



Metro Outer Development Assessment Panel Agenda

Meeting Date and Time: Thursday, 30 January 2025; 9:30am
Meeting Number: MODAP/59
Meeting Venue: 140 William Street, Perth

A live stream will be available at the time of the meeting, via the following link:
[MODAP/59 – 30 January 2025 – City of Cockburn](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF COCKBURN

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 1 (14) Lancaster Street, Spearwood – Proposed 4 Grouped Dwellings – DAP/24/02805
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Please note, presentations for each item will be invited prior to the items noted on the agenda and the presentation details will be contained within the related information documentation



ATTENDANCE

DAP Members

Dale Page (Presiding Member)

Francesca Lefante (Deputy Presiding Member)

Luigi D'Alessandro (Specialist Member)

Cr Tom Widenbar (Local Government DAP Member, City of Cockburn)

Cr Tarun Dewan (Local Government DAP Member, City of Cockburn)

Minute Secretary

Claire Ortlepp (DAP Secretariat)

Officers in Attendance

Ashlee Kelly (DAP Secretariat)



PART A – INTRODUCTION

- 1. Opening of Meeting, Welcome and Acknowledgement**
- 2. Apologies**
- 3. Members on Leave of Absence**
- 4. Noting of Minutes**



PART B – CITY OF COCKBURN

1. Declarations of Due Consideration

2. Disclosure of Interests

3. Form 1 DAP Applications

- 3.1 Lot 1 (14) Lancaster Street, Spearwood – Proposed 4 Grouped Dwellings
– DAP/24/02805

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.

Part B – Item 3.1 – Lot 1 (14) Lancaster Street, SPEARWOOD – Proposed 4 Grouped Dwellings

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	Metro Outer Development Assessment Panel	
Local Government Area:	City of Cockburn	
Applicant:	Liz Wong	
Owner:	Jetcove Pty Ltd.	
Value of Development:	\$2.2 million	
Responsible Authority:	City of Cockburn	
Authorising Officer:	Bryan Nonis	
LG Reference:	DAP24/007	
DAP File No:	DAP/24/02805	
Application Received Date:	26 November 2024	
Report Due Date:	21 January 2025	
Application Statutory Process Timeframe:	60 Days.	
Attachment(s):	1. Amended Development Plans.	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input checked="" type="checkbox"/> N/A	
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the Metro Outer Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/24/02805 is appropriate for consideration as a “Grouped Dwellings” land use and compatible with the objectives of the zoning table in accordance the City of Cockburn Town Planning Scheme No. 3.
2. **Approve** DAP Application reference DAP/24/02805 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Cockburn Town Planning Scheme No. 3.

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Development shall be carried out in accordance with the approved plans.
3. All stormwater must be contained and disposed of on-site. All stormwater infrastructure must be maintained for the duration of the development and meet the City’s on-site drainage requirements for residential lots.
4. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
5. The surface finish of the boundary wall(s) abutting the adjoining lot/s is to be either face brick or rendered the same colour as the external appearance of the subject dwelling unless otherwise agreed with the adjoining property owner/s to the satisfaction of the City.
6. The crossover is to be located and constructed to the City’s Vehicle Crossover Specifications (as amended). A separate approval is required by the City’s Development Engineering team. Redundant crossovers shall be removed and the verge reinstated prior to or at the time of the installation of the approved new crossover. The crossover is to be maintained as per City’s Vehicle Crossover Specifications in perpetuity.
7. Where a driveway and/or parking bay abuts a public street, associated walls, fences and / or adjacent landscaping areas shall be truncated within 1.5 metres thereof or limited in height to 0.75 metres.
8. All services and service related hardware, including clothes drying areas, antennae, satellite dishes and air conditioning units, being suitably located away from public view and/or screened to the satisfaction of the City.
9. The street number, or where there is no street number, the lot number, shall be clearly displayed on the façade of the building prior to occupation of the building hereby approved and remain in perpetuity to the satisfaction of the City.

10. **Prior to the issue of a Building Permit**, a schedule of the materials, finishes and colours shall be submitted to and approved by the City. The schedule shall include details of the type of materials proposed to be used, including their colour and texture. The development shall thereafter be maintained in accordance with the approved materials schedule.
11. **Prior to occupation or use of the development**, vehicle parking, manoeuvring and circulation areas shall be design, constructed, sealed, drained, line marked and kerbed in accordance with:
 - a. The approved plans,
 - b. Council's engineering requirements and design guidelines,
 - c. The areas must be sealed in accordance with the City's specifications, unless otherwise approved by the City.
12. **Prior to lodgement of a Building Permit Application**, a detailed landscaping plan shall be submitted to and approved by the City and shall include the following:
 - a. the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - b. any lawns to be established;
 - c. any existing landscape areas to be retained;
 - d. those areas to be reticulated or irrigated;
 - e. verge treatments.
13. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the City.
14. **Prior to the issue of a Building Permit**, a Waste Management Plan shall be submitted to and approved by the City in accordance with Local Planning Policy 1.14. The Waste Management plan shall be implemented by the owners/occupiers for the duration of the development.
15. **Prior to the issue of a Building Permit**, the applicant shall make a contribution to the provision of street trees at a rate of 1 tree per lot, in accordance with Local Planning Policy 5.18.
16. **Prior to the issue of a Building Permit**, plans shall be updated to amend the communal bin store gates to sliding gates, in lieu of swinging gates. This amendment is to ensure that the gates do not protrude onto the verge.
17. **Prior to the issue of a Building Permit**, the landowner/applicant contributing towards development infrastructure provisions pursuant to the City's Town Planning Scheme No. 3, to the City's satisfaction.

Advice Notes

1. This is a Development Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or with any requirements of the City of Cockburn Town Planning Scheme No.3 or with the requirements of any external agency.
2. Please be advised that the development must comply with the requirements of the Building Codes of Australia.
3. All stormwater drainage shall be designed in accordance with the National Construction Code Volumes I-III (as applicable). The design is to be certified by a suitably qualified practicing Engineer on the basis of a 1 in 20 year event, 5 minute storm duration, to the satisfaction of the City. Details of the stormwater drainage is to be provided with the associated Building Permit Application.
4. Regarding Condition 6, copies of crossover specifications are available from the City's Engineering Services or from the City's website www.cockburn.wa.gov.au.
5. As part of transitioning Australia to the National Broadband Network (NBN), developers are encouraged to engage early with NBN, at least six months before the required service date, to understand requirements around future connections and the timing of infrastructure provision. This will ensure a connection is ready when residents move in. For more information please refer to <https://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments> or contact NBN on newdevelopments@nbnco.com.au or 1800 687 626.
6. All earthworks and/or associated drainage details shall be in accordance AS3500 with plans and specifications certified by a suitably qualified practicing Engineer to the satisfaction of the City.
7. Retaining wall(s) being constructed in accordance with a suitably qualified Structural Engineer's design and a Building Permit being obtained prior to construction. Retaining walls are required for any cut and/or fill greater than 150mm in height. In this regard, any fill above or below natural ground level at the lot boundaries is to be suitably retained or have a compliant stabilised embankment.
8. With regards to street numbering of this proposal, you are advised to contact the City's Land Administration team on 9411 3444 or email streetnumbers@cockburn.wa.gov.au to ensure that any street numbers used comply with the City's requirements. This should be done prior to any sales contracts being drawn up.
9. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme																		
Region Scheme - Zone/Reserve	Urban																		
Local Planning Scheme	City of Cockburn: Town Planning Scheme No. 3 (TPS 3).																		
Local Planning Scheme - Zone/Reserve	Residential (R60).																		
Structure Plan/Precinct Plan	N/A																		
Structure Plan/Precinct Plan - Land Use Designation	N/A																		
Use Class and permissibility:	<p>P-Use / Permitted Use (TPS 3).</p> <table border="1"> <thead> <tr> <th>USE CLASS</th> <th>RESIDENTIAL</th> </tr> </thead> <tbody> <tr> <td colspan="2">RESIDENTIAL USES</td> </tr> <tr> <td><i>Ancillary Dwelling (R-Code)</i> <small>AMD 116 GG 06/01/17</small></td> <td>P</td> </tr> <tr> <td><i>Bed and Breakfast</i> <small>AMD 6 GG 13/6/06</small></td> <td>A</td> </tr> <tr> <td><i>Child Care Premises</i></td> <td>A</td> </tr> <tr> <td><i>Civic Use</i></td> <td>D</td> </tr> <tr> <td><i>Dwelling Aged or Dependent Persons (R-Code)</i></td> <td>D</td> </tr> <tr> <td>Caretaker's</td> <td>P</td> </tr> <tr> <td>Grouped (R-Code) <small>AMD 58 GG 1/5/09</small></td> <td>P</td> </tr> </tbody> </table>	USE CLASS	RESIDENTIAL	RESIDENTIAL USES		<i>Ancillary Dwelling (R-Code)</i> <small>AMD 116 GG 06/01/17</small>	P	<i>Bed and Breakfast</i> <small>AMD 6 GG 13/6/06</small>	A	<i>Child Care Premises</i>	A	<i>Civic Use</i>	D	<i>Dwelling Aged or Dependent Persons (R-Code)</i>	D	Caretaker's	P	Grouped (R-Code) <small>AMD 58 GG 1/5/09</small>	P
USE CLASS	RESIDENTIAL																		
RESIDENTIAL USES																			
<i>Ancillary Dwelling (R-Code)</i> <small>AMD 116 GG 06/01/17</small>	P																		
<i>Bed and Breakfast</i> <small>AMD 6 GG 13/6/06</small>	A																		
<i>Child Care Premises</i>	A																		
<i>Civic Use</i>	D																		
<i>Dwelling Aged or Dependent Persons (R-Code)</i>	D																		
Caretaker's	P																		
Grouped (R-Code) <small>AMD 58 GG 1/5/09</small>	P																		
Lot Size:	966m ²																		
Existing Land Use:	Residential Single Dwelling.																		
State Heritage Register	No																		
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area																		
Design Review	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other																		
Bushfire Prone Area	No																		
Swan River Trust Area	No																		

Proposal:

The applicant is proposing 4x Survey Strata (Grouped Dwelling) Units on this property, marked Unit 1, Unit 2, Unit 3, and Unit 4 with Common Property. All units are compliant with the required minimum and average lot size requirements prescribed by Part D, Table D of the Residential Design Codes (R-Codes).

The lot sizes are listed below:

- **Required area:**
 - **Grouped Dwelling:** Minimum: 120m² / Average: 150m²
- **Proposed area per unit:**
 - **Unit 1:** 207.78m²
 - **Unit 2:** 187.91m²
 - **Unit 3:** 187.60m²
 - **Unit 4:** 201.77m²

Proposed Land Use	Grouped Dwelling (Survey-Strata).
Proposed Net Lettable Area	549.5m ²
Proposed No. Storeys	1 (all units)
Proposed No. Dwellings	4

Background:

The current use of the site is a Residential Single House, situated on Lancaster Street (Access Road), south of Phoenix Road and east of Rockingham Road in Spearwood – as shown in Figure 1 below. Both Phoenix Road and Rockingham Road are ‘Distributor A’ roads, pursuant to the Main Roads WA Road Hierarchy Map. Regarding the surrounding development, Phoenix Shopping Centre is located to its south-west, District Centre zoning to its west, and further Residential zoning is to its east. The site is located within Development Contribution Area 13 (DCA 13).

