

This letter responds to the Town of Victoria Park's *Request for Further Information* (RFI) regarding Development Application **5.2025.95.1** for three grouped dwellings at **Lot 557, No. 168 Planet Street, Carlisle**.

All items in the RFI have been addressed in the amended plans, except for **Items 1, 11, 12, and 13**, which remain as minor variations. The following provides justification for these items in line with the relevant *Design Principles* of the **R-Codes** and the Town's **Local Planning Policies**.

RFI 1. Setback of Buildings from Communal Street

Justification for Setback Variation – Clause 1 A4 (a), LPP 25

We acknowledge the Town's requirement under Local Planning Policy 25 – *Streetscape*, Clause 1 A4 (a), which requires major openings to be setback a minimum of 2.0 metres from the formed communal street or driveway. The proposed small dwelling on Lot 2 presents a 1.5 metre setback to the driveway with major openings.

To address this, the major openings (windows W-02 and W-03) have been treated with obscure glazing up to a height of 1.6 metres, limiting the extent of direct overlooking and improving privacy outcomes for both the dwelling occupants and adjacent users of the communal street. This treatment ensures that:

- **Surveillance is maintained** in line with CPTED principles, with clear glass provided above 1.6m.
- **Privacy impacts are minimised**, as there is no direct line-of-sight into the adjoining communal area at eye level.
- **Visual bulk is reduced**, and the activation of the façade remains in keeping with the Town's policy intent to promote passive surveillance and a sense of address to the communal street.

We believe this outcome satisfies the *performance criteria* of Clause 1 P1 by contributing positively to the streetscape character, promoting safety, and minimising amenity impacts—while still achieving a functional and high-quality urban design outcome. The reduced setback does not impede landscaping opportunities, and fencing remains absent to maintain visual openness, as required under the policy.

We respectfully request that the 1.5m setback be supported on this basis.

RFI 11. Small dwelling internal space

Justification for Variation – R-Codes Volume 1 Clause C2.9.1 (Small Dwellings – Internal Floor Area)

Clause C2.9.1 of the Residential Design Codes Volume 1 (March 2024) stipulates that the maximum internal floor area for a Small Dwelling is 70m².

The revised design for Lot 2 proposes a total internal floor area of **74.13m²**, which includes a **4.765m² store room** located under the main roof. The store room:

- Is **accessed externally**, not via the habitable areas of the dwelling;
- Does **not meet the definition of a habitable room** under the R-Codes;
- Serves a dual purpose in supporting the structural integrity of the patio roof and providing essential secure storage.

If the store is **excluded from the floor area calculation**, the dwelling's habitable area is **68.95m²**, thereby meeting the 70m² maximum.

We acknowledge that some planning interpretations may include all enclosed floor space under the main roof as part of the internal area. **Should the Town adopt that position, we respectfully seek support for a variation to 74.13m²** on the following basis:

- The variation is minor and does not compromise the compact scale and intent of the small dwelling typology;
- The store provides a **higher amenity and design integration outcome** compared to detached storage options (e.g., tin shed), which would detract from open space;
- The structural configuration enhances the functionality and weather protection of the patio, delivering long-term durability benefits.

We believe this outcome remains consistent with the **performance objectives of Clause 2.9.1**, providing a liveable, functional, and attractive small dwelling solution without adverse impact on amenity or site efficiency.

RFI 12. Number of Boundary walls

Justification for Variation – R-Codes Clause 3.4 (Lot Boundary Setbacks – Number of Boundary Walls)

Clause 3.4 of the Residential Design Codes Volume 1 requires that boundary walls be built on no more than two lot boundaries per lot (Deemed-to-Comply). The proposed dwellings on Lots 2 and 3 incorporate boundary walls on **three lot boundaries**, in lieu of two.

We respectfully seek support for this variation and provide the following justification under the **Design Principles (P3.2)** of the R-Codes, which allow boundary walls where they:

- Make effective use of space,
- Enhance privacy,
- Do not detract from the streetscape, and
- Do not have an adverse impact on the amenity of adjoining properties.

