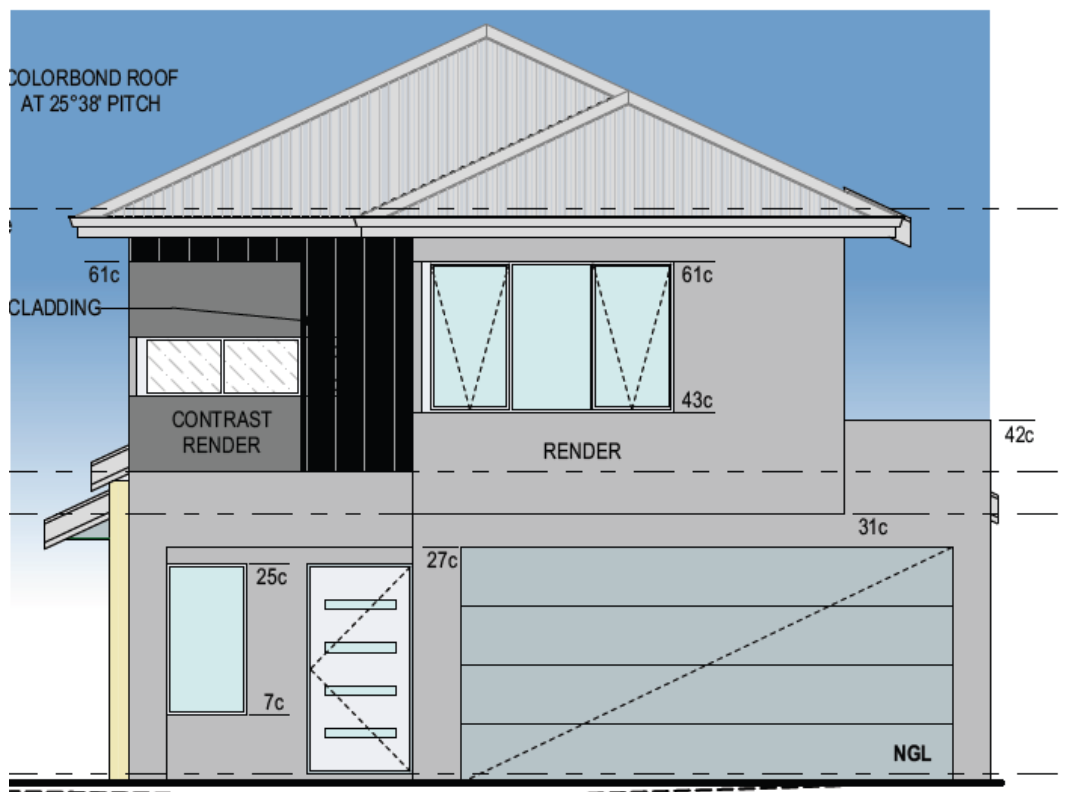
DEVELOPMENTS

HOA LPP C6.4 - Boundary Wall

The proposed incorporates a boundary wall which exceeds the height limit. The wall is adjacent to a boundary wall under construction. However, the wall is of a greater height and therefore not within Deemed-to-Comply limitations. Notwithstanding, given the relationship and solar orientation there would be no adverse impact on the amenities of these occupants. The wall is not of a scale that would appear overbearing in the streetscape.

HOA LPP C1.3 & C7.4 – Blank Wall / Garage Width

The proposed garage would not exceed 60% of the frontage. However, the first floor would not be positioned above the entire width of the garage and therefore does not qualify for this additional width. Notwithstanding, it is considered the overall elevation addresses the relevant Design Principles and Local Housing Objectives. The garage is setback 0.5m behind a dominant first floor which would reduce the prominence of the garage in the streetscape. The elevation also includes feature fenestration and variation in material and colours further reducing the garage prominence.



FRONT ELEVATION DOMINATED BY SCALE AND ARCHITECTUAL FEATURES



The design maintains visual connectivity to the street with a front entry door and major openings. It is also noted the development exceeds the required minimum front setback soft landscaping requirement. On balance it is considered the proposal meets the relevant Design Principles.

C5.3.7 – Site Works

Fill and retaining up to 570mm is proposed adjacent to the northern boundary. While the fill and retaining to the southern boundary is up to 1.2m from the level of the site, it should be noted the neighbouring site is raised higher and when measured from this level the height is only 460mm.

The nominated floor level has been proposed to avoid undermining the adjacent boundary wall footing. The proposed FFL of 10.086 would have a top of footing of 9.914 in keeping with the neighbouring footing of 9.91 preventing undermining. Given this it is considered fill above the 500mm limit is justified and meets Clause 5.3.7 P7.1 and P7.2.

It is considered the retaining and site works would not be excessive when viewed from the street or adjacent properties and overall the development would maintain the natural visual impression of the site.

C5.4.1 – Visual Privacy

The rear alfresco is raised more than 500mm above the natural ground level and the retaining and screen fence would not prevent a 6.0m cone of vision encroachment. However, it is noted the views would be on an angle rather than direct sightlines. Views would only be possible to the rear most section of the adjacent properties and there would be no overlooking of major openings. It is considered the proposal would not give rise to an unreasonable loss of privacy.

HOA LPP C16.1 – Bedroom Dimension

Part of the Bedroom 2 would have a dimension of 2.3m. However, the majority of the room would be 3m and given the total area 10.2 sqm this space would not be cramped or enclosed. There is sufficient room for all furniture and access within the room.

HOA LPP C16.2 – Ceiling Height

The dwelling would have a ceiling height of 2.65m in lieu of 2.7m. This is not a material difference and given the room sizes and multiple aspects afforded to the Primary Living Space it is considered the dwelling would not appear enclosed or confined.

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HOA LPP C18.3 a. – Cross Ventilation

The toilets do not have opening windows. However, these rooms are not used on a frequent basis and the provision of an exhaust fan will meet the NCC DTS provisions. Bed 1, Study and Bed 2 do not incorporate 2.1m separation to opening windows. However, it should be noted cross ventilation could be achieved when the internal doors are open. There are windows facing in a south-western orientation which will assist in flushing out hot air build up with afternoon winds.

I can be contacted on the details below should you require any further information or wish to discuss the proposal.

Regards

A handwritten signature in black ink, appearing to read "Hamish Gleeson".

Hamish Gleeson

BA (Urban and Regional Planning) (Hons)

Senior Town Planner

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