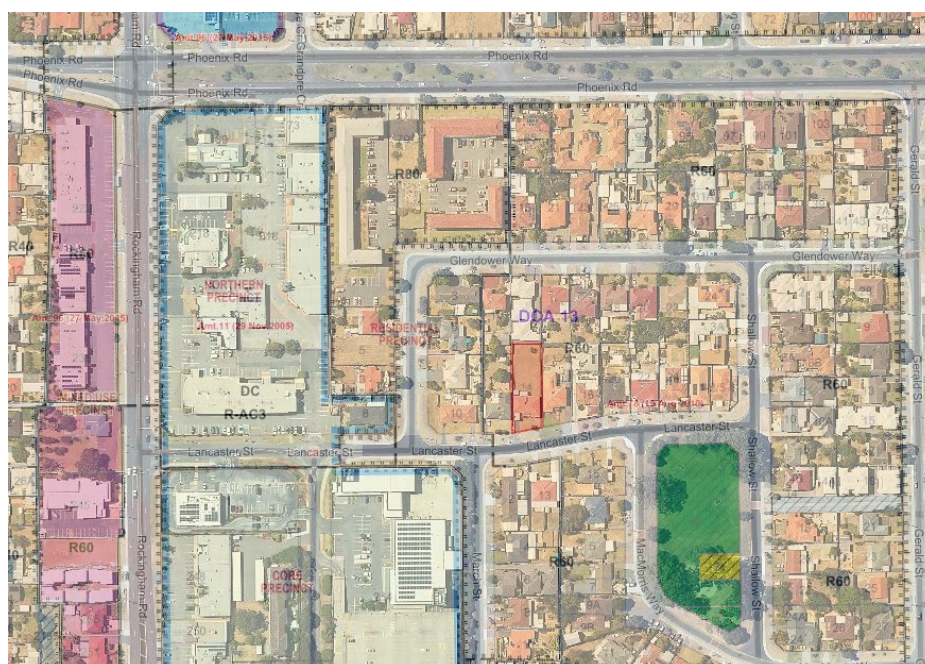


Figure 1: Aerial of 14 Lancaster Street, SPEARWOOD.

Under the Metropolitan Region Scheme (MRS), the subject site is zoned 'Urban'. Under the *City of Cockburn: Town Planning Scheme No. 3* (TPS 3), the subject site is zoned 'Residential' (R60). The objective of a 'Residential' zone is as follows:

- i. To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- ii. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- iii. To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

The history of the site is listed below:

- The current house appears to be constructed approximately around 1981.
- Crossover repairs (2021)
- Design Review Panel for 10x Grouped Dwelling Proposal (June 2024).
 - No formal development approval given.

The subject lot is challenged by its topography, in which, its lowest point is on the south-east rising to its highest point on its north-west. The difference in levels for this lot from its south to north is ranging between 2-3m. To achieve an acceptable level for the lots whilst respecting the topography and seeking to comply with the requirements of Part C of the *R-Codes*, poses a challenge for this proposal. Figure 2 below provides an understanding for the topography of this lot.

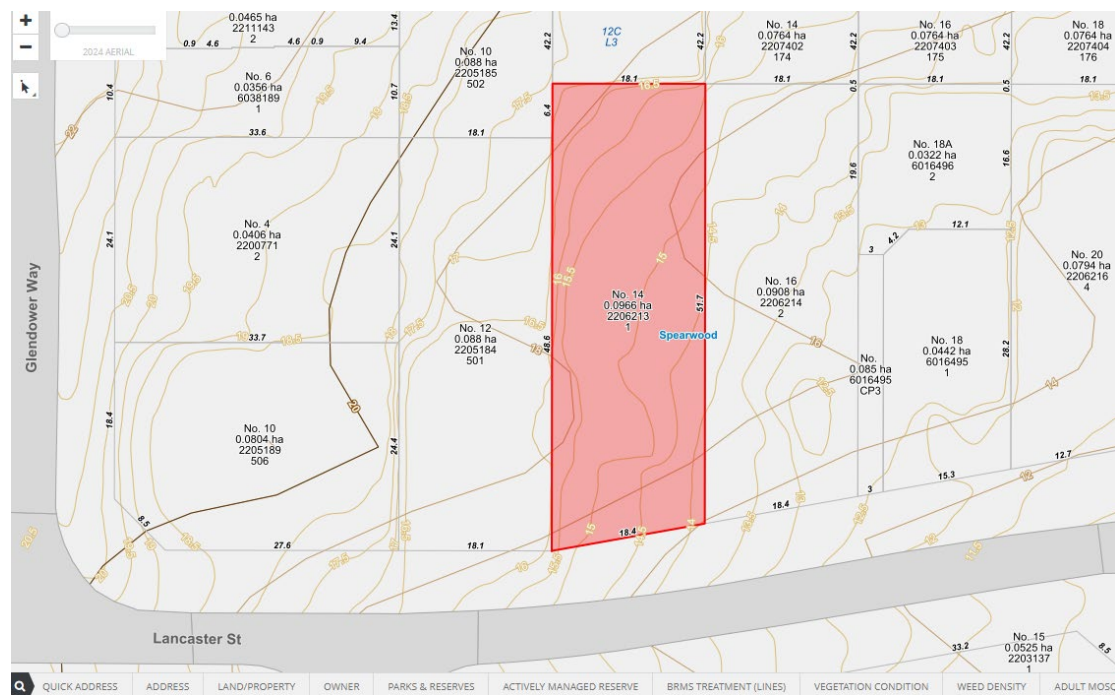


Figure 2: Topography of 14 (Lot 1) Lancaster Street, SPEARWOOD.

Legislation and Policy:

Legislation

- Planning and Development Act 2005.
- Planning and Development (Local Planning Schemes) Regulations 2015.
- Planning and Development (Development Assessment Panels) Regulations 2011.
- City of Cockburn: Town Planning Scheme No. 3 (TPS 3).

State Government Policies

- Planning Codes – Residential Design Codes: Volume 1 – Part C.

Structure Plans/Activity Centre Plans

- N/A

Local Policies

- Local Planning Policy 1.12 (LPP 1.12) – Noise Attenuation.
- Local Planning Policy 1.2 (LPP 1.2) – Residential Design Guidelines.

Consultation:

Public Consultation

The proposal was not advertised.

Whilst this proposed use is a P-Use, one of the main concerns for this proposal is relating to Visual Privacy as it is triggered from **C3.10.1** of the *R-Codes*. Upon assessing the application, visual privacy is a low risk as the western neighbour is higher than the subject lot and there is a ~1.4m fibro fence resulting in screening ranging from 2.1m-2.3m – compliant with **C3.10.6** of the *R-Codes*.

Referrals/consultation with Government/Service Agencies

No external referrals were required.

However, internal referrals were conducted and noted below:

- Landscaping
 - Plans were updated to ensure no flora were host to the Polyphagous Shot-Hole Borer.
 - Furthermore, the landscaping on the Common Property were amended to increase in density.

- Waste Services:
 - Communal bin store location was acceptable.
 - A Waste Management Plan (WMP) is required and placed as a Condition.
- Engineering Services:
 - Due to the constrains of this lot, the proposal is acceptable.

Design Review Panel Advice

Not Applicable.

Planning Assessment:

This proposal has been assessed under all the relevant Planning legislation, notably TPS 3, *R-Codes* and Local Planning Policies.

Land Use Considerations

Whilst Grouped Dwellings are a permitted use pursuant to the Zoning Table of TPS 3, there are no exemptions within this Scheme for 4x Grouped Dwellings, regardless of whether it complies with the *R-Codes*. Therefore, an automatic Development/Planning Application (DA) is required for this 4x Grouped Dwelling proposal.

Built Form

An assessment of the proposal was conducted against the *R-Codes*. The proposal was largely compliant with the Deemed to Comply provisions, however, the below variations were noted:

Provision	Requirement	Proposal	Assessment
<u>R-Codes</u> 2.4 Waste Management	C2.4.4: Communal bins must be screened from public.	Communal bin stores in the south west Primary Street (PS) boundary.	Amended elevation plans have shown the screening to be in a similar design to an <i>R-Code</i> fence. All parts of the fencing are visually permeable above 1.2m. Slats are more than 50mm meeting the visually permeable definition. The communal bins in the PS setback arguably are then acceptable as its built form design is consistent with the <i>R-Codes</i> .

<p><u>R-Codes</u> 3.3 Street Setbacks</p>	<p>C3.3.1: Buildings must be setback in accordance with Table 3.3a (2m to PS, and 0.5m to Communal Street for R60 zoning).</p> <p>C3.3.6: Garage needs to be setback in accordance with Table 3.3a (0.5m to Communal Street).</p>	<p>Communal bin stores in the south west PS boundary.</p> <p>0.3m setback boundary wall to Communal Street (Common Property).</p>	<p>Communal bin stores are in the PS setback, against the street boundary. Therefore, this is not in accordance with Table 3.3a. The screening provided is a similar design to a standard residential fence. This design and location are arguably acceptable as it mitigates the negative impact to the streetscape.</p> <p>Arguably a minor variation of ~0.2m difference. This difference will be difficult to distinguish on site.</p> <ul style="list-style-type: none"> • Site lines are still clear by the truncations of each lot by its building form, paving and landscaping. • The smaller setback still assists with vehicle manoeuvring spaces. • The pedestrian path is on the opposite side of the street, in which, this development will not impede on this footpath. • Views to the primary street are achieved by Lot 1's major openings from 'Bed 3', 'Bed 2', and 'Master Bed'. Views towards the communal street is achieved by Lot 4's 'Master Bed'. • All the above provides for vehicular safety and pedestrian safety.
---	---	---	---

<p><u>R-Codes</u> 3.4 Lot Boundary Setbacks</p>	<p>C3.4.4: Boundary walls shall be built in accordance with Table 3.4b.</p>	<p>Lot 1:</p> <ul style="list-style-type: none"> • <u>NORTH:</u> Boundary walls not behind the Communal Street Setback. • <u>EAST:</u> 'Master Bed' 0.3m to Communal Street, in lieu of 0.5m. <p>Lot 2:</p> <ul style="list-style-type: none"> • <u>SOUTH:</u> 9.1m boundary wall length proposed, in lieu of 8.07m (two-thirds). Furthermore, not behind the Communal Street Setback. • <u>NORTH:</u> Boundary walls not behind the Communal Street Setback. <p>Lot 3:</p> <ul style="list-style-type: none"> • <u>SOUTH:</u> 9.1m boundary wall length proposed, in lieu of 8.07m (two-thirds). Furthermore, not behind the Communal Street Setback. • <u>NORTH:</u> Boundary walls not 	<ul style="list-style-type: none"> • Regarding the setbacks to the Communal Street, this is arguably a minor variation that is difficult to determine on site. Safety to vehicles and pedestrians are compliant as stated previously. • Solar access/overshadowing is compliant whilst calculated at its worst (FFL). The NGL is higher than the FFL. • Natural ventilation is then achieved by meeting the minimum requirements of the Primary Garden Area (PGA). • By the provided amended plans, the design of the screening is consistent with the streetscape, positively contributing to the local amenity.
--	---	--	---

