

Design Principle Assessment

Design Principle Assessment - Clause 3.3 Street setbacks

P3.3.1 Buildings are set back from street boundaries an appropriate distance to ensure they:

- i. are consistent with the existing or future streetscape and local character;
- ii. provide sufficient space for tree planting and other landscaping, as well as community interaction;
- iii. provide adequate privacy to the dwellings;
- iv. accommodate site planning requirements such as parking and utilities; and
- v. allow safety clearances for easements for essential service corridors and sightlines.

In considering the future streetscape and local character, the proposed street setbacks are appropriate in the context of development at the R80 density. The R-Codes contemplate a minimum 2 metre street setback for this form of development, and it is therefore reasonable to anticipate that future proposals in the locality may seek similar minor setback discretions. While the City's streetscape policy identifies a minimum 3 metre setback, local planning policies cannot impose additional restrictions or burdens beyond those established under the R-Codes, as provided for under Clause 61(7) of the Planning and Development Regulations.

The extent of discretion sought should also be considered in light of the development layout. If the site had been subdivided, conditions cleared and titles issued, the proposed setbacks would likely be viewed as less substantial, as each dwelling would effectively function as a single house rather than a grouped dwelling, with no shared access or common property. The reduced setbacks to Units 2-5, which front the side and rear laneways of the parent lot rather than the primary King George Street

frontage. The setbacks to the King George Street boundary achieve a distance greater than 2 metres, which would generally exceed the minimum requirements set out under Part C of the R-Codes. As a result, the proposal is unlikely to have any direct adverse impact on the established King George Street streetscape.

The two-storey built form further supports the proposed setback variation, with the upper floors set back more than 2 metres from the primary street boundaries, greater than the proposed street setback; and are provided with balconies. This provides meaningful articulation and visual relief, reducing the perceived scale of the development while contributing positively to the future character of the streetscape. On this basis, the proposed setbacks are considered appropriate and capable of establishing a well-articulated development outcome that can inform the evolving built form of the locality.

The development plans demonstrate that Unit 1 provides two tree planting areas within the King George Street setback, while the setback areas associated with the remaining units are proposed to be landscaped with small to medium vegetation. Although trees are not provided within each laneway-facing setback area, additional tree planting is accommodated to the rear of the dwellings. This is considered an appropriate response to the site layout, as providing larger trees within the laneway setbacks may increase the potential for conflict or damage from vehicles using the laneway to access adjoining properties. In this context, the proposed small to medium landscaping provides a suitable balance between softening the built form, supporting streetscape presentation and responding to the functional constraints of the laneway environment.

The proposed dwelling layout provides an appropriate level of privacy for future occupants, with each dwelling designed to minimise direct overlooking and maintain separation between private living areas. The reduced street setbacks also allow for greater space to be provided at the rear of the dwellings, supporting the provision of usable private open space for relaxation and recreation. In this context, the proposal is considered to provide adequate privacy while maintaining a functional and well-resolved residential layout.

Each dwelling has been designed to accommodate the minimum required parking through the provision of secure garages, ensuring that parking demand can be managed wholly within the site. The development layout also provides sufficient space for essential services and utilities to be accommodated in accessible and functional locations. On this basis, the proposal is considered to appropriately address site planning requirements without compromising the presentation or functionality of the development.

There are no easements or essential service corridors affecting the site that require specific design setbacks or safety clearances. The development has also been designed to maintain appropriate visibility at laneway and street intersections, supporting safe vehicle movements and adequate sightlines for adjoining accessways. On this basis, the proposal is considered to appropriately address safety clearance and sightline requirements without creating any adverse impact on the function or safety of the surrounding movement network.

P3.3.2 Buildings mass and form that:

- i. uses design features to affect the size and scale of the building;
- ii. provide the opportunity for building articulation, such as well-defined entries, varying setbacks across the building width, verandahs, porches and balconies;

- iii. uses appropriate minor projections that do not detract from the character of the streetscape;
- iv. minimises the proportion of the façade at ground level taken up by building services, vehicle entries, parking supply, blank walls, servicing infrastructure access, meters and the like; and
- v. positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

The proposed built form uses a combination of upper-floor setbacks, balconies, varied ground-floor setbacks and stepped facades to reduce the perceived scale of the development and provide meaningful articulation when viewed from the street. The upper floors are set back more than 2 metres from the primary street boundaries, exceeding the proposed street setback, while the ground-floor facades incorporate variation and modulation to avoid a uniform built edge. These design measures provide visual relief, reinforce the individual dwelling presentation and contribute positively to the future character of the streetscape. On this basis, the proposal is considered to achieve an appropriately articulated built-form outcome that is consistent with the evolving development context of the locality.

The development provides clearly defined entry points that form a key design feature of each dwelling's front façade. Each dwelling incorporates a porch or landing area, which assists in reinforcing the individual dwelling presentation while adding depth, articulation and visual interest to the streetscape. These elements contribute to a more legible and human-scaled built form, supporting the overall design response and positively contributing to the future character of the locality.

The treatment of Unit 1 also demonstrates an appropriate built-form outcome by minimising the extent of the primary façade occupied by blank walls, vehicle entries and servicing elements. Vehicle access is taken from the secondary street frontage, allowing the King George Street elevation to be defined by the dwelling entry, front steps and landscaped setback area. This arrangement provides depth, visual interest and activation to the primary frontage, while supporting a more positive presentation to the streetscape.

