

### **Summary of Submissions:**

The tables below summarise the comments received during the advertising period of the proposal, together with the Administration's response to each comment received (4 December 2018 – 15 January 2019).

<b>Comments Received in Support:</b>	<b>Administration's Comment:</b>
No comments provided on submission for support.	Noted.

  

<b>Comments Received in Objection and/or Raising Concerns:</b>	<b>Administration's Comment:</b>
<u>Land Use</u> <ul style="list-style-type: none"><li>• The proposed Multiple Dwellings are inconsistent with the character of this section of Walcott Street, which comprises of single dwellings.</li><li>• The amenity of the area has already been impacted by nearby large scale subdivisions. This high density development will result in a further loss of residential amenity.</li></ul>	The subject site is zoned 'Residential' with a density coding of R60. A Multiple Dwelling is a permitted use within the Residential zone and can be considered under the R60 density coding. The subject site is located within the 'Transit Corridor' under the City's Built Form Policy. The built form outcome of the proposed development is consistent with the outcome envisioned for the future development along the Transit Corridor.
<u>Building Height/Plot Ratio</u> <ul style="list-style-type: none"><li>• The development dwarfs over the surrounding properties and will have a visual impact on nearby dwellings.</li><li>• The development is 12 metres in height and will create substantial overshadowing to the adjoining dwelling. This will reduce the adjoining dwelling's access to natural light and ability to utilise sustainable energy sources.</li><li>• The proposed variation to the plot ratio requirement is considered excessive and an over development of the site. This is not considered consistent with the R50 density coding.</li><li>• The level of excavation and boundary walls is considered excessive within the context of the proposed variations to plot ratio and setbacks.</li><li>• The proposed storeroom is considered to be an odd and unnecessary addition that adds bulk to the development. This is considered to have a negative impact on the adjoining properties. The development meets the storage requirements of the Residential Design Codes, therefore this addition is unnecessary.</li><li>• Submission notes a 0.9 metre level difference between the subject site and adjoining property.</li></ul>	<ul style="list-style-type: none"><li>• The subject site is located within a three-storey building height area under the City's Built Form Policy. The development meets the deemed-to-comply standards of the Built Form Policy with respect to height.</li><li>• The development has a maximum roof height of 10.2 metres from natural ground level. This meets the 10.2m (bottom of roof) and 11.2m (top of roof) deemed-to-comply standards of the City's Built Form Policy for skillion roofs.</li><li>• The plot ratio satisfies the design principles of the R Codes as design measures to mitigate building bulk have been incorporated. These include articulating the building façade, incorporating alternative colours and materials. The bulk and scale of the development is consistent with the future built form of the locality as envisaged for the Transit Corridor by the Built Form Policy.</li><li>• Noted. The site survey has been considered by the City in its assessment of the development plans.</li></ul>

## Summary of Submissions:

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<p><u>Built Form (General)</u></p> <ul style="list-style-type: none"> <li>Concerns in regards to the development's presentation to the right of way (ROW) and the dominance of the car parking area. The presentation is considered to detract from the amenity of the ROW and the adjoining properties which may develop with dwellings fronting the ROW.</li> <li>Concern that the development does not meet the intent of the City's Built Form Policy with respect to the presentation to the ROW.</li> <li>Suggests the development reposition the car parking bays (parallel to the ROW), provide screening to the car parking area or reduce the hardstand.</li> </ul>	<ul style="list-style-type: none"> <li>A condition of development approval has been recommended to require the resident car parking bays to be screened from public view. This will bring the development into compliance with Clause 6.3.4 of the R Codes. There are no requirements for visitor car bays to be screened from public view.</li> <li>The development has been designed to address its primary frontage which is Walcott. There are no requirements in the City's Built Form Policy for residential development to address both the primary street and the ROW.</li> <li>Noted. The City is required to assess the development plans that have been lodged and are not involved in the detailed design of the proposal. Feedback received during community consultation has been provided to the applicant for consideration.</li> </ul>
<p><u>Setbacks</u></p> <ul style="list-style-type: none"> <li>Does not conform to planning requirements.</li> <li>The proposed lot boundary setback impose on the adjoining properties and present unacceptable building bulk. This will impact both the liveability of the dwellings and the use of the outdoor living areas.</li> <li>The boundary walls further reduces the adjoining properties access to natural light and restricts the development potential of the adjoining properties.</li> <li>Reduced lot boundary setbacks increases the extent of overshadowing to the adjoining property.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed lot boundary setbacks were assessed against the design principles of the R Codes. The proposal satisfies the relevant design principles of Clause 5.1.3 of the R Codes. This is predominantly based on the articulated design of the facades and the colours and materials reducing the overall impact of the building bulk and scale on neighbouring properties.</li> <li>The development meets the deemed-to-comply standards of the R Codes with respect to overshadowing and the deemed-to-comply requirements of the City's Built Form Policy with respect to boundary walls.</li> </ul>
<p><u>Visual Privacy</u></p> <ul style="list-style-type: none"> <li>Does not conform to planning requirements.</li> <li>Multiple windows are overlooking the adjoining properties.</li> <li>Concerns in regards to overlooking from the stairwells to the adjoining properties. Request screening be included to maintain visual privacy to the adjoining development.</li> <li>Concerns in regards to overlooking from the proposed storage space on the third level.</li> </ul>	<ul style="list-style-type: none"> <li>Agreed. Following community consultation, the applicant provided amended plans screening the balconies of Unit 1 and Unit 3. Administration has recommended a condition of development approval to be imposed to ensure these balconies are screened in accordance with the deemed-to-comply standards of the R Codes.</li> <li>The visual privacy deemed-to-comply standards of the R Codes do not apply to non-habitable spaces such as storerooms and walkways.</li> </ul>
<p><u>Overshadowing</u></p> <p>Concerns in regards to the overshadowing generated from the proposal and the impact of this on the amenity of the adjoining lot to the south.</p>	<p>The development proposes 32 percent overshadowing to the adjoining property to the south. This meets the deemed-to-comply standards of the R Codes, which permits a maximum of 50 percent overshadowing on properties with a R60 density coding.</p>