		<p>behind the Communal Street Setback.</p> <p>Lot 4:</p> <ul style="list-style-type: none"> • SOUTH: 8.5m boundary wall length proposed, in lieu of 8.07m (two-thirds). Furthermore, not behind the Communal Street Setback. 	
<p><u>R-Codes</u> 3.5 Site Works and Retaining Walls</p>	<p>C3.5.1: no more than 0.5m fill and excavation above or below the NGL.</p> <p>C3.5.2: Retaining wall fill must comply with Table 3.5a.</p>	<p>More than 0.5m difference in the street setback area.</p> <p>Communal Street is 1.1m – 1.2m difference up to the boundary. This requires a 1m setback.</p>	<ul style="list-style-type: none"> • Minor variation to the prescribed 1m allowance. • There will no habitable buildings within the eastern lot boundary area, which reduces amenity impacts to the eastern neighbour – such as overshadowing and visual privacy. • There is a 1.6m high fibro dividing fence on the boundary which acts as additional screening. • Pollution is acceptable as the driveway is setback appropriately to the eastern lot boundary. • The effect of the above do not “detrimentally affect” the amenity of the eastern neighbour.

			<ul style="list-style-type: none"> The driveway on the east is arguably a better outcome, then having building on the east. This is because the eastern property is situated lower.
<p><u>R-Codes</u> 3.7 Access</p>	<p>C3.7.4, ii: driveways should be designed to allow vehicles to exit onto the street in a forward gear, provided that the distance from the street boundary to the car parking space is more than 30m.</p>	<p>Proposed design arguably does not allow vehicles to exit in a forward gear.</p>	<p>Please refer to comments by the City’s Development Engineer evident in Document Set ID: 12188784.</p> <ul style="list-style-type: none"> Crossover and driveway has no opportunity to be widened. Unable to provide for a ‘passing bay’. Engineer explained that this proposal is acceptable as this lot is constrained = legible access. <p>Landscaping was approved by the City’s Landscaping Officer, evident above in Document Set ID: 12155985.</p> <p>Only 1 vehicle access point which will be the Common Property driveway on the eastern portion.</p> <ul style="list-style-type: none"> Vehicle access to all lots will be from the Common Property – complying with the <i>R-Codes C3.7.1</i>. <p>Lancaster Street is an ‘Access Road’ which will predictably very low traffic volumes.</p>

	<p>C3.7.7: Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences or other structures adjoin a driveway that intersects a street.</p>	<p>Retaining in the front impedes on sightlines, resulting in a 1.4m difference east of the driveway – noted on site plan.</p>	<p>There is a wide ~7m verge which will aid in vehicular safety and sightlines.</p> <p>As this lot is challenged by the NGL, the proposed FFL and retaining can be deemed acceptable from the arguments above and again supported by the Engineer.</p> <p>Lot is challenged by its levels. The lot slopes down in an easterly direction. The proposed levels of the driveway is respective of the NGL. The retaining to the left/west of the driveway is required for the sloping levels. The retaining can arguably be necessary to maintain the NGL heights. The effect of this further adds to the respect of the topography and local amenity.</p> <p>It is favourable to have the Common Property driveway on the eastern side for amenity reasons explained previously.</p> <p>The height of the retaining can be seen as a low risk to human and vehicular safety for the following reasons:</p> <ul style="list-style-type: none"> • Lancaster Street is an 'Access Road' -- > predictably low traffic volumes. • ~7m wide verge which can
--	--	--	---

			<p>compensate and aid the impacted sightlines.</p> <ul style="list-style-type: none"> • Driveway setbacks are compliant to its lot boundaries.
<p><u>R-Codes</u> 3.10 Visual Privacy</p>	<p>C3.10.1: Overlooking cone of vision shall be in accordance with Table 3.10a.</p>	<p>Lot 2: Dining/Living and PGA’s cone of vision is intruding into the western lot (12 Lancaster Street, SPEARWOOD).</p> <ul style="list-style-type: none"> • FFL is raised 0.5m from NGL. • PGA is raised 0.7m from NGL. <p>Lot 3: Bed 3’s cone of vision is intruding into the western lot.</p>	<p>Western lot is situated higher than all 4 subject lots. Applicant is also proposing retaining higher on its western boundaries.</p> <ul style="list-style-type: none"> • Lot 2: western lot is 0.9m higher than its PGA and Living area. • Lot 3: Western lot is ~0.6m higher than Bed 3. <p>There is ~1.4m high fibro fencing mitigating the visual privacy concerns. This fencing is on top of the proposed retaining.</p> <p>The building setbacks are compliant.</p> <p>Visual privacy to the eastern neighbour is compliant as its cone of vision is still within its own lot.</p> <p>The combination of the above should provide sufficient screening. This is also why it was concluded that no advertising is necessary to the western lot.</p>
<p><u>R-Codes</u> 5.1 Open Space</p>	<p>C5.1.1: Open Space shall be in accordance with Table 5.1a (40% Open Space for R60 zoning).</p>	<p>Lot 2:</p> <ul style="list-style-type: none"> • 30.81% open space proposed, in lieu of 40%. 	<ul style="list-style-type: none"> • Whilst the proposed Open Space is not achieved through the Special Transitional Provisions, it is arguably consistent with Local Planning

		<p>Lot 3: 31.24% open space proposed, in lieu of 40%.</p>	<p>Framework. In April 2026, the Special Transitional Provisions will expire, in which, C3.1.1 will be in affect. If we are then to understand the future intended Site Cover requirements from C3.1.1, we can see that this is compliant.</p> <ul style="list-style-type: none"> • Sunlight is still acceptable as overshadowing calculations above are compliant. • PGA's are all compliant. There is evidently space for outdoor pursuits. • Utilities will not be impacted. • The dense building bulk is an attractive setting by its soft landscaping, built form, access to the winter sun, and denser landscaping (provided on the amended plans).
--	--	--	---

Visual Privacy

Arguably the highest concern of this 4x Grouped Dwelling proposal is the visual privacy concerns, particularly Lot 2 and Lot 3. The western neighbour (12 Lancaster Street, SPEARWOOD) is raised 0.6m – 0.9m higher than Lot's 2 and 3. Furthermore, there is a 1.4m high fibro fencing. Therefore, the screening is now ranging 2m – 2.3m which is compliant with **C3.10.6** of the *R-Codes*. Furthermore, it is difficult in balancing concerns of visual privacy, achieving an acceptable FFL, all whilst respecting the topography. Cone of vision to the eastern neighbour is still within the subject lot. The design of the lot has then achieved all of the above.

Vehicular and Pedestrian Safety

The City's Development Engineer has provided their confirmation above that the design of the lots are acceptable. Due to the size and width constraints of this lot, the City's Development Engineer has deemed this acceptable as there are little opportunities for amendments – particularly relating to increasing the width of the driveway. There are sound recommended Engineering conditions as mentioned in the internal referrals.

Communal Bin Stores

The communal bin store is not located on Common Property, but rather on Lot 1. The location of the bin store is arguably acceptable as there is arguably no alternative area on the common property to accommodate this requirement. Furthermore, the screening of the communal bin to the Primary Street is arguably acceptable as the design is similar to a residential fence. This screening is also visually permeable above 1.2m and has a gap more than 50mm – complying with the ‘visually permeable’ definition of the *R-Codes*. A standard condition is placed ensuring that vehicular safety sightlines are still achieved, pursuant to the City’s Development Engineer’s comments during the internal referral phase.

LPP 1.2

LPP 1.2 applies to all Grouped Dwellings. Most of Part C of the *R-Codes* overrides the requirements prescribed by LPP 1.2. However, this policy does outline the minimum bedroom dimensions and requirements. Bed 3 of Unit 1 does not meet the minimum dimension and minimum area required for a bedroom under LPP 1.2. Applicant has provided 3.27m x 2.74m, in lieu of 3m x 3m. this 0.26m difference is arguably a minor variation that can be accepted. Bed 3 still arguably meets the 9m² area required as the applicant has provided 8.96m². No further amenity impacts to this subject lot and neighbouring properties will be affected.

Conclusion:

The City deems this proposal acceptable as it is generally consistent with the objectives of TPS 3 and the Local Planning policy framework.

The proposed built form has been well designed being site responsive, taking advantage of the winter sun, and done its best for respecting the topography.

