



MINUTES

Town Planning Committee

Tuesday, 3 August 2021 at 6.30pm

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Whilst the Committee has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

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MINUTES OF THE ORDINARY MEETING OF THE TOWN PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY, EAST FREMANTLE ON TUESDAY, 3 AUGUST 2021.

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

Presiding member opened the meeting at 6.30 pm and welcomed members of the gallery.

2. ACKNOWLEDGEMENT OF COUNTRY

"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders, past and present."

3. ANNOUNCEMENT TO GALLERY

"Members of the gallery are advised that no Committee decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting."

4. RECORD OF ATTENDANCE

4.1 Attendance

The following members were in attendance:

Cr C Collinson	Presiding Member
Mayor J O'Neill	
Cr J Harrington	
Cr A Natale	
Cr D Nardi	
Cr A Watkins	

The following staff were in attendance:

A Malone	Executive Manager Regulatory Services
K Culkin	Minutes Secretary

There were eight members of the public in the gallery.

4.2 Apologies

Nil

4.3 Leave of Absence

Nil

5. MEMORANDUM OF OUTSTANDING BUSINESS

Nil

6. DISCLOSURES OF INTEREST

Nil

6.1 Financial

Nil

6.2 Proximity

Nil

6.3 Impartiality

Nil

7. PUBLIC QUESTION TIME

7.1 Responses to previous questions from members of the public taken on notice

Nil

7.2 Public Question Time

7.2.1 Dr Andrew Tandy submitted the following question:

“Isn't it time to develop an East Fremantle Housing Design Statement for consideration and guidance by potential building applicants?”

The Executive Manager Regulatory Services, advised that the Town had engaged a heritage consultant to develop Precinct Plans over certain areas that will provide heritage overlays, reviewing the characteristics of each area and placing development requirements on properties within each area.

8. PRESENTATIONS/DEPUTATIONS

8.1 Presentations

Nil

8.2 Deputations

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 Town Planning Committee (6 July 2021)

9.1 OFFICER RECOMMENDATION

Moved Cr Nardi, seconded Cr Harrington

That the minutes of the Town Planning Committee meeting held on Tuesday, 6 July 2021 be confirmed as a true and correct record of proceedings.

(CARRIED UNANIMOUSLY)

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

11. REPORTS OF COMMITTEES

11.1 Community Design Advisory Committee (5 July 2021)

Prepared by: Andrew Malone, Executive Manager Regulatory Services

Supervised by: Gary Tuffin, Chief Executive Officer

Authority/Discretion: Town Planning Committee

Attachments: 1. Minutes of the Community Design Advisory Committee meeting held on 5 July 2021

PURPOSE

To submit the minutes of the Community Design Advisory Committee meeting held on the 5 July 2021 for receipt by the Town Planning Committee.

EXECUTIVE SUMMARY

The Committee, at its meeting held on 5 July 2021, provided comment on planning applications listed for consideration at the September 2021 Town Planning Committee meeting and other applications to be considered in the future. Comments relating to applications have been replicated and addressed in the individual reports.

There is no further action other than to receive the minutes.

11.1 OFFICER RECOMMENDATION

Moved Cr Natale, seconded Cr Nardi

That the Minutes of the Community Design Advisory Committee meeting held on 5 July 2021 be received.

(CARRIED UNANIMOUSLY)

12. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

12.1 Philip Street No 18 (Lot 1) Proposed two storey dwelling

Owner	Antonio & Concettina Lenzo
Applicant	Contemporary Design and Construction Pty Ltd
File ref	P31/21
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 August 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan and advertising2. Site photos3. Plans date stamped 12 July 20214. Community consultation checklist

Purpose

The purpose of this report is for Council to consider a development application for a new double storey dwelling on a survey strata lot at No 18 (Lot 1) Philip Street, East Fremantle.

Executive Summary

This development application proposes a new double storey dwelling on a front vacant survey strata lot at 18 Philip Street. The dwelling comprises a double garage, 4 bedrooms, 3 bathrooms and 2 living areas, as well as a balcony, large alfresco and a swimming pool. Four variations are requested to the requirements of the Residential Design Codes and one variation is required to the Residential Design Guidelines.

The applicant is seeking Council approval for the following variations to the Residential Design Codes and Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall – Garage – 1m required, 0m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall – Upper Storey - 2.2m required, 1.5m provided
- (iii) Clause 5.3.7 – Residential Design Codes – Fill – maximum of 0.5m required, greater than 0.5m provided
- (iv) Clause 5.4.1 – Visual Privacy – 7.5m required, less than 7.5m provided
- (v) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 8.1m provided

It is considered that the above variations can be supported subject to conditions of development approval being imposed.

Background

Zoning: Residential R17.5

Site area: 475m²

Heritage: N/A

Previous Decisions of Council and/or History of an Issue or Site
Nil

Consultation

Advertising

The application was advertised to surrounding landowners from 29 April to 14 May 2021. Four submissions were received and are included below.

Submission	Applicant Response	Officer Response
<p>Submission 1 To the Planning Department at the Town of East Fremantle With receipt of the drawings provided I have assessed the drawings and the main concerns I have are overlooking, height & bulk & scale and how they are going to affect the amenity of our home.</p> <p>1. Overlooking - the first floor balcony is setback approximately 5500mm & not 7500mm to my adjoining boundary and the 1000mm high frameless glass balustrade is insufficient screening to avoid overlooking into my backyard and pool. I am aware that anything built more than 500mm above natural ground level has to demonstrate sufficient screen to avoid overlooking into neighbouring properties and this has not been evident on the plans provided. I would like the applicant to address this to avoid overlooking into my property.</p> <p>2. Height - the East facing first floor wall has a noted wall height of approximately RL: 41.855 to the underside of the eave at the north east corner and the natural ground level below is RL:33.37 making the wall height facing east 8.485m which is well over the allowable height set out in Table 3 category B of the R-Codes and it also fails to meet the requirements of Building Heights 5.1.6 of the R-Codes. This is a big issue for our property as it will impact the amenity of our back yard and pool area with a huge amount of overshadowing being cast into our back yard. The height this development is exceeding is well over the allowable height of 7metres as stated in the R-Codes.</p> <p>3. Setback - With regards to the first floor setback to the boundary I note that the eastern wall of the first floor is approximately 15230mm long with major openings and has a wall height of 8485mm. The required setback for this wall to the boundary is 5500mm to the boundary. I expect that is the developer is to amend the plans to address the first two points I mentioned above then the wall height will be reduced and the</p>	<p>The applicant provided amended plans in response to issues brought up by the submitters and following discussions with the Town.</p>	<p>Amended plans show that all visual privacy setback requirements are met.</p> <p>Following discussions with the applicant the total height of the proposed building has been lowered to 8.1m in accordance with the height requirements of the Residential Design Guidelines. A 0.7m reduction in the side boundary setback has been requested as part of the proposed development. The Residential Design Codes does allow proponents to propose development that does not meet the deemed to comply requirements but rather achieves the design principles criteria of the Residential Design Codes.</p> <p>There will be no overshadowing in terms of the formal method of calculating overshadowing in accordance with the Residential Design Codes; the property does not overshadow the neighbouring property.</p>

<p>required setback to the boundary will be less. Whilst we encourage a development next door, we believe the proposed application is over developed for the site with little respect for the adjoining neighbours in terms of height, overlooking and bulk and scale. Considering there are design regulations in place through Local Town Planning Schemes and the R-Codes, we would like to see amended plans that addresses this based on those publications and our concerns outlined above, to ensure we can still enjoy the amenity of our property.</p>		
<p>Submission 2 I object to the proposal. 1. Parapet walls.- The length of the parapet walls is completely keeping with codes however I believe the height could be an issue. Parapet walls are allowed to be a maximum height of 3.5m with an average across the length of the wall of 3m (from Natural Ground Level). The parapet to the boundary of 16 Philip St exceeds this limit given it is slightly higher than 3.5m at the height point of the Natural ground level and the ground tapers off meaning at the lowest point it is much higher than 3.5m and certainly does not average 3m. 2. Overlooking - There are some slight intrusions into 16 Philip St from an overlooking point of view as displayed by the cone of visions on the site plan. This is from the balcony and sitting room window facing North. 3. Wall lengths and heights -The upper floor isn't set back far enough from the boundary to my lot given its unbroken length and height. Currently it is set-back 1.5m from the boundary. It either needs to be broken up by a length of 4m to ensure the wall is not one continuous length or alternatively set further back according to the R-code requirements. - the wall needing to move 300-400mm further back.</p>	<p>The applicant provided amended plans in response to issues brought up by submissions and following discussions with the Town.</p>	<p>Visual privacy screening is to be included on the sitting room window facing east. The Residential Design Codes does allow proponents to propose development that does not meet the deemed to comply requirements but rather achieves the design principles criteria of the Residential Design Codes.</p>
<p>Submission 3 To the Planning Department at the Town of East Fremantle With receipt of the drawings provided I have assessed the drawings and the main concerns I have are overlooking, height & bulk & scale and how they are going to affect the amenity of our home. 1. Overlooking - the first floor balcony is setback approximately 5500mm & not 7500mm to my adjoining boundary and the 1000mm high frameless glass balustrade is insufficient screening to avoid overlooking into my backyard and pool. I am aware that anything built more</p>	<p>The applicant provided amended plans in response to issues brought up by the submitters and following discussions with the Town.</p>	<p>This submission is identical to Submission 1. Read comments for Submission 1.</p>

<p>than 500mm above natural ground level has to demonstrate sufficient screen to avoid overlooking into neighbouring properties and this has not been evident on the plans provided. I would like the applicant to address this to avoid overlooking into my property.</p> <p>2. Height - the East facing first floor wall has a noted wall height of approximately RL: 41.855 to the underside of the eave at the north east corner and the natural ground level below is RL:33.37 making the wall height facing east 8.485m which is well over the allowable height set out in Table 3 category B of the R-Codes and it also fails to meet the requirements of Building Heights 5.1.6 of the R-Codes. This is a big issue for our property as it will impact the amenity of our back yard and pool area with a huge amount of overshadowing being cast into our back yard. The height this development is exceeding is well over the allowable height of 7metres as stated in the R-Codes.</p> <p>3. Setback - With regards to the first floor setback to the boundary I note that the eastern wall of the first floor is approximately 15230mm long with major openings and has a wall height of 8485mm. The required setback for this wall to the boundary is 5500mm to the boundary. I expect that is the developer is to amend the plans to address the first two points I mentioned above then the wall height will be reduced and the required setback to the boundary will be less.</p> <p>Whilst we encourage a development next door, we believe the proposed application is over developed for the site with little respect for the adjoining neighbours in terms of height, overlooking and bulk and scale. Considering there are design regulations in place through Local Town Planning Schemes and the R-Codes, we would like to see amended plans that addresses this based on those publications and our concerns outlined above, to ensure we can still enjoy the amenity of our property.</p>		
<p>Submission 4 I object to the proposal. We have several concerns regarding the proposed development of Lot 1 18 Philip St East Fremantle.</p> <p>1. Height - The Eastern facing wall has a height of RL:41.855 to the underside of the eave at the north east corner. The natural ground level at this point is RL:33.37. This makes the east facing wall 8.485 m which</p>	<p>The applicant provided amended plans in response to issues brought up by the submitters and following discussions with the Town.</p>	<p>The proposed development achieves the minimum open space requirement in excess of 50% as the common property driveway can be drawn on to add area to the total amount of open space in accordance with the Residential Design Codes. The open space as provided by the applicant is equal to 221.5m². Total open space is equal to this amount</p>

<p>is considerably higher than the allowable height set out in the building codes. The dwelling does not seem to account for the natural ground level which slopes downwards from south to north. The building is based on the ground level at the Southern facade rather than the mid-point of the slope of the land. We believe the ground at the southern facade needs to be dug out to ensure the height of the building meets building codes, as has been required at other recent developments on the northern side of Philip St, including number 20.</p> <p>2. Area of the building - We believe the area of the building does not meet code for the Richmond Hill precinct of East Fremantle. Our understanding is that a minimum of 50% of the plot area is landscaped. The site plan (A00) shows that only 46-6% of the plot area is landscaped.</p> <p>3. Overlooking - Although our property is not affected by overlooking with this proposal, we are concerned that the first floor balcony on the northern aspect significantly overlooks the backyard of 20 Philip St. Sufficient screening is not evident on the plans, which seem to only show a 1000mm high frameless glass balustrade. Although we are not against the proposal to develop the land at 18 Philip St, we believe the current plans do not meet regulation and will detract from the amenity of nearby houses and the street.</p>		<p>plus half the common property (63m²) which totals 284.5m². This represents 60% open space which exceeds the minimum amount that is required.</p> <p>Privacy screening and obscure windows have been utilised to ensure compliance with the visual privacy setbacks of the Residential Design Codes.</p>
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Community Design Advisory Committee (CDAC)

The application was referred to CDAC. The following comments were made.

(a) The overall built form merits;

- The Committee did not support the proposed design.
- The Committee considered there was limited articulation of the front and side walls of the proposal creating significant bulk and scale to Philip Street.
- The Committee noted the colour and materials utilised within the proposal should be varied to break up the bulk and scale of development.
- The Committee noted the potential for concerns about visual privacy from the rear balcony.

(b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.

- The Committee believed that as the proposal is a large double storey dwelling, there will be significant impacts on the character of the area, including the visual interpretation of the streetscape.
- The Committee felt that the design does not tie in with the streetscape.
- The Committee noted the proposal did not achieve good design principles.

- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee noted that proposal is unsympathetic to the streetscape.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- See above.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- No comment at this time.
- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places;*
- No comment at this time.

Officer Response

A number of issues were addressed by the applicant in response to comments from CDAC. The applicant has added timber to the front facade in an effort to soften the design. The design was lowered on the lot such that the maximum roof height was reduced to 8.1m above natural ground level. The visual privacy setback issues were addressed by adding visual privacy screening, obscure glazing and reducing balcony size.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

- 3.1.3 Plan for improved streetscapes.
- 3.2 Maintaining and enhancing the Town's character.
 - 3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.
- 3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.
 - 3.3.1 Continue to improve asset management within resource capabilities.
 - 3.3.2 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

- 4.1 Conserve, maintain and enhance the Town's open spaces.
 - 4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.
 - 4.1.2 Plan for improved streetscapes parks and reserves.
 - 4.1.3 Improve and protect the urban forest and tree canopy.
- 4.2 Enhance environmental values and sustainable natural resource use.
 - 4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.
 - 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend <i>(refer to tables below)</i>	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6m	6m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Western wall - garage	1m	0m	D
Western wall – ground floor – laundry, scullery, pantry	1.5m	1.5m	A

Northern wall – ground floor – pantry & kitchen	2m	7.145m	A
Alfresco	1.5m	3.045m	A
Eastern wall – ground floor	3m	4.8m	A
Western wall – upper storey	2.2m	1.5m	D
Sitting room	3m	7m	A
Balcony	1.3m	3.6m	A
Eastern wall – upper storey	2m (adjoins battleaxe lot leg)	1.5m	A
Open Space	50%	60%	A
Wall height	5.6m	8.1m	D
Roof height	8.1m	8.1m	A
Setback of Garage	4.5m	9m	A
Car Parking	2 car bays	2 car bays	A
Site Works	0.5m maximum	>0.5m	D
Visual Privacy	Balcony – northern boundary - 7.5m	<7.5m	D
	Balcony – 7.5m	7.5m - screening	A
	Sitting room – 6m	<6m screening	A
Overshadowing			N/A
Drainage	To be conditioned		

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	N/A
3.7.17.4.3 Fremantle Port Buffer Area	N/A
3.7.17.3 Garages and Carports	A

This development application proposes a new double storey dwelling on a vacant survey strata lot at 18 Philip Street. The lot faces the street and is surrounded by a front wall that complies with the visual permeability and height requirements for front fences in the Town. The dwelling comprises a double garage, 4 bedrooms, 3 bathrooms and 2 living areas, as well as a balcony, large alfresco and a swimming pool. It is noted that timber has been added to the front façade in alignment with the Town's Wood Encouragement Policy.

Four variations are requested to the requirements of the Residential Design Codes and one variation is required to the Residential Design Guidelines in relation to the following elements of the design; lot boundary setbacks (2 walls), fill in excess of 0.5m, visual privacy and wall height.

Lot Boundary Setbacks – Western Wall – Garage

The western wall of the garage is 5.97m long and 3.44m high without major openings. It is proposed to be built up to the western lot boundary. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the western wall of the garage should be located a minimum of 1m from the boundary. The reduction in the lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons;

- Makes more effective use of the space,
- There is minimal impact from building bulk,
- Sunlight and ventilation to the building and open spaces on the site and adjoining properties is not impacted,
- No overlooking or loss of privacy from the reduced lot boundary setback,
- No significant adverse impact on the amenity of the adjoining property,
- Direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

The length of wall on the boundary is considered appropriate based on the above reasons and therefore is recommended to be supported.

Lot Boundary Setbacks – Western Wall – Upper Storey

The western wall of the garage is 18.2m long and 6.5m high without major openings. It is proposed to be 1.5m from the western lot boundary. In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the western wall should be located a minimum of 2.2m from the boundary. The reduction in the lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons;

- There is minimal impact from building bulk to adjoining neighbours,
- Sunlight and ventilation to the building and open spaces on the site and adjoining properties is not impacted, and
- There is no overlooking or loss of privacy from the reduced lot boundary setback.

There is sufficient setback from the boundary to enable ventilation around the building and the wall is adjacent to a building that is a similar height and with considerable length within 4 m of the shared boundary. The subject development has similar bulk and scale to the western property. The western property's laneway reduces the impact and there are no outdoor living areas within close proximity to the proposed wall. In this case there are no privacy issues as all windows on the western side are either obscure or highlight windows above 1.6m from finished floor level and therefore not considered major openings and do not present privacy issues.

