



AGENDA

Town Planning Committee

Tuesday 2 March 2021 at 6.30pm

Disclaimer

The purpose of this Committee meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

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.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Committee decision. No person should rely on the decisions made by the Committee until formal advice of the Committee decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of the Committee, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Committee meeting.

Copyright

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Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision-making processes.

<p style="text-align: center;">Deputations</p> <p>A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p style="text-align: center;">Presentations</p> <p>An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision-making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to three (3) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Town of East Fremantle Local Government (Council Meetings) Local Law 2016*:

1. Public Questions Time will be limited to ten (10) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Town Planning Committee will be held on Tuesday, 2 March 2021 in the Council Chamber, 135 Canning Highway, East Fremantle commencing at 6.30pm and your attendance is requested.

GARY TUFFIN
Chief Executive Officer

24 February 2021

AGENDA

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

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. RECORD OF ATTENDANCE

3.1 Attendance

3.2 Apologies

3.3 Leave of Absence

4. MEMORANDUM OF OUTSTANDING BUSINESS

5. DISCLOSURES OF INTEREST

5.1 Financial

5.2 Proximity

5.3 Impartiality

6. PUBLIC QUESTION TIME

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

6.2 Public Question Time

7. PRESENTATIONS/DEPUTATIONS

7.1 Presentations

7.2 Deputations

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Town Planning Committee (10 February 2021)

8.1 OFFICER RECOMMENDATION

That the minutes of the Town Planning Committee meeting held on Wednesday 10 February 2021 be confirmed as a true and correct record of proceedings.

- 9. ANNOUNCEMENTS BY THE PRESIDING MEMBER**
- 10. REPORTS OF COMMITTEES**

11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

**11.1 Marmion Street No. 30 (Lot 1) - Subsequent Approval of Development
- alterations and additions to existing dwelling**

Owner	Ben Ansell & Matthew Byrne
Applicant	Kyle Smith
File ref	P152/20
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place record form4. Plans date stamped received 27 January 20215. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application seeking subsequent approval of development for alterations and additions to the existing dwelling at No. 30 (Lot 1) Marmion Street, East Fremantle.

Executive Summary

This development application is seeking approval for previously constructed rooms, internal changes to the existing dwelling and a change in the roof material. The current owners have submitted a development application seeking subsequent approval of development. Works were undertaken on-site by a previous property owner that were not granted development approval.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – 1.5m required, 1.05m provided; and
- (ii) Clause 3.7.9.3 – Residential Design Guidelines - Materials and Colours - Existing roof materials retained or replaced (tile roof), Zinalume roof installed.

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

Background

Zoning: Residential R20
Site area: 491m²

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

Nil

Consultation

Advertising

The application was advertised from 15 to 29 January 2021 to surrounding land owners to the north and the east. No submissions were received.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as construction has already occurred.

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)

Local Heritage Survey – Category C

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.

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			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Eastern boundary (wall of eastern addition)	1.5m	1.05m	D
Northern boundary (wall of eastern addition)	3m	6.515m	A
Northern boundary (rear deck)	1m	1.08m	A
Eastern boundary (rear deck)	1m	6.9m	A
Open Space	50%	>50%	A
Wall height	6m	<6m	A
Roof height	9m	<9m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/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	A
3.7.3 Development of Existing Buildings	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	D
3.7.10 Landscaping	N/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
3.7.15.4.3.1 Fremantle Port Buffer Area	Area 3

The current owners have submitted a development application seeking subsequent approval of development for previously constructed rooms, internal changes to the existing dwelling and a change in the roof material. Works were undertaken on-site by a previous property owner that were not granted development approval. The development application was advertised to the neighbouring property owners to the north and the east and no submissions were received from either property.

One variation is requested to the requirements of the Residential Design Codes relating to the eastern side boundary setback and one variation is sought for the change in the roof material. The dwelling is a category C heritage property. It is considered the alterations and additions have had minimal impact on the heritage elements of the existing dwelling.

Lot Boundary Setback – Eastern Boundary

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the existing wall on the eastern side of the dwelling which is 10.55m long and 3.69m high is required to be 1.5m from the side boundary. In this case it is located 1.05m from the boundary. Under the design principles clause 5.1.3 P3.1 buildings can be setback from the boundary closer than required. The reduced boundary setback can be supported based on the following:

- There is reduced impact from building bulk on adjoining properties. The structure is setback a sufficient distance from the eastern boundary and the adjoining property’s driveway runs along the eastern boundary;
- Adequate sunlight and ventilation reaches the building and open spaces on site and on the adjoining property. The wall is aligned north-south so has no significant impact on overshadowing and there is ample space between the wall and the neighbouring property; and
- Minimal overlooking or loss of privacy from the development on adjoining properties. In this case, all the windows on the eastern elevation are openings to bathrooms, toilets and laundry spaces so there is no overlooking impact from habitable rooms.

Roof Materials

The Residential Design Guidelines acceptable development clause 3.7.9.3 A2.3 requires that existing roof materials are retained or replaced as required and replacement materials should match existing contributory buildings. New materials have to demonstrate compatibility with the immediate locality. In this case the tile roof on the dwelling was replaced with a Zinalume roof. In accordance with performance criteria 3.7.9.3 P2 the replacement of original materials with new materials shall be approved if they are compatible with the immediate locality. In the case of a Zinalume roof there are many Zinalume roofs throughout Plympton, so it is not inappropriate for such a roof to be installed. In this case the two properties directly to the north and the two properties directly to the west of the subject dwelling all have Zinalume

roofs. As such the subject dwelling does not look out of place in this setting. For this reason, the change in roof material is supported. A condition will be imposed that requires the roof to be treated if issues around glare from the roof emerge over the next two years. This is a standard condition utilised by the Town to address roof glare.

Other Changes

The proposed changes to the interior of the building include the removal and changes to walls and openings to a number of rooms. None of these have an impact from a planning perspective and as such can be supported. There is also a rear deck which is comprised of timber laid on existing paving, however there are no significant changes in existing site levels and as such there are no planning requirements that require addressing.

Conclusion

Based on the assessment that has been completed for this development application and the explanation provided in this report, the variations to the Residential Design Codes and the Residential Design Guidelines are considered acceptable. As such it is recommended that subsequent approval of development be granted subject to standard conditions of development approval.

11.1 OFFICER RECOMMENDATION/COMMITTEE RESOLUTION:

That subsequent approval of development is granted and Council exercises its discretion in regard to the following:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – 1.5m required, 1.05m provided; and**
- (ii) Clause 3.7.9.3 – Residential Design Guidelines - Materials and Colours - Existing roof materials retained or replaced (tile roof), Zinalume roof installed,**

for alterations and additions at No. 30 (Lot 1) Marmion Street, East Fremantle, in accordance with the plans date stamped received 27 January 2021, subject to the following conditions:

- (1) The works are in conformity with the drawings and written information accompanying the application for subsequent approval of development other than where varied in compliance with the conditions of this subsequent approval of development or with Council's further approval.**
- (2) An application for a building approval certificate (BA13) is to be submitted to the Town accompanied by a certificate of building compliance (BA18) certified by a licensed private building surveyor. The plans and the information included with the building approval certificate (BA14) is to be issued in compliance with the conditions of this subsequent approval of development unless otherwise amended by Council.**
- (3) 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.**
- (4) 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.**
- (5) 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.

- (6) 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.
- (7) This development approval is to remain valid for a period of 24 months from the 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.*
- (iii) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