## Summary of Submissions:

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<p><u>Traffic</u></p> <ul style="list-style-type: none"> <li>The development includes eight car bays that will be accessed by the ROW. This is considered excessive and will create additional traffic on the right of way, which will create a safety hazard for the children who currently use the laneway for travel and play.</li> <li>The development will overcrowd the right of way and will create on-going disruption to the other users of the ROW.</li> <li>The development will create additional traffic to Walcott Street, which is already a busy road due to the proximity to the Charles Street, Wanneroo Road and Walcott Street intersection.</li> <li>Concerns in regards to property damage from increased traffic on the laneway and additional cars parked on the nearby streets.</li> <li>The development has not made allowance for traffic access via Walcott Street.</li> <li>Concerns that the existing ROW does not have the capacity to cater for the additional traffic from the development.</li> <li>Allowing the development to utilise the ROW for eight vehicles contradicts the City's safe streets and laneway initiatives.</li> </ul>	<ul style="list-style-type: none"> <li>Following community consultation the applicant provided amended plans that removed two visitor car parking bays, reducing the overall number to six. The development meets the deemed-to-comply standards of the R Codes, which requires a minimum of four residential car bays and one visitor bay to be provided. It is noted that there are no requirements for a maximum number of car bays.</li> <li>The primary purpose of the ROW is to provide vehicle access to the properties fronting Walcott Street and Lawler Street. Clause 6.3.5 of the R Codes requires vehicle access to be taken from a ROW where available.</li> <li>Concerns in relation to matters that may arise during the construction process cannot be considered as part of the development assessment process. The City's Rangers can assist should the ROW be blocked by construction vehicles. All contractors must ensure that the ROW laneway is accessible and useable to all vehicle users.</li> <li>The Western Australian Planning Commission's (WAPC) Traffic Impact Assessment Guidelines identifies that developments with less than ten dwellings are considered to have a 'low' traffic impact. On this basis, the ROW is considered to have sufficient capacity to accommodate the additional six vehicles.</li> </ul>
<p><u>Car Parking</u></p> <ul style="list-style-type: none"> <li>Concerns in regards to the visitors of the development parking on nearby residential streets. It is noted that the site is located close to Kyilla School and Farmers Markets, which generates a large demand for car parking.</li> <li>Proposed visitor car parking is considered insufficient and will result in visitors parking on the right of way. Noting the development provides two bedroom units which would likely accommodate a couple with two cars.</li> </ul>	<ul style="list-style-type: none"> <li>The applicant has amended the development to provide two visitor car bays, instead of four visitor car bays. This is a surplus of one car bay from the deemed-to-comply standards of the R Codes. This is considered sufficient to cater for the needs of the development.</li> <li>As above, the development meets the deemed-to-comply standards of the R Codes, which requires a minimum of four residential car bays and one visitor bay to be provided. There are no requirements for a maximum number of car bays.</li> </ul>