Fill

The lot slopes down from the street towards the rear. As a result it is proposed to increase the height of the lot in excess of 0.5m to maintain a level site to build on. The finished floor level of the main living area is increased in height more than 0.5m but less than 1m. As the living area is located in the centre of the building it has minimal impact on the rest of the dwelling. In accordance with design principles 5.3.7 P7.2 the fill levels respect the natural ground levels at the lot boundary of the site and as viewed from the street.

Wall Height

In accordance with the Residential Design Guidelines acceptable development clause 3.7.17.4.1.3 A1.4 the maximum wall height to the top of the wall from natural ground level is required to be 5.6m whereas

in this case it is proposed to be 8.1m. Although the wall height exceeds the maximum allowable height the overall height of the dwelling is still a maximum of 8.1m. The location of the maximum wall height is on the eastern side of the lot and adjacent to the common property laneway meaning that the impact of the height is significantly minimised to surrounding properties because of the width of the laneway.

Visual Privacy – Northern Boundary - Balcony

Initially the proposal did not achieve the visual privacy requirements for the balcony, sitting room and a few windows. However, following discussion with the applicants it was agreed to have the design amended to ensure that sufficient visual privacy screening was provided to the neighbouring properties and obscure glazing provided to some windows. The balcony has achieved the minimum visual privacy setbacks to the neighbouring properties with the exception of the northern property which is also the subject of a simultaneous development application and has the same owners. In terms of visual privacy, the design achieves design principles 5.4.1 P1.1 for all boundaries with the exception of the northern boundary. In the case of overlooking beyond the northern boundary there is minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings, and this is achieved through building design and layout. The balcony overlooks the roof of the garage, vehicle turning area and faces walls with minor openings along the upper storey of the neighbouring northern property. For this reason the reduced visual privacy setback can be supported.

Conclusion

Based on the preceding assessment the proposed development can be supported subject to conditions. The proposed variations are relatively minor and the applicant and owner have worked with the Town to reduce the impacts of the development on the neighbouring properties.

- Mr Gohil (neighbour) raised issues regarding the height of the skillion roof, the northern boundary wall and overlooking.
- Ms Celia Jones (neighbour) raised issues regarding similar to Mr Gohil, issues of building height, boundary setback and overlooking.

12.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION TP010821:

Moved Cr Nardi, seconded Cr Watkins

That development approval is granted and Council exercises its discretion in regard to the following;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall – Garage – 1m required, 0m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 2.2m required, 1.5m provided**
- (iii) Clause 5.3.7 – Residential Design Codes – Fill – maximum of 0.5m required, greater than 0.5m provided**
- (iv) Clause 5.4.1 – Visual Privacy – Northern Boundary - 7.5m required, less than 7.5m provided**
- (v) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 8.1m provided**

for a new double storey dwelling at No. 18 (Lot 1) Philip Street, East Fremantle, in accordance with the plans date stamped received 12 July 2021, subject to the following conditions:

- (1) Visual privacy screening is to be installed on the north western corner of the proposed building in accordance with the plans with a minimum height of 1.6m from the finished floor level of the upper storey of 37.182m, 75% obscurity, fixed, permanent, and durable.**

- (2) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 12 July 2021 and to be in accordance with Town's Crossover Policy and Residential Design Guidelines.
- (3) The front fence is to maintain visual permeability of at least 60% and a maximum wall height of 1.8m in accordance with the plans submitted 12 July 2021.
- (4) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- (5) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.
- (6) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- (7) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (8) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (9) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (10) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (11) This development approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*

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| <p>(iv) <i>all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).</i></p> <p>(vi) <i>matters relating to dividing fences are subject to the <u>Dividing Fences Act 1961</u>.</i></p> |
|---|

(CARRIED 4:2)

Note: As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 20 April 2021, this application is deemed determined, on behalf of Council, under delegated authority.

12.2 Philip Street No 18A (Lot 2) Proposed two storey dwelling

Owner	Antonio and Rosalia and Concettina Lenzo
Applicant	Contemporary Design and Construction Pty Ltd
File ref	P32/21
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	6 July 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan and advertising2. Site photos3. Plans date stamped 8 July 20214. Community consultation checklist

Purpose

The purpose of this report is for Council to consider a development application for a new double storey dwelling on a rear strata lot at 18A (Lot 2) Philip Street, East Fremantle.

Executive Summary

This development application proposes a new double storey dwelling on a rear survey strata lot at 18A Philip Street. It includes 4 bedrooms, 3 bathrooms, games room, 2 balconies, alfresco area, swimming pool and a 3 car garage.

The applicant is seeking Council approval for the following variation to the Residential Design Codes and Residential Design Guidelines;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Southern Wall – Garage – 1m required, 0m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall – Store – 1m required, 0m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Alfresco, Games, Foyer - 1.8m required, 1.5m provided
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall – Ensuite, Robe, Master Bedroom, Balcony – Upper Storey – 2.1m required, 1.5m provided
- (v) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Stairs, Study - 3.5m required, 1.5m provided
- (vi) Clause 3.7.17 – Residential Design Guidelines – Wall Height – 5.6m required, 7.8m provided
- (vii) Clause 5.3.7 – Residential Design Codes – Site Works – 1m setback for excavation required, less than 1m excavation setback provided

It is considered that the above variation can be supported subject to conditions of development approval being imposed.

Background

Zoning: Residential R17.5

Site area: 512m²

Heritage: N/A

Previous Decisions of Council and/or History of an Issue or Site
Nil

Consultation

Advertising

The application was advertised to surrounding landowners from 29 April to 14 May 2021. Four submissions were received.

Submission	Applicant Response	Officer Response
<p>Submission 1 To the Planning Department at the Town of East Fremantle</p> <p>With receipt of the drawings provided I have assessed the drawings and the main concerns I have are overlooking, height & bulk & scale and how they are going to affect the amenity of our home.</p> <p>1. Overlooking - The first floor stairwell and void windows (south facing) look straight into our backyard. There are no dimensions on the plans with regards to distance from our boundary but we are concerned about the overlooking of these two windows considering we have a pool in our backyard as it seems they do not meet the requirement of Clause 5.4.1 of the R-Codes.</p> <p>2. Height - As we presently have views of the Swan River in a North Westerly direction from our property, we are concerned that the proposed levels of this property are too high and don't meet the height requirements of the R-Codes. The ridge height of this proposed home is RL:40.374 and the natural ground level directly below is RL:31.49 making the proposed building height being 8884mm in height. This is well over the allowable height set out in Table 3 category B of the R-Codes and it also fails to meet the requirements of Building Heights 5.1.6 of the R-Codes. This will block any view we currently have, and we request this be reduced to meet the height requirements of the codes.</p> <p>3. Setback – With regards to the first floor setback to the eastern boundary the proposed application has requested a 1500mm setback. The proposed application also has major openings being the stairwell window and the external balcony/stairs that face east. The proposed first floor wall length is 9520mm and the wall height is 8884mm which under Table 2b of the R-codes this wall should be setback 4500mm to the eastern boundary. This is an issue for us as well as this also decreases our view passages between the homes of the river. Whilst we encourage a development next door, we believe the proposed application is over developed for the site with little respect for the adjoining neighbours in terms of height, overlooking and bulk and scale. Considering there are design regulations in place through Local Town Planning</p>	<p>No comment.</p> <p>Note that amended plans were presented that addressed some of the issues highlighted by the submissions.</p>	<p>The large window facing east has obscure glazing to ensure privacy between the subject dwelling and properties to the east.</p> <p>The external stairwell has privacy screening added to the exterior.</p> <p>The maximum roof height of 8.1m is achieved in accordance with the Residential Design Guidelines.</p>

<p>Schemes and the R-Codes, we would like to see amended plans that addresses this based on those publications and our concerns outlined above, to ensure we can still enjoy the amenity of our property.</p>		
<p>Submission 2 With receipt of the drawings provided I have assessed the drawings and the main concerns I have are overlooking, height & bulk & scale and how they are going to affect the amenity of our home.</p> <p>1. Overlooking – The first floor stairwell and void windows (south facing) look straight into our backyard. There are no dimensions on the plans with regards to distance from our boundary but we are concerned about the overlooking of these two windows considering we have a pool in our backyard as it seems they do not meet the requirement of Clause 5.4.1 of the R-Codes.</p> <p>2. Height – As we presently have views of the Swan River in a North Westerly direction from our property, we are concerned that the proposed levels of this property are too high and don't meet the height requirements of the R-Codes. The ridge height of this proposed home is RL:40.374 and the natural ground level directly below is RL:31.49 making the proposed building height being 8884mm in height. This is well over the allowable height set out in Table 3 category B of the R-Codes and it also fails to meet the requirements of Building Heights 5.1.6 of the R-Codes. This will block any view we currently have, and we request this be reduced to meet the height requirements of the codes.</p> <p>3. Setback – With regards to the first floor setback to the eastern boundary the proposed application has requested a 1500mm setback. The proposed application also has major openings being the stairwell window and the external balcony/stairs that face east. The proposed first floor wall length is 9520mm and the wall height is 8884mm which under Table 2b of the R-codes this wall should be setback 4500mm to the eastern boundary. This is an issue for us as well as this also decreases our view passages between the homes of the river. Whilst we encourage a development next door, we believe the proposed application is over developed for the site with little respect for the adjoining neighbours in terms of height, overlooking and bulk and scale. Considering there are design regulations in place through Local Town Planning Schemes and the R-Codes, we would like to see amended plans that addresses this based on those publications and our concerns outlined above, to ensure we can still enjoy the amenity of our property.</p>	<p>As above</p>	<p>This submission is identical to Submission 1. Read comments for Submission 1.</p>
<p>Submission 3 I wish to register my objection to the height of the northern side of this building.</p>	<p>As above</p>	<p>The proposed development is a 2 storey development.</p>

<p>It appears to be closer to 3 storeys than 2 and will severely overlook our property (both gardens and living rooms) at our property at 178 Preston Point Road. The height and roof height should be reduced. The owners have made not approached us to obtain any permission for building their property over-height.</p>		<p>The roof height has been reduced to 8.1m as required by the Residential Design Guidelines. The owners do not have to contact their neighbours as part of any development application and can rely on the Town of East Fremantle to advertise proposals and await submissions to be presented to the Town and then included in the respective Town Planning Committee report.</p>
<p>Submission 4 I object to the proposal. We feel the proposed height of this property is too high and does not meet building code standards. The ridge height of the home is RL:40.374 and the natural ground level below is RL:31.49. This makes the building height 8884mm which is well above the allowable height. We wish for building height to be reduced to meet the height requirements of the codes.</p>	<p>As above</p>	<p>The roof height has been reduced to 8.1m as required by the Residential Design Guidelines.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC and the following comments were made.

(a) The overall built form merits;

- The Committee had similar concerns rating to this proposal assessed in conjunction with the proposal for 18 Philip Street.
- The committee noted concerns about visual privacy from the rear balcony.
- The Committee noted the colour and materials utilised within the proposal should be varied to break up the bulk and scale of development.
- The Committee noted however that 18A Philip Street is at the rear of another dwelling means that therefore there is less concern regarding the proposed bulk, size and scale, therefore its impact on the streetscape is lessened.

(b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.

- See above.

(c) The relationship with and impact on the broader public realm and streetscape;

- See above

(d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;

- See above.

(e) The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;

- No comment at this time.

(f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places;*

- No comment.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Town of East Fremantle Residential Design Guidelines 2016 (as amended)

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town’s unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town’s character.

3.2.1 Ensure appropriate planning policies to protect the Town’s existing built form.

3.3 Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

4.1 Conserve, maintain and enhance the Town’s open spaces.

4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.

4.1.2 Plan for improved streetscapes parks and reserves.

4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.

4.3 Acknowledge the change in our climate and understand the impact of those changes.

4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies including the Residential Design Guidelines, as well as the Residential Design Codes. A summary of the assessment is provided in the following tables.

Legend (refer to tables below)	
A	Acceptable
D	Discretionary
N/A	Not Applicable

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6m	>6m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Southern wall – garage	1m	0m	D
Western wall – laundry, bed 2, bathroom, bed 3 – ground floor	1.5m	1.5m	A
Eastern wall – alfresco, games foyer	1.5m	1.5m	A
Western wall - store	1m	0m	D
Northern wall – bed 3, alfresco - ground floor	3.2m	5.3m	
Eastern wall – alfresco, games foyer	1.8m	1.5m	D
Southern wall – ensuite, scullery, powder, corridor – upper storey	1.5m	3.5m	A
Western wall – ensuite, robe, master bedroom, balcony – upper storey	2.1m	1.5m	D
Northern wall – balcony 1, living, balcony 2, stairs	5.9m	7.5m	A
Eastern wall – stairs, study	3.5m	1.5m	D
Open Space	50%	60.7%	A
Setback of Garage	4.5m	>4.5m	A
Car Parking	2 car bays	2 car bays	A
Site Works	Excavation maximum 0.5m	>0.5m	D
Visual Privacy	Balcony 1 - 7.5m	7.5m	A
	Balcony 2 – 7.5m	7.5m	A
	Study nook – 4.5m	<4.5m (obscure glazing)	A

	Alfresco – 7.5m	<7.5m (1.6m screening)	A
Overshadowing	<25%	18% of southern property	A
Drainage	To be conditioned		

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
3.7.8 Roof Form and Pitch	A
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.14.4 Building Design Requirements – wall height	D
3.7.17.4.3.1 Fremantle Port Buffer Area	N/A
3.7.17.3.3 Garages and Carports	A

This development application proposes a new double storey dwelling on a rear survey strata lot at 18A Philip Street. It includes 4 bedrooms, 3 bathrooms, games room, 2 balconies, alfresco area, swimming pool and a 3 car garage. Multiple variations are proposed to both the Residential Design Codes and the Residential Design Guidelines relating to lot boundary setbacks, wall height and site works.

Considerable screening has been proposed around the rear and eastern boundary fence to provide visual privacy screening for the rear alfresco, as well as balcony 2 at the rear of the proposed dwelling. This screening will ensure that privacy is also maintained between the elevated pool (which does not require planning approval) and neighbouring properties.

Lot Boundary Setbacks – Southern and Western Walls

Southern Wall – Garage

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 12.8m long and 2.4m high is required to be setback from the lot boundary 1m. In this case the wall is a parapet wall located adjacent to the boundary. Such a reduction in lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2.

Western Wall – Store

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 3.595m long and less than 3.5m high is required to be setback 1 metre from the lot boundary. The wall is a parapet wall located adjacent to the boundary. A reduction in lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2.

A reduction in lot boundary setback to the southern and western boundaries can be supported in accordance with design principles 5.1.3 P3.2. for the following reasons;

- Makes more effective use of the space for,

- There is minimal impact from building bulk,
- Sunlight and ventilation to the building and open spaces on the site and adjoining properties is not impacted,
- No overlooking or loss of privacy from the reduced lot boundary setback,
- No adverse impact on the amenity of the adjoining property,
- Direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

Parapet walls maintain privacy between properties and ensure space on a constrained site is used efficiently. The density coding that is applied to this lot is different to when the site was first subdivided. Whereas it has a current density coding of R17.5, however when it was subdivided it had a density coding of R20. Based on the R20 density coding it would be possible to build a parapet wall along the boundary. It is noted that the neighbouring property to the south has some of the same owners and they are proposing a development application for the southern lot simultaneously.

Lot Boundary Setback – Eastern and Western Walls

Eastern Wall – Alfresco, Games, Foyer

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 8.9m long and 3.75m high is required to be setback from the lot boundary 1.8m. In this case the wall is set back 1.5m from the boundary. Such a reduction in lot boundary setback can be supported in accordance with design principles 5.1.3 P3.1.

Western Wall – Ensuite, Robe, Master Bedroom, Balcony – Upper Storey

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 18.1m long and 6m high is required to be setback from the lot boundary 2.1m. In this case the wall is set back 1.5m from the boundary. Such a reduction in lot boundary setback can be supported in accordance with design principles 5.1.3 P3.1.

Eastern Wall – Stairs, Study

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 9.3m long and 6.9m high is required to be setback from the lot boundary 3.5m. In this case the wall is set back 1.5m from the boundary. Such a reduction in lot boundary setback can be supported in accordance with design principles 5.1.3 P3.1.

There is considerable space around the wall which allow sunlight and ventilation to reach the area around the wall. Overlooking is addressed through obscure glazing that is set into the windows on the eastern side of the building up to 1.6m from the finished floor level. The lot is to be excavated to reduce the impact of the wall height on neighbouring properties. For these reasons, the reduced lot boundary setback can be supported.

Such a reduction in lot boundary setback to the eastern and western walls as detailed above can be supported in accordance with design principles 5.1.3 P3.1 for the following reasons;

- There is minimal impact from building bulk,
- Sunlight and ventilation to the building and open spaces on the site and adjoining properties is not impacted,

- No overlooking or loss of privacy from the reduced lot boundary setback.

The reduction in boundary setback is minimal to the eastern and western boundaries. There is considerable space around the walls which allow sunlight and ventilation to reach the area around the walls. Overlooking is addressed through obscure glazing that is set into the windows and balconies. The lot is to be excavated to reduce the impact of the wall heights on neighbouring properties. For these reasons, the reduced lot boundary setbacks can be supported.

Wall Height

According to the Residential Design Guidelines acceptable development provision 3.7.17.4.1.3 A1.4 wall height should not exceed 5.6m where views of the river are an important part of the amenity of the area. In this case the maximum wall height is 7.8m. An increased wall height can be supported in accordance with performance criteria 3.7.17.4.1.3 P1 when the development is of a compatible form, bulk, and scale to typical development in the immediate locality. The development has a maximum roof height of 8.1m. The applicant has proposed undertaking excavation to lower the whole house and ensure that the dwelling stays below the maximum roof height.

