

Summary of Submissions:

The table below summarise the comments received during the first advertising period (25 January 2023 to 8 February 2023) of the proposal, together with Administration's response to each comment.

Comments Received in Objection:	Administration Comment:
<p><u>General</u></p> <ul style="list-style-type: none"> The proposed development is excessively proportioned and not appropriately scaled for the site context. As a result, significant street setback concessions are being sought across both levels of the development. The proposed development does not compliment the houses of the adjoining and surrounding neighbourhood which consist of mainly single storey, largely set back dwellings. 	<ul style="list-style-type: none"> The proposal development has been amended and designed to respond to the setbacks of the approved two storey dwelling that is currently under construction to the northern adjoining property and the existing single storey dwelling to the south. The proposed development has also been designed to step the building height from two storeys on the northern side to single storey adjacent to the southern property. The building has been designed to incorporate articulation with varying setbacks, glazing, roof form, eaves, design detailing and colours and materials that assist in reducing the impacts of building bulk and scale. The application is not seeking discretion in relation to building height and the site and surrounding properties are located within a two storey height limit area under the Built Form Policy. There are existing two storey houses along Auckland Street consistent with this.
<p><u>Streetscape & Primary Setback</u></p> <ul style="list-style-type: none"> Concerns relating to the significant ground floor street setback variation and no upper floor street setback as it wouldn't complement or be consistent with any approved or existing dwellings on Auckland Street. Concerns relating to the ground floor setback variation being far too excessive. Additionally, given the lack of upper floor setback, the proposed dwelling would make the area feel overwhelming. The proposed 2.5 metre primary street setback results in a poor outcome for adjoining properties in relation to the bulk and scale of the building and privacy. The building's incorporation of design features and minor projections, emphasise the bulk and scale of the development to the street, exacerbating the impact of the reduced street setbacks on the streetscape character. The reduced street setbacks disconnect the subject site from the remainder of Auckland Street and unnecessarily obstructs access to views of significance. 	<ul style="list-style-type: none"> The proposed development has been amended to increase the street setback and provide articulation and separation between ground and upper floors. The proposal development has been amended and designed to respond to the setbacks of the approved two storey dwelling that is currently under construction to the northern adjoining property and the existing single storey dwelling to the south. The proposed development meets the deemed-to-comply standards of the R Codes relating to visual privacy. The building design response assists in reducing the impact of building bulk that is commonly associated with blank, solid walls presented to the street. Access to views of significance is a design principle assessment under the R Codes relevant to application's seeking discretion in respect to building height. The application meets the building height deemed-to-comply standard of two storeys and no discretion is being sought in respect to building height. This means that views of significance is not relevant to the discretion being sought and in the consideration of this application.

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<p><u>Upper Floor Street Setback</u></p> <ul style="list-style-type: none"> The upper floors would not be distinguished from the lower storeys resulting in an upper floor which would have considerable visual bulk to the streetscape. The proposed upper floor would dominate the dwelling façade and create an imposing streetscape presence which would considerably undermine the established and consistent streetscape character. 	<p>The proposed plans have been amended to provide articulation between ground and upper floors. This would delineate between the two levels and assist in reducing the visual bulk impact on the street and present as being less visually dominant as viewed from the street.</p>
<p><u>Lot Boundary Setback</u></p> <p>Concerns relating to the proposed bulk of the eastern elevation and its impact on the adjoining property.</p>	<ul style="list-style-type: none"> The proposed plans have been amended to provide obscured windows to the kitchen and results in the eastern lot boundary setback meeting the deemed-to-comply standard under the R Codes. The eastern elevation of the dwelling has amended to be treated with contrasting coloured render to the upper floor and moulding strips to differentiate between the ground and upper floors.
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> The compromised street setback would restrict the development's ability to provide a suitable level of landscaping to contribute to the streetscape and offset impacts of bulk and scale. Concerns relating to the lack of a garden, vegetation and a shade tree as it would result in a considerable loss to existing green streetscape along the entire length of Auckland Street. Concerns relate to the proposal's minimal landscaping visible from the street with a disproportionately large area of impervious surfaces. 	<ul style="list-style-type: none"> The landscaping plan submitted provides for 36.8 percent canopy coverage at maturity and 19.2 percent deep soil and planting areas. This exceeds the Built Form Policy deemed-to-comply standards, noting that these standards have not been approved by the Western Australian Planning Commission and are given regard only in the consideration of the application. 15 trees and other plantings are proposed to be planted within deep soil and planting areas located to the front setback area and to lot boundaries. This would assist in reducing the impact of the development on the adjoining residential properties and to the street, and would make an effective contribution to the landscaping outcome and canopy coverage on site. The 10 trees are proposed to be planted within the front setback area. Tree planting to the front setback area would assist in softening the view of the development as viewed from Auckland Street. There are also three existing street trees in the Auckland Street verge adjacent to the property and which would be retained.