30 Marmion Street – Location and Advertising Plan



30 Marmion St– Site Photos



PLACE RECORD FORM



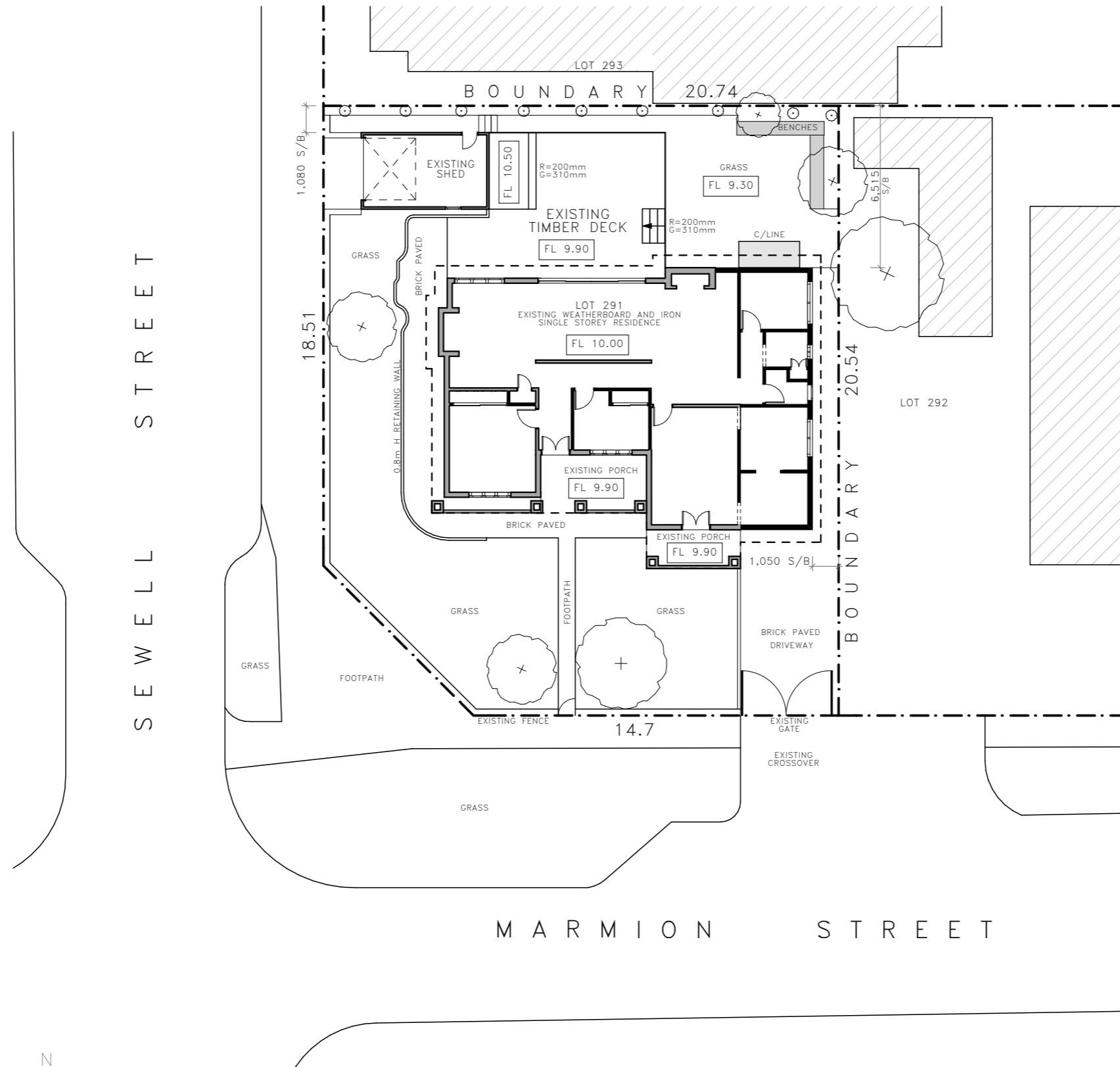
PRECINCT	Plympton
ADDRESS	30 Marmion Street
PROPERTY NAME	N/A
LOT NO	Lot 1
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1939
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	<p>No 30 Marmion Street is a single storey house constructed in timber framing and weatherboard cladding with a hipped tiled roof. It is an elaborate expression of an Inter-War Bungalow style with later modifications. The front elevation is asymmetrically planned with a pair of thrust bays and an addition to the east. The eastern thrust bay features a hipped verandah and a pair of double hung sash windows. The verandah is supported on Tuscan columns and brick piers. To the west of this verandah is another verandah. The western verandah is a skillion roofed verandah that wraps around the residence. The area of the verandah spanning between the two thrust bays has been filled in. A</p>

high masonry wall obscures the remainder of the front facade. The house sits on a corner lot between Marmion Street and Sewell Street. A garage to the rear of the lot addresses Sewell Street.

There are additions to the rear.

The place is consistent with the pattern of development in Plympton and plays an important role in the pattern of development of a working class suburb.

HISTORICAL NOTES	Plympton is a cohesive precinct where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick and stone cottages.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls - Timber framing and weatherboard cladding Roof - Tiles
PHYSICAL SETTING	The residence is situated on a sloping site with a rendered masonry and blockwork wall at the lot boundary.
STATEMENT OF SIGNIFICANCE	<p>No 30 Marmion Street is a single storey house constructed in timber framing and weatherboard cladding with a tiled roof. The place has historic and aesthetic value with its contribution to Plympton's high concentration of worker's cottages and associated buildings. It contributes to the local community's sense of place.</p> <p>The place has some heritage value for its intrinsic aesthetic value as a modified Inter-War Bungalow and it retains a moderate degree of authenticity and a high degree of integrity.</p> <p>The additions to the rear have no significance.</p>
AESTHETIC SIGNIFICANCE	No 30 Marmion Street has some aesthetic value as a modified Inter-War Bungalow. It retains the characteristics of the period with some loss of detail.
HISTORIC SIGNIFICANCE	No 30 Marmion Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle during the Goldrush period of the 1880s and 1890s.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 30 Marmion Street has some social value. It is associated with a significant area of worker's cottages which contributes to the community's sense of place.
RARITY	No 30 Marmion Street is not rare in the immediate context but Plympton has rarity value as a working class suburb.
CONDITION	No 30 Marmion Street is in good condition.
INTEGRITY	No 30 Marmion Street retains a high degree of integrity.
AUTHENTICITY	No 30 Marmion Street retains a moderate degree of authenticity.
MAIN SOURCES	



N
 SITE PLAN
 SCALE 1:200

AREAS	
LOT SIZE	491m ²
DWELLING	124m ²
SHED	13.5m ²
% OPEN SPACE	72%

This drawing should be read in conjunction with engineers drawings.
 Contractors must verify all dimensions at the job before commencing any work or making any shop drawings.

