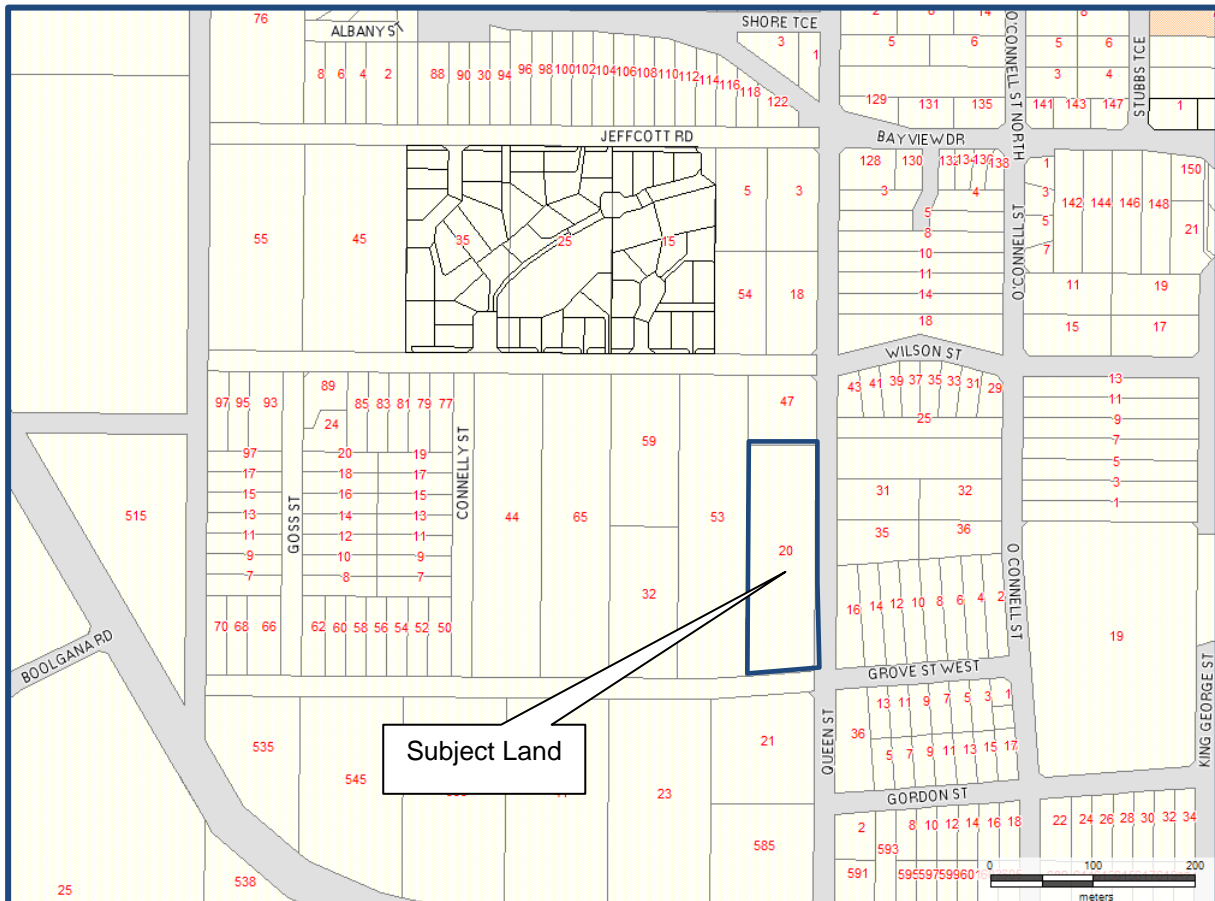


**1.1: DEVELOPMENT APPLICATION – GROUPED DWELLINGS x 28 – 20
GROVE STREET WEST, LITTLE GROVE**

- Land Description** : (Lot 6) #20 Grove Street West, Little Grove
- Proponent** : Yaran and Mikasa Designs
- Owner** : Grove 20 Pty Ltd (Yaran Property Group)
- Directors of Owner Company** : Faryar Gorjy & Shahyar Abdollah Gorjy (both Directors reside in Perth)
- Business Entity Name** : Yaran / Mikasa Designs
- Attachments** : Streetscape Perspectives / Elevations / Site Plan
- Appendices** : Development Application Report
- Responsible Officer(s)** : E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



CEO:

RESPONSIBLE OFFICER:

IN BRIEF

- A development application has been received for 28 Grouped Dwellings (single bedroom dwellings) at Lot 6 Grove Street, Little Grove.
- The application substantially meets the requirements of the R-Codes and the Little Grove Structure Plan.