Design Principle Assessment – Clause 3.4 Lot Boundary Setbacks

P3.4.1 Lot boundary setbacks reinforce the location's streetscape character and are consistent with the existing or desired built form local character.

Unit 5, which fronts the rear laneway of the parent lot, seeks discretion for a 0.99 metre setback in lieu of the 1.5 metre deemed-to-comply requirement for a length of 4.79 metres. While discretion is sought, the adjoining area on the neighbouring site is understood to be used as a car parking area associated with residential development and does not contain habitable rooms or buildings capable of being reasonably adapted for habitable purposes. In this context, the reduced setback is not expected to result in any adverse amenity impact on the adjoining property. When viewed from the laneway, the dwelling façade is articulated through varied setbacks and selected materials and finishes, providing visual interest and reducing the perceived impact of the built form on the streetscape. On this basis, the proposed lot boundary setback is considered appropriate in the context of the adjoining land use, laneway setting and articulated design response.

P3.4.2 The setback of development from lot boundaries provides a transition between sites with different land uses or intensity of development.

The adjoining area on the neighbouring site is understood to be used as a car parking area associated with residential development. The proposed setback and articulated façade treatment, including the use of varied setbacks, materials and finishes, provides an appropriate transition between the adjoining car parking area and the proposed residential development. These design measures introduce visual interest to the laneway elevation and reduce the perceived impact of the built form, ensuring the development responds appropriately to the differing land use and intensity of the adjoining site.

P3.4.3 Buildings are set back from lot boundaries or adjacent buildings on the same lot to:

- i. provide adequate solar access and natural ventilation to the building and open spaces on the site and adjoining properties; and
- ii. address the potential for overlooking and resultant loss of privacy on adjoining properties.

The setback discretion applies to the eastern façade and is not expected to result in any unreasonable reduction in solar access or natural ventilation to the adjoining property. As noted above, the adjoining area is understood to be used as a car parking area and does not contain habitable rooms or primary outdoor living spaces that would be adversely affected by any afternoon shadow cast from the development. On this basis, the proposed setback is considered to appropriately maintain access to natural light and ventilation for the neighbouring site while avoiding any unreasonable amenity impact.

Design Principle Assessment – Clause 3.5 Site works and retaining walls

P3.5.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.

The site has a fall of approximately 6.5 metres from the King George Street frontage to the rear laneway, with natural ground levels of approximately 24.00 metres at the street boundary and 17.50 metres at the rear boundary, resulting in an overall gradient of approximately 13%. The development responds to this topography through a combination of excavation, retaining and cut-and-fill works, including excavation associated with Unit 1 and more balanced cut-and-fill outcomes for the remaining dwellings. Although the extent of retaining and fill may exceed the deemed-to-comply allowances under the R-Codes, the design has been carefully considered in response to the natural slope of the site. The terraced built-form outcome assists in reducing the perceived height of development when viewed from the King George Street streetscape, while also providing articulation, visual interest and a built form that appropriately respects the natural contours of the land.

P3.5.2 Where excavation/fill is necessary, all finished levels respect the natural ground level at the lot boundary of the site and as viewed from the street.

At the interface with King George Street, the development adopts an excavation-based approach that assists in reducing the visual prominence and perceived bulk of the built form when viewed from the streetscape. Where fill is proposed for Units 2–5, this has been carefully considered having regard to the natural contours of the site and is limited to the extent necessary to create functional and level development areas. This approach enables the provision of usable outdoor spaces that can be safely and efficiently used by occupants for recreation and relaxation, while ensuring that finished levels continue to respond appropriately to the site’s natural topography.

P3.5.3 Retaining walls that result in land which can be effectively used for the benefit of residents, do not detrimentally affect the amenity of adjoining properties in the opinion of the decision-maker, and are designed, engineered and landscaped having due regard to the provisions of element 3.10 Visual privacy.

The retaining walls form part of the broader cut-and-fill response to the site’s approximately 6.5 metre fall from King George Street to the rear laneway. The works assist in creating a stepped and terraced development outcome that responds to the natural contours of the land while enabling usable and

functional areas for the benefit of future residents. The proposed site works and retaining are not expected to result in any adverse privacy impacts, and the retaining walls will be designed and engineered to the satisfaction of the City of Victoria Park and in accordance with the relevant Australian Standards. On this basis, the retaining walls are considered appropriate in the context of the site topography and the overall development design.

Conclusion

The amended proposal demonstrates a genuine and substantial response to the Town's concerns. Through the redesign process, the development has:

- Increased street and laneway setbacks where possible;
- Reduced perceived bulk and garage dominance through articulation and material variation;
- Enhanced passive surveillance outcomes;
- Improved solar access and private open space functionality;
- Strengthened landscaping provision and deep soil compliance; and
- Refined the architectural expression to better align with the Raphael Residential Precinct character.

Where minor variations to deemed-to-comply standards may remain, the revised design satisfies the corresponding design principles by achieving the underlying objectives of visual compatibility, amenity protection, streetscape contribution, and contextual integration.

It is considered that the development, as amended, now represents an appropriate and well-resolved infill outcome that responds to both the policy framework and the physical constraints of the site. We respectfully request that the Town proceed with assessment of the application on the basis of the amended documentation.