## Summary of Submissions:

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> <li>Concerns of the viability of the proposed tree being located centrally within the car parking area.</li> <li>Concerns the root systems will cause damage to nearby infrastructure and properties.</li> <li>Concerns the proposed tree species are known to cause allergies.</li> <li>Should the development be approved, it is requested the developer plant mature trees.</li> <li>Submission queries when a development is required to meet the canopy cover requirements and how this can be enforced by the City.</li> </ul>	<ul style="list-style-type: none"> <li>Agreed, the City's Parks team has reviewed the proposed landscape plan and identified that the proposed tree species is not appropriate for the proposed planting area. A condition of approval has been recommended to Council requiring a revised landscape plan to be submitted and approved by the City prior to the commencement of development.</li> <li>As above, the applicant will be required to review the proposed tree species as a condition of the development approval.</li> <li>The development meets the deemed-to-comply standards of the R Codes with respect to landscaping. The City's Built Form Policy requires additional landscaping to be provided in addition to the standards of the R Codes. A condition of approval has been recommended to Council requiring a revised landscape plan to be submitted and approved by the City prior to the commencement of development. The revised landscape plan is condition to be generally consistent with the landscaping standards of the Built Form Policy.</li> <li>The City will not issue the commencement of development until this condition of approval has been satisfied. Developments that are non-compliant with the conditions of development approval are subject to action from the City's Compliance Services.</li> </ul>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>The development will have a negative impact on the property values of the nearby single houses. Noting that the single houses in the area may not have been purchased if development such as this was in the area.</li> <li>Adjoining properties are misrepresented on the elevations and perspectives.</li> <li>Suggestions for more speedbumps, lighting, mirrors and signage be incorporated in the ROW to create a more pedestrian safe environment.</li> <li>Concerns the development will establish an undesirable precedent for the future development of the ROW.</li> <li>Maintenance by the strata would not include maintenance of the car bays, meaning the car bays may become unsightly.</li> </ul>	<ul style="list-style-type: none"> <li>The development of the site is assessed against the applicable planning framework. Considerations in regards to property values are outside of the scope of this development application.</li> <li>Noted, the City's assessment of the proposal is based on the current development located on site and along Walcott Street, Coolbinia.</li> <li>Future works within the ROW are outside of the scope of this development application and cannot be considered as part of this development application process.</li> <li>The City considers the development to be consistent with the intended development within the Transit Corridor of the City's Built Form Policy. Further discussion on this is provided in the City's report to Council.</li> <li>The maintenance of properties is the responsibility of the individual landowners or the Strata, the City has not authority over the long term maintenance of properties.</li> </ul>

Note: Submissions are considered and assessed by issue rather than by individual submitter.

## **Summary of Submissions:**

The table below summarise the comments received during the second advertising period of the proposal, together with the Administration's response to each comment received (4 February 2018 – 11 February 2018). The summary includes comments raising points not covered in the original community consultation period.

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<p><u>Plot Ratio/Bulk and Scale</u></p> <ul style="list-style-type: none"> <li>• The proposed plot ratio demonstrates that the applicant is trying to squeeze four large units onto a small and narrow lot, at the expense of the amenity of the adjoining and nearby properties. The proposed plot ratio is 6% above the requirements for a zoned R60 block, which is considered to be inappropriate within the context of the small narrow site.</li> <li>• Supporting an increased plot ration would create an undesirable precedent for future development.</li> <li>• Concerns the roof storage and stairwell has not been considered in the plot ratio calculations. Submission notes the plot ratio would increase to a 23 percent increase from the deemed-to-comply requirement, should these areas be included.</li> <li>• Submission raises concerns as to why Council would consider an increased plot ratio from the deemed-to-comply standard.</li> <li>• The development is considered to present unreasonable adverse impact on the amenity of the adjoining and surrounding properties.</li> <li>• The design of the development shows little regard for the surrounding homes, and if approved in its current form would set a poor example for future infill development.</li> <li>• Small and narrow lots are not generally suitable for apartment buildings which is evidenced by the fact that most of the apartment buildings in the area are on lots greater than 15 metres.</li> </ul>	<ul style="list-style-type: none"> <li>• The development meets the design principles of the R Codes with respect to plot and is consistent with desired built form outcome of the locality, as in as envisaged by the Transit Corridor built form area of the Built Form Policy.</li> <li>• The City is required to assess each development application on its individual merit. Future development applications will be assessed based on their individual merits and site characteristics.</li> <li>• The R Codes outline what areas of a building can be considered within the plot ratio calculations. This excludes stairwells common to more than two dwellings and storage areas.</li> <li>• When a development does not meet the deemed-to-comply standard of the R Codes, the City is required to assess the development under the applicable design principle of the R Codes. The development can be supported if the Council is satisfied the design principle has been met.</li> <li>• The subject site is zoned Residential with a density coding of R60. A Multiple Dwelling is a permitted use within the Residential zone and can be considered under the R60 density coding.</li> </ul>
<p><u>Building Height</u></p> <ul style="list-style-type: none"> <li>• Concerns in regards to the propose building height. Submission note that the development has a three to four storey appearance. This is considered out of context with the character of the locality, which is predominantly single storey.</li> <li>• Although the site is located in a three-storey building height area, the proposed height restricts the ability for the development to meet the lot boundary setback requirements. This further impacts on the building bulk of the development and the amenity of the adjoining properties.</li> <li>• Suggests increasing the level of excavation proposed and reducing the finished floor level of the ground flood to reduce building bulk.</li> </ul>	<ul style="list-style-type: none"> <li>• The subject site is located within a three-storey building height area under the City's Built Form Policy. A three-storey building height with a skillion roof is permitted to be of a height of 10.2m (bottom of roof) and 11.2m (top of roof). The development has a maximum roof height of 10.2 metres from natural ground level. So although the development appears over three-storeys, the metric building height still meets the deemed-to-comply standards of the Built Form Policy.</li> <li>• The proposed lot boundary setbacks meet the design principles of R Codes. Further details on how the development is considered to meet the design principles is provided in the City's report to Council.</li> </ul>