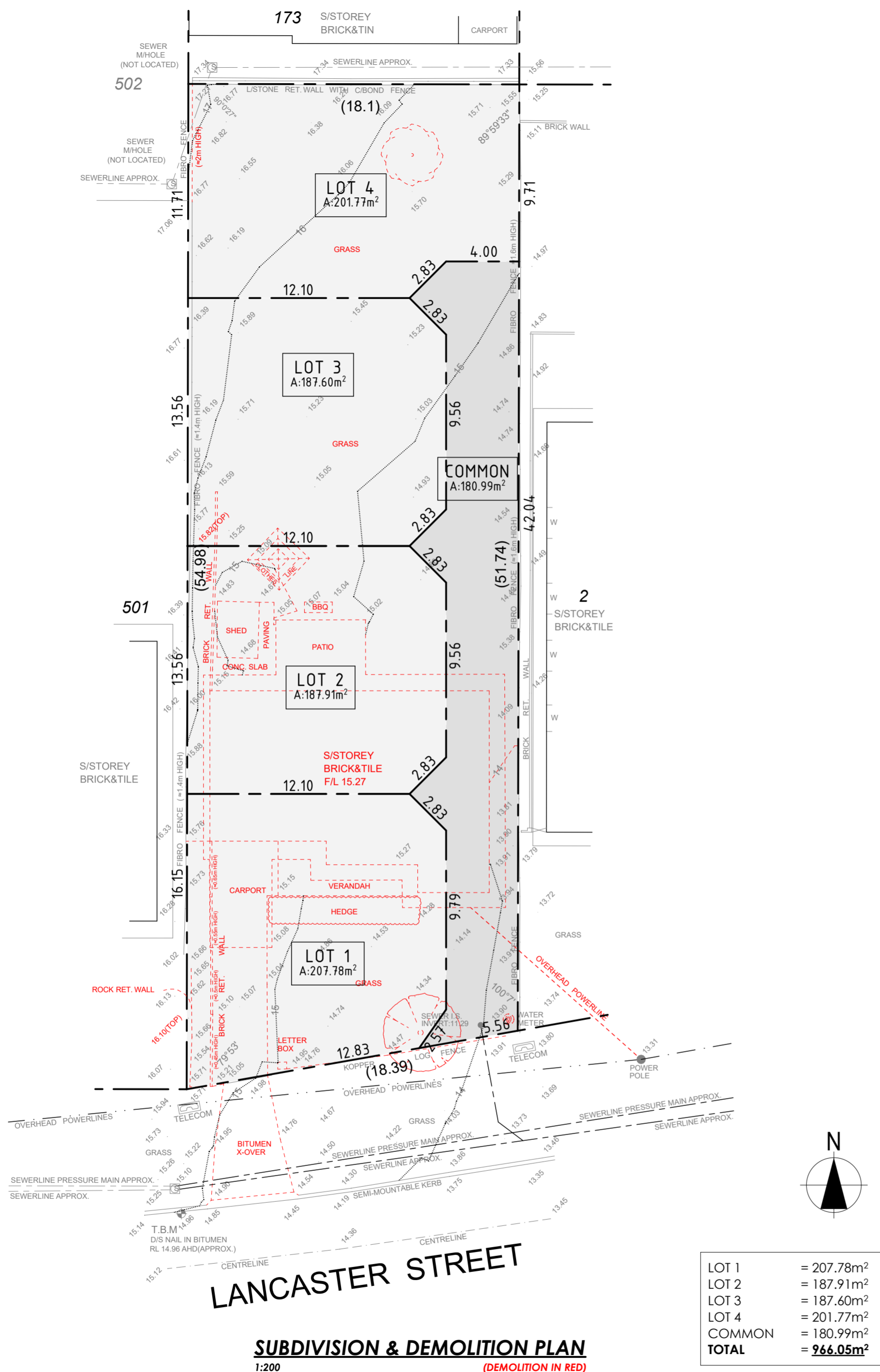
Currently, there is a Subdivision application for this proposal within the City (City reference: SU24/0131, WAPC reference: 1226-24). The City has recommended ‘Deferral’ as the Subdivision will be subject to this application.

Having regard to the above assessment, the City recommends approval subject to conditions as stated within the recommendation.



LOT 1 (NO. 14) LANCASTER STREET, SPEARWOOD
17/01/2025





SITE PLAN LEGEND

00/00	EXIST. SPOT LEVELS
+ 35.750	NEW FINISHED LEVELS
[Red Hatched Box]	9m ² TREE GROWTH ZONE
[Green Hatched Box]	LANDSCAPING AREA
[Grey Box]	BRICK PAVING AREA
[Dashed Line]	PROPOSED 1.8H COLORBOND FENCE UNLESS NOTED OTHERWISE
[Orange Box]	LIMESTONE RETAINING WALL
[Blue Box]	TWINSIDE RETAINING WALL

SITE AREA CALCULATIONS

TOTAL SITE COVER AREA:
126.1m² + 132.08m² + 132.08m²
+ 118.03m² = 508.29m²

TOTAL PARENT LOT AREA LESS COMMON PROPERTY:
207.78m² + 187.91m² + 187.6m²
+ 201.77m² = 785.06m²

SITE COVER%
(508.29 / 785.06) X 100 = 64.75%

LANDSCAPING OF WHOLE SITE

-SITE AREA = 966m²

-SOFT LANDSCAPING AREA TO PER SITE WITH A MIN. DIMENSION 1m LANDSCAPING = 145m²

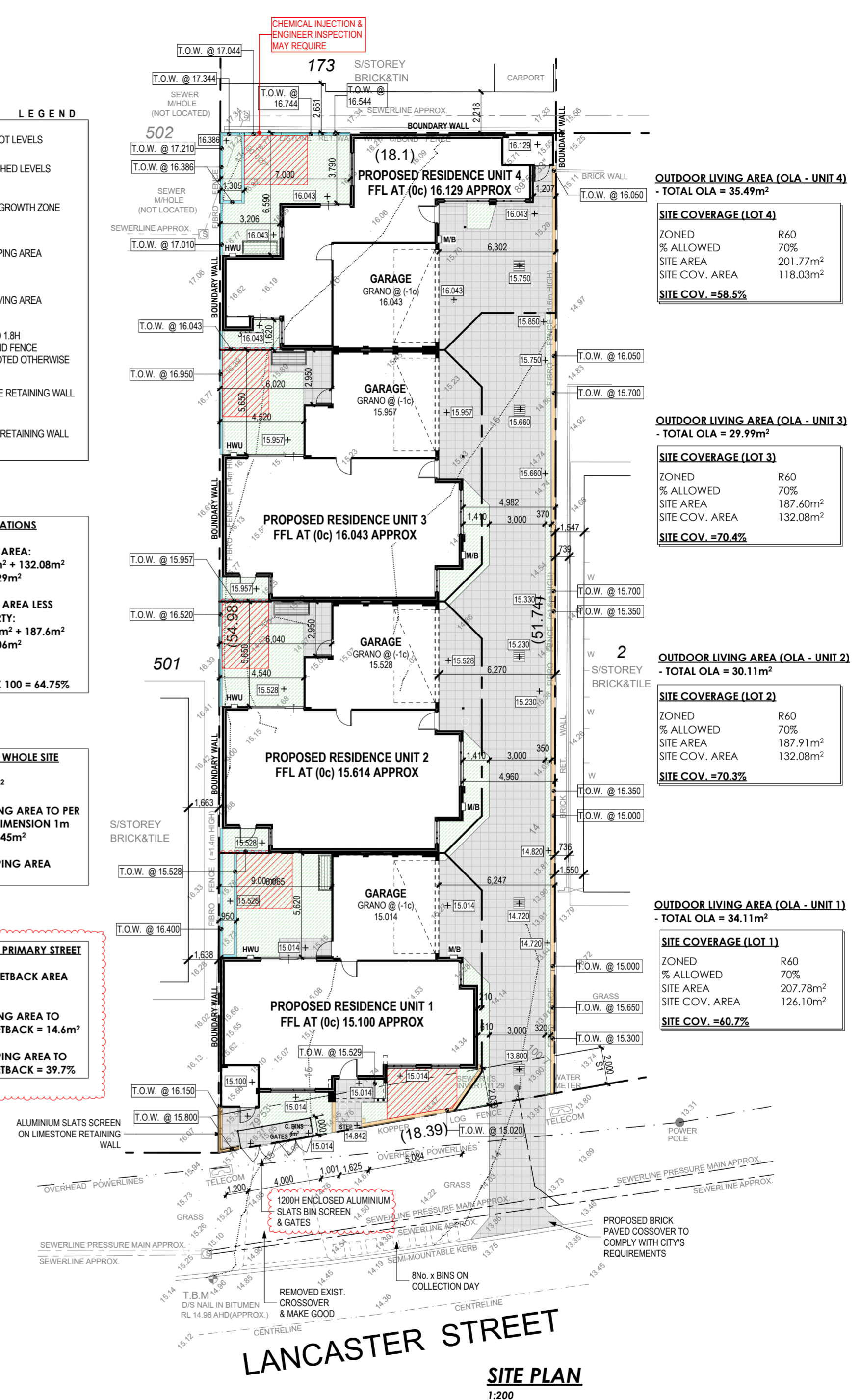
% SOFT LANDSCAPING AREA TO SITE = 15%

LANDSCAPING OF PRIMARY STREET

-PRIMARY STREET SETBACK AREA = 36.78m²

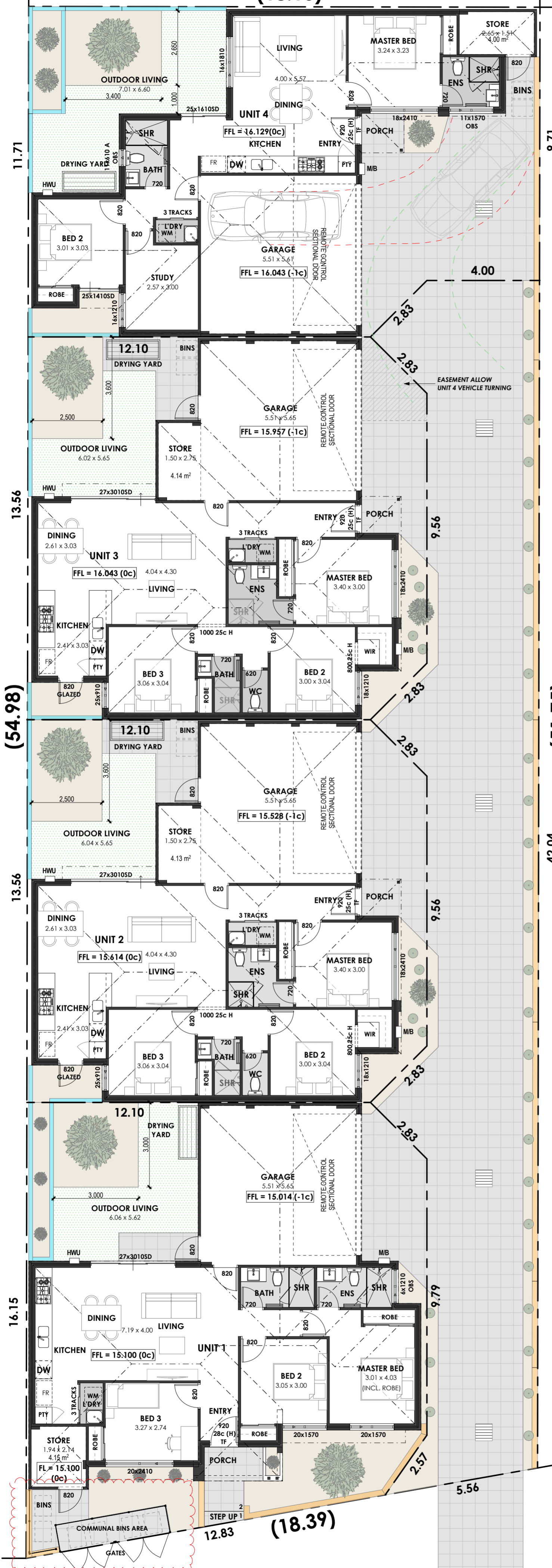
-SOFT LANDSCAPING AREA TO PRIMARY STREET SETBACK = 14.6m²

% SOFT LANDSCAPING AREA TO PRIMARY STREET SETBACK = 39.7%



LOT 1 (NO. 14) LANCASTER STREET, SPEARWOOD
17/01/2025

(18.10)



