

Case Note: Roe and City of Vincent

Garages, streetscape and SPP7.3 Design Principles

In *Roe and City of Vincent* [2020] WASAT 8 the SAT considered a decision of the City to refuse two development applications which proposed neighbouring dwellings on separate lots. A key consideration was the visual impact of the proposed garages on the streetscape.

The Tribunal noted that the absence of a relevant deemed-to-comply requirement for garage widths in the R Codes for the proposals in question “did not equate to compliance with the deemed-to-comply requirements of that element” and consequently, the developments “should be assessed against the design principles” [42].

The Tribunal found that the “proposed design does not reduce the visual impact of the garage doors on the streetscape” and affirmed the City’s decision to refuse the applications [74].