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<p><u>Design and Character</u></p> <ul style="list-style-type: none"> As Auckland Street is a leafy street with modest new dwellings and original character homes, all substantially setback from the street, the proposed dwelling does not complement the existing character and charm of the street. Concerns relate to the proposed development not complementing or being sympathetic to the general character of Auckland Street as the street consists of wide, open front lawns/gardens and single storey houses with substantial setbacks and minimal privacy issues. Concerns regarding the inconsistency with the local and neighbourhood character, with specific reference to the proposed bulk and scale of the proposed development. Concerns that the bulk and scale of the proposed development will negatively impact on the amenity and character of the surrounding area. 	<ul style="list-style-type: none"> The proposed development references and incorporates traditional building elements present in the street. Given the irregular lot shape created through subdivision of the parent lot, the site does not have adequate depth to enable larger setbacks to older homes along Auckland Street. Properties located to the south of the subject site on the same eastern side of Auckland Street are capable of subdivision given their lot size. This means that they are capable of redevelopment and infill in the future, and this would likely have an influence on the established street setbacks. Refer to Administration's responses to 'General' and 'Streetscape & Primary Setback' in relation to building height, bulk and scale.
<p><u>Visual Privacy</u></p> <ul style="list-style-type: none"> Concerns relating to the visual privacy to the north (from the minor projection) and south (from the balcony) that will be an issue for adjoining neighbours children who play in the front garden. The result of the backfill to the alfresco area (south) would detrimentally affect the southern adjoining property. The proposal has not been designed or landscaped with any regard for privacy of the adjoining neighbours. Concerns relating to the visual privacy to the south (from the alfresco). 	<p>The proposed dwelling meets the deemed-to-comply standards of the R Codes in relation to visual privacy and this is not a discretionary consideration for this application.</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> Concerns relating to the proposed change in level along the southern boundary as the current plans show no indication of erecting sufficient fencing. Concerns regarding the future structural integrity and waterproofing of the existing southern boundary wall. Concerns relating to the ground works potentially impacting the structural integrity of the southern adjoining lots as the dwelling is an original 1930's Californian bungalow with brick and tile on limestone. Possible vibration during building works may damage the integral character features of the property. 	<ul style="list-style-type: none"> Dividing fences are a matter under the <i>Dividing Fences Act 1961</i> and are to be installed in accordance with the specifications of the City's <i>Fencing Local Law 2008</i>. It does not form part of this application. Structural integrity and works that may affect adjoining land are matters dealt with under the <i>Building Act 2012</i>, and is not a consideration dealt with at the development application stage. It is the responsibility of the builder for the effective management of construction works and to ensure that this is undertaken in the interest of nearby residents and properties. The City's Policy No. 7.5.23 Construction Management Plans does not require the builder to prepare dilapidation reports in this circumstance, though this is available to them given their obligations to manage construction works.

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 first advertising period (25 January 2023 to 8 February 2023) of the proposal, together with Administration's response to each comment.