ROOM AREA CALCULATION LOT 4

ROOM	AREA	PERIMETER
GROUND FLOOR	81.39	61.20
GARAGE	32.44	22.78
STORE	4.49	8.86
PORCH	2.10	5.80
TOTAL	120.42 m²	98.64 m

ROOF AREA CALCULATION LOT 4

ROOM	AREA
ROOF	121.30
ROOF AREA	121.30 m²

ROOM AREA CALCULATION LOT 3

ROOM	AREA	PERIMETER
GROUND FLOOR	94.72	41.98
GARAGE & STORE	37.63	26.06
PORCH	1.90	5.52
TOTAL	134.25 m²	73.56 m

ROOF AREA CALCULATION LOT 3

ROOM	AREA
ROOF	135.92
ROOF AREA	135.92 m²

HOUSE AREA CALCULATION LOT 2

ROOM	AREA	PERIMETER
GROUND FLOOR	94.72	41.98
GARAGE & STORE	37.65	26.12
PORCH	1.90	5.52
TOTAL	134.27 m²	73.62 m

ROOF AREA CALCULATION LOT 2

ROOM	AREA
ROOF	135.92
ROOF AREA	135.92 m²

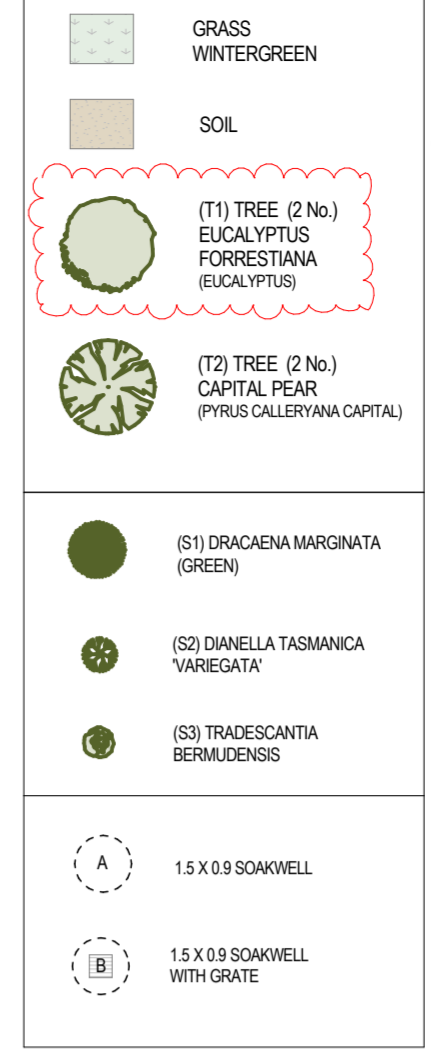
HOUSE AREA CALCULATION LOT 1

ROOMS	AREA	PERIMETER
GROUND FLOOR	89.35	43.24
GARAGE	33.22	23.06
STORE	4.44	8.70
PORCH	3.08	7.76
TOTAL	130.09 m²	82.76 m

ROOF AREA CALCULATION LOT 1

ROOM	AREA
ROOF	131.06
ROOF AREA	131.06 m²

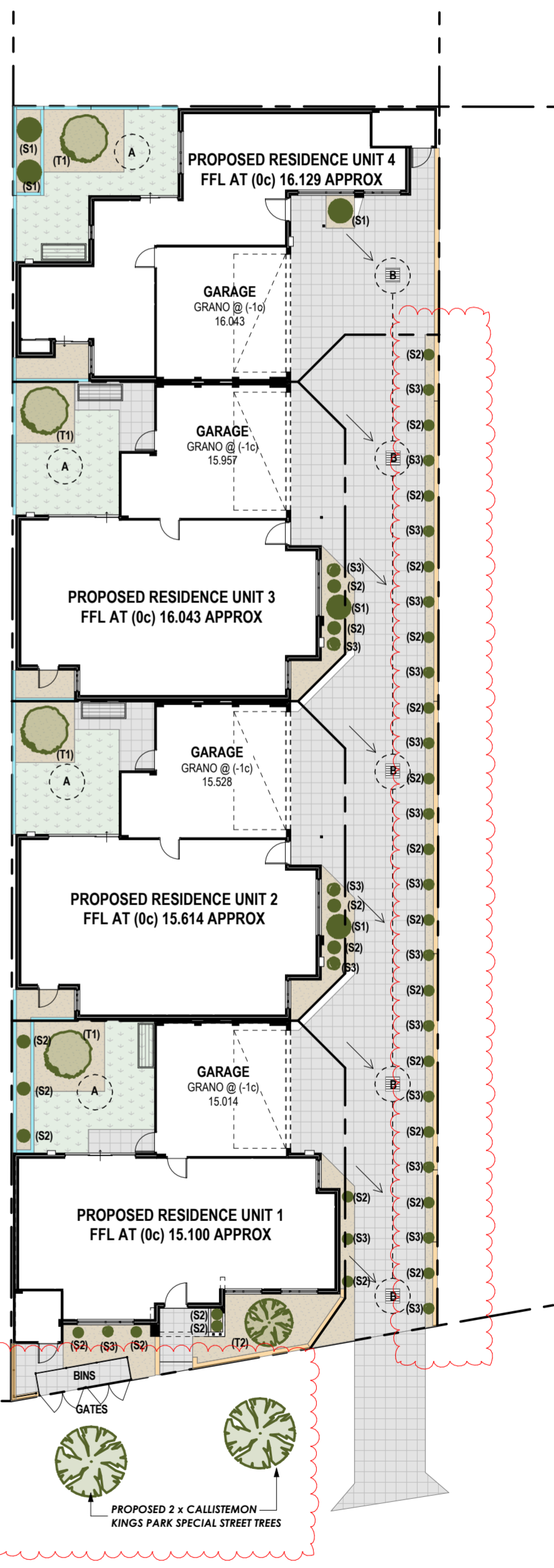
LANDSCAPING LEGEND



Soak Well Type No.

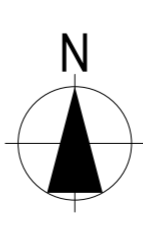
SW 1500x900	9	14.3 m³
Total Capacity		14.3 m³
Roof Area GF		524.2 m²
Paved Area		231.1 m²
Total Area		755.3 m²
Capacity Required (Area x 0.0125)		9.4 m³
Extra Capacity Provided		4.9 m³

NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE



LANDSCAPING & DRAINAGE PLAN

1:200



GROUND FLOOR PLAN

1:100

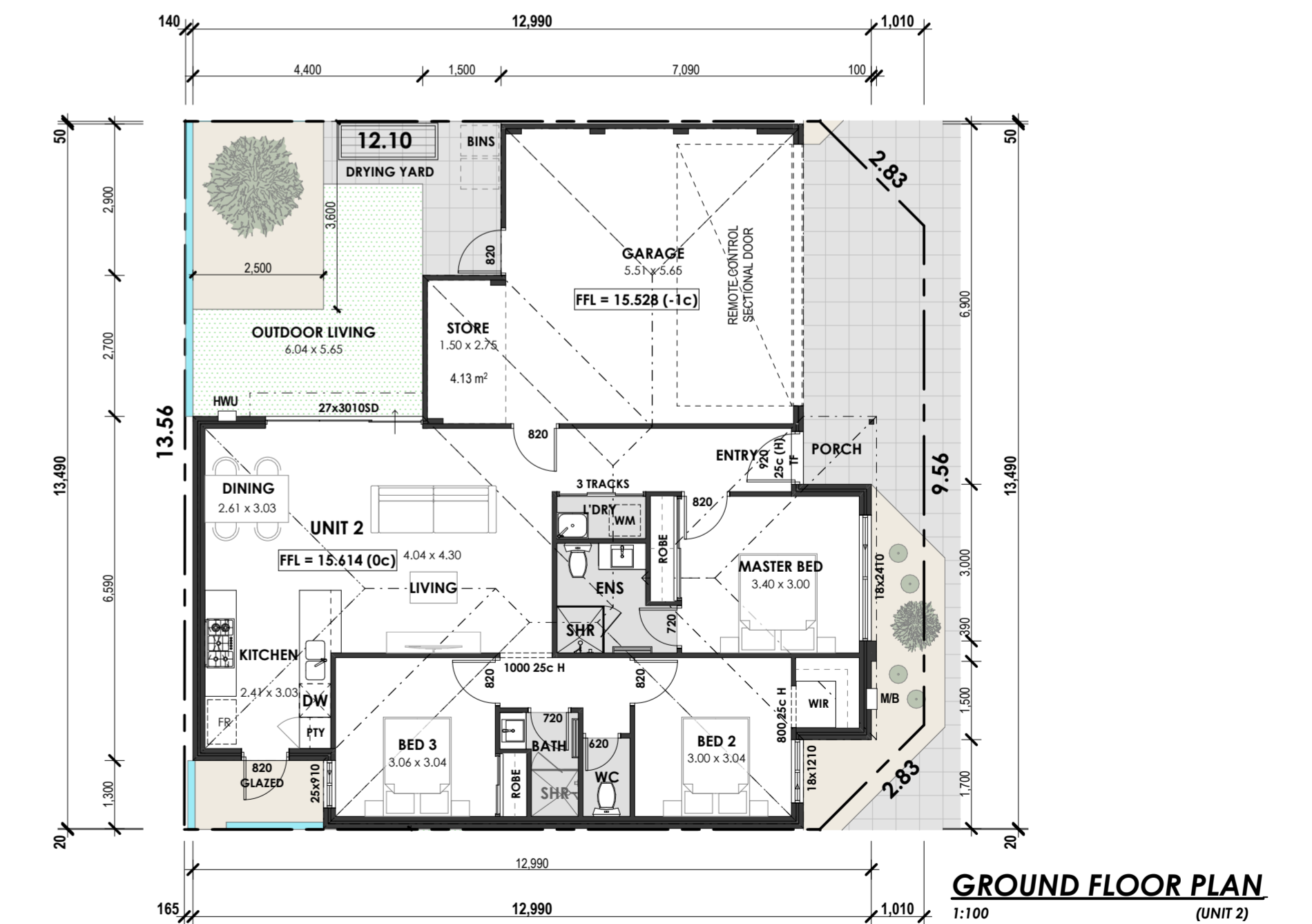
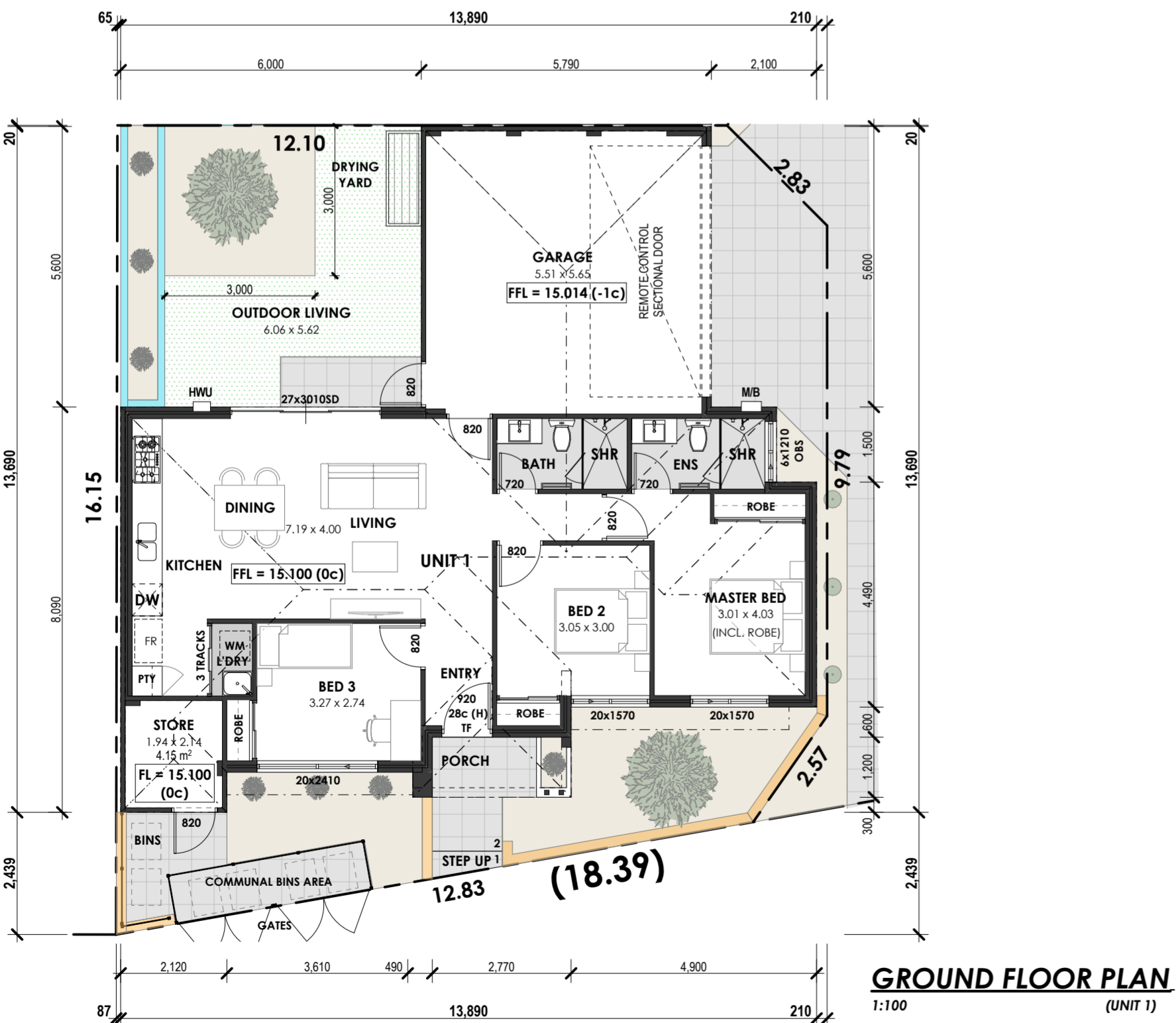
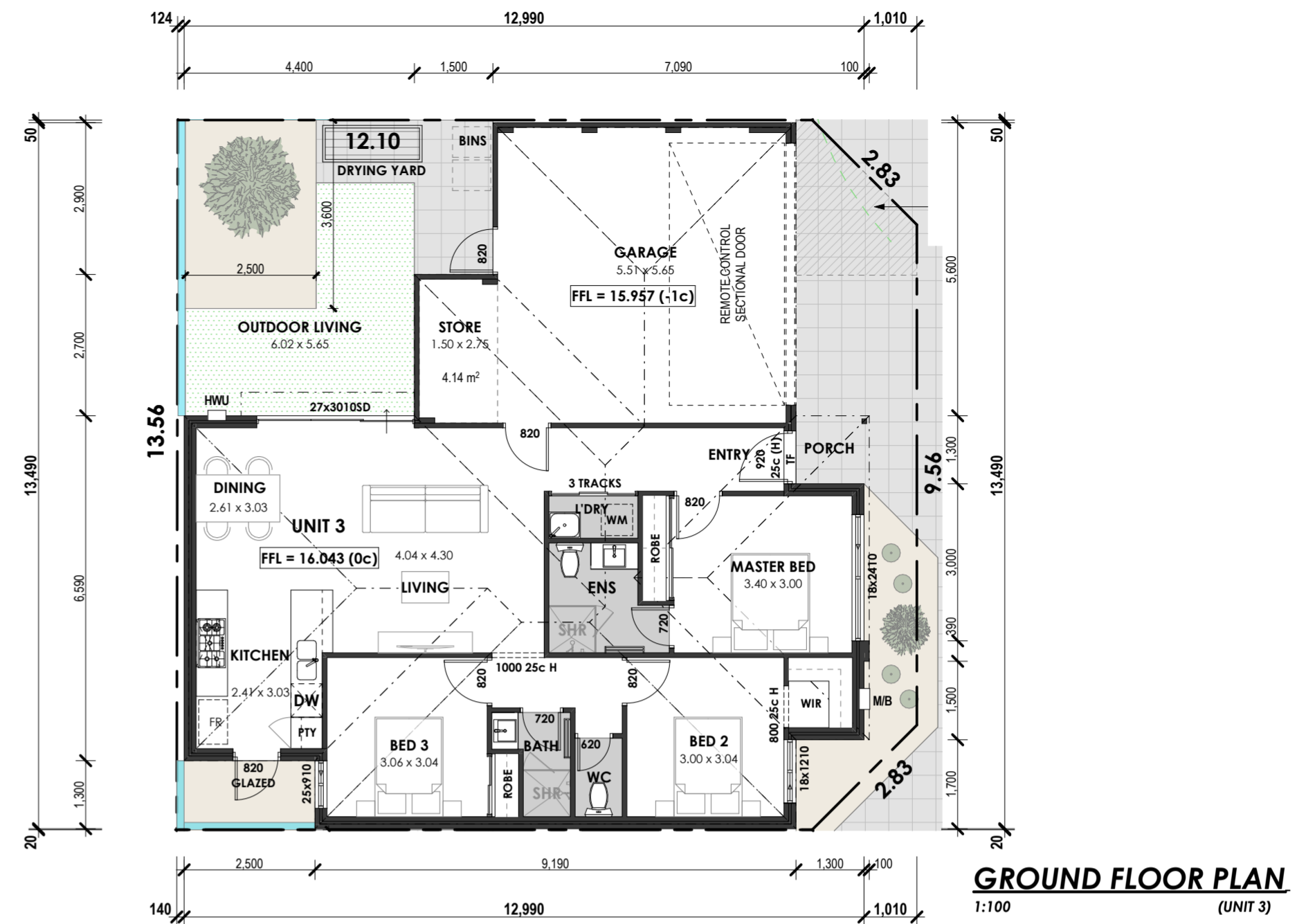
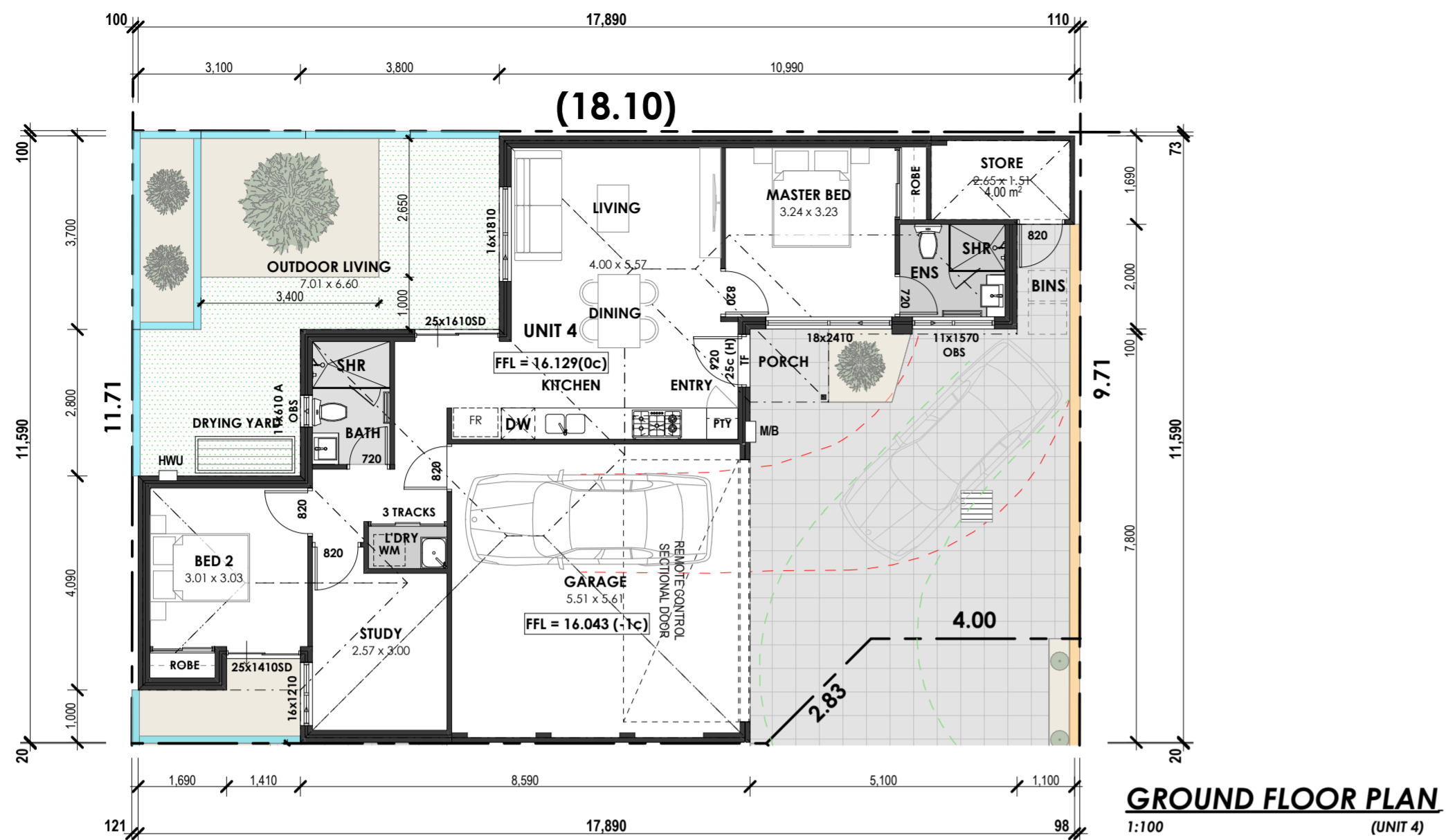
30c + CEILING TO GROUND FLOOR UNLESS NOTED OTHERWISE