ITEM 1.1: RESPONSIBLE OFFICER RECOMMENDATION

THAT a Notice of Planning Scheme Consent be ISSUED for 28 Group Dwellings (Single Bedroom Dwellings) at Lot 6 Grove Street West, Little Grove, subject to the following conditions:

- A. Stormwater from the development being managed in accordance with Council's specifications at the proponent's cost.**
- B. All runoff from impervious surfaces being contained within the property and disposed of to the satisfaction of Council.**
- C. The proponent is required to identify the extent of fill and drainage works necessary to ensure that the land is suitable for development. Prior to undertaking these works, plans are required to be submitted to and approved by Council.**
- D. The proponent is to provide a geotechnical report certifying that the land is physically capable of development to the satisfaction of Council. Design and construction works shall be carried out in accordance with the recommendations of the geotechnical report.**
- E. The proposed common property access-way shall be designed and constructed to allow vehicles to pass in opposite directions, and should be a minimum of 5.5 metres in width within a total common property width of 6.7 metres.**
- F. Suitable truncations being provided on both access points and being identified as common property to the satisfaction of Council.**
- G. The new crossover(s) being constructed to Council's specifications, levels and satisfaction in accordance with drawing no. 97024 1/3.**
- H. The proponent is required to upgrade, at their cost, that portion of Queen Street from Grove Street West to the vehicle egress exit point of the development, inclusive of a new turn-around area (cul-de-sac or hammerhead) at the end of Queen St, to the satisfaction of Council. Prior to undertaking the upgrading works the proponent is to liaise with Council's Works and Services Department and lodge and gain the endorsement of appropriately detailed engineering plans for such works.**
- I. Pursuant to Section 150 of the Planning and Development Act 2005, a restrictive covenant preventing direct motor vehicle access onto Grove St West (Lots 1 and 9), and Queen St (Lots 9,10,11,12,13,14,15,16,17,18,19,20,21,22) benefiting the local government being lodged on the Certificates of Title of the proposed lot, at the proponent's cost.**
- J. Any existing crossovers not included as part of the proposed development on the approved plan being closed and the kerb, footpath and the verge reinstated at the**

proponent's cost.

- K. The proponent is required to construct a 1.5m wide concrete footpath along the Queen Street road reserve from Grove Street West to the end of the cul-de-sac.**
- L. Landscape plans, showing size, species, location and reticulation of trees and shrubs to be planted or retained, being submitted to Council for approval prior to the issue of a building licence.**
- M. The area of communal open space, landscaping areas between driveways and the 5 metre portions of the lot adjoining Queen Street and Grove Street being landscaped and provided with a dense planting of vegetation prior to, or concurrently with the practical completion of the building(s) to the satisfaction of Council.**
- N. All units shall be connected to reticulated water and sewer to the satisfaction of Council and the Water Corporation.**
- O. Lighting to communal property and pathways areas to be provided to the satisfaction of Council.**
- P. Uniform fencing along the boundaries of all the proposed lots are to be constructed to the specifications and satisfaction of Council.**

ITEM 1.1: RESOLUTION (Responsible Officer Recommendation)

**MOVED: COUNCILLOR MATLA
SECONDED: COUNCILLOR DUFTY**

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 6-4

Record of Vote

Against the Motion: Mayor Evans and Councillors Sutton, D Bostock and Leavesley

BACKGROUND

1. The subject lot is located within an area zoned 'Residential Development' in Town Planning Scheme No. 3. The land is identified within Precinct 1 of the endorsed Little Grove Structure Plan.
2. A development application was initially received for grouped dwellings on the subject lot in 2008. The decision on this application was deferred until the Little Grove Structure Plan was adopted by Council and endorsed by the Western Australian Planning Commission.
3. The Little Grove Structure Plan was adopted by Council at its meeting dated 15 December 2009 and subsequently endorsed by the Western Australian Planning Commission (WAPC).
4. The proponent has since lodged an amended proposal on 1 February 2011.

5. The modified proposal is for a group dwelling application that includes 28 single bedroom dwellings, a private open space area (common property) and an area that will be ceded as public open space. The common property area and public open space area have been proposed to conserve the vegetation and natural topography on the northern half of the lot.
6. A corresponding survey strata subdivision application has been submitted to the WAPC and has been forwarded to the City for comment. Staff have formally advised the WAPC that until such time as Council has considered the development application it will not provide formal comment on the separate survey strata application.
7. Council's Processing of Planning Applications Guidelines requires grouped dwelling proposals of more than 25 dwellings to be referred to Council.