Site Works

As part of the development excavation greater than 0.5m is proposed up to approximately 1m. The use of excavation to lower a dwelling and level the development across the whole site is an accepted practice within the building industry and ensures that the development is lower than it would be if excavation was not carried out. In accordance with the Residential Design Codes deemed to comply clause 5.3.7 C7.2 requires that fill and excavation complies with Table 4. In this case the excavation is up to a maximum depth of 1m and as a result setbacks for site works are required to be at least 1m from the side lot boundary. This is not achieved however the design principles clause 5.3.7 P7.2 is achieved as all finished levels respect the natural ground level at the lot boundary of the site and as viewed from the street. By excavating the bulk of the development is reduced and the impact on neighbouring properties is mitigated.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to development conditions.

OFFICER RECOMMENDATION

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Southern Wall – Garage – 1m required, 0m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall – Store – 1m required, 0m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Alfresco, Games, Foyer - 1.8m required, 1.5m provided
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall – Ensuite, Robe, Master Bedroom, Balcony – Upper Storey – 2.1m required, 1.5m provided
- (v) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Stairs, Study - 3.5m required, 1.5m provided
- (vi) Clause 3.7.17 – Residential Design Guidelines – Wall Height – 7.8m required, 5.6m provided
- (vii) Clause 5.3.7 – Residential Design Codes – Site Works – 1m setback for excavation required, less than 1m excavation setback provided

for a new double storey dwelling at No. 18A (Lot 2) Philip Street, East Fremantle, in accordance with the plans date stamped received 8 July 2021, subject to the following conditions:

- (1) Visual privacy screening is to be installed in accordance with the plans submitted 8 July 2021.
- (2) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 8 July 2021 and to be in accordance with Council's crossover policy and Residential Design Guidelines.
- (3) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- (4) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.
- (5) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- (6) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (7) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (8) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (10) This development approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*

(vii) matters relating to dividing fences are subject to the Dividing Fences Act 196

Moved Cr Nardi, seconded Cr Watkins
The adoption of the officer's recommendation.

Procedural Motion

Moved Cr Natale, seconded Cr Harrington

That the application be deferred to the next ordinary council meeting to allow time for submitters to view the amended plans. (LOST 2:4)

The substantive motion was put.

12.2 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP020821

Moved Cr Nardi, seconded Cr Watkins

That development approval is granted, and Council exercises its discretion regarding the following;

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Southern Wall – Garage – 1m required, 0m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Wall – Store – 1m required, 0m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Alfresco, Games, Foyer - 1.8m required, 1.5m provided
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback– Western Wall – Ensuite, Robe, Master Bedroom, Balcony – Upper Storey – 2.1m required, 1.5m provided
- (v) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Eastern Wall – Stairs, Study -3.5m required, 1.5m provided
- (vi) Clause 3.7.17 – Residential Design Guidelines – Wall Height – 7.8m required, 5.6m provided
- (vii) Clause 5.3.7 – Residential Design Codes – Site Works – 1m setback for excavation required, less than 1m excavation setback provided

for a new double storey dwelling at No. 18A (Lot 2) Philip Street, East Fremantle, in accordance with the plans date stamped received 8 July 2021, subject to the following conditions:

- (1) Visual privacy screening is to be installed in accordance with the plans submitted 8 July 2021.
- (2) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 8 July 2021 and to be in accordance with Council's crossover policy and Residential Design Guidelines.
- (3) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
- (4) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.
- (5) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- (6) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.

- (7) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (8) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (9) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (10) This development approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) ***this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.***
- (ii) ***a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.***
- (iii) ***it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.***
- (iv) ***all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).***
- (viii) ***matters relating to dividing fences are subject to the Dividing Fences Act 196***

(CARRIED 4:2)

Note: As 4 Committee members voted in favour of the Reporting Officer's recommendation, pursuant to Council's decision regarding delegated decision making made on 20 April 2021, this application is deemed determined, on behalf of Council, under delegated authority.

12.3 Moss Street, No. 33 (Reserve 37909) – Permanent Approval for Short Term Accommodation for up to 15 Persons

Applicant	Mark Stokoe on behalf of South Metropolitan Health Service
Landowner	State of WA - Minister for Health
File ref	CTP46/21; P/MOS33
Prepared by	Christine Catchpole, Senior Planner
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Voting requirements	Simple Majority
Documents tabled	Nil
Meeting date	3 August 2021
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photographs3. Place Record4. Applicant letter requesting permanent approval dated 1 June 20215. Schedule of Submissions6. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application for the permanent approval of the short term residential accommodation facility for up to 15 persons and 5 staff at 33 Moss Street, East Fremantle.

Executive Summary

The application, submitted by the South Metropolitan Health Service, seeks permanent approval for short term accommodation for up to 15 persons and 5 staff. This application follows an approval by Council for the number of persons to be accommodated on the site to be increased from 10 to 15. No further building works or changes to the original conditions of development (planning) approval are indicated or required.

The original application, determined in 2016, proposed the accommodation of up to 15 persons and renovations to the building which were subsequently completed for that number of residents. However, the Council determined that only 10 people and 5 staff were to be accommodated on the site under a temporary approval for a period of 12 months from the date of occupation.

Due to funding issues restoration and renovation work did not commence for several years. However, in 2020 all required alterations to the building and grounds, including the provision of parking bays were completed to the Town's satisfaction and the facility was officially opened on 31 July 2020. The building has been occupied and providing services since 3 August 2020.

Community consultation was undertaken in early 2021 in relation to an application to increase the number of persons accommodated from 10 to 15. This resulted in one submission in support of the proposal and one objecting. Council subsequently granted approval in March 2021 for an increase in the number of persons. Since that time the Town has not been advised of any concerns from surrounding residents. The use is operating in accordance with all planning conditions and all required alterations and additions to the site have been carried out to the Towns' satisfaction.

The increase of 5 persons to be accommodated at the site and the general operation of the facility is considered reasonable and to have not resulted in an impact on the amenity of the surrounding area. Prior to expiry of the temporary approval in August 2021, a fresh development application for the continued use of the site on a permanent basis was required to be submitted for Council's consideration.

The development (planning) approval renewal process has required that the application be re-advertised. This was undertaken between 11 June and 12 July 2021. One submission in support and one objecting, citing increased traffic and parking and increased use of the street and local parks by patients, have been received.

Given the accommodation service has not resulted in any issues being reported to the Town and only one adverse submission has been received, it is recommended Council grant permanent approval for the short term accommodation for up to 15 persons and 5 staff at any one time. This approval is subject to the original conditions of planning approval remaining unchanged, restriction on the length of stay (no more than 6 weeks for any one period of accommodation) and the number of staff (no more than 5 at any one time), unless otherwise approved by the Council.

Any proposed change to the conditions of approval would be subject to further Council approval. Also, the applicant should be advised that failure to comply with the conditions of the approval, or if the change of use causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval for a maximum of 15 people to be accommodated and/or reduce the number of persons residing and/or working on the site.

Background

- 20 August 1982:** Land denoted as 'Reserve' for 'mental health services' in Government Gazette.
- 18 October 1982:** Council approved a change of use from general hospital to 'Psycho-geriatric Care Centre' for up to 16 persons.
- 25 June 2001:** South East Metropolitan Health Service advised that the property was to be used for a geriatric day therapy centre.
- 17 May 2016:** Council granted a 12 month temporary approval for the change of use to short term residential accommodation from day therapy centre. The 12 month approval period to commence from the date the facility is occupied.
- 16 May 2017:** Council granted a 12 month extension of the original 12 month planning approval with the same conditions of planning approval to apply.
- 15 May 2018:** Council granted a further additional 12 month extension of the planning approval.
- 3 August 2020:** Alterations to building and grounds complete. Town considers conditions of development (planning) approval satisfied and building occupied.
- 2 March 2021** Town Planning Committee (under delegation from full Council) granted an increase in the number of persons accommodated on the site from 10 to 15. No change to original the conditions of planning approval and the requirement for the applicant to renew the approval after expiry of the 12 month temporary approval period.

The applicant has submitted a fresh development application and a letter (dated 1 June 2021) in support of the request for permanent approval for the current use (refer to Attachment 4).

Consultation

Consultation has been undertaken by letter to owner/occupiers in Bedford and Moss Street, north of George Street and south of Canning Highway (properties directly consulted indicted in Attachment 6). The consultation was undertaken from 11 June to 12 July 2021. Two submissions have been received, one in support of the proposal and one objecting on the following grounds:

- Inadequate consultation with residents.
- Increase to 15 persons on a permanent basis not supported.

- Not an appropriate use in the location.
- Increased traffic and parking demands in the street and increased use of the street and local parks by residents.

The submission objecting can be read in full in Attachment 5.

The South Metropolitan Health Service has since 2016 committed to work with the Town to achieve a good heritage outcome for the building and to ensure at all times the amenity of the locality is protected. As noted below this has been achieved.

Community Design Advisory Committee (CDAC)

Referral to the CDAC not required. No further alterations or additions to the building are required.

Statutory Environment

Planning and Development Act 2005

Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

LPS No. 3 – Heritage List – Category A

Crown Land Title – Management Order – Swan No. 37909

Policy Implications

Local Heritage Survey – Category A

Fremantle Port Buffer Zone – Area 3

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2020 – 2030 states as follows:

Built Environment

Accessible, well planned built landscapes which are in balance with the Town's unique heritage and open spaces.

3.1 Facilitate sustainable growth with housing options to meet future community needs.

3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.

3.1.2 Plan for a mix of inclusive diversified housing options.

3.1.3 Plan for improved streetscapes.

3.2 Maintaining and enhancing the Town's character.

3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.

3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.

3.3.1 Continue to improve asset management within resource capabilities.

3.3.2 Plan and advocate for improved access and connectivity.

Natural Environment

Maintaining and enhancing our River foreshore and other green, open spaces with a focus on environmental sustainability and community amenity.

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be negligible.

Site Inspection

July 2021

Comment

Original Development Application

The following issues were noted as relevant to the determination of this application upon its initial assessment in October 2016:

- Change of use from day therapy consulting rooms to short term accommodation;
- Residential amenity impacts and compatibility of use with surrounding residential uses;
- Car parking and access for clients, staff, visitors and service/delivery vehicles; and
- Use of 'Reserve' land with Management Orders stating that the land is to be used for mental health services.

The original application underwent two advertising periods, including a public information session at Fremantle Hospital, letters to residents and signs on the site. A substantial number of submissions were received during the first advertising phase which expressed concerns about the facility being located in a residential area. The Council responded to those submissions by applying a number of conditions of planning approval which have since been satisfied by the applicant.

The proposed accommodation use was considered consistent with the reserve status of the land and the use of the building for this purpose was considered consistent with the surrounding residential area, particularly as it was intended for the occupants to live in a residential setting. After taking into account amenity, car parking, access and scale of the use, the Council determined that the use should be approved for 12 months only. It was thought that during that time, if the Council determined the use failed to comply with the conditions of the approval, or if the change of use caused a nuisance or annoyance to the surrounding residents as determined by Council, then the approval may be revoked.

Current Development Application

The existing facility accommodates patients transitioning between a hospital stay and their home for a period of up to six weeks. Two nursing staff are available on a 24 hour basis, with three additional staff members working on a rostered shift basis seven days a week. The maximum number of staff at any one time being 5 persons under the conditions of planning approval. Parking bays for staff are located at the Bedford Street entry to the site. In addition to the residential accommodation, counselling and other support therapies are provided to the residents. At the Town Planning Committee meeting of 2 March 2021 (under delegated authority from full Council) the Committee granted approval for an increase in the number of persons accommodated at the site from 10 to 15 persons. One objection was received in relation to that proposal.

At the conclusion of the current advertising period, one submission in support of the application and one objecting have been received. The submission objecting stated reasons related to: lack of consultation; suitability of the use and increases in traffic, parking and use of the local parks by residents of the facility.

Since the facility commenced operations in August 2020 and the Council approved an increase from 10 to 15 persons in March 2021, the Town has not responded to any issues or received any complaints from surrounding residents, other than the two submissions in response to advertising of the development applications submitted this year.

Conclusion

The increase in number of persons accommodated from 10 to 15 has been in operation for 5 months. The accommodation of an additional 5 persons, and the use in general, has not raised any concerns for the Town. Furthermore, the Town has not been advised of any issues from the community's perspective or received any complaints in respect to the operation of the facility, with the exception of the two submissions received in response to the advertising undertaken in March and July this year. There have been no previous complaints or issues voiced outside the development application consultation periods.

Given it has not been necessary for the Town to take action with any site issues, or issues raised by the community, the Town has concluded that the facility is operating in accordance with the conditions of approval and is a use which is acceptable in the residential area. It is therefore recommended that Council grant approval for permanent approval of the short term residential accommodation for no more than 15 persons and 5 staff. This is subject to restrictions on the length of stay, the number of staff employed and the original conditions of approval continuing to apply.

Any proposed change to the conditions of development approval, that is, the operation of the facility, an increase in the number of people to be accommodated, or staff working on site will be subject to further Council approval. This must be made in the form of a development application for Council's consideration.

The applicant should be advised that failure to comply with the above conditions of the approval, or if the Council considers the change of use causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval for a maximum of 15 people to be accommodated on the site at any one time or at Council discretion reduce the maximum number of people that can be accommodated or working on the site.

12.3 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION TP030821

Moved Cr Nardi, seconded Cr Natale

That Council grant permanent approval for short term residential accommodation at No. 33 (Reserve 37909) Moss Street, East Fremantle subject to the following conditions:

- 1. No more than 15 persons and 5 staff at any one time to occupy the site (see Footnote (i) below). The approval for the number of occupants not to exceed 15 persons and for the number of staff not to exceed 5 persons.**
- 2. A resident/client is not to be accommodated for any period longer than six (6) weeks in any one period of accommodation.**
- 3. The original conditions of the development approval dated 17 May 2016, with the exception of the number of persons to be accommodated (increased to 15 as per Council approval dated 2 March 2021), are to apply to this development approval.**
- 4. Any proposed change to the conditions of development approval or operation of the facility or an increase in the number of people to be accommodated or staff working on site is to be made in the form of a development application for Council's consideration.**
- 5. The development approval is to remain valid unless otherwise revoked.**

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (i) the applicant be advised that failure to comply with the above conditions of the approval or if the Council considers the use causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval for a maximum of 15 people***

- to be accommodated on the site at any one time and at Council discretion reduce the maximum number of people that can be accommodated or working on the site.*
- (ii) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
 - (iii) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (CARRIED UNANIMOUSLY)*

Note: As 4 Committee members voted in favour of the Reporting Officer’s recommendation, pursuant to Council’s decision regarding delegated decision making made on 20 April 2021, this application is deemed determined, on behalf of Council, under delegated authority.

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business the Presiding Member declared the meeting closed at 7.24 pm.

*I hereby certify that the Minutes of the ordinary meeting of the **Town Planning Committee** of the Town of East Fremantle, held on **3 August 2021**, Minute Book reference **1. to 14.** were confirmed at the meeting of the Committee on:*

7 SEPTEMBER 2021

Tony Watkins

Presiding Member

ATTACHMENTS TO TOWN PLANNING COMMITTEE MINUTES

3 AUGUST 2021

Minute No.	Subject
11.1	Community Design Advisory Committee - 5 July 2021
12.1	18 Philip Street (Lot1) -Proposed two storey dwelling
12.2	18A Philip Street (Lot2) -Proposed two storey dwelling
12.3	33 Moss Street – Permanent approval for short term accommodation for up to 15 persons.

5 July 2021

MINUTES

Minutes of a Community Design Advisory Committee Meeting, held at East Fremantle Town Hall, on Monday 5 July 2021 commencing at 6:35pm, closed at 8.39pm.

1. OPENING OF MEETING

Cr Collinson welcomed the Committee members.

Cr Collinson made the following acknowledgement:

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay respects to the elders past and present.”

2. PRESENT

Cr Cliff Collinson	Chair/ Elected Member
Mr Don Whittington	
Mr Michael Norriss	
Mr David Tucker	
Mr James Bannerman	Planning Officer

3. APOLOGIES

Dr Jonathan Dalitz	
Ms Alex Wilson	
Mr Clinton Matthews	
Mr David Bennett	
Mr Andrew Malone	Executive Manager Regulatory Services

4. LEAVE OF ABSENCE

Application made by Don Whittington for leave 15 August to 1 September 2021 – granted by Committee

5. DECLARATIONS OF INTEREST

Nil

6. CONFIRMATION OF MINUTES

Moved David Tucker, seconded Michael Norriss

Minutes of the Community Design Advisory Committee meeting held on 3 May 2021 were confirmed.

CARRIED UNANIMOUSLY

7. PRESENTATION

Nil.

8. BUSINESS

- 8.1 4 Gordon Street**
(Application P50/21 – 11 June 21)
Proposed new residential dwelling

5 July 2021

MINUTES

- (a) *The overall built form merits;*
- The Committee is not supportive of the proposal.
 - The Committee expressed the view that there were poor design solutions given the lot location.
 - The Committee believed further design solutions should be investigated.
 - The Committee believed that there was too much reliance on visual privacy screening to maintain privacy rather than better design solutions.
 - The Committee took the view that there was insufficient use of northern light for the ground floor lounge and tendency to come too close to the boundary.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
- No comment
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee noted that a better design solution could be achieved for the proposal.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No comment
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- The Committee would like to see wood used more within the design in alignment with the Town's Wood Encouragement Policy.
- (f) *The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places;*
- The Committee believed that the design would provide good quality surveillance of the street from the front of the house.

8.2**17 View Terrace****(Application P51/21 -17 June 2021)***Proposed new dwelling*

- (a) *The overall built form merits;*
- The Committee were supportive of the overall proposal.
 - The Committee believed that the proposal represented good design.
 - The Committee was particularly impressed by the way a triple garage had been provided on site with a single access way and the floor level of the garage being dropped down to maintain a lower street front presence.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
- The Committee felt that design was well articulated with the street.

