


Design element	Requirement / Discretion	Town of Cottesloe Comment	Action & Response
Lot boundary setbacks (R-Codes)	<u>West side</u> Ground floor bed 2/bath setback 1-1.37m in lieu of 1.5m from boundary. Upper floor kitchen/study/lounge setback 1.37m in lieu of 2.3m from boundary.	Please provide an assessment against design principles for these variations. The Town does not consider that design principles have been adequately addressed with regard to the location of the pool deck and its screening and the effect on the adjoining neighbour's amenity.	Response: The adjoining neighbours have not been consulted during the preliminary design/prior to lodgement of the development application. Screening of the outdoor pool deck is required, as it is an outdoor living area elevated > 0.5m above natural ground level (R-Code clause 5.1.3, Lot boundary setbacks, C3.1iii). Please see assessment against the design principle for the listed variations below.
	<u>East side</u> Ground floor overall wall setback 1.0m in lieu of 1.5m from boundary	Please provide additional information as to why this is required and warranted and confirm whether the design has been discussed with the affected adjoining owners particularly with regard to the proposed screen fencing on the eastern boundary.	<u>West side - ground floor bed 2/bath setback 1-1.37m, in lieu of 1.5m</u> 500-130mm variation (500mm variation for Bed 2 length only). This minor variation will not be to the detriment of the amenity of the adjoining property and has no associated overshadowing (as measured in accordance with R-Code 5.2.4) and no overlooking/impact on privacy.
	Upper floor pool deck with a nil setback in lieu of 2.8m from boundary		<u>West side - upper floor kitchen/study/lounge setback 1.37m in lieu of 2.3m</u> The 1m setback variation is associated with two separate sections of wall; the setback of the western upper floor façade is staggered, i.e. the upper floor gallery wall separating the kitchen and study/powder/lounge is setback 3.7m in order to incorporate a

	<p>Upper floor planters/screens setback 1.37m in lieu of 2.3m from boundary</p> <p>Upper floor patio setback 2.5m in lieu of 2.8m from boundary.</p> <p>Upper floor overall setback 6.1m in lieu of 6.6m from boundary</p>		<p>skylight into the design of the roof above the rumpus room. As such, the setback will not be to the detriment of the amenity of the adjoining property. There is no associated overshadowing (as measured in accordance with R-Code 5.2.4) and no overlooking/impact on privacy associated with the west-facing kitchen/study/powder/lounge walls.</p> <p><u>East side - ground floor overall wall setback 1.0m-1.37 in lieu of 1.5m from boundary</u></p> <p>130-500mm variation. This minor variation will not be to the detriment of the amenity of the adjoining property and has no associated overshadowing (as measured in accordance with R-Code 5.2.4) and no overlooking/impact on privacy.</p> <p><u>East side - upper floor pool deck with a nil setback in lieu of 2.8m from boundary.</u></p> <p>The proposed pool deck screening is not located adjacent to the main outdoor living area of 22 Lilian Street Cottesloe; this is located at the rear of the property as shown on the site plan available online. The structure will be visible from major openings associated with bed 2 and lounge room at 22 Lilian Street.</p> <p><u>Floor plan available publicly on past real estate listing - 22 Lillian Street, Cottesloe</u></p> <p>There will be no overlooking, as the screen will be constructed to comply with R-Code requirements (75% obscure). Additionally, overshadowing complies with R-Code deemed-to-comply requirements. Given the lot's orientation, the measured shadow falls over the front setback and Lilian Street verge.</p>
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Street walls and fences	Solid wall to 2.57m high within front setback	It is noted an assessment against design principles has been provided.	No action/response required.