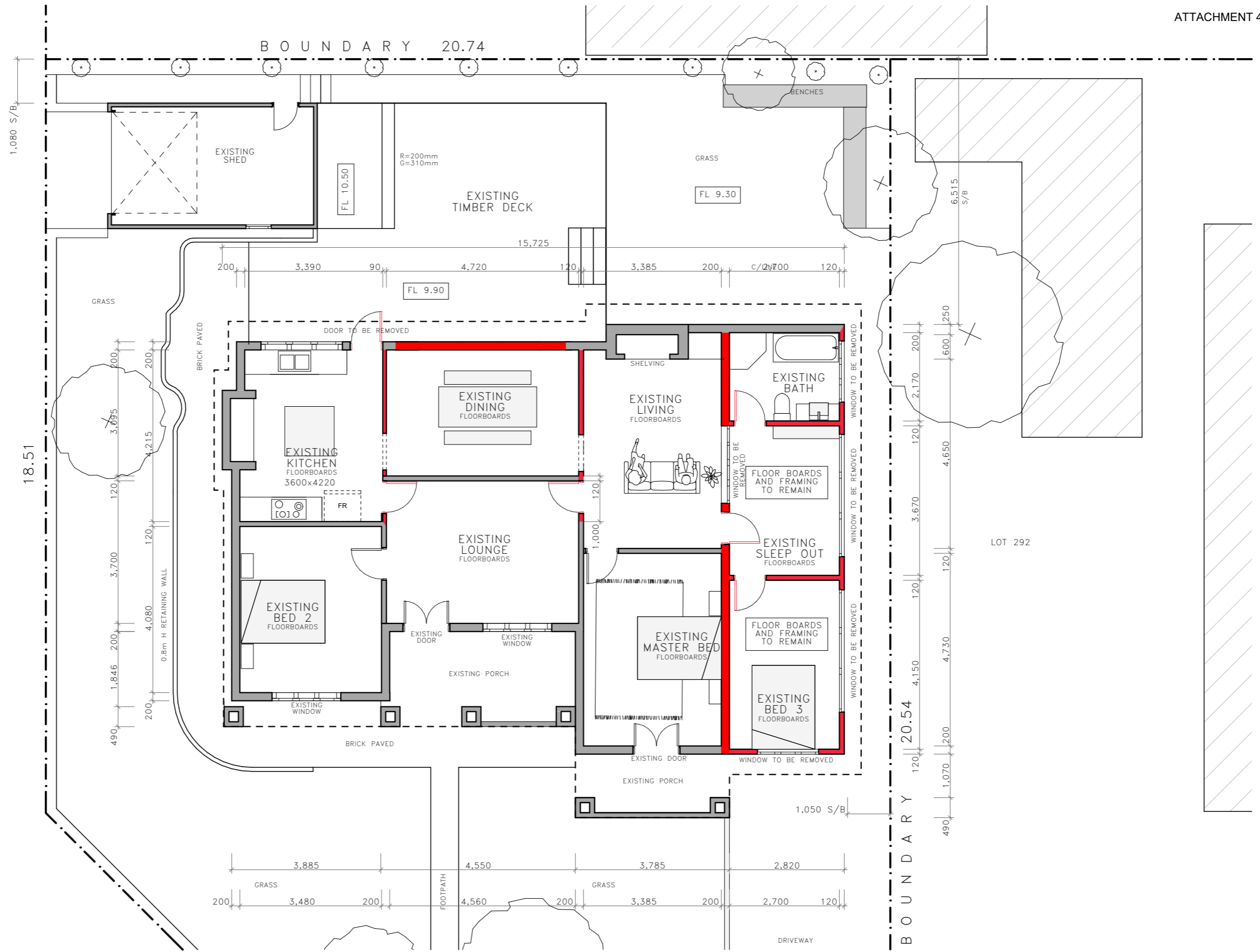


Rev.	Date:
A	25.05.2020
B	25.01.2021

Description:
 PRELIM
 ALTERATIONS FOR DA

BPO0 SITE PLAN
 RETROSPECTIVE APPLICATION
ALTERATIONS & ADDITIONS
 30 MARMION STREET, EAST FREMANTLE WA

SEWELL STREET



EXISTING/DEMOLITION PLAN
SCALE 1:100

NOTES

- EXISTING WALL
- DEMOLISHED WALL

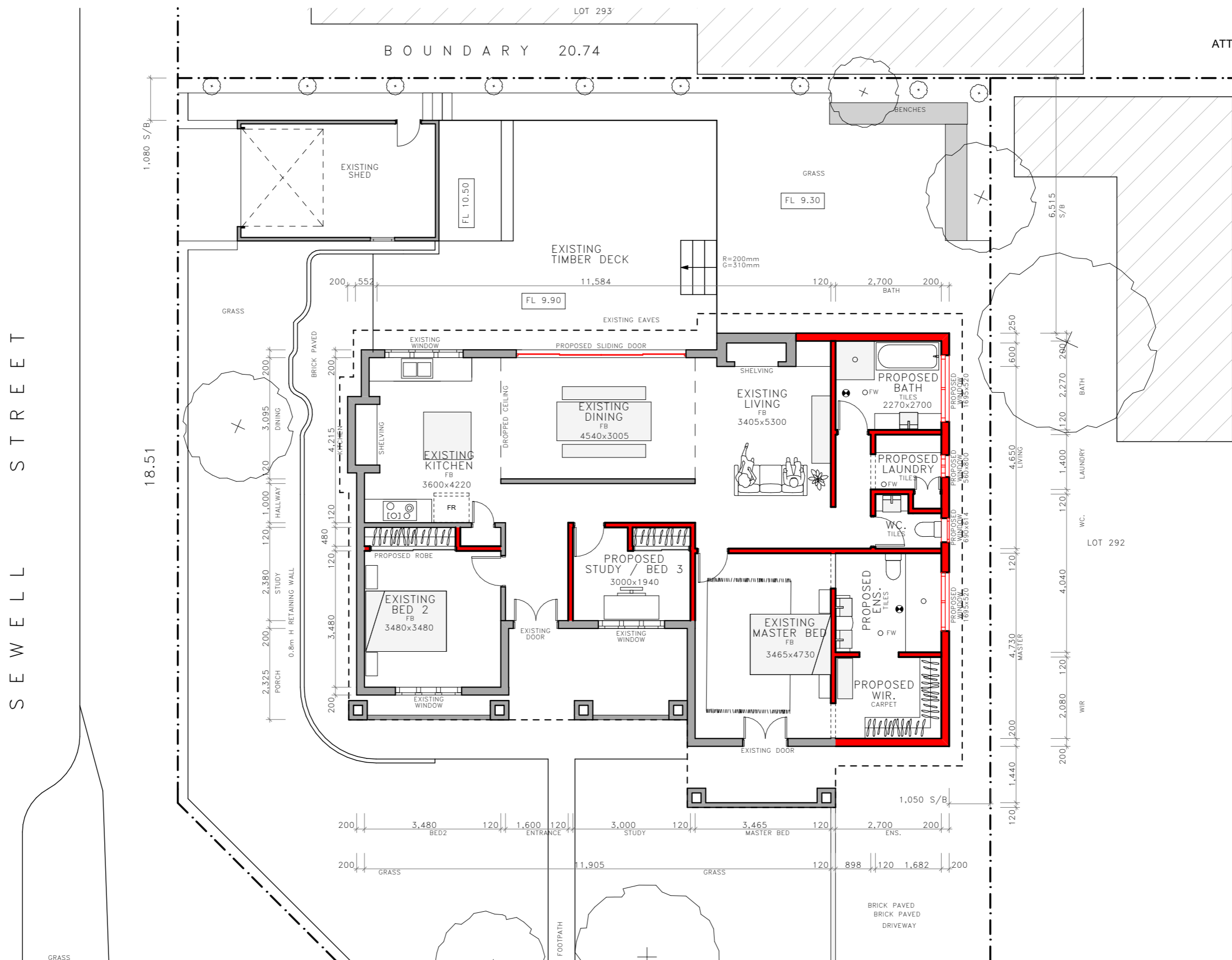
This drawing should be read in conjunction with engineers drawings.
Contractors must verify all dimensions at the job before commencing any work or making any shop drawings.



Rev.	Date:
A	25.05.2020
B	25.01.2021

Description:
PRELIM
ALTERATIONS FOR DA

BP01 EXISTING/DEMOLITION PLAN
RETROSPECTIVE APPLICATION
ALTERATIONS & ADDITIONS
30 MARMION STREET, EAST FREMANTLE WA



N
 GROUND FLOOR PLAN
 SCALE 1:100

- NOTES**
- EXISTING WALL
 - PROPOSED WALL

This drawing should be read in conjunction with engineers drawings.
 Contractors must verify all dimensions at the job before commencing any work or making any shop drawings.



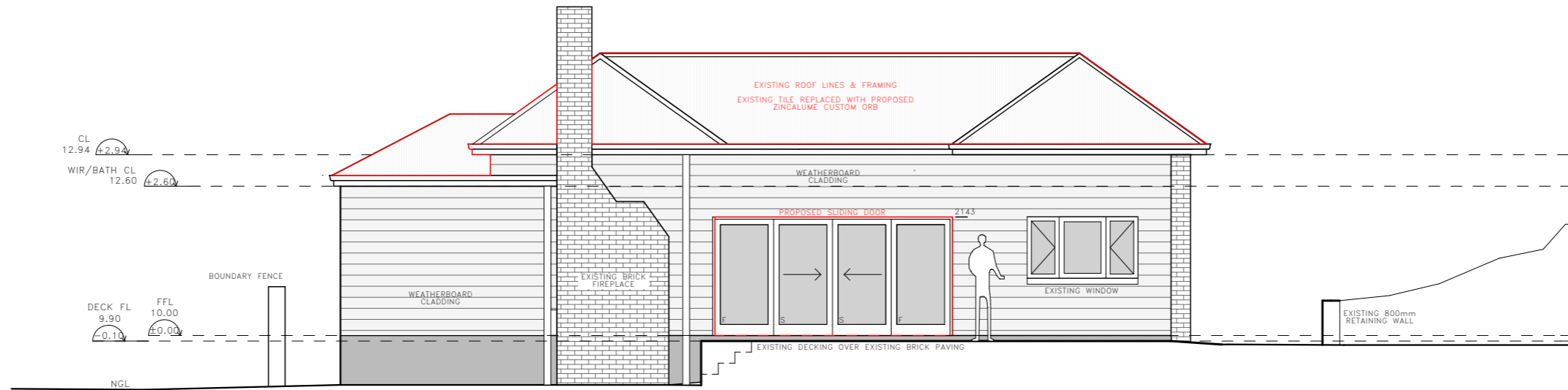
Rev.	Date:
A	25.05.2020
B	25.01.2021

Description:
 PRELIM
 ALTERATIONS FOR DA

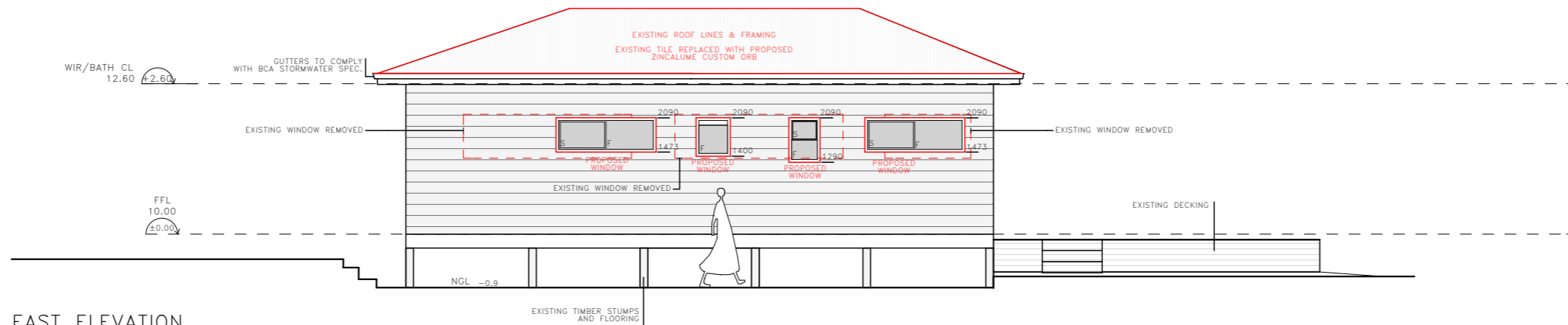
BP02 GROUND FLOOR PLAN
 RETROSPECTIVE APPLICATION
 ALTERATIONS & ADDITIONS
 30 MARMION STREET, EAST FREMANTLE WA