5 July 2021

MINUTES

- The Committee liked the way that the northern aspect of the site had been utilised with the alfresco, pool and dining areas all utilising the northern sun.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee felt that the design will contribute positively to the streetscape.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No comment.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- The Committee felt northern solar access had been maximized to the alfresco and dining areas by locating these areas to the north of the site facing the street.
- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places;*
- No comment.

8.3

16 Pier Street**(Application P54/21 – 23 June 2021)**

Proposed two storey residence and underground garage

- (a) *The overall built form merits;*
- The Committee believed that although there may be minimal variations to the Residential Design Codes and Residential Design Guidelines there were a few elements of the design that were a concern, including;
 - The garage was overly prominent and its dominance over the design should be reduced.
 - There was too much driveway and concern about the additional side driveway.
 - The roof design on the west wing of the building did not compliment the roof design on the eastern wing of the building.
 - There was a need to change the materials for the garage to make it less prominent – the curved retaining wall and limestone materials made the wall too dominant.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
- The Committee was concerned that the materials and colours on the photo montage did not match the elevations and there was a need for this to be corrected to ensure harmony between these images.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- No comment

5 July 2021

MINUTES

- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No comment.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- The Committee believed that the solar aspect of the site had been well utilised with balconies, alfresco, living areas and big windows all being located to the north on the design
 - The Committee welcomed the use of timber cladding in line with the Town's Wood Encouragement Policy.
- (f) *The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places;*
- The Committee believed that there would be excellent passive surveillance of the street.

9. OTHER

Nil

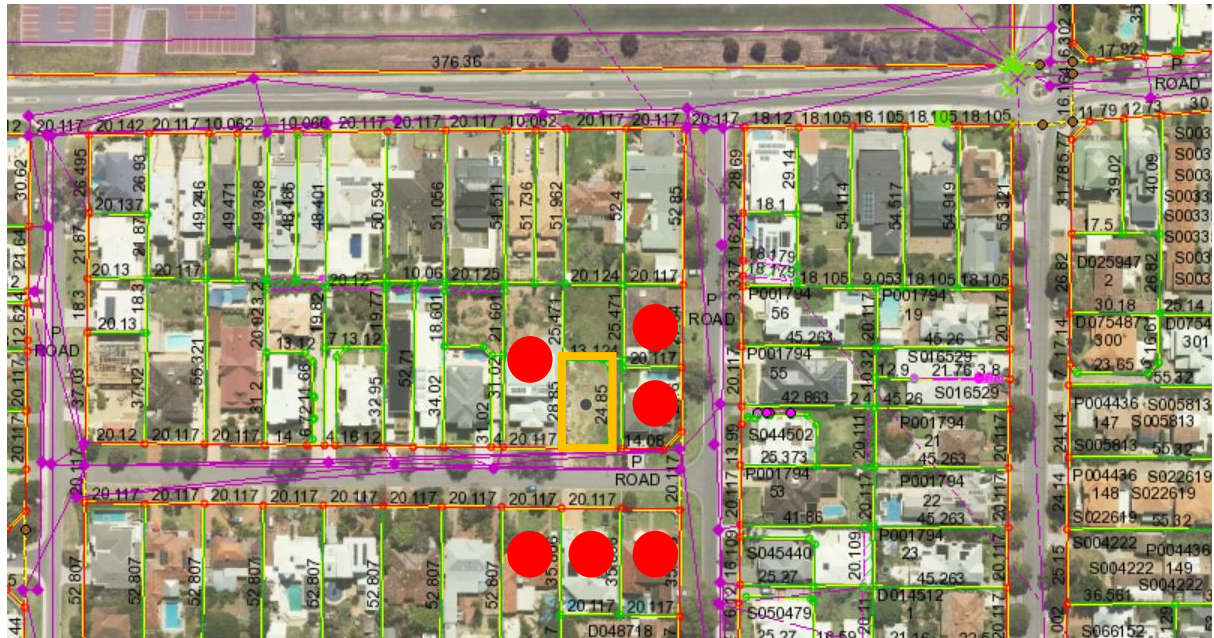
10. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING

The Committee wanted feedback from the Executive Manager of Regulatory Services on the timing and process for the confirmation of all Committee members to the Committee.

11. DATE & TIME OF NEXT MEETING

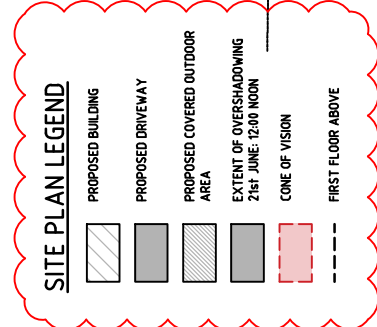
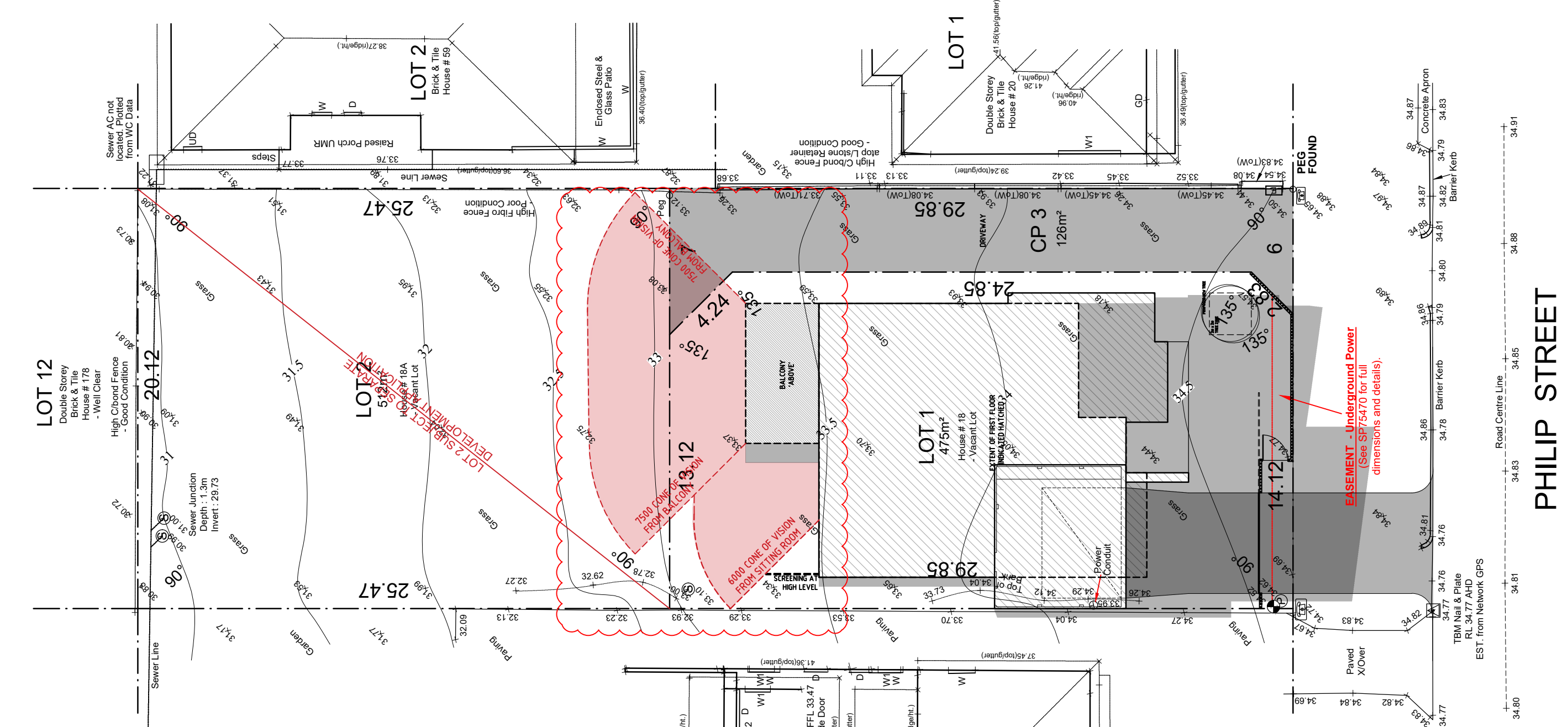
6 September 2021 at 6.00pm (to be confirmed)

18 Philip Street (Lot 1) – Location and Advertising



18 Philip Street – Site Photos





LOT AREAS

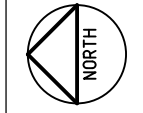
LOT AREAS	SQM	% OF LOT AREA
LOT AREA LOT 1 - 18 PHILIP STREET:	475 SQM	100 %
OPEN SPACE AREA:	2215 SQM	46.6 %
BUILT FORM AREA (GFL ONLY)	2535 SQM	53.4 %
MAXIMUM EXTENT OF OVERSHADOWING		
- TOTAL	1735 SQM	
- LOT 2 (18A PHILIP STREET)	0 SQM	0 % OF 512 SQM
- LOT 59	4.6 SQM	0.5 % OF 539 SQM
- LOT 1 (20 PHILIP STREET)	0 SQM	0 % OF 539 SQM
- LOT 2 (59 CLAYTON ROAD)	0 SQM	0 % OF 556 SQM

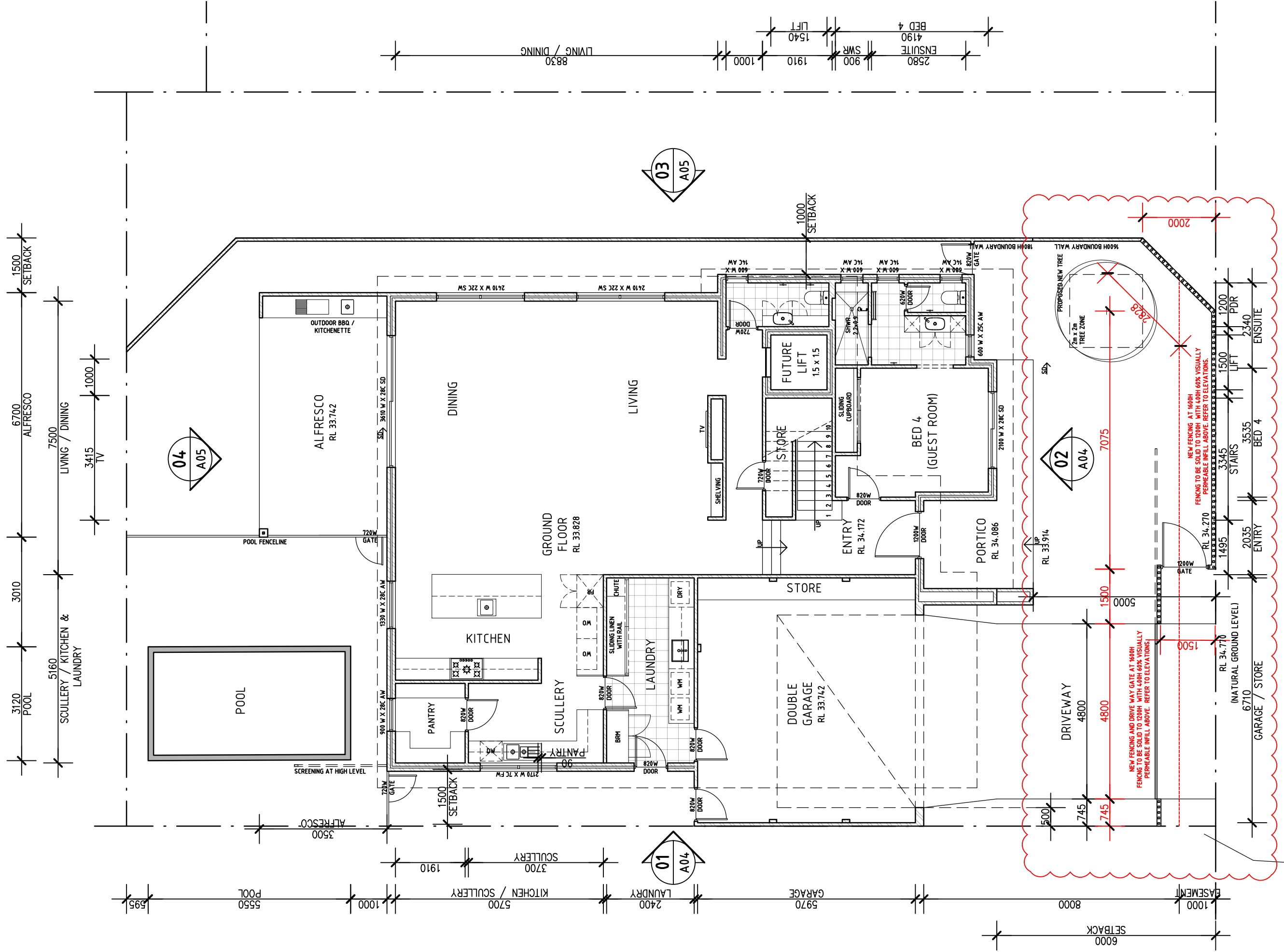
SITE PLAN
1:500 @ A3
REV. K - 08.07.2021

A00

PHILIP STREET

PROPOSED RESIDENCE FOR:
LENZO
ADDRESS:
18 (LOT 1) PHILIP STREET
EAST FREMANTLE, WA



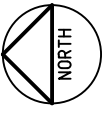


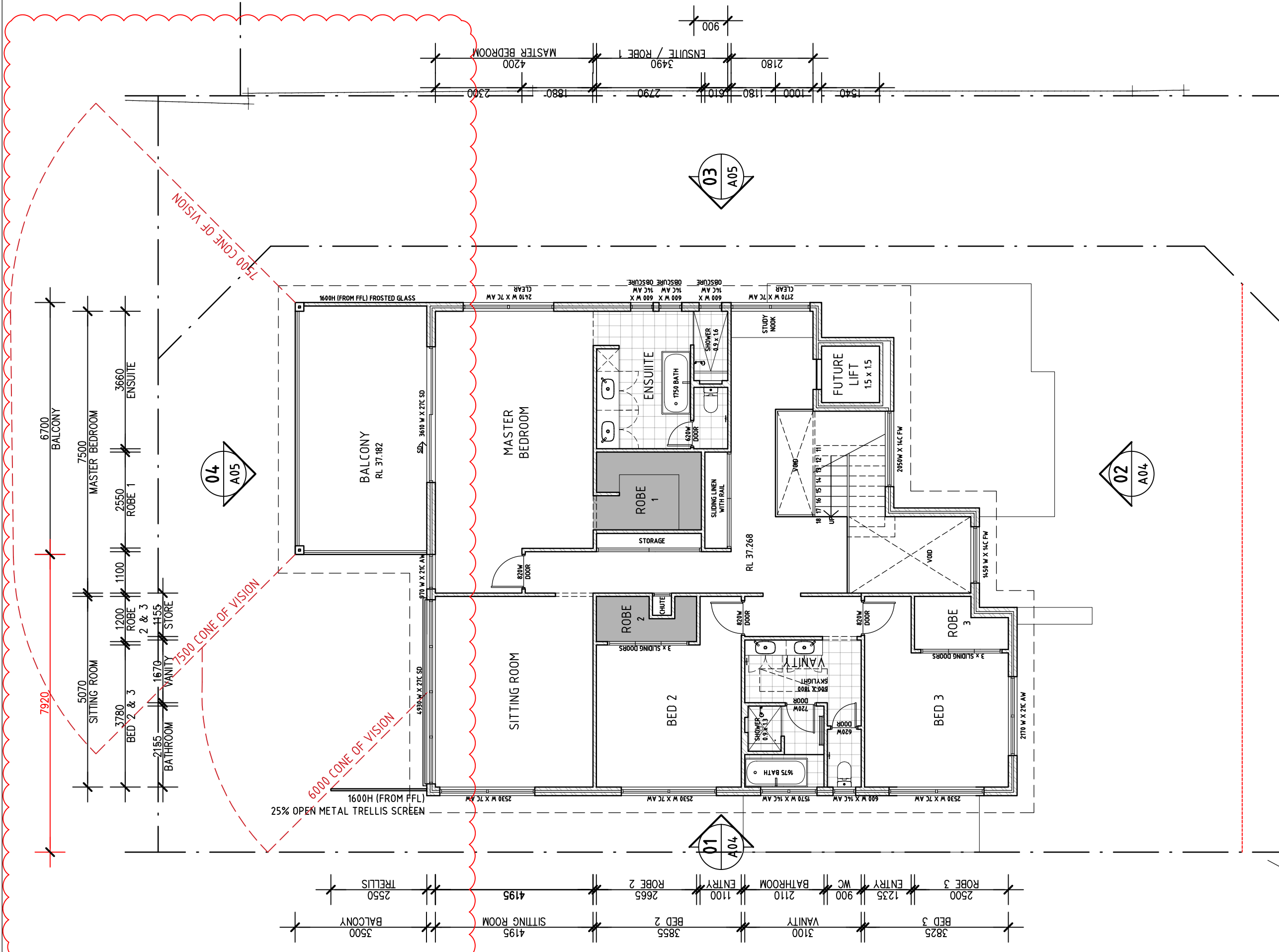
PROPOSED RESIDENCE FOR:
 LENZO
 ADDRESS:
 18 (LOT 1) PHILIP STREET
 EAST FREMANTLE, WA