Outdoor Living Areas	Outdoor living area is not 'directly' accessible from a primary living space (being	It is noted that some assessment regarding the outdoor living area has been provided, however the	Response:

	<p>accessed via a walkway and being at a different level) and does not achieve the required minimum dimension of 4m.</p>	<p>Town does not consider they are adequately addressed given the design means the pool deck is distanced from the remainder of the dwelling and with different levels.</p>	<p>Looking at the design of the dwelling pragmatically, there are three outdoor living spaces that have been designed to suit the lifestyle of the family who intend to live in the dwelling. Whilst it is acknowledged that no one area meets every aspect of the deemed-to-comply criteria; the home has been designed to have access to winter sun, shade to high-traffic outdoor living areas in summer (front patio/rear alfresco), and natural light has been given the utmost consideration (R-Codes volume 1 explanatory guidelines part 6.1 refers)</p> <p>Outdoor living areas in the proposed dwelling relative to the deemed-to-comply requirements:</p> <ul style="list-style-type: none"> i. in accordance with Table B (24sqm); Front patio (18.37m²), Pool deck (46.64m²), rear alfresco (30.53m²). Total 95.54m² ii. behind the street setback area; all outdoor living areas are behind the street setback. iii. directly accessible from the primary living space of the dwelling; Rear alfresco is directly accessible from the primary lounge room. The front patio is directly accessible from the primary dining and living/sitting room. The pool deck is accessible via a 4-meter walkway (inc four steps) from the dining and living area. iv. with a minimum length and width dimension of 4m; Front patio (5 x 3.67), Rear Alfresco (6.4 x 4.8), Pool deck (11.2x 6.1) v. with at least two-thirds of the required area without permanent roof cover. The pool deck has no
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			<p>permanent roof cover. Front patio is xxx covered and the alfresco is xxx.</p> <p>Also note, the rear garden area that is accessible from the three ground floor bedrooms, is 35.36sqm in area (10.4m x 3.4m), and with no permanent roof covering.</p>														
Landscaping	No more than 50% of the front setback area should be impervious surface - more than 65% of the front setback area has impervious surface shown.	<p>It is noted the plans show ‘permeable concrete paving’ for the driveway and entry paths, however, the Town does not consider this to meet the requirements for a pervious surface/soft landscaping. (See Part 6.2 Landscaping in the R Code Volume 1 Explanatory Guidelines)</p> <p>It is also considered inappropriate for use in high traffic areas.</p> <p>Please provide an amended plan which increases the amount of permeable surfaces/soft landscaping within the front setback area and/or provide an</p>	<p>Response:</p> <p>The table in Part 6.2, Landscaping, in the R Code Volume 1 Explanatory Guidelines, serves as a guide; however, other materials are available on the market and should be considered on a case-by-case basis and on merit by the Town of Cottesloe.</p> <div><h3>6.2 LANDSCAPING</h3><p>(Clause 5.3.2 of R-Codes Volume 1)</p><p>GENERAL GUIDANCE</p><p>The landscaping of street setback areas for all dwelling types, makes an important contribution to the streetscape. Landscaping is even more important in the case of grouped and multiple dwelling developments, because of the intensity of development and land use, and because the development makes such a large contribution to the overall streetscape (refer to Figure 49).</p><p>Landscaping for all dwelling types should be designed and installed with regard for the following aspects:</p><ul style="list-style-type: none">- the desirability of creating attractive streetscapes;- meets the projected needs of the residents of all ages and abilities;- enhances security and safety for residents;- provides new trees and vegetation for shade;- the desirability of protecting existing trees where possible;- the considered design and choice of materials for surfaces, such as vehicle access ways and crossovers, parking areas and outdoor living areas;- solar access throughout the year that will influence the choice of trees and plants and their placement; and- the need for shade structures, such as pergolas, to complement shade trees and enhance microclimate.<p>The tree requirements of C2.2 are to apply to all dwellings, including single houses, grouped dwellings and ancillary dwellings, as well as to multiple dwelling sites. These requirements also apply to existing dwellings retained within new developments. The tree requirements however do not apply to extensions to existing dwellings, or to ancillary structures, such as carports and outbuildings.</p><p>Retained existing trees may be included to satisfy the minimum tree requirements of this provision.</p><p>Maximise areas for natural planting</p><p>Maximise deep soil area and limit impervious (hard) surfaces to provide sufficient areas for trees and other landscaping to grow which also maximises the amount of water penetration to the soil. Refer also section 6.8 of guidelines regarding clause 5.3.9 of the R-Codes Volume 1 – stormwater management. The R-Codes Volume 1 limits the use of impervious surfaces within the street setback area. The table below gives guidance on materials that would constitute impervious.</p><p>It is anticipated that larger developments will need to provide a greater number of canopy trees and tree planting areas to contribute to streetscape and sense of place.</p><table><tr><th>Permeable</th><th>Impervious</th></tr><tr><td>Lawn</td><td>Brick and other solid paving</td></tr><tr><td>Mulch</td><td>Artificial</td></tr><tr><td>Garden</td><td>Concrete</td></tr><tr><td>Grass pavers</td><td></td></tr><tr><td>Decking</td><td></td></tr><tr><td>Permeable paving systems</td><td></td></tr></table><p>Provide planting types in appropriate locations to respond to site and climate</p><p>The landscaping on a site can impact solar access to habitable rooms and private outdoor living areas. The selection of vegetation and planting locations should also ensure that solar access of both residents and neighbouring properties will not be adversely affected in the future once the vegetation matures. The selection of trees and plants should also respond to the climate, soil type and rainfall profile of the location.</p><p>Landscaping enhances outlook from apartments as well as facilitating stormwater infiltration.</p><p>Figure 49 Landscaping provided to complement the appearance and function of the building</p></div>	Permeable	Impervious	Lawn	Brick and other solid paving	Mulch	Artificial	Garden	Concrete	Grass pavers		Decking		Permeable paving systems	
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		assessment against relevant design principles.	