Comments Received in Objection:	Administration Comment:
<p><u>General</u></p> <p>Concerns relate to the location of the pool in relation to the balcony and the possible situation where people jump into the pool from the balcony.</p>	<p>This is not a relevant planning consideration. The concern is speculative and is not addressed in the planning framework.</p>
<p><u>Impact on Northern Adjoining Property</u></p> <p>Concerns relate to the proposed reduced street setback and bulk significantly impacting views of significance and as such, the property's value.</p>	<ul style="list-style-type: none"> • The proposed development aligns with the street setback pattern established by the adjoining property to the north, which is currently under construction. • Access to views of significance is not a relevant design principle consideration for this application, as the proposal complies with building height deemed-to-comply standards under the R Codes. • The impact of development on property values is not a relevant planning consideration
<p><u>Lot Boundary Setback</u></p> <ul style="list-style-type: none"> • Concerns relating to the proposed bulk of the eastern elevation being increased, as a greater concession on the eastern boundary setback for Bed 1/Study is being sought. • Proposed outdoor living area is not compliant with R Codes 5.1.3 Lot Boundary Setback, C3.1(iii) which requires unenclosed areas accessible, elevated 0.5m or more above natural ground level, to be setback 1.5m. The proposed Alfresco is setback 1.0m with eaves further extending into the setback area. 	<ul style="list-style-type: none"> • The proposed development was amended following the second round of community consultation, providing obscured windows to the kitchen and resulting in the eastern lot boundary setback becoming compliant with the deemed-to-comply standards of the R Codes. This includes the Bed1/Study wall on the upper floor eastern lot boundary setback that complies with the deemed-to-comply standards of the R Codes. • The deemed-to-comply standard of the R Codes does not apply as it has been replaced by the Built Form Policy. The R Codes deemed-to-comply standard for Clause 5.1.3 C3.1(ii) relating to patio setbacks applies and the alfresco complies with this. The outdoor living area has also been designed so that its finished floor levels are stepped in line with natural ground levels and so that it is no greater than 0.5 metres higher.
<p><u>Garage Setback</u></p> <p>Proposed garage has been setback 0.44m from ground floor dwelling alignment which does not align with the street context of Auckland Street (single car garages and carports).</p>	<ul style="list-style-type: none"> • The proposed plans were amended following the second round of consultation, providing the garage with a 0.5 metre setback behind the ground floor dwelling alignment. This meets the deemed-to-comply standard of the Built Form Policy. • Auckland Street is characterised by a mix of on-site parking arrangements including uncovered car parking areas, carports, and single and double garages. In reviewing the surrounding streetscape in the northern half of Auckland Street between Gill Street and Hobart Street, the single house under construction to the northern adjoining property at No. 31 Gill Street has a double garage, as does existing houses at Nos. 61, 63, 67, 69, 74 and 76 Auckland Street.

Summary of Submissions:

Comments Received in Objection:	Administration Comment:
<p><u>Outdoor Living Area</u></p> <p>The proposed outdoor living area is significantly less than the deemed-to-comply 30 square metres, as outdoor living areas within the primary street setback area cannot contribute to the total outdoor living area.</p>	<ul style="list-style-type: none"> The deemed-to-comply standard of the R Codes sets out that outdoor living areas are to be located behind the street setback area. This does not mean that the area of an outdoor living area located within the street setback area do not contribute towards outdoor living, as it still meets the definition of outdoor living area. Rather, the proposal requires a design principle assessment to be undertaken under the R Codes in respect to the outdoor living area location. The outdoor living area location meets the design principles of the R Codes. It exceeds the deemed-to-comply area of 30 square metres and minimum dimension of 4 metres, and is accessible directly from the kitchen, dining and living room spaces. This means it is able to be used in conjunction with these primary living spaces, and would be of a functional size.
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> Query whether the canopy coverage (30 percent), deep soil (12 percent) and planting area (3 percent) requirements have been met. Concerns relating to the proposed species of trees selected within the landscaping plan with specific concerns relating to the spacing not being sufficient between trees. Concerns relate to the trees located on the lot boundaries and the maintenance required to ensure neighbouring properties are not impacted by overgrowth and root systems. 	<ul style="list-style-type: none"> The landscaping plan provides for 36.8 percent canopy coverage at maturity and 19.2 percent deep soil and planting areas. This exceeds the Built Form Policy deemed-to-comply standards, noting that these standards have not been approved by the Western Australian Planning Commission and are given regard only in the consideration of the application. A condition of approval is recommended requiring an updated landscaping plan to be submitted and approved by the City that provides for adequate spacing between trees to be planted. The City's policy framework does not include specific requirements that restrict trees from being planted adjacent to lot boundaries. A landowner is entitled to trim/remove trees and roots up to the property boundary.
<p><u>Community Consultation</u></p> <ul style="list-style-type: none"> Concerns that only the adjoining properties have been consulted on all current and historic planning applications with regards to both No. 80 Auckland Street and No. 31 Gill Street. Concerns that the extent of advertising is not sufficient as variations (such as those relating to street setback) impact more than just the adjoining properties. 	<p>Community consultation on development applications is undertaken in accordance with the City's Community and Stakeholder Engagement Policy that prescribes the extent of properties for owners and occupiers to receive written notification. These applications are also published on the City's Imagine Vincent website to ensure widespread notification and to enable all interested community members to make a submission on the application, consistent with the Policy standards.</p>

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