A01

AREAS:	
GROUND FLOOR:	160M2
FIRST FLOOR:	170M2
GARAGE:	40M2
ALFRESCO:	20M2
TOTAL:	390M2

GROUND FLOOR PLAN - LOT 1 3
 1:100 @ A3
 REV. K - 08.07.2021

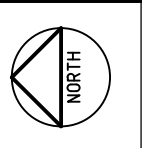


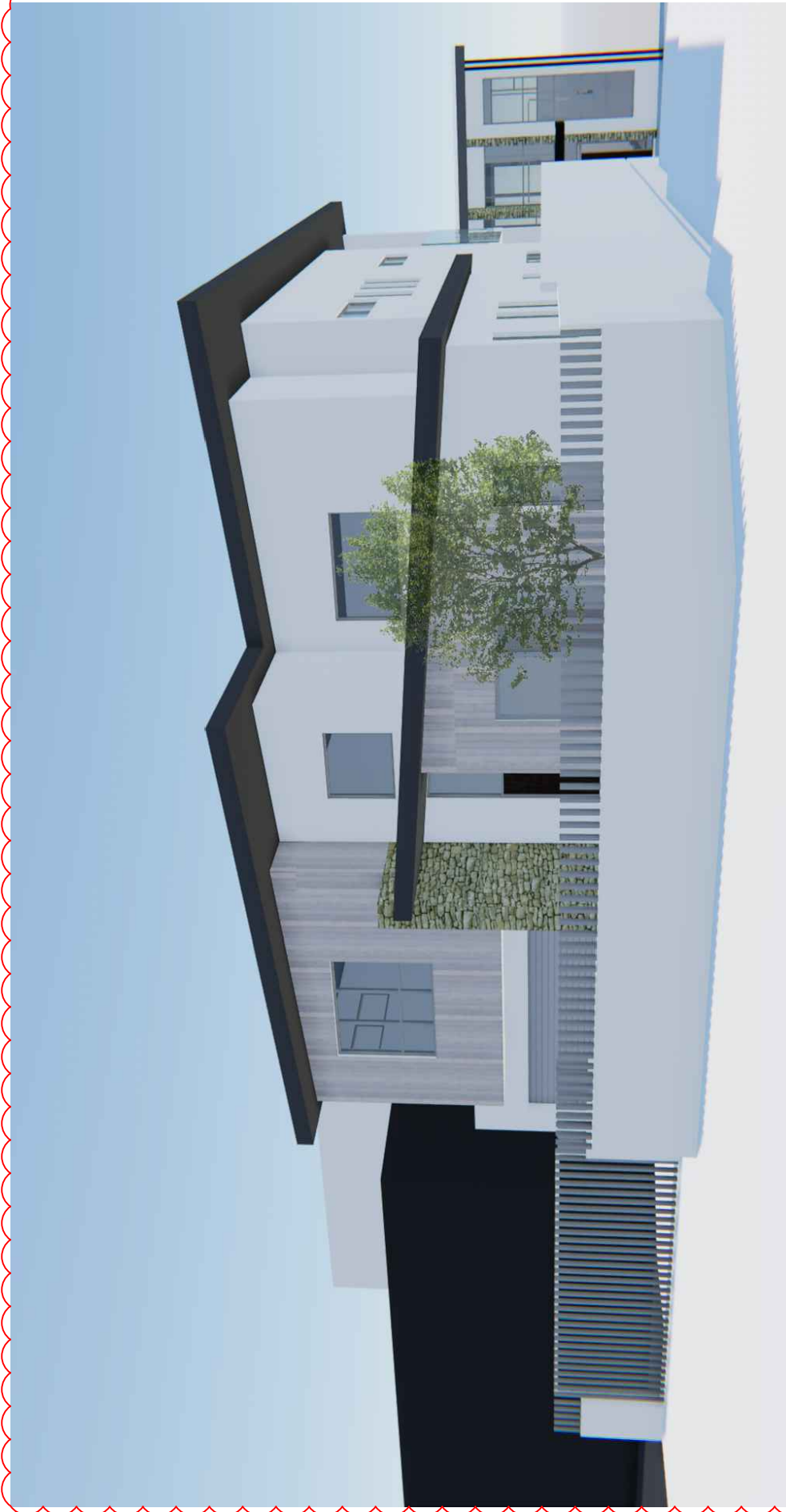


FIRST FLOOR PLAN - LOT 1
 1:100 @ A3
 REV L - 08.07.2021

A02

PROPOSED RESIDENCE FOR:
 LENZO
 ADDRESS:
 18 (LOT 1) PHILIP STREET
 EAST FREMANTLE, WA

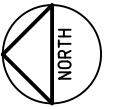




SOUTHERN ELEVATION



NORTHERN ELEVATION



PROPOSED RESIDENCE FOR:
 LENZO
 ADDRESS:
 18 (LOT 1) PHILIP STREET
 EAST FREMANTLE, WA



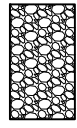

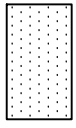

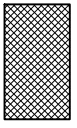

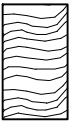
A03

3D VIEWS - LOT 1

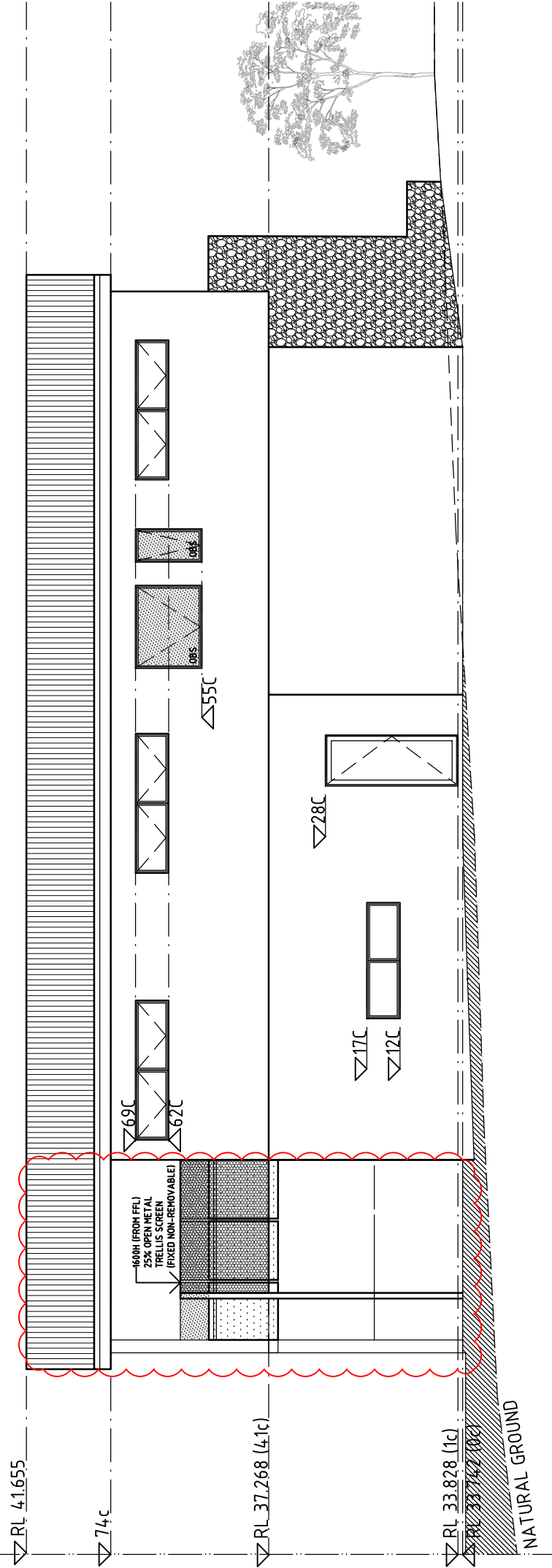
NTS

REV J - 08.07.2021

ELEVATIONS LEGEND

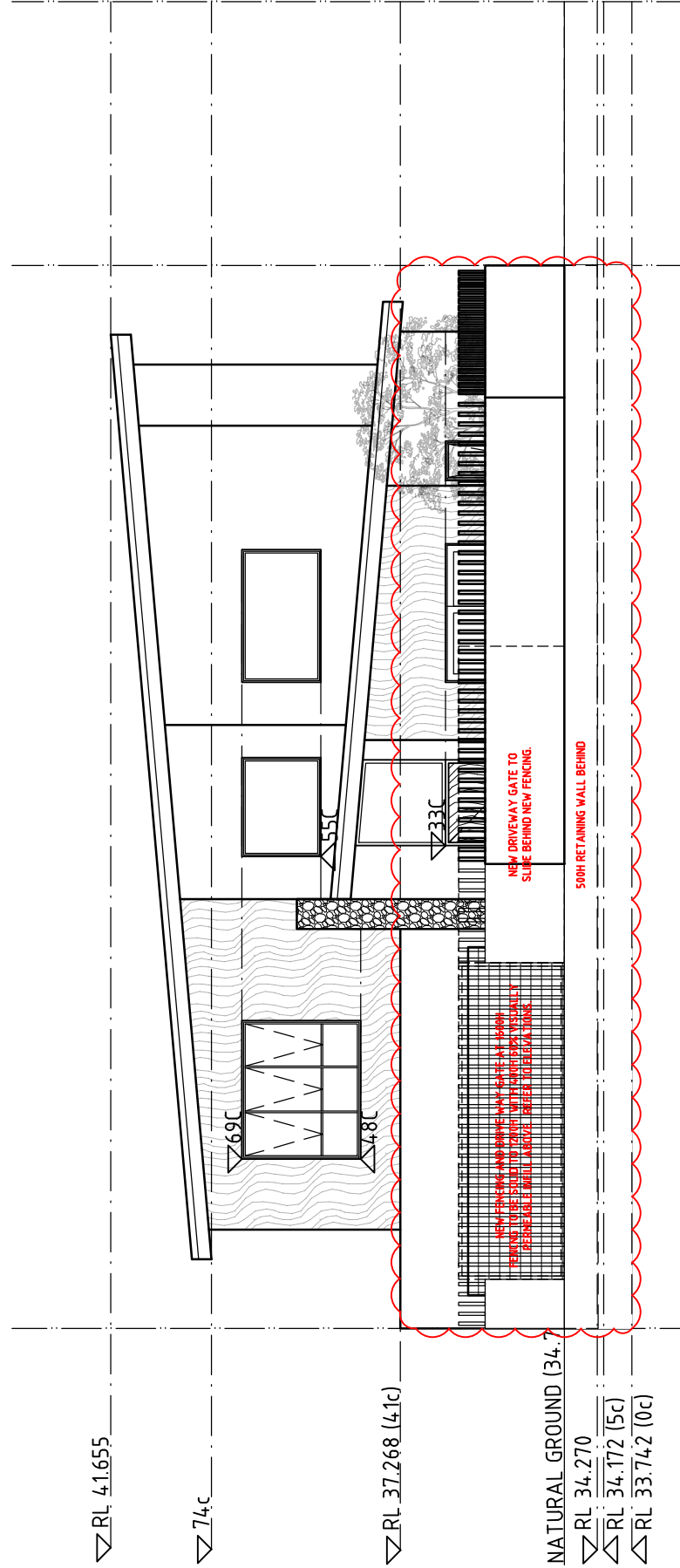
	ROOF SHEETING		OBSOURE GLAZING
	FEATURE STONE CLADDING		EXPOSED AND PAINTED STRUCTURAL STEEL
	FRAMELESS CLEAR GLAZED BALUSTRADE		EXTENT OF FILL / CUT
	STEEL MESH BALUSTRADE		PAINTED CFC SHEETING WITH EXPRESSED JOINTS
	TIMBER FINISH		BOUNDARY LINE
			DATUM LINE
			PROPOSED GROUND LEVEL

- ELEVATION NOTES:
1. WALL FINISH IS GENERALLY TEXTURECOAT FINISH RENDERED DOUBLE BRICKWORK
 2. WINDOW FRAMES TO BE POWDERCOATED ALUMINIUM ROOFING TO BE TRIMDECK ROOF SHEETING IN COLORBOND FINISH
 3. ROOF PLUMBING GENERALLY TO BE COLORBOND STEEL
 4. EXTERNAL STAIR TO BE CONCRETE CONSTRUCTION, PAINTED FINISH



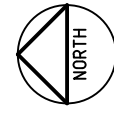
WEST ELEVATION (1)

SCALE 1:100



SOUTH ELEVATION (2)

SCALE 1:100


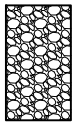
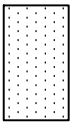
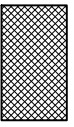



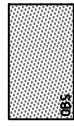
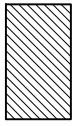




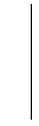
PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18 (LOT 1) PHILIP STREET
 EAST FREMANTLE, WA

A04

ELEVATIONS - LOT 1
 1:100 @ A3
 REV L - 08.07.2021

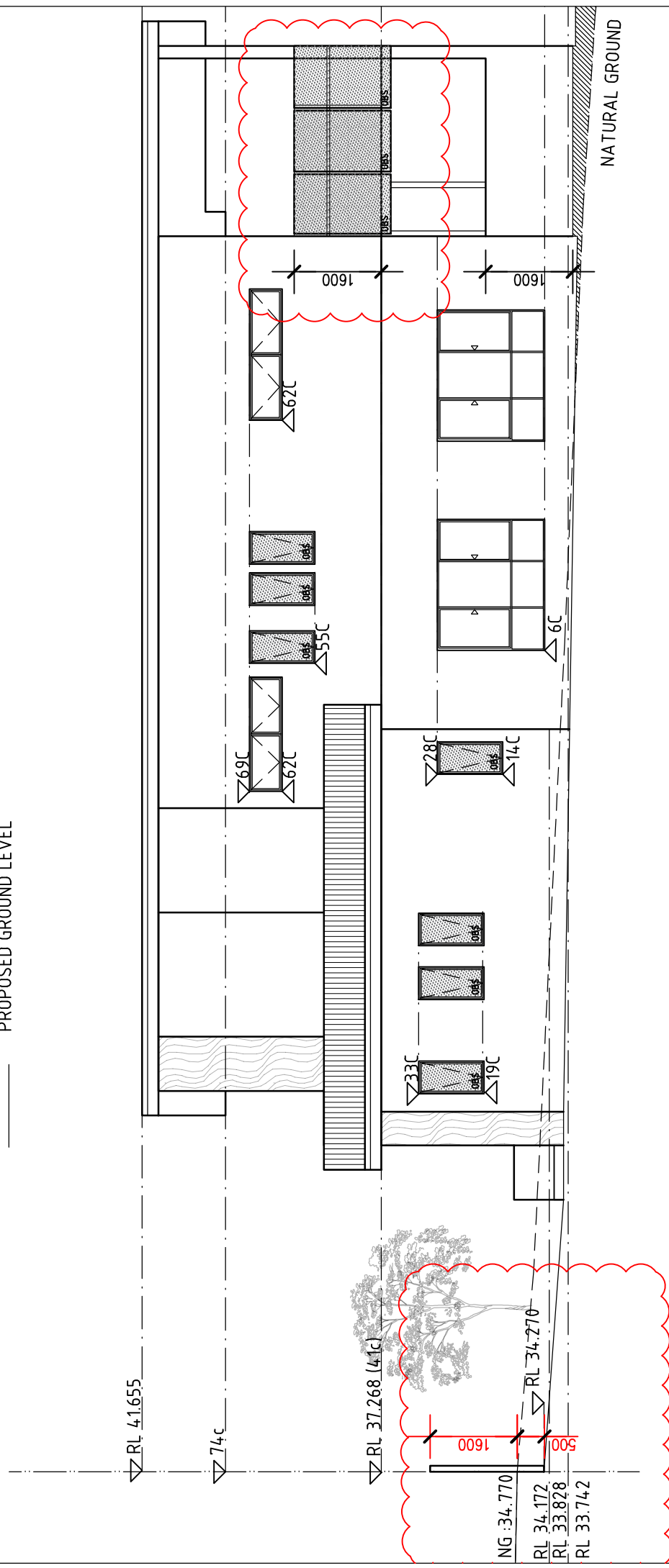
ELEVATIONS LEGEND

-  ROOF SHEETING
-  FEATURE STONE CLADDING
-  FRAMELESS CLEAR GLAZED BALUSTRADE
-  STEEL MESH BALUSTRADE
-  TIMBER FINISH

-  OBSCURE GLAZING
-  EXPOSED AND PAINTED STRUCTURAL STEEL
-  EXTENT OF FILL / CUT
-  PAINTED CFC SHEETING WITH EXPRESSED JOINTS
-  BOUNDARY LINE
-  DATUM LINE
-  PROPOSED GROUND LEVEL