LOT 1 (NO. 14) LANCASTER STREET, SPEARWOOD

17/01/2025

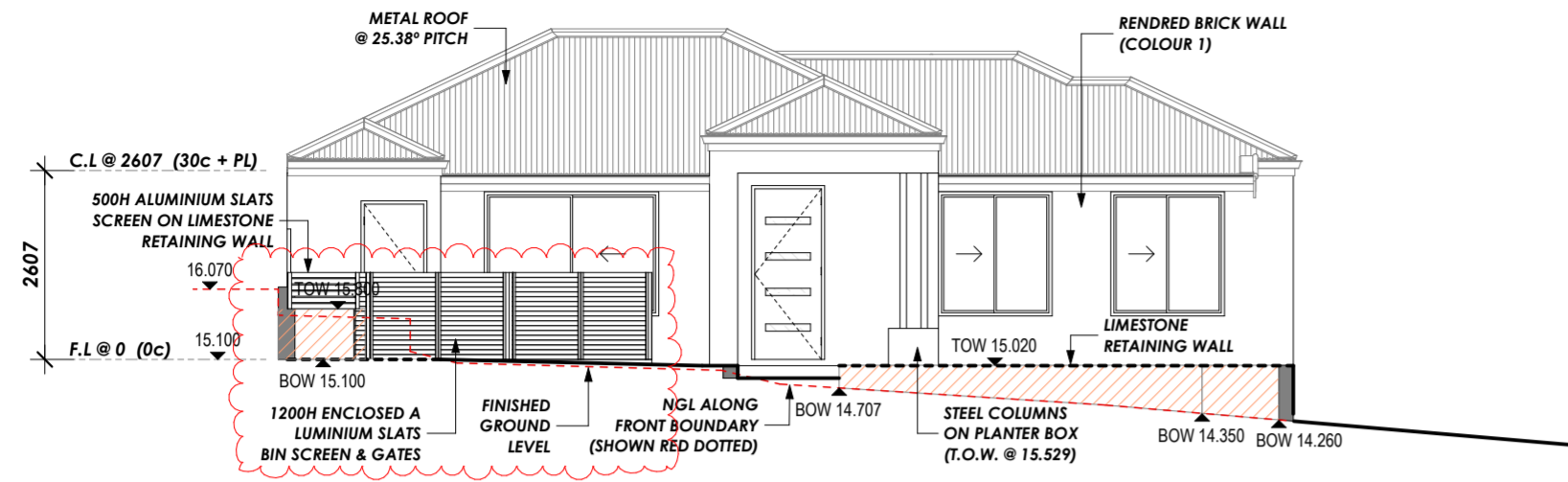


PROJECT NO.	DRAWING NO.
SPE-LAN	A2
REVISION NO.	
REV DA3	

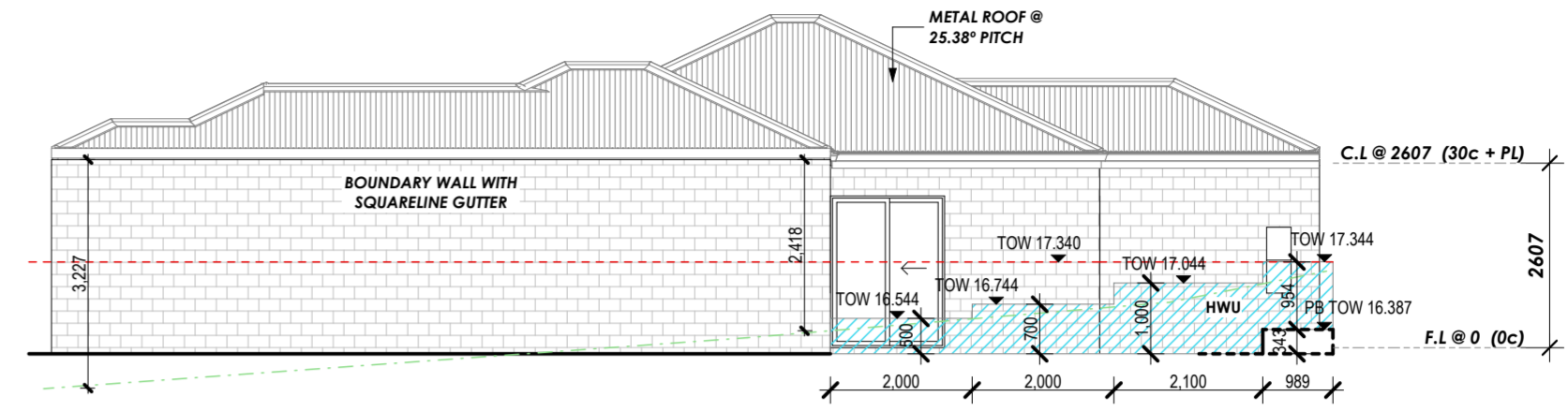


LOT 1 (NO. 14) LANCASTER STREET, SPEARWOOD
17/01/2025

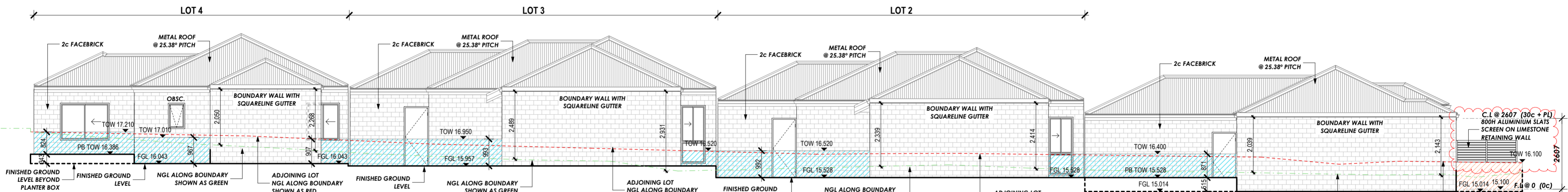




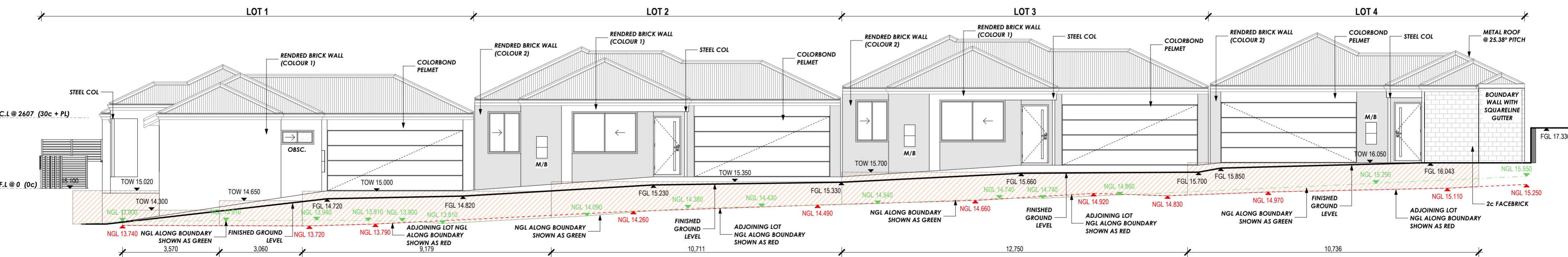
UNIT 1 SOUTH ELEVATION
1:100



UNIT 4 NORTH ELEVATION
1:100



WEST ELEVATION
1:100

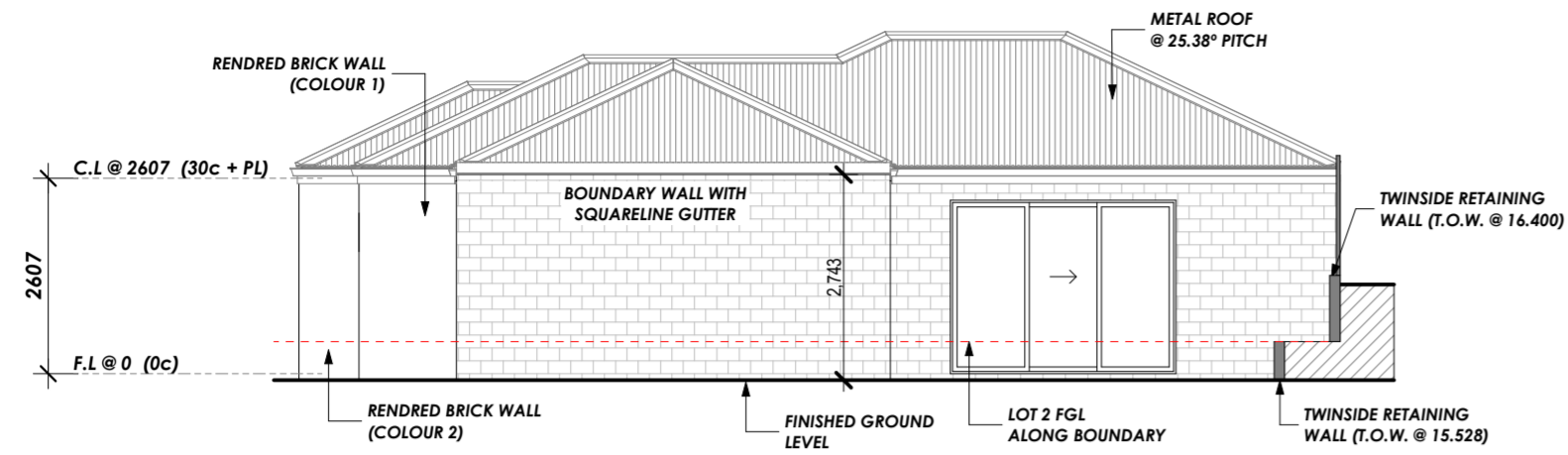


EAST ELEVATION
1:100

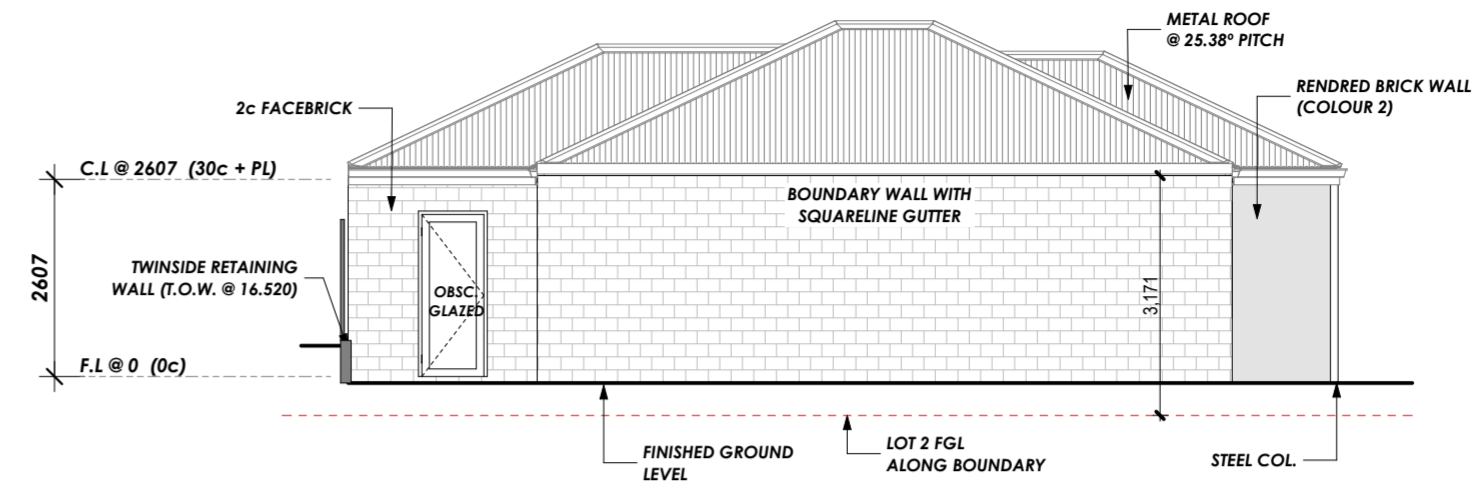
30c + CEILING TO GROUND FLOOR
UNLESS NOTED OTHERWISE

- PROPOSED LIMESTONE RETAINING WALL