Visual privacy	<p><u>South</u></p> <p>Study with a visual privacy distance of 3.5m to western boundary in lieu of 4.5m within the cone of vision.</p> <p>Kitchen with visual privacy distances of 2.6m and 3.5m to western boundary in lieu of 6.0m within the cone of vision.</p> <p>Front patio with a visual privacy distance of 4.5m to western boundary and 2.5m to east boundary in lieu of 7.5m.</p>	Please provide an assessment against design principles for all of the variations not already addressed.	<p>Response:</p> <p><u>Major opening associated with the study</u></p> <p>There is no direct overlooking of an active habitable space or an outdoor living area associated with the cone of vision measured from the upper-floor study windows to the western boundary. The cone of vision falls over the underutilised side of the dwelling at 22 Lillian Street. Overlooking, in this instance, is considered indirect and has been offset; viewing is oblique.</p> <p>Views toward the dwelling at 20 Lillian Street will be further restricted, given the proposed internal layout of the study, which features an in-built desk in front of the window.</p> <p>Major openings associated with the kitchen:</p> <p>There is no direct overlooking of an active habitable space or an outdoor living area associated with the cone of vision measured from the upper-floor kitchen windows to the western boundary. The cone of vision falls over the roof/eave and the underutilised side of the dwelling at 20 Lillian Street.</p> <p>Given the height difference between the proposed dwelling and the established dwelling at 20 Lillian Street, future residents will indirectly view roof/eave.</p> <p>Additionally, the proposed internal layout of the kitchen will prevent occupants from standing directly adjacent to the windows, thereby further restrict views</p>

			<p>Front patio (outdoor active habitable space >0.5m above NGL):</p> <p>The cone of vision measured from the eastern edge of the front patio falls over the front setback area and porch area associated with the dwelling at 22 Lillian Street. Despite being behind a solid front fence (which exceeds 1.2m in height), these areas are not defined as active habitable spaces or outdoor living areas in the R-Codes.</p> <p>A floor plan is available online for 22 Lillian Street, Cottesloe, in association with a previous real estate listing (see link below).</p> <p>Past real estate listing - 22 Lillian Street, Cottesloe</p> <p><u>Western boundary/front patio</u></p> <p>The measured cone of vision falls from the western edge of the front patio falls over the carport and front verandah of the dwelling at 20 Lillian Street.</p> <p>A carport is not defined as an active habitable space or outdoor living areas in the R-Codes. It is acknowledged that a verandah is defined as an active habitable space under the R-codes. However, this verandah is already highly visible from the primary street and verge area in front of 20 Lillian Street.</p> <p>The R-Codes explanatory guidelines state that 'a lesser need for privacy protection is usual in the case of front gardens and areas visible from the street' (PDF pg. 64 refers). Therefore, the proposed front Patio will not detrimentally impact the privacy of the residents of 20 Lillian Street.</p>
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Other – Engineering services	<p>1m minimum setback of crossover from the existing light pole</p> <p>Maximum crossover width 5.5m</p>	Amended plan requested to be provided.	<p>Response:</p> <p>A cross over of 4.9m has been annotated – allowing for a 1m offset from the light pole.</p> <p>Town of Cottesloe Residential Crossover Management Policy :</p> <p>Part 4.3 of this policy details that all crossover applications must comply with the Town’s design and construction specifications. Additionally, a crossover application is required for all new and upgrades to existing crossovers before construction, with an application cost of \$175. Note that widths are specified as fixed at either 4.5m or 5.5m for double-vehicle residential garages. However, the Policy details that a written request can be made to the Manager of Projects and Assets for a variation to the technical requirements, which is to be submitted as supporting information with the crossover application.</p> <p>Links:</p> <p>Standard crossover drawing</p> <p>Verge crossover application form and links to specific crossover specifications</p>