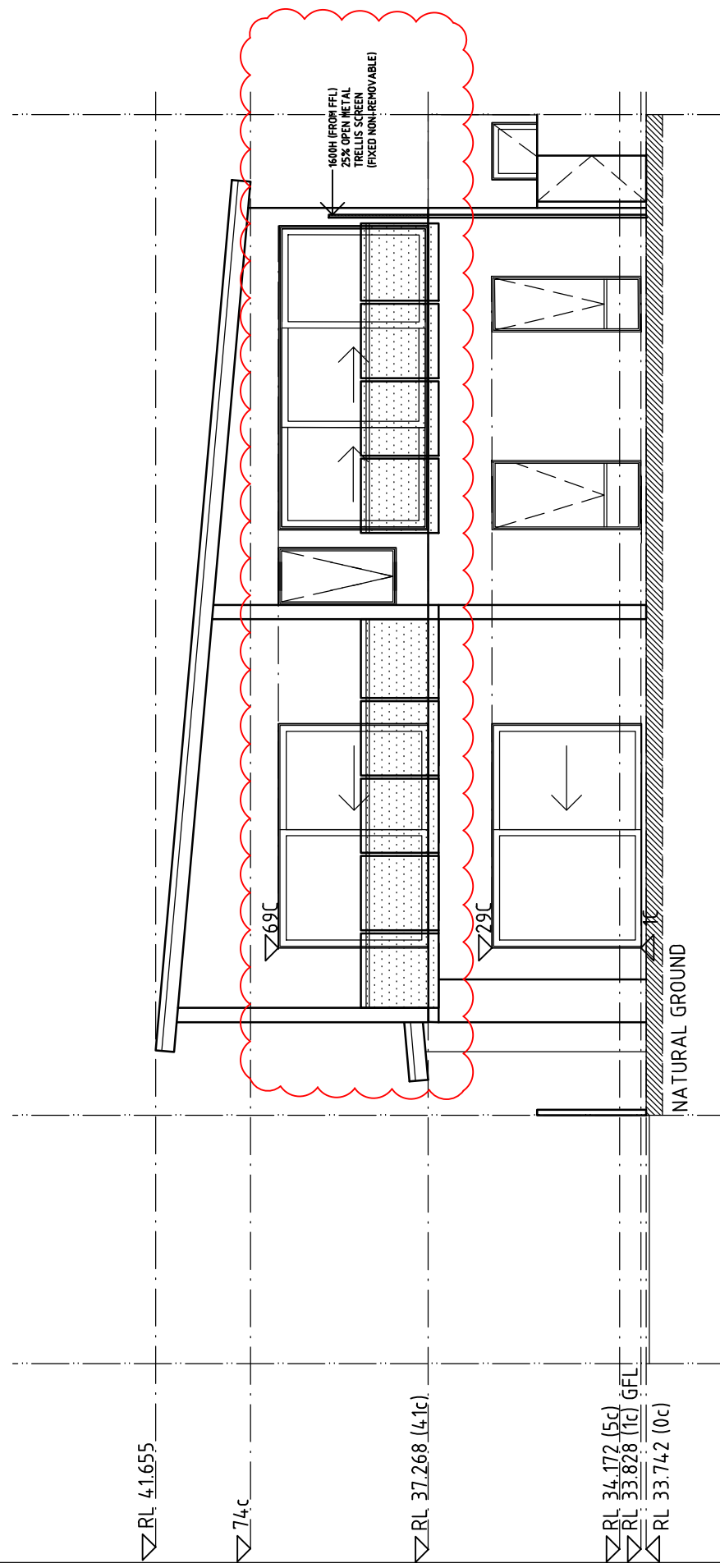
ITEM 12.1

- ELEVATION NOTES:
1. WALL FINISH IS GENERALLY TEXTURECOAT FINISH RENDERED DOUBLE BRICKWORK
 2. WINDOW FRAMES TO BE POWDERCOATED ALUMINIUM ROOFING TO BE TRIMDECK ROOF SHEETING IN COLORBOND FINISH
 3. ROOF PLUMBING GENERALLY TO BE COLORBOND STEEL
 4. EXTERNAL STAIR TO BE CONCRETE CONSTRUCTION, PAINTED FINISH



EAST ELEVATION (3)

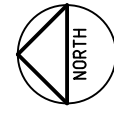
SCALE 1:100



NORTH ELEVATION (4)

SCALE 1:100

ATTACHMENT 3



PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18 (LOT 1) PHILIP STREET
 EAST FREMANTLE, WA

A05

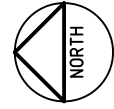
ELEVATIONS - LOT 1

1:100 @ A3

REV L - 08.07.2021



PHILIP STREET - PHOTO MONTAGE



PROPOSED RESIDENCE FOR:
LENZO
ADDRESS:
18 (LOT 1) PHILIP STREET
EAST FREMANTLE, WA

A06

PHOTO MONTAGE - LOT 1






NTS

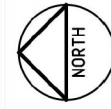
REV C - 08.07.2021



LOT 1 - COLOUR PALLETTE - SOUTHERN FACADE

KEY:

-  - COLOURBOND SURFMIST (OR EQUIVALENT)
-  - COLOURBOND WOODLAND GREY (OR EQUIVALENT)
-  - FEATURE STONE CLADDING
-  - TIMBER DOOR / TIMBER CLADDING
-  - CHARCOAL WINDOW FRAMES



PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18 (LOT 1) + 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA

A07

COLOUR PALETTE - LOT 1

NTS

REV. B - 25.05.2021



Community Engagement Checklist

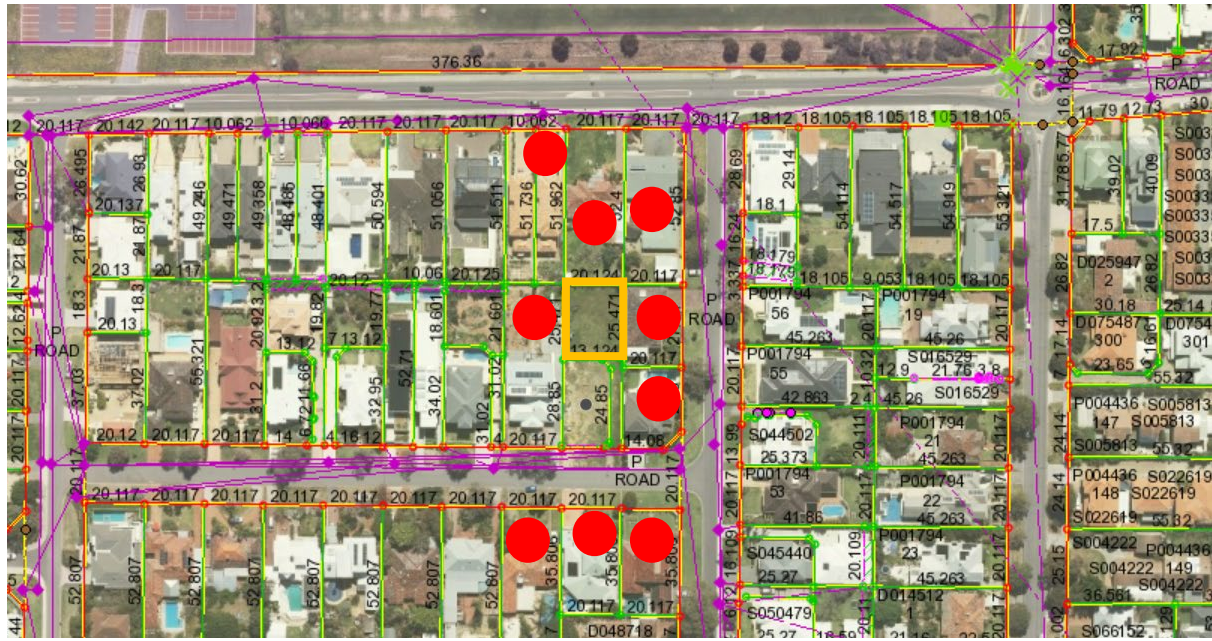
Development Application P31/21 - 18 Philip Street (Lot 1)

Project Name

Objective of Engagement:	Neighbour Consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	29/04/2021	Outcomes By: 14/5/2021
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer		<input checked="" type="checkbox"/> Advertised to 6 surrounding properties.
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		14/5/2021	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

18 Philip Street (Lot 2) – Location and Advertising



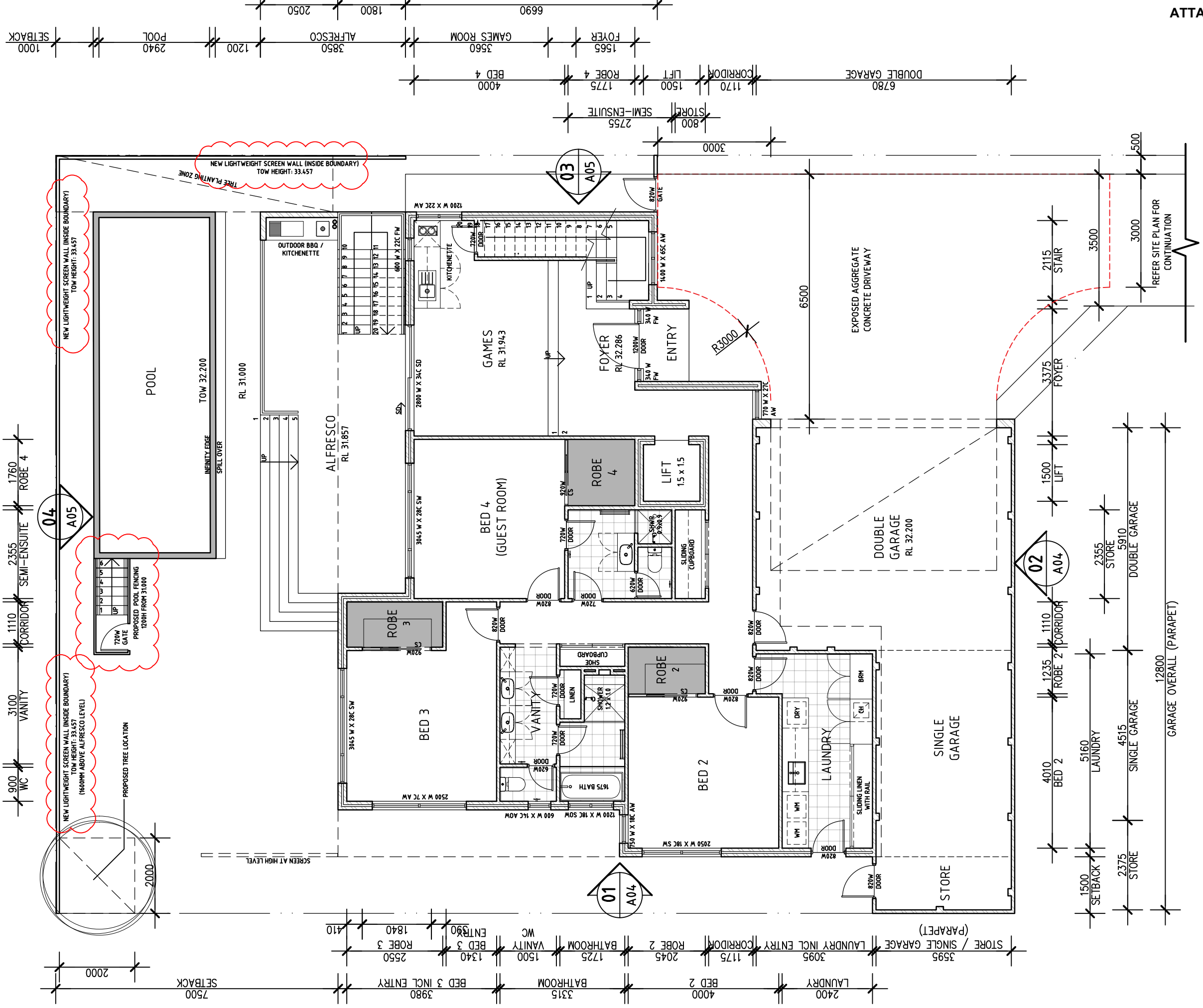
18A Philip Street – Site Photos



FLOOR PLAN LEGEND

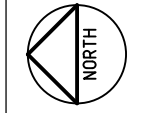
- EXISTING BRICK WALLS
- NEW PROPOSED DOUBLE BRICK WALL
- NEW PROPOSED SINGLE LEAF BRICK WALL
- ROOF LINE ABOVE
- BOUNDARY LINE

AREAS:
 GROUND FLOOR: 162m²
 FIRST FLOOR: 167m²
 BALCONIES: 21m²
 GARAGE: 65m²
 ALFRESCO: 34m²
TOTAL: 449m²



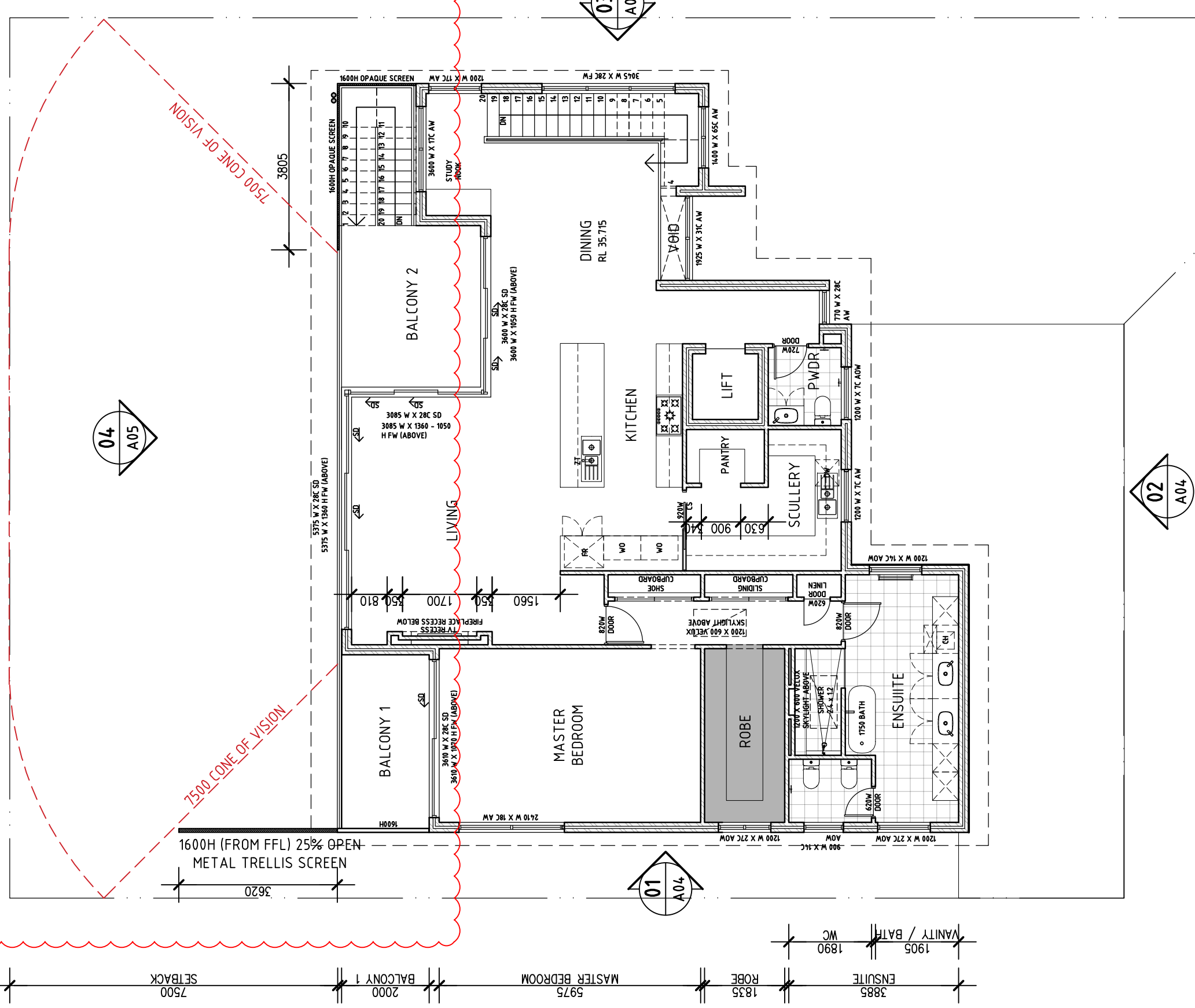
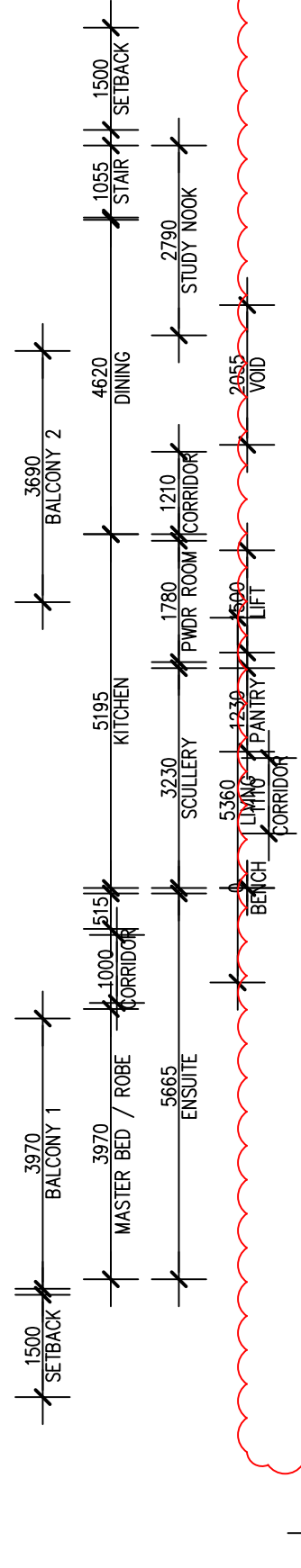
A01

PROPOSED RESIDENCE FOR:
 LENZO
 ADDRESS:
 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA



AREAS:
GROUND FLOOR: 162m ²
FIRST FLOOR: 167m ²
BALCONIES: 21m ²
GARAGE: 65m ²
ALFRESCO: 34m ²
TOTAL: 449m²

ITEM 12.2



FLOOR PLAN LEGEND

- EXISTING BRICK WALLS
- NEW PROPOSED DOUBLE BRICK WALL
- NEW PROPOSED SINGLE LEAF BRICK WALL
- ROOF LINE ABOVE
- BOUNDARY LINE