## Summary of Submissions:

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<ul style="list-style-type: none"> <li>The adjoining properties are located at a lower natural ground level than the subject site. This increases the bulk of the proposal and increases the impact on the adjoining neighbours in terms of solar access, visual privacy and building bulk.</li> <li>The storage unit gives a perception of a four-storey buildings. Suggests removing the storage unit and providing storage in the undercroft area.</li> </ul>	<ul style="list-style-type: none"> <li>The R Codes requires building height to be measured from the existing natural ground level of the section of ground below the building. As mentioned above, the development complies with the deemed-to-comply building height standards of the Built Form Policy. For the purposes of calculating lot boundary setbacks, the wall height is taken from the natural ground level at the lot boundary.</li> <li>As above, the development complies with the deemed-to-comply building height standards of the Built Form Policy.</li> </ul>
<p><u>Lot boundary Setbacks</u></p> <ul style="list-style-type: none"> <li>The development proposes a three-storey development, however is setback as if it were a two-storey development. A 1.2 metre setback is considered unacceptable and will have a significant impact on the amenity of the adjoining property's outdoor living areas and bedroom windows.</li> <li>The development does not satisfy the design principles of the R Codes as it does not moderate the visual impact of building bulk adjoining properties. The proposed lot boundary setback should not be supported.</li> <li>It is requested that Council ask the applicant to modify the plans so that the development complies with the deemed-to-comply R Code setbacks, which is more consistent with a two storey development</li> <li><i>"I don't agree with the interpretation and calculation of the north-west upper floor deemed-to-comply setback noted on the plans. When looking at the wall, it will appear as a long and high wall. I understand that the City believes that the stairwell effectively makes it two walls. However, I don't agree with that interpretation. Verandahs are included in the assessment of lot boundary wall length, and this stairwell which has a 1m wall above it and is roofed should not be assessed differently. Therefore the entire length of wall should be used, which would require a lot boundary setback of approximately 3.1m."</i></li> </ul>	<ul style="list-style-type: none"> <li>An assessment was undertaken of cumulative impact of the departures from the deemed-to-comply criteria of the Built Form Policy and the R Codes. As a result of this assessment, the articulated design of the proposed dwelling and colours and materials proposed, reduces the overall impact of the building bulk and scale on neighbouring properties. The proposal satisfies the relevant design principles of Clause 5.1.3 of the R Codes.</li> <li>The R Codes defines a 'wall' as <i>the vertical external face of a constructed building comprising of solid building materials and includes enclosure to verandas and balconies</i>. The proposed stairwell is an open section of the building and does not meet the definition of a wall under the R Codes. As such, the City has assessed the northern façade as two walls.</li> </ul>
<p><u>Sight Lines</u></p> <p>Concerns in regards to sightlines and the potential for conflict between pedestrians and reversing vehicles. Even if visitor bays U1 and U4 are removed, the proposed resident bays U1 and U4 behind them will similarly not be able to exit safely due to the slope of the vehicle access and the walls on each boundary that will restrict views.</p>	<p>The applicant has provided amended development plans removing visitor bays 1 and 4 and provided a 1.0 metre x 1.0 metre visual truncation. The resident car bays are setback 7.2 metres from the ROW. This provides suitable manoeuvring space cars to enter the ROW without crossing the visual truncation. A condition of approval has been recommended to Council to require the development to provide an unobstructed 1.0 metre x 1.0 metre visual truncation, which will ensure the car bays are not reinstated.</p>