SOUTH ELEVATION
SCALE 1.100



NORTH ELEVATION
SCALE 1.100



EAST ELEVATION
SCALE 1.100

This drawing should be read in conjunction with engineers drawings.
Contractors must verify all dimensions at the job before commencing any work or making any shop drawings.



Rev.	Date:
A	25.05.2020
B	25.01.2021

Description:
PRELIM
ALTERATIONS FOR DA

BP03 ELEVATIONS
RETROSPECTIVE APPLICATION
ALTERATIONS & ADDITIONS
30 MARMION STREET, EAST FREMANTLE WA



Community Engagement Checklist

Development Application P152/20 - 30 Marmion Street

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	15/1/2021	Outcomes By: 29/1/2021
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	29/1/2021	<input checked="" type="checkbox"/> Advertised to 2 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		29/1/2021	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input checked="" 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			

11.2 Pier Street No. 66 (Lot 103) - Proposed double storey single dwelling

Owner	Daniel & Nicole Ross
Applicant	Antonelli Investments P/L T/A Novus Homes
File ref	P03/21
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Plans date stamped 13 January 20214. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application for a proposed new double storey single dwelling at No. 66 (Lot 103) Pier Street, East Fremantle.

Executive Summary

This development application proposes a new double storey single dwelling.

The applicant is seeking Council approval for the following variations to the Residential Design Codes:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Western Wall - Ground Floor – 1.5m required, 1.1m provided;
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Eastern Wall – 1m required, 0m provided;
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, greater than 6m indicated;
- (iv) Clause 5.3.7 – Residential Design Codes – Retaining Walls – 0.5m maximum height permitted, greater than 0.5m indicated; and
- (v) Clause 5.3.7 – Residential Design Codes – Site Works – 0.5m maximum excavation permitted, greater than 0.5m excavation indicated.

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

Background

Zoning: Residential R12.5

Site area: 890m²

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

Nil

Consultation

Advertising

The application was advertised to surrounding landowners from 21 January to 4 February 2021.

One submission was received.

Submission	Applicant Response	Officer Response
I have some concerns I wish to address. Regarding the roofing material proposed change from red tile to Colorbond roof (no colour specified) we are concerned about glare from a light-coloured roofing selection. The natural ground line and terracing puts the proposed roof planes below and in direct line of sight to our finished floor levels. We respectfully request that the owner consider a Colorbond colour with a solar absorbance of greater than 0.4.	A colour and materials schedule was submitted showing the roof colour of Wallaby with a solar absorbency of 0.64.	In this case the roof colour of Wallaby was chosen with a solar absorbency of 0.64 which is greater than that requested for consideration by the submitter. A condition is proposed to be included in the recommendation that requires the roofing material to be treated to reduce glare should this prove to be a problem within two years of installation.

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. No comments were received from Committee members.

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	7.5m	8.2m	A
Secondary Street Setback			
Lot Boundary Setbacks			
Western wall ground floor	1.5m	1.1m	D
Northern wall – ground floor	6m	10.58m	A
Eastern wall – ground floor	1.5m	7.7m	A
Store	1m	0m	D
Garage	1m	3.25m	A
Western wall – upper storey	2m	2.4m	A
Northern wall – upper storey	6m	>6m	A
Eastern wall – upper storey	4.1m	>4.1m	A
Open Space	55%	37%	A
Wall height	6m	7.7m	D
Roof height	9m	8.7m	A
Car Parking	2	2	A

Site Works	Compliance with building height and setback requirements	Significant excavation proposed across site (up to 2m)	D
Retaining Walls	Less than 0.5m high	Up to 2.343m	D
Visual Privacy			N/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	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
3.7.17.3 Garages and Carports	A
3.7.17.4.3 Fremantle Port Buffer Area	N/A

This development application proposes a new double storey single dwelling. Five variations are requested to the requirements of the Residential Design Codes relating to lot boundary setbacks, maximum wall height, excavation in excess of 0.5m and retaining walls in excess of 0.5m within 1m of the lot boundary. It is noted that the existing dwelling to be demolished is not heritage listed.

Lot Boundary Setback – Western Wall – Ground Floor

The western wall on the ground floor that is 20.9m long and 3.4m high is required to be setback 1.5m from the western boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall is located a minimum of 1.1m from the side boundary. The reduced side boundary setback can be supported based on design principles 5.1.3 P3.1 for the following reasons:

- There are reduced impacts of building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to adjoining properties; and
- Minimal overlooking and loss of privacy to adjoining properties.

It is noted that alteration and additions have been approved for the neighbouring property to the west at No. 64 Pier Street. The garage on that site will be located on the boundary thereby reducing the impact of the western elevation. In addition, there is a degree of articulation in the wall which varies the setback along its length. The setback is sufficient to still allow for ventilation and sunlight to access the site and adjoining properties. Given the reduced setback applies to the ground floor wall the loss of privacy is minimal.

Lot Boundary Setback – Eastern Wall – Storeroom

The eastern wall of the store on the ground floor is 6.49m long and 3m high. This is required to be 1m from the eastern boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall is located 0m from the side boundary. The reduced side boundary setback can be supported based on design principles 5.1.3 P3.1 for the following reasons;

- There are reduced impacts of building bulk on adjoining properties;
- Adequate sunlight and ventilation is provided to the building and open spaces on site and to adjoining properties; and
- Minimal overlooking and loss of privacy to adjoining properties.

The location of the wall on the boundary ensures privacy between properties. It is only a small portion (6.49m – 15%) of the total length of the side boundary (44.26m). The eastern side of the development site abuts the rear boundary of two properties which face the side street, so there is still sufficient light and ventilation to the neighbouring properties to the east.

Maximum Wall Height

According to the Residential Design Codes deemed to comply clause 5.1.6 C6 the maximum wall height is supposed to be 6m, however, in this case the maximum wall height is 7.7m. This increased height can be supported for the following reasons:

- Adequate access to direct sunlight into buildings and appurtenant open spaces;
- Adequate daylight to major openings into habitable rooms; and
- No views of significance are impacted by the additional height.

It is recognised that the roof height is less than 9m and as such is less than the maximum possible height permissible under the Residential Design Codes.

Retaining Walls

There are numerous retaining walls that are more than 0.5m but no more than 2.343m in height within 1m of the side boundaries (retaining walls have returns that are within 1m of shared lot boundaries). The retaining walls have been necessary to support the excavation that is proposed to be undertaken so that levels across the site align more closely with street level. In accordance with the Residential Design Codes deemed to comply clause 5.3.8 C8 retaining walls greater than 0.5m in height should be setback from the boundary in accordance with Table 1 of the Residential Design Codes. In this case the height of the retaining walls greater than 0.5m can be supported based on design principle clause 5.3.8 P8 as it allows the land to be used effectively for the benefit of residents, and does not detrimentally affect the adjoining properties having due regard to site works and visual privacy.

Site Works

Significant excavation is proposed because the lot slopes up from the road from approximately ~37m AHD to ~42m AHD, an increase of ~5m. There is a requirement that excavation is no more than 0.5m from natural ground level in accordance with Residential Design Codes deemed to comply clause 5.3.7 C7.3. In this case excavation of sections of the lot exceeds 0.5m. In accordance with design principles clause 5.3.7 P7.2 the excavation can be supported as all finished levels respect the natural ground levels at the lot boundary of the site and as viewed from the street. Rather than increasing the height of the building the finished floor levels have been lowered to align more closely with the street level. Retaining walls are utilised to support and maintain the existing heights of the side boundary fences.