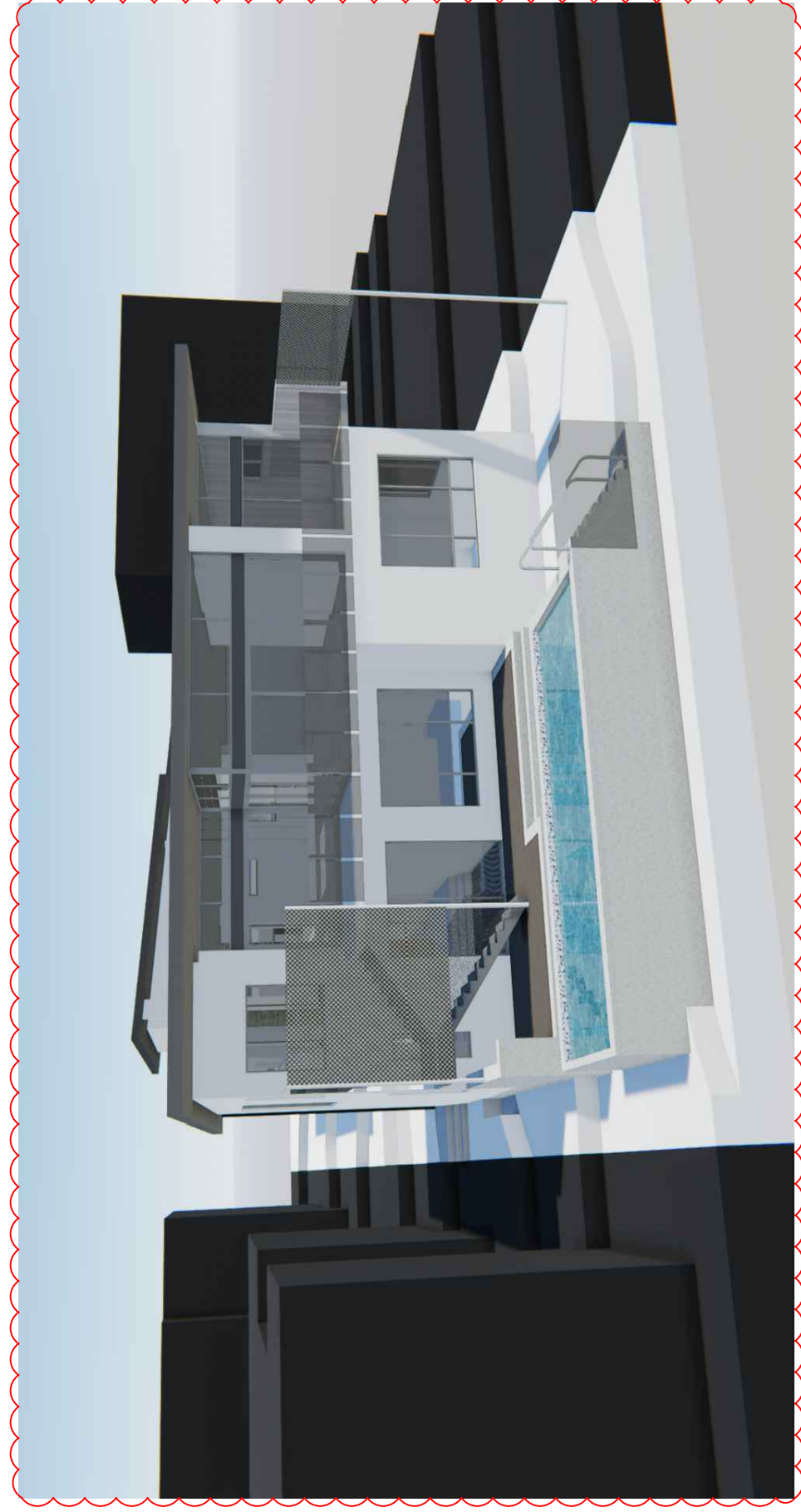
ATTACHMENT 3

FIRST FLOOR PLAN - LOT 2
1:100 @ A3
REV L - 04.07.2021

A02

PROPOSED RESIDENCE FOR:
LENZO
ADDRESS:
18A (LOT 2) PHILIP STREET
EAST FREMANTLE, WA

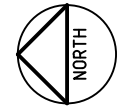




NORTHERN ELEVATION



SOUTHERN ELEVATION



PROPOSED RESIDENCE FOR:
 LENZO
 ADDRESS:
 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA

A03

3D VIEWS - LOT 2

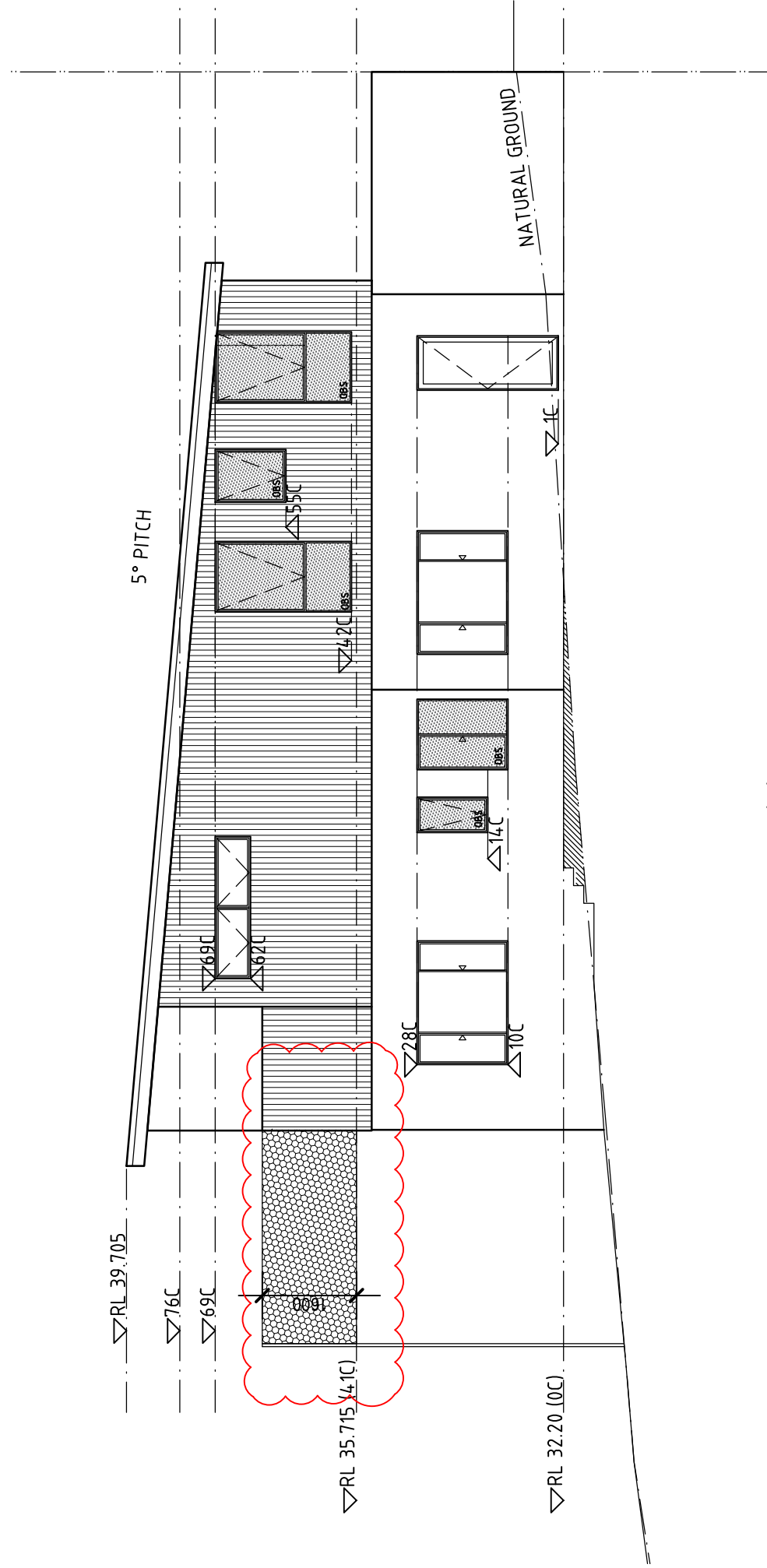
NTS

REV L - 08.07.2021

ELEVATIONS LEGEND

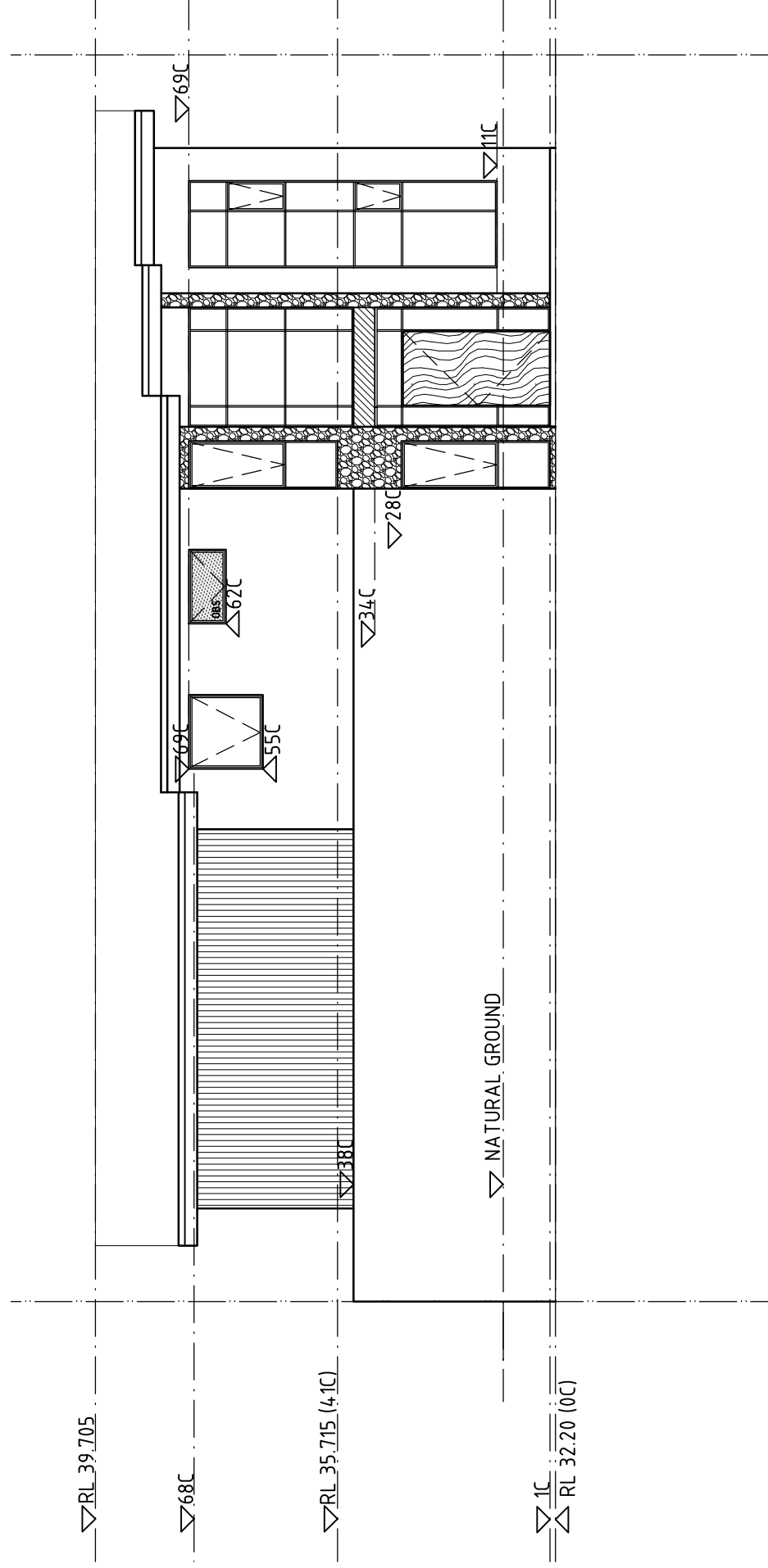
	PAINTED BGC DURAGROOVE CLADDING		OBSCURE GLAZING
	FEATURE STONE CLADDING		EXPOSED AND PAINTED STRUCTURAL STEEL
	FRAMELESS CLEAR GLAZED BALUSTRADE		EXTENT OF FILL / CUT
	STEEL MESH BALUSTRADE		PAINTED CFC SHEETING WITH EXPRESSED JOINTS
	TIMBER FINISH		BOUNDARY LINE
	25% OPEN METAL SCREEN		DATUM LINE
			PROPOSED GROUND LEVEL

- ELEVATION NOTES:**
1. WALL FINISH IS GENERALLY TEXTURECOAT FINISH RENDERED DOUBLE BRICKWORK
 2. WINDOW FRAMES TO BE POWDERCOATED ALUMINIUM
 3. ROOFING TO BE TRIMDECK ROOF SHEETING IN COLORBOND FINISH
 4. ROOF PLUMBING GENERALLY TO BE COLORBOND STEEL
 5. EXTERNAL STAIR TO BE CONCRETE CONSTRUCTION. PAINTED FINISH



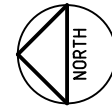
WEST ELEVATION (1)

SCALE 1:100



SOUTH ELEVATION (2)

SCALE 1:100



PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA

A04

ELEVATIONS - LOT 2

1:100 @ A3

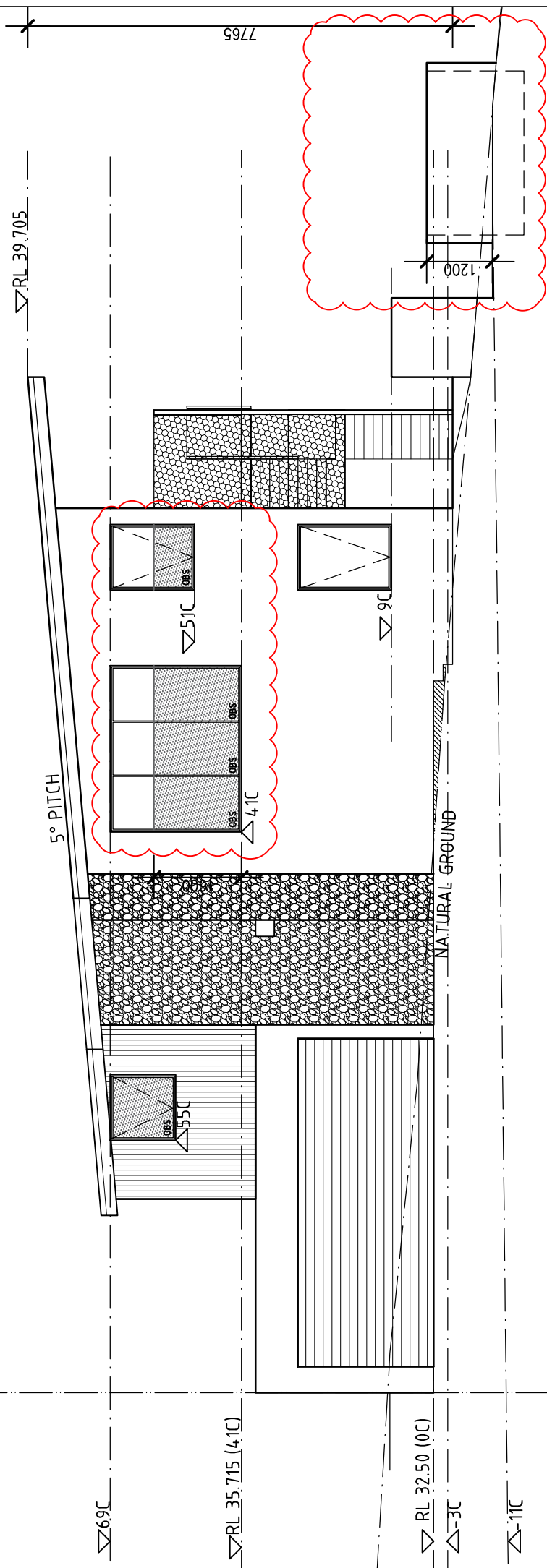
REV K - 04.07.2021

ELEVATIONS LEGEND

	PAINTED BGC DURAGROOVE CLADDING		OBSCURE GLAZING
	FEATURE STONE CLADDING		EXPOSED AND PAINTED STRUCTURAL STEEL
	FRAMELESS CLEAR GLAZED BALUSTRADE		EXTENT OF FILL / CUT
	STEEL MESH BALUSTRADE		PAINTED CFC SHEETING WITH EXPRESSED JOINTS
	TIMBER FINISH		BOUNDARY LINE
	25% OPEN METAL SCREEN		DATUM LINE
			PROPOSED GROUND LEVEL