## Summary of Submissions:

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<p><u>Presentation to ROW</u></p> <ul style="list-style-type: none"> <li>The open garage area, should be concealed from view from the ROW (which is classified as a street in the R Codes) and should not be supported as it does not meet the requirements of design principles of the R Codes in terms of providing a secure parking area.</li> <li>Concerns in regards to light spill from the development's open style carports. Suggests the car parking be re-designed to be located below ground with a garage door or gate.</li> <li>The plans mention that resident and visitor parking bays to be clearly defined using contrast pavers and signage – this is not shown in the provided visuals. This will be aesthetically unappealing and will weaken the area's aesthetic.</li> </ul>	<ul style="list-style-type: none"> <li>Agreed. A condition of approval has been recommended requiring the resident car bays to be screened from public view.</li> <li>The R Codes requires visitor car bays to be marked and clearly signed. There are no specific requirements that restrict pavement treatments.</li> </ul>
<p><u>Landscaping</u></p> <p>A 1.5 metre planting strip should be provided for the open air car parking area, as per the City's Built Form Policy.</p>	<p>Agreed. A condition of approval has been recommended for the development to incorporate a landscaping strip along a section of the perimeter of the two car bays that are 'open-aired'. A 1.5 metre landscaping strip cannot be accommodated, however the proposed landscaping is considered to meet the local housing objectives of the City's Built Form Policy, as detailed in the City's report to Council.</p>
<p><u>Storage Unit</u></p> <ul style="list-style-type: none"> <li>Submission requests the applicant provide examples of how a common roof storey has worked in other developments and if there are any measures in place to ensure this area will not be used by residents for leisure.</li> <li>Concerns how the City will enforce the storage area is used for storage and not as a habitable room for residents.</li> </ul>	<ul style="list-style-type: none"> <li>The development will not be permitted to use the storage area without submitting an amended development application to the City. The amended development application would need to be presented to Council for consideration. The City's Compliance Services will investigate if a report is received regarding the use of the storage area for recreation/habitation.</li> </ul>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>Submissions request the determination of the application be deferred to give the applicant more time to address the concerns relating to bulk and scale.</li> <li>Concerns in regards to noise.</li> <li>Submission highlights that the development is inconsistent with Design WA, with respect to building setbacks.</li> <li>Objection to only being provide on week to provide comments on the amended plans. I am concerned that we received notification the day before the proposed meeting for the original set of plans that a new set of plans had been submitted.</li> </ul>	<ul style="list-style-type: none"> <li>Administration cannot recommend the application be deferred. As the issues raised have been addressed or can be through the imposition of appropriate conditions, Administration has recommended the proposal be approved. It is open to Council to defer determination to allow the applicant to address any concerns it may have with the proposal.</li> <li>The development is required to comply with the environmental noise regulations. The City's Health Services will investigate the development's compliance with the noise requirements should a compliant be received.</li> <li>Development within the City of Vincent is not be subject to the requirements of Design WA until the document has been released by the</li> </ul>

### **Summary of Submissions:**

Comments Received in Objection and/or Raising Concerns:	Administration's Comment:
<ul style="list-style-type: none"><li>• Submission notes that if all 16 properties location on Walcott Street develop in a similar fashion, the traffic volume of the ROW will increase by up to 112 vehicles daily. Concerns in regards to the ability for the ROW to accommodate such a traffic volume. Any changes to the traffic volume should be referred to the Road Safety Authority.</li><li>• Concerns in regards to increase traffic on the right of way and the potential for damage to boundary fences. Requests Council installs a retaining wall to protect existing boundary fences.</li></ul>	<p>Western Australian Planning and has come into effect.</p> <ul style="list-style-type: none"><li>• The revised plans proposed amendments that predominantly relate to the interior of the development, and do not trigger full readvertising of the development. The City's Community Consultation Policy does not outline any requirements for readvertising following amended plans being provided. It is noted that the original plans were advertised for a period of 43 days from 4 December 2018 to 15 January 2019.</li><li>• The WAPC's Traffic Impact Assessment Guidelines identifies that developments with less than ten dwellings are considered to have a 'low' traffic impact. On this basis, the ROW is considered to have sufficient capacity to accommodate the additional six vehicles.</li></ul>