Submission from Advertising

There was one submission from neighbouring property owners following advertising. A request was made for the owners to consider a roof colour with a solar absorbency of more than 0.4 to reduce glare. In this case the owners agreed to a colour known as Wallaby with a solar absorbency of 0.64. As such the choice meets the request made by the submitter. It is noted that a standard condition has been included in the recommendation to have the roof treated within two years of installation if glare is identified as an issue.

Conclusion

Based on the assessment that has been completed for this development application and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes are considered acceptable. As such it is recommended that the proposed development be approved subject to conditions of development approval relating to parapet wall finishes, crossover width, front fencing, location of pool pump equipment and other standard conditions.

11.2 OFFICER RECOMMENDATION:

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 - Ground Floor – 1.5m required, 1.1m provided;**
- (ii) Clause 5.1.3 – Residential Design Codes– Lot Boundary Setbacks – Eastern Wall – 1m required, 0m provided;**
- (iii) Clause 5.1.6 – Residential Design Codes – Wall Height – 6m required, greater than 6m indicated;**
- (iv) Clause 5.3.7 – Residential Design Codes – Retaining Walls – 0.5m maximum height permitted, greater than 0.5m indicated; and**
- (v) Clause 5.3.7 – Residential Design Codes – Site Works – 0.5m maximum excavation permitted, greater than 0.5m excavation indicated,**

for a double storey single dwelling at No. 66 (Lot 103) Pier Street, East Fremantle, in accordance with the plans date stamped received 13 January 2021, subject to the following conditions:

- (1) The crossover widths are not to exceed 5m and to be in accordance with Council’s crossover policy as set out in the Residential Design Guidelines.**
- (2) All parapet walls/building structures to adjacent property faces are to be finished by way of agreement between the property owners and at the applicant’s expense. The details are to be to the satisfaction of the Chief Executive Officer and submitted and approved prior to the submission of a Building Permit application.**
- (3) Front fencing to be in full compliance with the Council’s Residential Design Guidelines, including all gates and the visual permeability of all infill panels.**
- (4) Pool filter and pump equipment to be located a minimum distance of 1.0 metre away from all lot boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.**
- (5) 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.**
- (6) 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.**

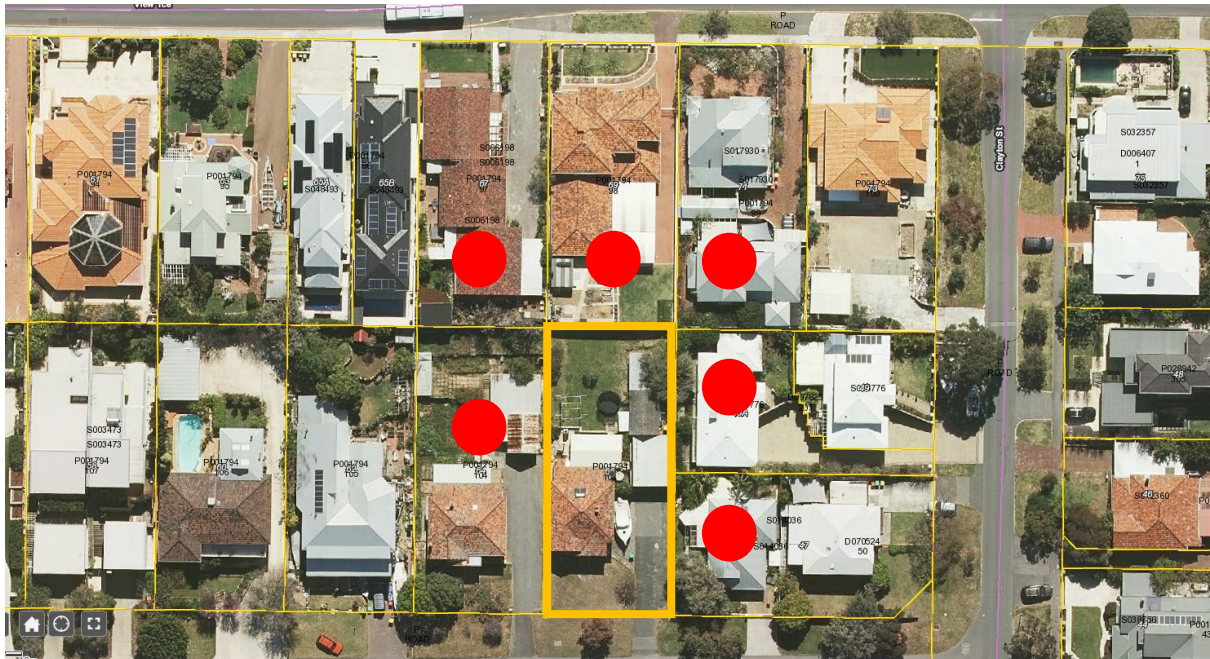
- (7) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
- (8) All stormwater is to be disposed of on 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.
- (9) 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.
- (10) 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.
- (11) 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.
- (12) This development approval is to remain valid for a period of 24 months from the 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).
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.

66 Pier Street – Location and Advertising Plan



66 Pier Street - Site Photos





LOT 103
R-20
A= 890m²

NOTE / BEWARE:

DUE TO LACK OF SURVEY MARKS/ PEGS ALL BUILDING OFF-SET DIMENSIONS & FEATURES ARE APPROX ONLY AND POSITIONED FROM EXISTING PEGS/ FENCES AND WALLS WHICH MAY NOT BE ON THE CORRECT ALIGNMENT AND ARE TO BE VERIFIED WHEN REPEGGED. ANY DESIGN THAT INVOLVES ADDITIONS TO ANY STRUCTURES SHOWN OR PORTION OF STRUCTURES REMAINING AFTER ANY DEMOLITION HAS TAKEN PLACE, BOUNDARIES MUST BE REPEGGED AND EXACT OFFSETS PROVIDED TO YOUR DESIGNER / ARCHITECT BEFORE ANY PLANS ARE PRODUCED AND BEFORE ANY WORK IS STARTED ON SITE.

3 PHASE POWER SUPPLY

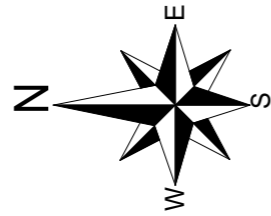
EARTHWORKER & CONCRETE NOTE:
REFER 'FOOTINGS', 'RETAINING' PLAN FOR FOOTING & RETAINING WALL DETAILS

NOTE:
LOT MISCLOSE
(0.000 m)

NOTE:
Approx. Sewer clearance line. (THIS IS NOT AN EASEMENT) no encasing. To be verified with Water Corp.