DISCUSSION

8. The proposed development is for 28 single bedroom dwellings, with a maximum 60m² floor area as permitted under the R-Codes.
9. Single bedroom dwellings are defined by the R-Codes as special purpose dwellings that are designed to accommodate one or two person households. As these dwellings have limited floor area and a restricted number of occupants, they do not generate the same demand for open space and car parking. The R-Codes recognise that single bedroom dwellings assist in providing housing diversity and meet the growing demand for smaller dwellings, as the number of occupants per dwelling continues to decrease. For these reasons the Codes allocate a density bonus for this type of development, being a reduction in the required site area per dwelling by one third (33%).
10. Town Planning Scheme No. 3 stipulates an R-Coding of 'R20' for sewerred residential lots, however for land zoned 'Residential Development', this density can be amended by an endorsed Structure Plan.
11. The Little Grove Structure Plan varies the R20 density coding by allowing the minimum lot size down to 300m² rather than 440m² as advocated by the R-Codes, but maintains the average density of 1 dwelling per 500m². Specifically the Little Grove Structure Plan states:

"4.3 Density

The density provisions as conferred by the Town Planning Scheme are hereby varied such that the following density provisions apply:

- A. *The Council will support land within Precincts 1 and 2 being subdivided into lot sizes not less than 300m² with a min average of 500m²;*
- B. *Land within Precincts 1 and 2 may be developed for residential purposes at a density of one dwelling per 500m²".*

12. The Little Grove Structure Plan also includes the following statement that requires all other requirements of the R-Codes to be met:

“4.13 Residential Design Codes

A. Unless stated otherwise in the plan, all development within the plan area shall comply with the adopted Residential Design Codes (2008) or any Act/order/document revoking or re-enacting the Residential Design Codes 2008.”

13. The subject lot size is 14,908m², and based on 28 grouped dwellings the proposal produces a minimum average site area of 532.4m².
14. As discussed in Paragraph 9 above, the R-Codes allows for a one third reduction to the minimum site area (LGSP 300m²) if a lot will be used and developed for single bedroom dwellings.
15. Applying this density bonus the minimum site areas can be reduced to 200m² per unit for the 28 single bedroom units (from 300m²).
16. The proposed lot sizes range between 203.7m² (Lots 10-21) and 501.95m² (Lot 1) with a common property (private open space) area of 2,762.1m² in size. The northern portion of the lot totalling 4,536m² will be given up as public open space, which is well above the standard 10% public open space contribution.
17. The proposal complies with the minimum site area if the density reduction is applied to the development as permitted under the R-Codes.
18. The floor plans associated with the dwellings have a plot ratio of 60m² (which excludes the garage as per the plot ratio definition within the R-Codes) and identifies a single dedicated bedroom in addition to a multi-purpose room. The units therefore meet the criteria associated with a single bedroom dwelling.
19. Earthworks that include excavation and fill and associated retaining are proposed for the development area of the subject site. The earthworks are mainly required to enable a connection to the reticulated sewer system but will in turn also assist with drainage and result in a more levelled development area.
20. Fill of approximately 1.98 metres and an associated (vegetated) bank and retaining wall of 1m in height is proposed for the south eastern part of the subject site fronting Queen Street.
21. Additional earthworks and retaining walls up to 1.5m in height are being proposed for the northern and western sections of the development area.
22. The finished floor levels of the proposed units will range between 8.83m Australian Height Datum (AHD) and 9.40m AHD.

23. The excavation and associated retaining is setback a considerable distance from the road and all other boundaries and seeks to retain the development area rather than the wider lot.
24. The proposed works do not meet the requirements specified within the Little Grove Structure Plan, specifically the following:

“4.8 Earthworks

- A. The maximum height of a standalone retaining wall is to be no higher than 1.0 m, with a maximum change in the height of the natural ground level being limited to 500mm.*
- B. Compliance with condition 4.8A is not required where the walls of a building are being used to retain material.”*

25. Staff recommends support for the earthworks and retaining proposed given that the works are mainly required to enable a connection to the reticulated sewer system and the visual impression of the site’s natural topography will largely be retained. The front 5 metres of Grove Street West and Queen Street will also be required to be densely vegetated further lessening the impact of such works.
26. In relation to the front setback requirements, the Little Grove Structure Plan identifies a 6 metre setback requirement. The proposed development generally meets these requirements accept for a small section of proposed Unit 1 that encroaches into this setback by approximately 0.5m. This is considered a minor intrusion with any impact reduced by the vegetation buffer, and averaging of this minor setback relaxation can be supported.
27. The proposed outdoor living areas associated with Units 5 to 22 have dimensions that are less than the 4m minimum dimension that is required by the acceptable development requirements of the R-codes. The courtyards are larger than the minimum overall area required (16m²), are highly accessible from kitchen/dining room areas and are of a uniform shape. Each unit also has additional open space areas which are either part of the development exclusion areas, vegetation protection areas or revegetated areas and there is a large area of communal open space available to residents. Staff believe that in relation to this element of the Codes the performance criteria has been satisfied.
28. Some of the storage areas also do not meet the required minimum dimension of 1.5m, however additional doors and access have been provided to increase the utility of the space and all storage areas are equal to the minimum 4m² overall size required.
29. The plan identifies a one-way vehicular traffic system entering from Grove Street West and existing onto Queen Street. Council’s Works and Services Department have recommended that this one-way system be modified to cater for a two-way system as residents within units adjacent to Grove Street West are likely to use this road for access and egress purposes rather than exit via Queen Street. The R-Codes requires driveways serving five or more units to accommodate vehicles passing in opposite directions at one or more points. This will require the widening of the pavement from 4m to 5.5m (within a total common property width of 6.7 metres allowing for the retention of a 1.2 metre wide pedestrian path). This widening

