

8 October 2023

Chief Executive Officer
City of Joondalup
PO Box 21
Joondalup, WA 6919

Attention: Planning Department

PROPOSED GROUPED DWELLING – NO. 2A (SURVEY STRATA LOT 2) GRAPHIC COURT, BELDON

Ennis Advisory acts on behalf of Newera Homes, which is authorised to submit a Development Application for a proposed Grouped Dwelling within lot 2 (No. 2A) Graphic Court, Beldon ('subject site'). We have been requested to assist with providing planning justification for the eastern boundary setback seeking determination against the Design principles of SPP 7.3 - Residential Design Codes (RD Codes).

LEGAL LOT DESCRIPTION

The subject site is legally referred to as Lot 2 on Survey Strata Plan 70342, held in Volume 2964 and Folio 136.

The subject site measures 351.02 m² in effective area, plus a proportionate share in common property lot 3.

ZONING & LAND USE

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme and 'Residential' with an R20 density coding under the provisions of the City of Joondalup Local Planning Scheme No. 3 (LPS 3). The proposed works and land use are consistent with these zonings.

BOUNDARY SETBACKS

The Boundary setbacks have been assessed as per the following table, with the eastern boundary setback seeking variance to the Deemed-to-Comply standards of Clause 5.1.3 under SPP 7.3.

Boundary setback Assessment

Lot 2 Graphic Court						
Subject Wall(s)	Setback calculation methodology	Length of wall	Height of wall	Required setback	Proposed Setback	Setback variance
Eastern Ground Floor Wall – Kitchen & Main Suite (with major opening)	Calculated as one length of wall as per Figures 4a, 4b & 4c	10m	Less than 3.5m	1.5m	1.058m 1.286m	-0.442m -0.214m
Southern Ground Floor Wall – Garage/WIR/Ens		10m	Less than 3.5m	1.0m	3.2m	+2.2m

The proposed boundary setback seeking variance to the Deemed-to-comply standards of SPP 7.3 can be permitted under the Design Principles of Clause 5.1.3 of the SPP 7.3 with the applicable criteria being:

“P3.1 Buildings set back from lot boundaries or adjacent buildings on the same boundary so as to:

- *Reduce impacts of building bulk on adjoining properties;*
- *Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.”*



 Boundary setback seeking determination under Design principals of RD Codes

The proposed boundary setback variation is minor in nature and considered to satisfy the below Design principles. The key reason for the variation is due to the oblique nature of the eastern boundary with small sections of the wall being setback less than 1.5 m from the eastern boundary.

Reduce impacts of building bulk on adjoining properties

Eastern boundary

- The proposed wall heights are modest in nature, proposing ceiling heights to 28 course (2,435 mm) and therefore the proposed building is considered to moderate any impacts of building bulk.
- The eastern walls will be located adjacent to an extensive area of open space and therefore pose no real or perceived impacts of excessive building bulk when viewed from the adjoining property.

Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties

Eastern boundary

- The boundary setback variation along the eastern boundary will not cast a shadow which will affect access to winter sun and therefore will not impact on access to direct sunlight available to the adjoining property to the east.

Minimise the extent of overlooking and resultant loss of privacy on adjoining properties

- The reduced eastern boundary setback is a single level wall and will therefore not result in any loss of privacy. The existing 1.8 m dividing fencing will provide effective privacy screening from the reduced eastern boundary setback.

SPP 5.4 Road and Rail Noise

A desktop review has been undertaken in terms of the subject site and proximity to Ocean Reef Road and the application of State Planning Policy 5.4 – Road and Rail Noise. Table 2 provides a noise exposure forecast, which is intended for proponents and decision makers to undertake a simple initial screening assessment to estimate the potential risk of noise impacts on noise-sensitive land use or development.

The subject site is located between 100 m and 110 m from Ocean Reef Road (refer to mapping contained within Annexure 1) which is a 2-lane regional road with a posted speed limited of between 60 – 80 km. The forecast noise exposure is 55 dB and based on Table 2 – Noise exposure forecast, no further measures and investigation is required.

SYNOPSIS

On balance it is considered that it can be demonstrated that the proposed design satisfies the Design principals of the RD Codes in relation to boundary setbacks. Please contact the undersigned should you require any additional information on jordan@ennisadvisory.com.au.

Yours Faithfully

A handwritten signature in blue ink, appearing to read 'J. ENNIS', is positioned above the printed name.

JORDAN ENNIS