EXTENT OF CHEMICAL GROUT INJECTION

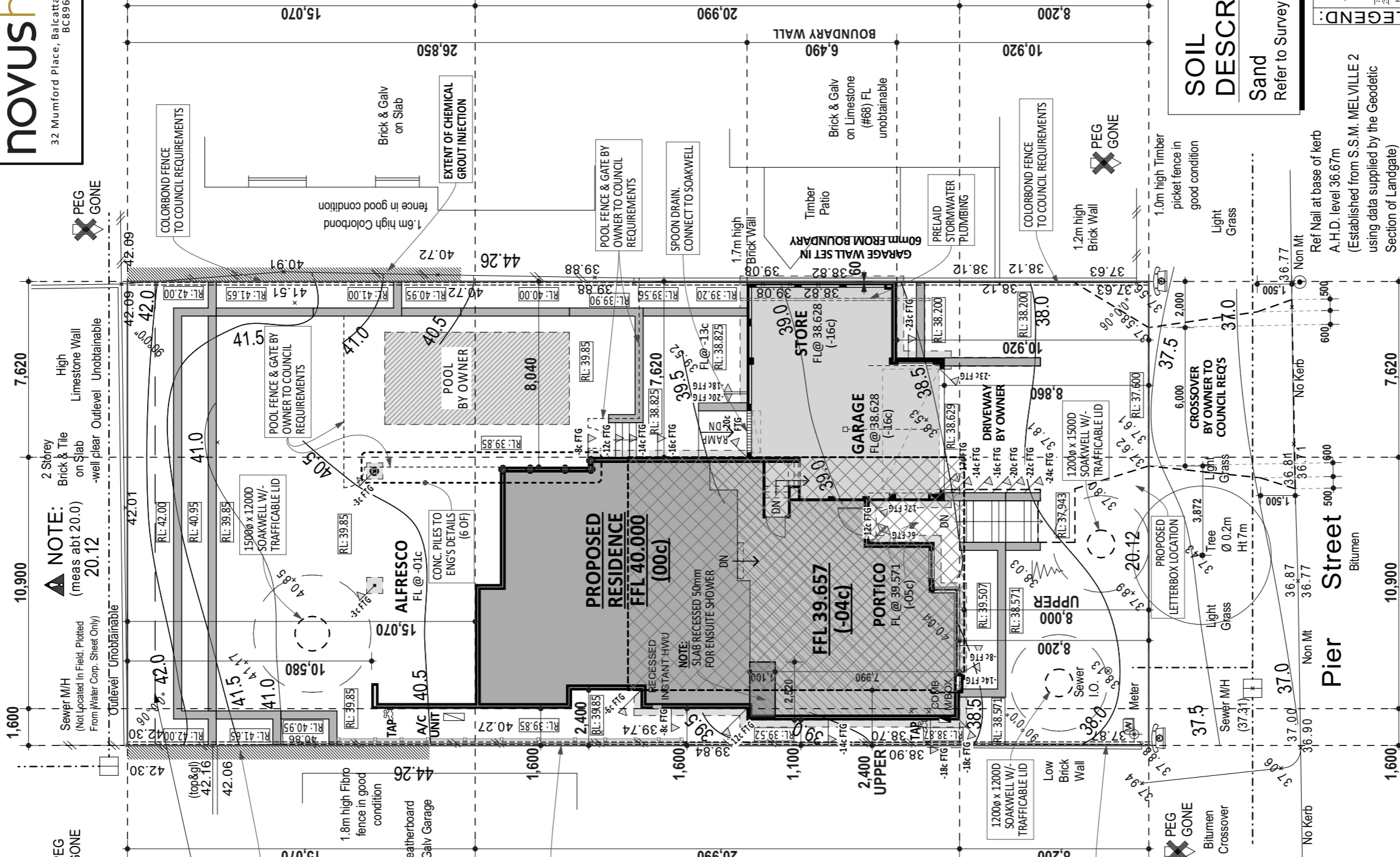
COLORBOND FENCE TO COUNCIL REQUIREMENTS



NOTE:
EARTHWORKS / SET-OUT DIMENSIONS MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES, RETAINING NOT INCLUDED IN CONTRACT - REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR FENCES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.

NOTE: COTTAGE & ENGINEERING SURVEYS ACCEPT NO RESPONSIBILITY FOR ANY PHYSICAL ON SITE CHANGES TO THE PARCEL OR PORTION OF THE PARCEL SHOWN ON THIS SURVEY INCLUDING ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.

NOTE: All Sewer details plotted from information supplied by Water Corporation.



NOTE/BEWARE: ADVISE TRADES O/Head power lines

Scale 1:200
0 2 4 6 8 10

SOIL DESCRIPTION
Sand
Refer to Survey

LEGEND:
SEC Dome
Power Pole
Phone
Conc. Path
Conc. slabs

JOB No: 945
SHEET: 1 of 9
REVISION: --
DRAWN: NW

WORKING DRAWINGS

novushomes
32 Mumford Place, Balcatta, W.A (08) 9240 1969
BC8967

BUILDING SITE INSPECTION REPORT SERVICE AND CONTOUR SKETCH

Client: Ross
Date: 08 Feb 13
House No.: 66
Lot No.: 103
Area: 890m²
Street: Pier Street
Suburb: East Fremantle
Shire: TOWN OF EAST FREMANTLE
Plan: 1794
C/T Vol.: 1121
Fol: 985

MSD REF 401-16/31
OLD AREA

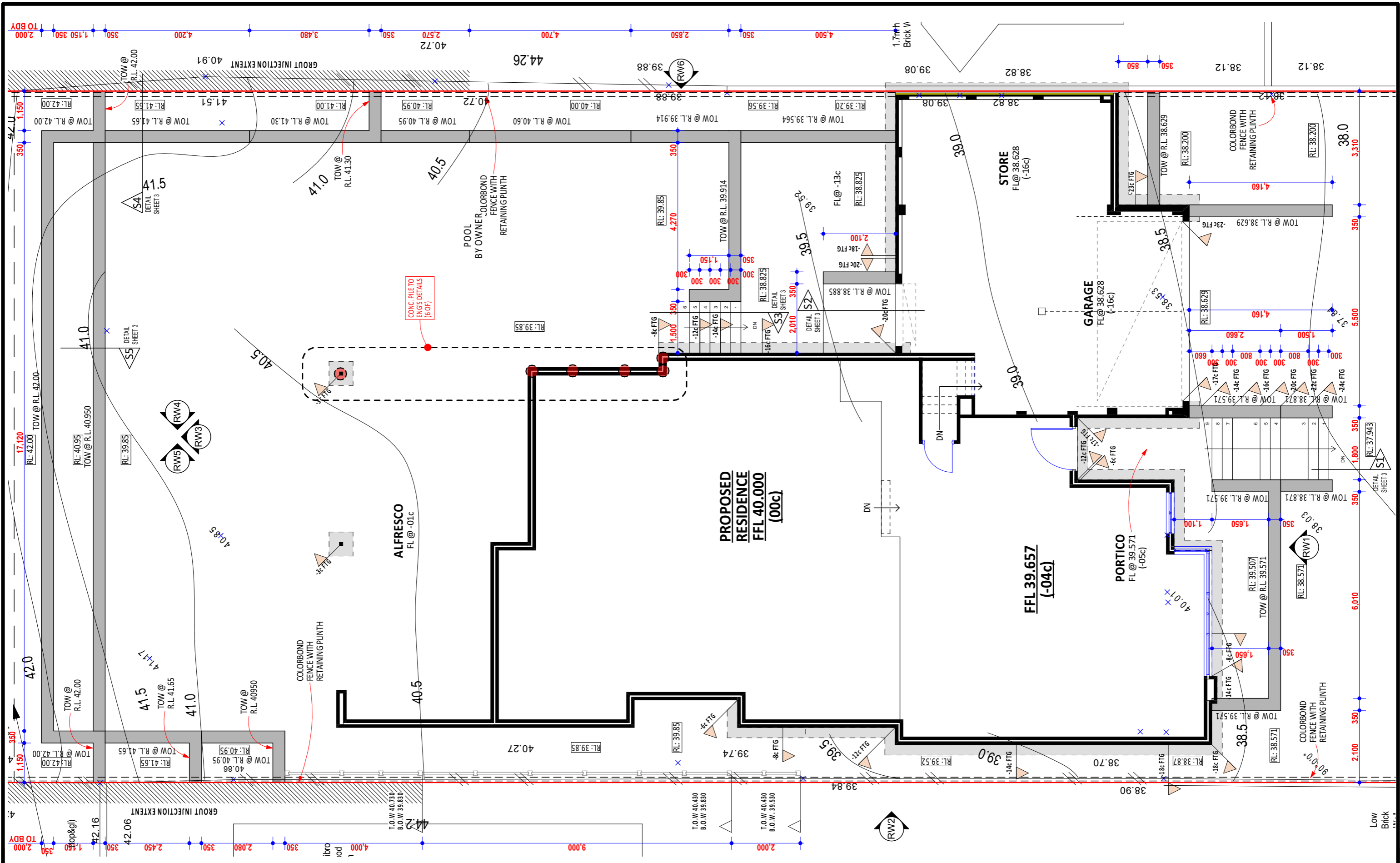
Road Descr.	Bitumen
Kerbing	Non-Mount / Nil
Condition	GOOD
Footpath	Nil
Condition	GOOD
Soil	Sand
Drainage	Good
Vegetation	Refer to Survey

Services: Gas	Telstra	Yes
Alinta Gas Map Indicates Gas in Area	Yes	Yes
Check Your Lot call 131358	Water	Yes
Water	Yes	Sewer
Electricity	U/Ground	
Coastal Zone (Scaled from StreetSmart Directory Only)	NO	
Fencing and other improvements	AS SHOWN	
Special Features	AS SHOWN	