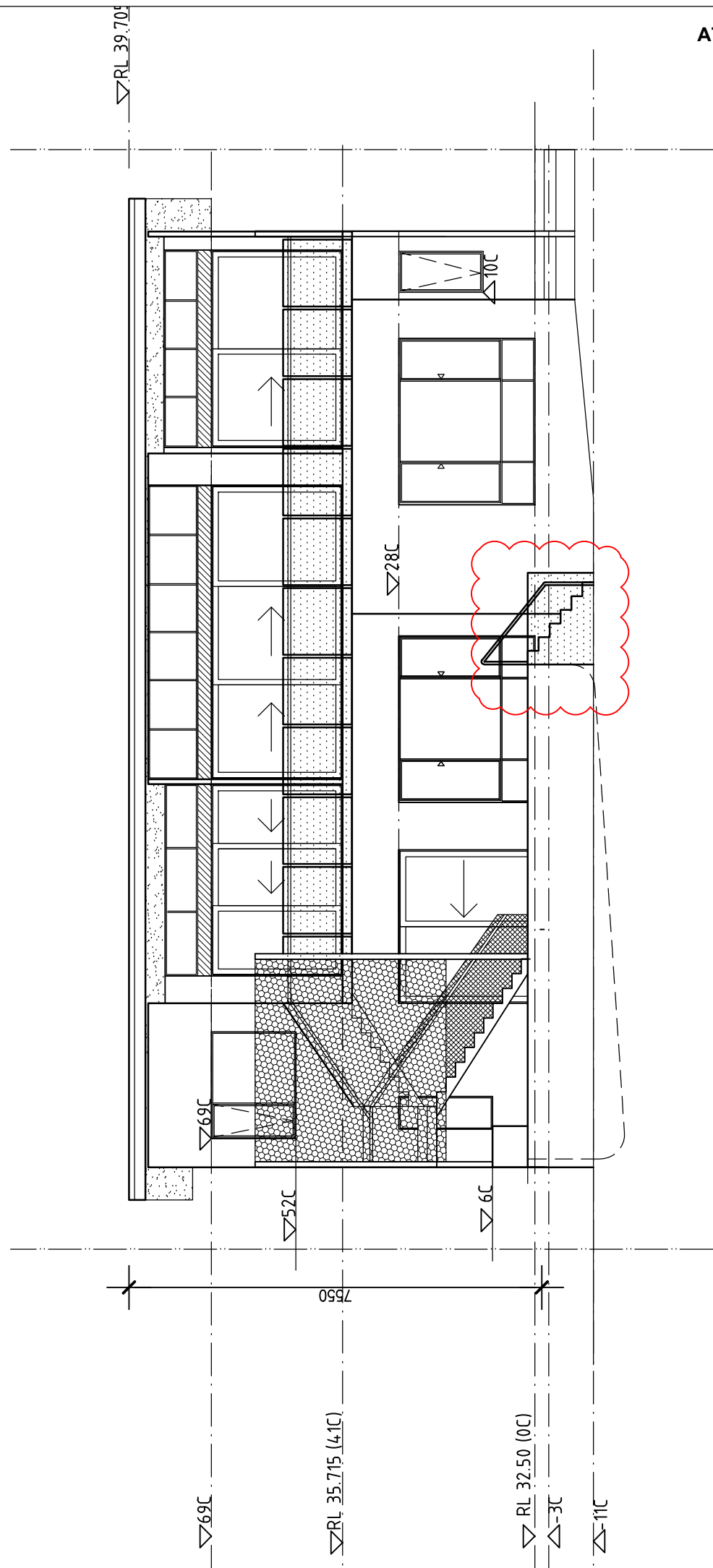
- ELEVATION NOTES:**
1. WALL FINISH IS GENERALLY TEXTURECOAT FINISH RENDERED DOUBLE BRICKWORK
 2. WINDOW FRAMES TO BE POWDERCOATED ALUMINIUM
 3. ROOFING TO BE TRIMDECK ROOF SHEETING IN COLORBOND FINISH
 4. ROOF PLUMBING GENERALLY TO BE COLORBOND STEEL
 5. EXTERNAL STAIR TO BE CONCRETE CONSTRUCTION. PAINTED FINISH

ITEM 12.2



EAST ELEVATION (3)

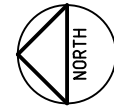
SCALE 1:100



NORTH ELEVATION (4)

SCALE 1:100

ATTACHMENT 3



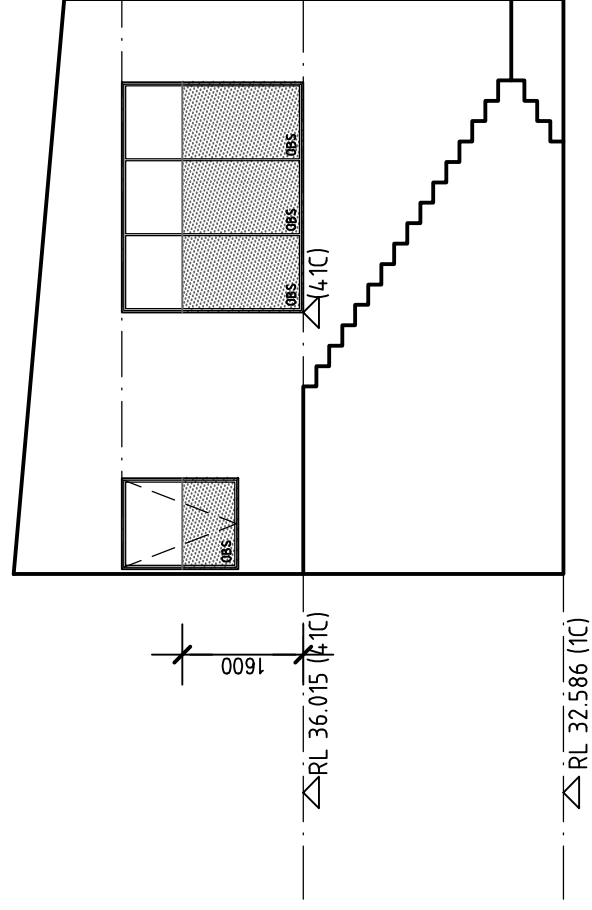
PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA

A05

ELEVATIONS - LOT 2

1:100 @ A3

REV L - 05.07.2021



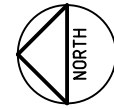
INTERNAL ELEVATION

SCALE 1:100



INTERNAL PERSPECTIVE

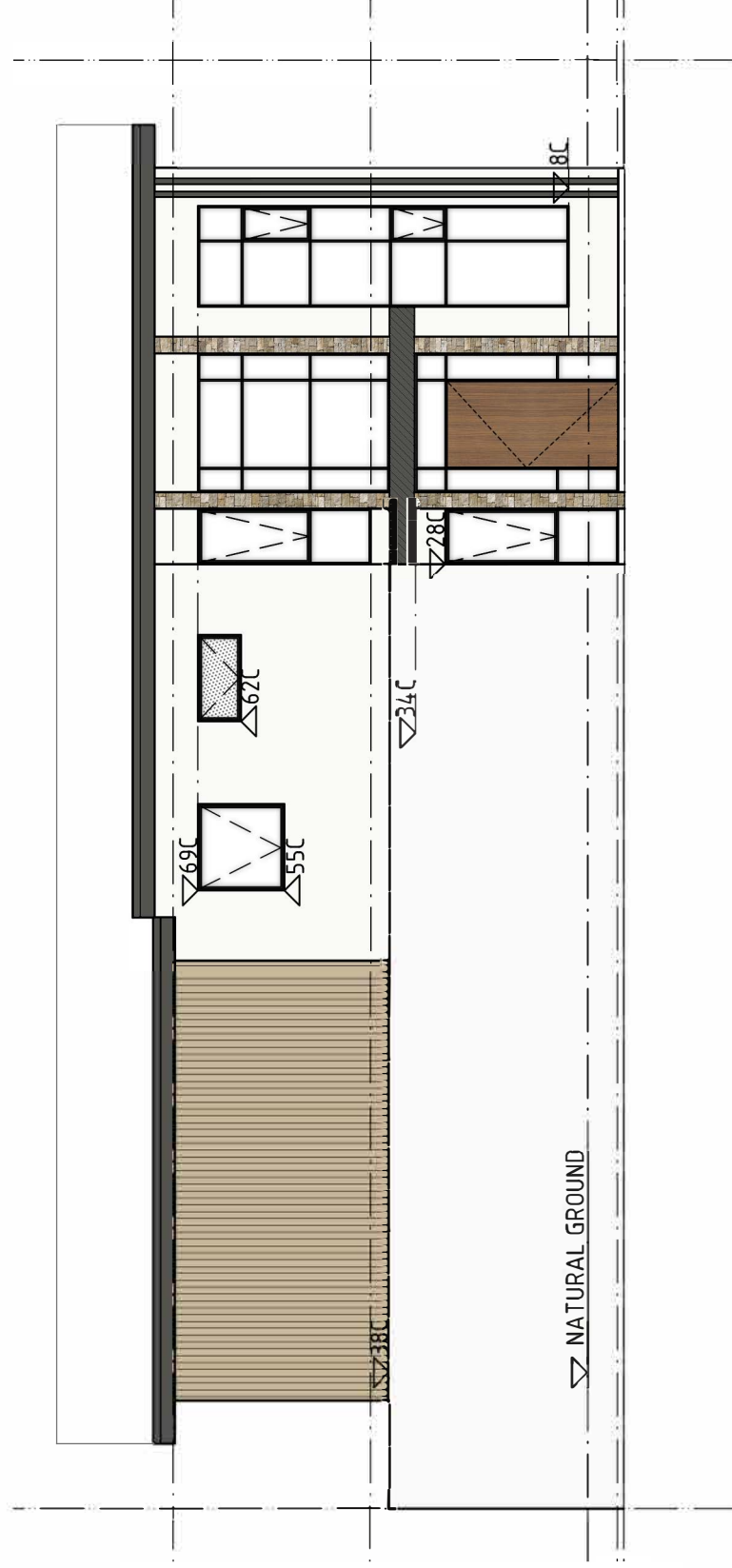
NTS



PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA







A06

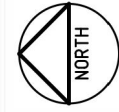
INTERNAL ELEVATIONS - LOT 2
 NTS
 REV H - 04.07.2021



LOT 2 - COLOUR PALLETTE - SOUTHERN FACADE

KEY:

-  - COLOURBOND SURFMIST (OR EQUIVALENT)
-  - COLOURBOND WOODLAND GREY (OR EQUIVALENT)
-  - FEATURE STONE CLADDING
-  - TIMBER DOOR
-  - CHARCOAL WINDOW FRAMES
-  - COLOURBOND PAPERBARK (OR EQUIVALENT)



PROPOSED RESIDENCE FOR:
LENZO
 ADDRESS:
 18 (LOT 1) + 18A (LOT 2) PHILIP STREET
 EAST FREMANTLE, WA

A07

COLOUR PALETTE - LOT 2

NTS

REV. B - 25.05.2021



Community Engagement Checklist

Development Application P32/21 - 18 Philip Street (Lot 2)

Project Name

Objective of Engagement:	Neighbour Consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	29/04/2021	Outcomes By: 14/5/2021
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer		<input checked="" type="checkbox"/> Advertised to 9 surrounding properties.
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		14/5/2021	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

33 Moss Street - Site Photos



PLACE RECORD FORM



PRECINCT	Woodside
ADDRESS	33 Moss Street
PROPERTY NAME	Moss Street Lodge and Stables
LOT NO	Reserve 37909 under Management Order
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1903
ARCHITECTURAL STYLE	Federation Queen Anne
USE/S	Original Use: Residence/ Current Use: Vacant
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category A
PHYSICAL DESCRIPTION	No 33 Moss Street is a single storey building constructed in brick and rendered brick with a tiled roof. It is a very fine expression of the Federation Queen Anne style. It is asymmetrically composed with gable thrust bays and a full width return hip roofed verandah. The verandah is supported on timber posts. Two half-timbered gable thrust bays address the street. The gable bay to the north is parallel with the street while the one to the south sits on a 45 degree angle. Below each gable is a bay window featuring casement windows. There is a central door and hopper light flanked by sidelights. The roofscape features several rendered chimneys. There are string courses and windows feature decorative sills.

The place retains its form and most of its details. There are additions and a car park to the rear. A stable block in brick and corrugated iron is also to the rear.

The place is consistent with the building pattern in the Precinct. However, the building is unique in that it is located on a substantially large lot. The place plays an important role in the pattern of development of a middle class suburb.

HISTORICAL NOTES

Woodside is a relatively cohesive precinct where most of the places were constructed following the subdivision of W.D. Moore's Estate commencing in 1912. Most of the lots were sold between 1912 and 1929 and the majority of buildings were completed in this time. Residences were substantial and of various Federation period styles distinguishing the area from the small worker's cottages of Plympton. The Inter-War Bungalow style residence is also represented in Woodside.

The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.

John Wesley Bateman (head of the Bateman family) died in 1909. This house was built for his widow who lived there until 1920. The house was occupied for a short time by the Bates family then became Illawarra Private Hospital in 1922. It was best known as St Helen's, which it became in 1929 under Nurse Stradwild and later under Sister Walters. In 1948 it was taken over by Miss L R Kidston-Hunter and Miss P McKinnon. They were in charge until it became an annexe of the Fremantle Hospital. In 1983 it was taken over for use by the Community Psychiatric Division of the Health Department and became known as the Moss Street Lodge.

OWNERS

Health Department of Western Australia
Illawarra Private Hospital
Bates Family

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Brick and rendered brick
Roof – Tiles and corrugated iron

PHYSICAL SETTING

The residence is situated on a near flat site with a hedge on the lot boundary.

STATEMENT OF SIGNIFICANCE

No 33 Moss Street is a single storey building constructed in brick and rendered brick with a tiled roof. It has historic and aesthetic value for its contribution to Woodside's high concentration of predominantly Federation period houses and associated buildings. The place contributes to the local community's sense of place.

The place has exceptional aesthetic value as a Federation Queen Anne style building. The place retains a moderate to high degree of authenticity and a high degree of integrity.

The additions to the rear have no significance.

AESTHETIC SIGNIFICANCE

No 33 Moss Street has exceptional aesthetic value as a Federation Queen Anne style building. It retains most of the characteristic features of a dwelling of the type and period.

HISTORIC SIGNIFICANCE

No 33 Moss Street has considerable historic value. It has associations with the Bates family and Illawarra Private Hospital. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of W. D. Moore's Woodside Estate from 1912.

SCIENTIFIC

N/A

SIGNIFICANCE

SOCIAL
SIGNIFICANCE

No 33 Moss Street has considerable social value. It is associated with a significant area of middle class Federation and Inter-War period development which contributes to the community's sense of place.

RARITY

No 33 Moss Street is unique in the immediate context. Woodside has rarity value as a cohesive middle class suburb.

CONDITION

No 33 Moss Street is in good condition.

INTEGRITY

No 33 Moss Street retains a high degree of integrity.

AUTHENTICITY

No 33 Moss Street retains a moderate to high degree of authenticity.

MAIN SOURCES

State Heritage Office



Government of **Western Australia**
Department of Health
South Metropolitan Health Service

Your Ref: P/MOS33
Enquiries: Mark Stokoe
Phone: 9431-3976

Town of East Fremantle
PO Box 1097
FREMANTLE WA 6959

By Email: admin@eastfremantle.wa.gov.au

Dear Sir/Madam

No. 33 Moss Street (Reserve 37909), East Fremantle
Application for Development Approval

Please find attached an Application for Development Approval for 33 Moss Street, East Fremantle dated 1 June 2021. The South Metropolitan Health Service (SMHS) is applying for the permanent use of the facility as short-term residential accommodation for fifteen (15) persons plus staff.

A notification was provided to the Town of Fremantle on the 24th July 2020 that the development works were completed to the requirements under the planning approval (Ref: P/MOS33) with any minor corrections as approved by the Town of East Fremantle. The official opening of the facility by the Minister for Health was on the 31st July 2020 with full operational use of 33 Moss Street starting on the 3rd August 2020. Temporary approval for the increase from 10 to 15 persons was issued on the 8th March 2021. The Development Approval is valid to 3rd August 2021.

The residence will continue to deliver the same programs that have been successfully provided at Moss Street. The service is a shared living/communal home that provides short-term accommodation (for up to six weeks) to people who have been diagnosed with a mental health illness. Mental health care coordinators only refer suitable non-acute clients to the service. Access to the service will continue to be based on very strict criteria to those living in the community who need short-term aid but do not need hospitalisation and those ready to leave hospital but who need extra support for a short time before going home or moving into a new home in the community.

As part of the Fiona Stanley/ Fremantle Hospital Group, the service works within SMHS Policies and Guidelines. The nursing workforce includes of highly skilled Mental Health Clinicians who in turn are supported by the consumers mental health Multi-Disciplinary Team. All service consumers are aware of their rights and responsibilities' as per the residential contract. If they are unable to function within these parameters their access to the service would be withdrawn.

Regards

Mark Stokoe
Area Director, Infrastructure and Facilities Management
South Metropolitan Health Service

1 June 2021

Attached: Development Application

TOWN OF EAST FREMANTLE

**33 MOSS STREET, EAST FREMANTLE – DEVELOPMENT APPLICATION 46/21
PROPOSED PERMANENT APPROVAL – SHORT TERM ACCOMMODATION FOR 15 PERSONS AND 5 STAFF**

SCHEDULE OF SUBMISSIONS

Consultation period 11 June – 12 July 2021

No.	Description of Affected Property	Submission	Response / Recommendation
1	Bedford Street	<p>Support There has been no detrimental impact on the street, management has been excellent and I withdraw the objections I raised [initially]. The previous organisation which occupied the Moss Street property in about 2000 resulted in many criminal and negative social impacts. I have lived very close by since 1990 and there has never been an organisation in the Moss Street Lodge that has been as peaceful in the street as the current one.</p>	Noted.
2	Moss Street	<p>Object I would like to state our great disappointment that this facility was opened with no notification to us in the prior 12 months to opening. We were never informed by Council about the facility opening as a mental health facility in this time - not by email, letter box drop or other. The first we knew was when we received an invitation to the opening in our post box. This lack of community consultation is absolutely inadequate and extremely disappointing. Accommodation such as this on a residential street should come with regular consultation in the 24 months and 12 months before opening and this was completely lacking.</p> <p>The opening of the facility has resulted in increased traffic to the street, increased parking and increased use of the street and local parks by patients. I do not think that increasing the numbers by 50% from 10 to 15 residents is a reasonable increase particularly keeping in mind the lack of consultation prior to opening on the appropriateness of this use in this location.</p>	<p>No change to the Officer Recommendation.</p> <p>The Town has not received any other comments/complaints from residents regarding the accommodation use, traffic/parking, or the increase in use of local streets and parks as raised in this submission. Outside of the advertising period no other issues have been voiced by residents and the Town has not been required to deal with any issues on site. The Town does not consider this use to have a negative impact on residential amenity.</p> <p>Consultation in regard to the development application has been undertaken in accordance with the <i>Planning and Development (LPS) Regulations, 2015</i> and Local Planning Scheme No. 3.</p>



Community Engagement Checklist

Development Application P46/21 - 33 Moss Street

Project Name

Objective of Engagement:	Surrounding land owner and occupier consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	11 June 2021	Outcomes By: 12 July 2021
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input checked="" type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	11 June to 12 July 2021	<input type="checkbox"/> see attached plan
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>

	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Evaluation			
Summary of...	Date Due	Complete / Attached	
Feedback / Results / Outcomes / Recommendations	12 July 2021	1 Submission in support	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input checked="" type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			
Location map: See below.			