- PROPOSED TWINSIDE RETAINING WALL

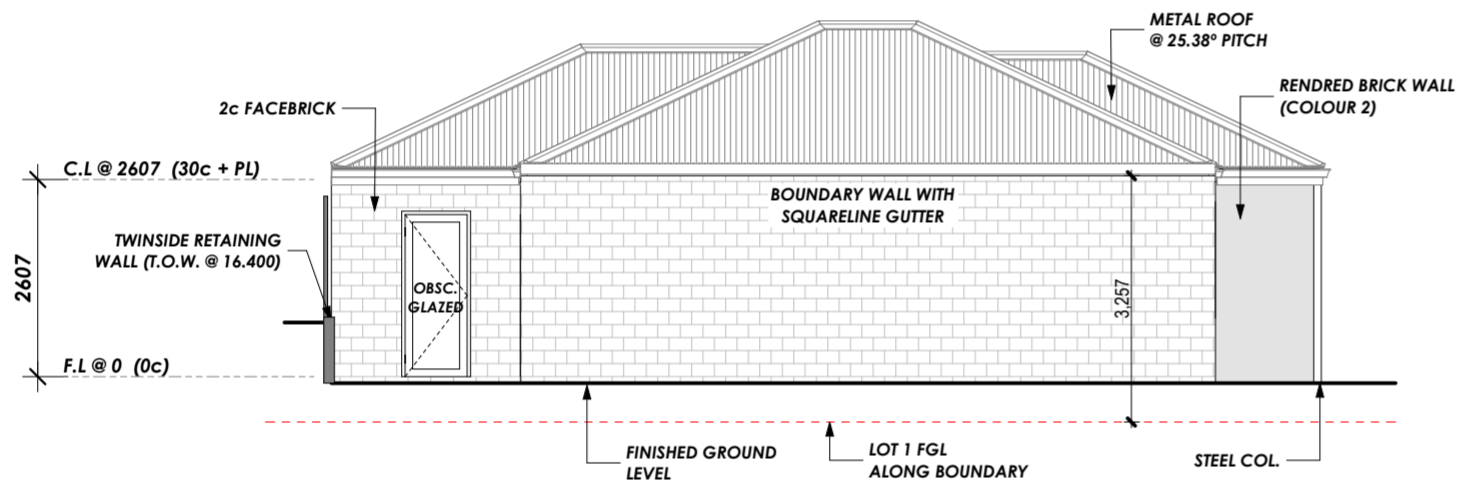




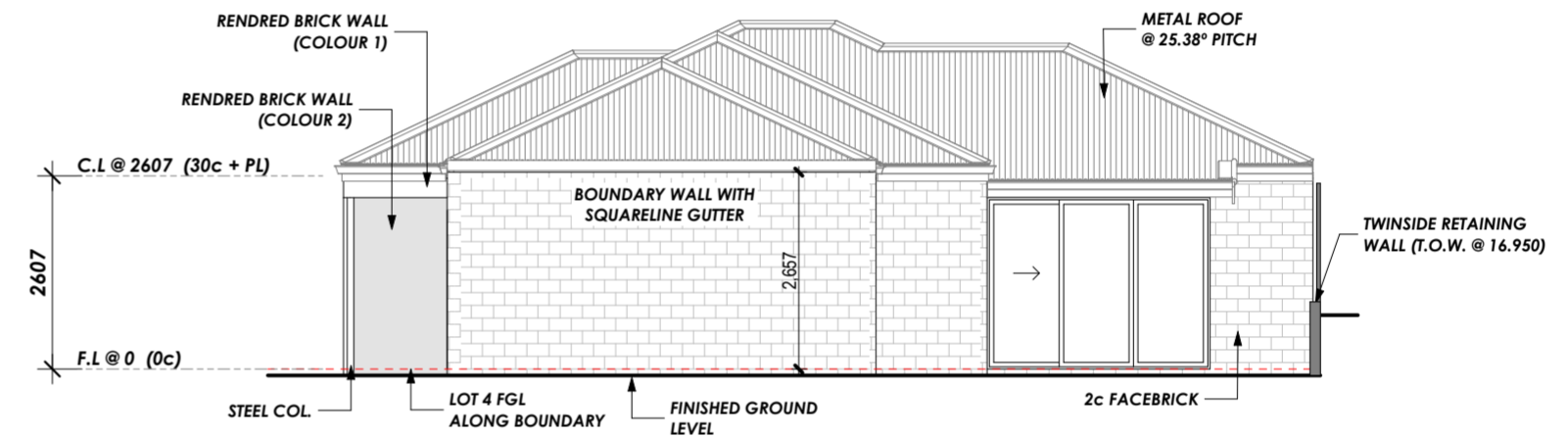
UNIT 1 NORTH ELEVATION
1:100



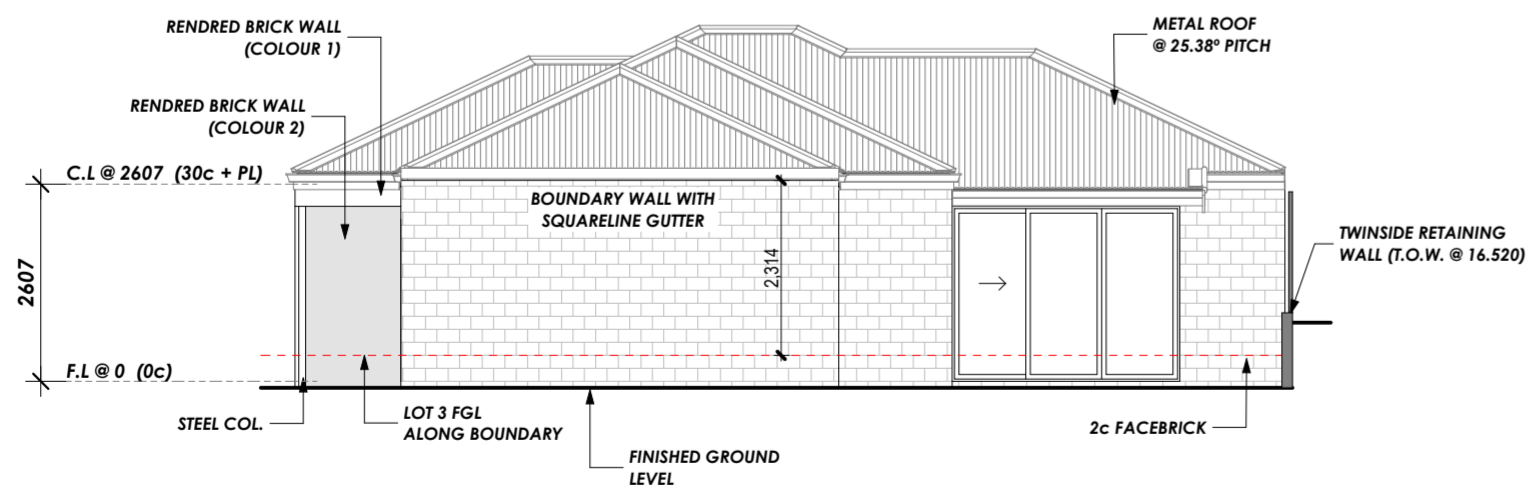
UNIT 3 SOUTH ELEVATION
1:100



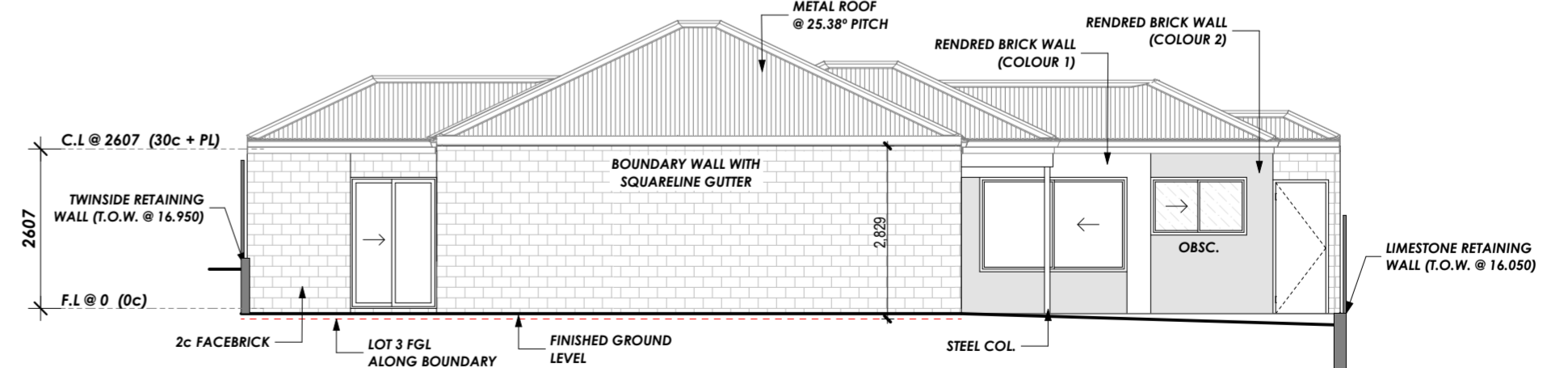
UNIT 2 SOUTH ELEVATION
1:100



UNIT 3 NORTH ELEVATION
1:100



UNIT 2 NORTH ELEVATION
1:100



UNIT 4 SOUTH ELEVATION
1:100

30c + CEILING TO GROUND FLOOR
UNLESS NOTED OTHERWISE

- PROPOSED LIMESTONE RETAINING WALL
- PROPOSED TWINSIDE RETAINING WALL



PART C – OTHER BUSINESS

- 1. State Administrative Tribunal Applications and Supreme Court Appeals**
- 2. Meeting Closure**