COTTAGE & ENGINEERING SURVEYS
Licensed Surveyors

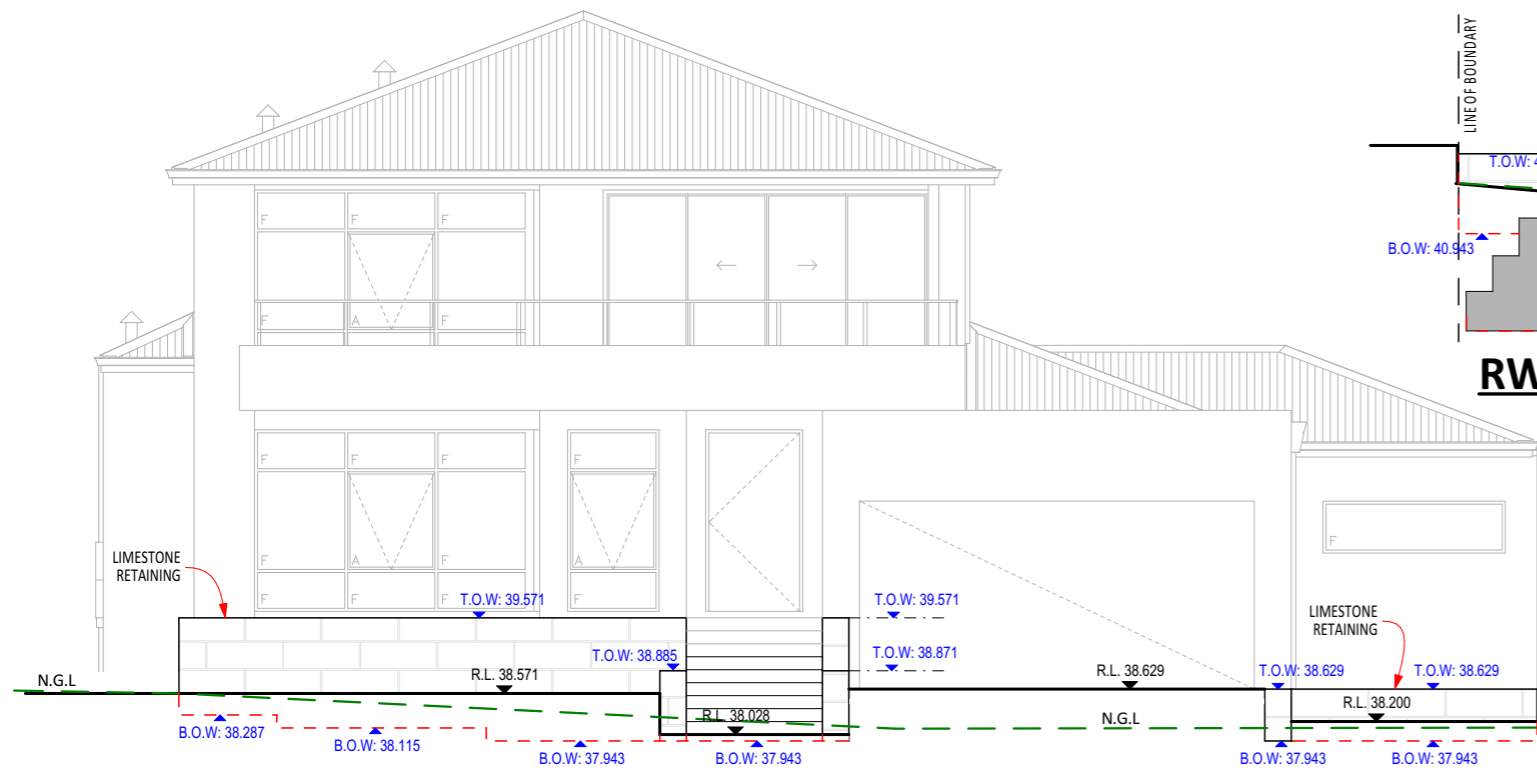
87-89 Guthrie Street, Osborne Park, Western Australia
Telephone: (08) 9446 7361
Facsimile: (08) 9445 2998
Email: perth@cottage.com.au
Website: www.cottage.com.au

J/N: 301389
DATE: 08 Feb 13
SCALE: 1:200
DRAWN: T. Polmear

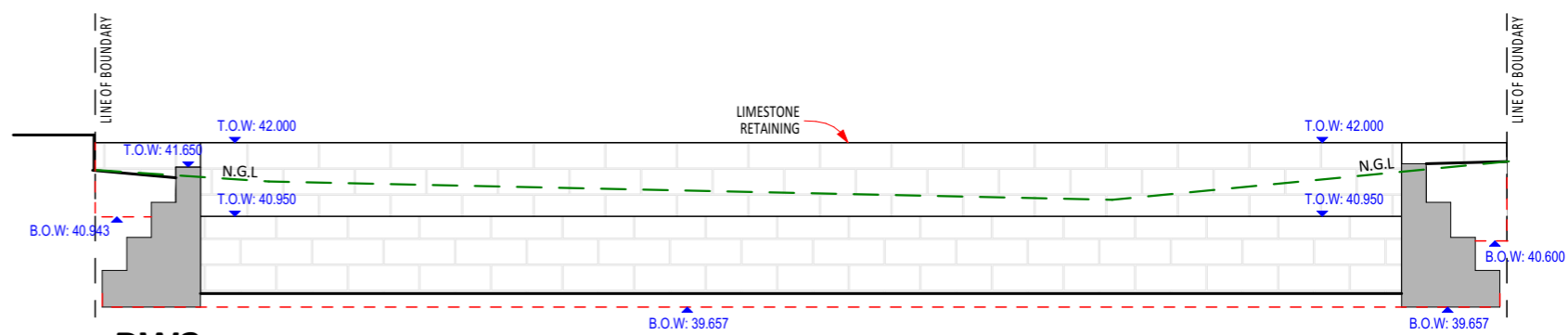


1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR. 2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

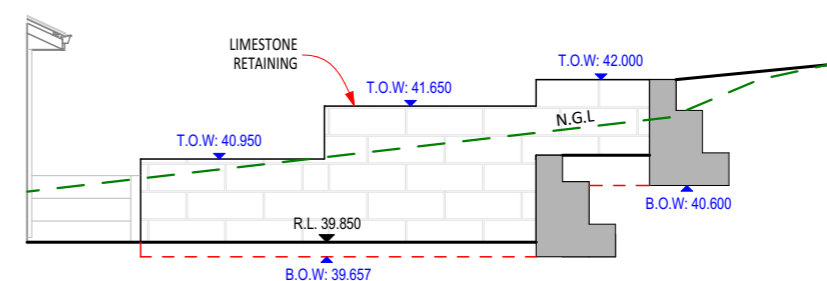
<p>THIS HOME IS PART OF THE</p> <p>SIGNATURE SERIES</p>	<p>JOB No:</p> <p>945</p>	<p>WORKING DRAWINGS</p>	<p>ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE</p>	<p>DRAWN BY:</p> <p>NW</p>	<p>SCALE:</p> <p>1:100</p>	<p>REVISION:</p> <p>--</p>	<p>novushomes</p>
	<p>SHEET:</p> <p>2 OF 9</p>	<p>FOOTINGS_RETAINING PLAN</p>		<p>DATE:</p> <p>16/12/2020</p>	<p>PRESTART BY:</p> <p>--</p>	<p>© COPYRIGHT BC8967</p>	