1. Nature and Location of the Boundary Walls:

- The third boundary wall in each case is **limited to garages and internal lot boundaries**, rather than external boundaries abutting existing neighbours.
- These walls **do not abut active outdoor living areas, major openings, or bedrooms** of adjoining dwellings on neighbouring properties.
- The walls are single-storey and **built along internal boundaries between the proposed grouped dwellings**, which form part of an integrated development and therefore do not present visual bulk or overshadowing concerns to any external adjoining lots.

2. Neighbourhood Character and Site Efficiency:

- The site is configured to facilitate grouped dwelling infill development, which is consistent with the **local planning framework encouraging urban consolidation**.
- Garages constructed along internal boundaries allow for **more effective use of space**, maximise usable rear private open space, and improve separation between habitable areas.
- The proposed layout allows for compliant outdoor living areas, landscaping, and privacy outcomes, without needing to increase building height or reduce setbacks elsewhere.

3. Streetscape and Amenity Impacts:

- The boundary walls are not visually dominant from the street and are **not located on the primary street frontage**.
- The proposal maintains a high standard of design and articulation, and the boundary walls are **of limited height and scale**, consistent with typical grouped dwelling patterns in the area.

4. Precedent and Contextual Fit:

- Similar internal boundary wall configurations are **common in infill developments** of this nature, where grouped or strata housing requires garages and storage areas to be located efficiently.
- The proposed solution offers a more durable, secure, and integrated form of garage structure than free-standing carports or separate buildings, in line with design expectations for compact infill development.

In summary, while the number of boundary walls exceeds the Deemed-to-Comply standard, the proposal satisfies the **Design Principles of Clause 3.4** by:

- Having no adverse impact on neighbours,
- Making efficient use of land,
- Enhancing privacy and amenity, and
- Maintaining a compatible and high-quality built form outcome.

We respectfully request the Town's support for this minor variation.

RFI 13. Height of boundary walls

Justification for Variation – R-Codes Clause 3.4 (Height of Boundary Walls)

Clause 3.4 of the Residential Design Codes (R-Codes) Volume 1 specifies that boundary walls in areas coded R30 must not exceed a maximum height of **3.5 metres** (Deemed-to-Comply). The proposed grouped dwellings include the following boundary wall heights exceeding this threshold:

- **Lot 2 (SW – Bed 2 wall):** 3.68m (variation of 0.18m)
- **Lot 3 (NE – Master Bed):** 4.5m
- **Lot 3 (SE – Master Bed / Ensuite):** 3.8m

We respectfully seek the Town's support for these variations under the **Design Principles (P3.2)**, on the following grounds:

1. Topography and Site Conditions (Lot 3)

- The north-east corner of **Lot 3 presents a natural dip in the ground level**, necessitating higher boundary walls to maintain consistent internal ceiling levels and enable compliant floor gradients.
- These walls also serve a **retaining function**, allowing for a more efficient and integrated structural outcome.
- The increased wall heights **do not abut major outdoor living areas or sensitive openings** on adjoining properties, ensuring minimal impact on neighbour amenity.

2. Design Response and Built Form Efficiency (Lot 2)

- The **Lot 2 boundary wall (SW – Bed 2)** reaches a height of **3.68m**, only **180mm** above the Deemed-to-Comply standard.
 - This increase allows for a consistent internal ceiling height and **concealment of roof pitch** within the wall profile.
 - The variation has **no significant impact** on the adjoining property and improves the visual appearance and buildability of the dwelling.

3. Amenity and Impact Considerations

- All proposed boundary walls are **single-storey** and do not result in overshadowing or adverse visual bulk impacts to neighbouring open spaces or habitable rooms.
- Their location on internal and rear boundaries means they are **not visible from the street** and **contribute positively** to site layout, privacy, and design cohesion.
- Materials and finishes are consistent with the overall architectural treatment, ensuring an integrated and high-quality outcome.

Conclusion:

The proposed boundary wall heights are a **direct response to site topography and practical design integration**, and we submit they satisfy the **Design Principles of Clause 3.4** by:

- Minimising impacts on adjoining properties;

- Enhancing privacy, efficiency, and amenity; and
- Maintaining compatibility with the intended built form character of the locality.

We respectfully request the Town's support for these minor variations.