of 1.5 metres can be taken on the western side of the common property which has marginally larger lots than the eastern side.

30. The proposed development meets the other acceptable development requirements of the R-Codes and the Little Grove Structure Plan including parking provision (inclusive of visitor parking), landscaping provision, internal pathways, front and rear setbacks, front fencing and building height. It is therefore recommended that the development be approved subject to a number of conditions that will address the above mentioned matters.
31. The use and further development of the dwellings will also be restricted to that of single bedroom dwellings as a proposed condition of subdivision that will require the placement of a restrictive covenant on the titles of proposed Lots 1-28.

GOVERNMENT CONSULTATION

32. Consultation between the proponent and the Water Corporation regarding a sewer connection to the lots and the strategic alignment has commenced. The connection of the development to reticulated sewer will be a condition of the development.

STATUTORY IMPLICATIONS

33. Grouped Dwellings is an 'A' use (discretionary use) in the 'Residential Development' zone.
34. As the Little Grove Structure Plan has been approved by Council, development can be considered by Council in accordance with Clause 5.5.1 of the Scheme.
35. The proposed development, where amended through the conditions proposed by staff, complies with the Little Grove Structure Plan (with the exception of the proposed earthworks) the Town Planning Scheme and the Residential Design Codes.

FINANCIAL IMPLICATIONS

36. It is recommended that a condition be placed on the planning scheme consent requiring the proponent to construct a 1.5 metre wide pedestrian path at their cost within the Queen Street road reserve. It is also recommended that the portion of Queen Street fronting the subject land be upgraded by the proponent at their cost, inclusive of the construction of a new cul-de-sac head based on the increase in traffic movements associated with the development proposal.
37. Council already maintains the Queen Street road reserve and the upgrading requirement will ensure the road will need little ongoing maintenance in the medium to long term. The construction of the footpath will provide safe and efficient pedestrian access to existing and proposed residents and will be an asset Council will need to maintain in the future.
38. A standard planning application fee has been paid by the proponent in accordance with Council's adopted planning fees schedule. Officer time was expended in processing the application.

STRATEGIC IMPLICATIONS

39. The proposal is consistent with the objectives and outcomes of ALPS, specifically, Section 8.3.2:

“Strategic Objective:

Support the consolidation of serviced urban areas and facilitate staged fully-serviced incremental-development nodes.”

- *Facilitate and manage sustainable growth for the urban area in the City of Albany.*
- *Support the consolidation of serviced urban areas and facilitate staged fully-serviced urban frontal development nodes.*
- *Support urban infill development based on compatibility of land uses and infrastructure capacity.*
- *Protect areas designated as future fully-serviced urban areas from inappropriate land uses, subdivision and development.”*

POLICY IMPLICATIONS

40. There are no policy implications as the development proposal is a residential development which is required to be assessed under the Residential Design Codes; this document applies to all residential land within Western Australia.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

41. Council has the option to refuse the proposal, however this may prompt the proponent to lodge an appeal with the State Administrative Tribunal. This would have associated cost implications for the Council.

SUMMARY CONCLUSION

42. The proposed development has been designed with an attractive streetscape which is enhanced by the lack of crossovers (driveways) fronting Queen Street and Grove Street West and the provision of dense landscaping within the front setback areas.
43. Although the natural ground level of the development area will be altered, the visual impression of the site’s natural topography will be maintained with undulating and more visually prominent parts of the subject lot being shown retained as common property and public open space (to be finalised as part the subdivision application). A further design feature to protect the ‘toe’ of the ridgeline, to the west of Lots 1-4, will further hide the development within the landscape.
44. It is recommended that the proposed development be supported subject to conditions.

Consulted References	Residential Design Codes (R-Codes) Little Grove Structure Plan Town Planning Scheme No. 3
File Number (Name of Ward)	:A55479 (Vancouver Ward)