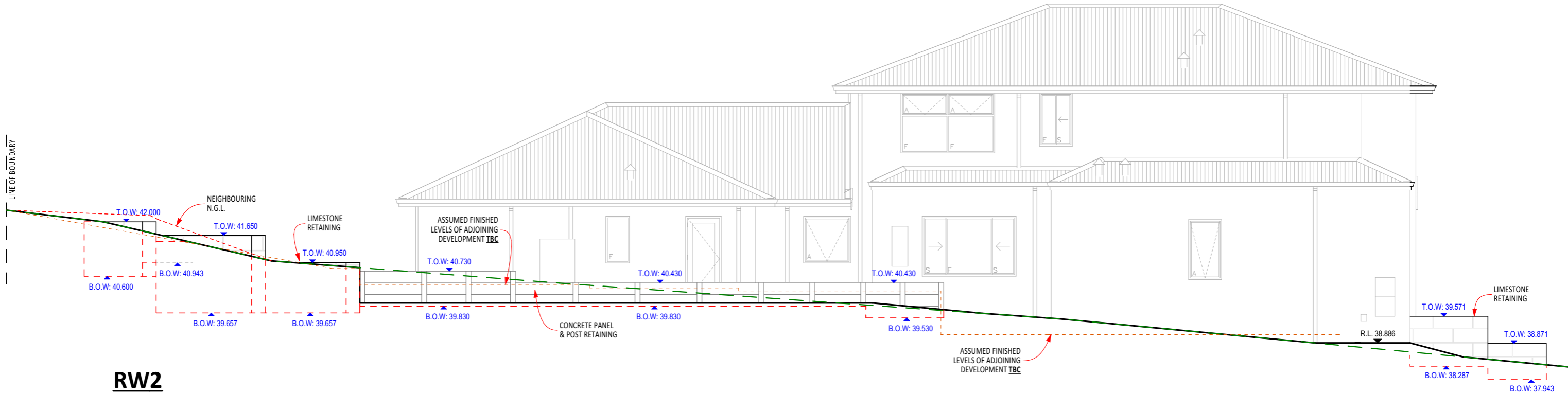
RW1



RW3



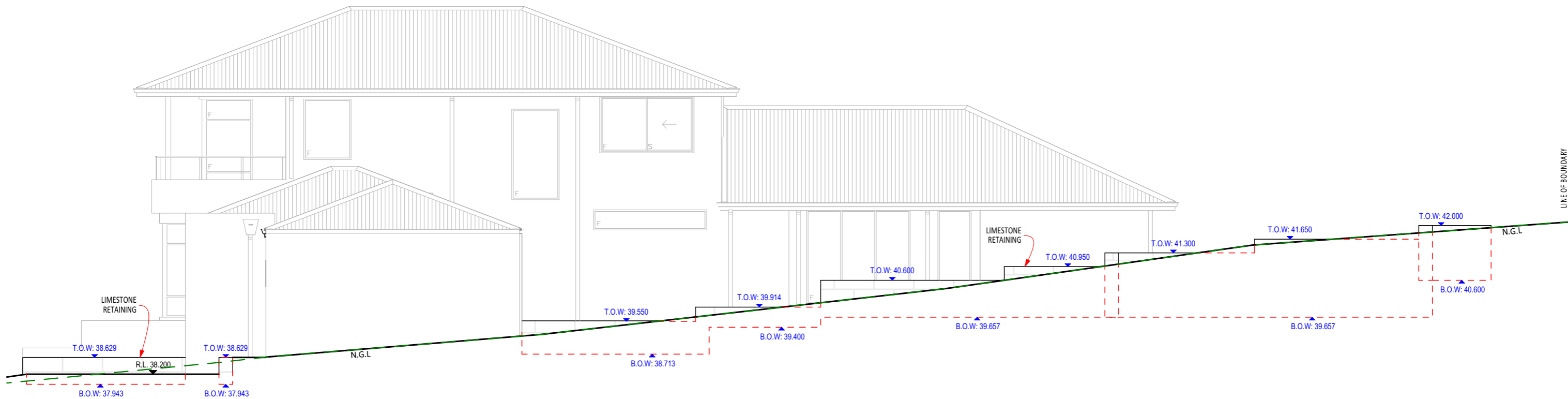
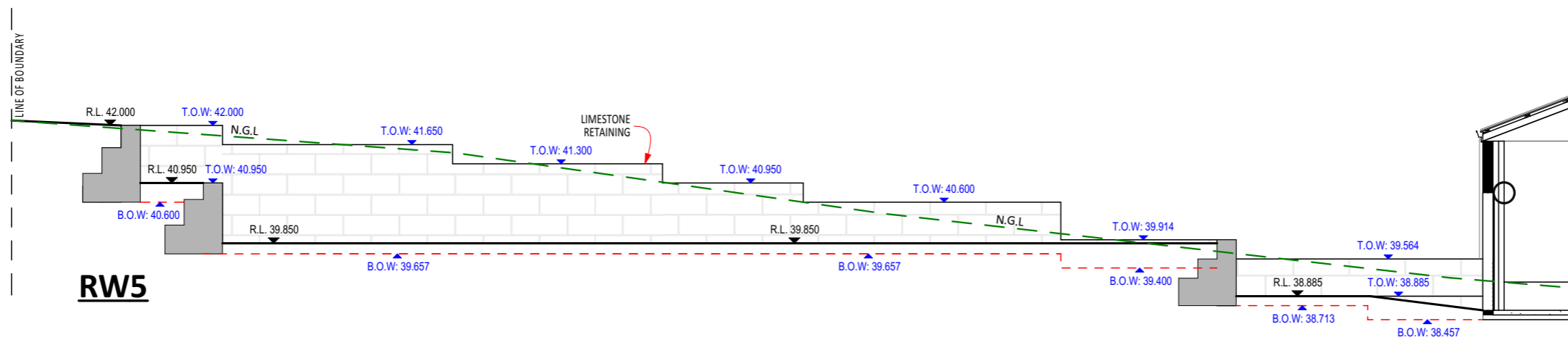
RW4



RW2

1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR. 2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

THIS HOME IS PART OF THE 	JOB No: 945	WORKING DRAWINGS	ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE	DRAWN BY: NW	SCALE: 1:100	REVISION: --	
	SHEET: 3 OF 9	RETAINING ELEVATIONS 1		DATE: 16/12/2020	PRESTART BY: --	BC8967	

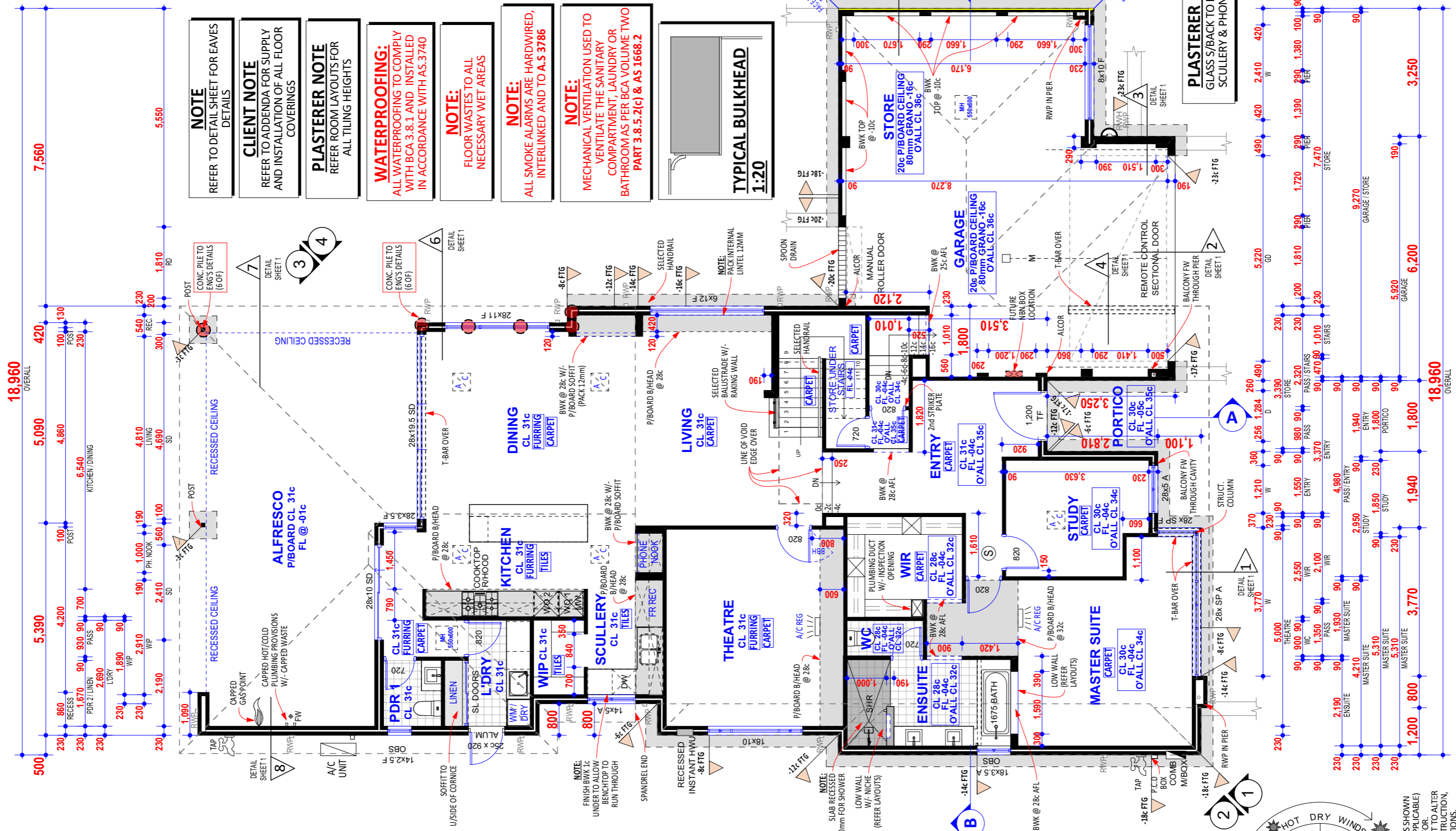


1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR. 2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

THIS HOME IS PART OF THE 	JOB No: 945	<i>WORKING DRAWINGS</i>	ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE	DRAWN BY: NW	SCALE: 1:100	REVISION: --	
	SHEET: 4 OF 9	RETAINING ELEVATIONS 2		DATE: 16/12/2020	PRESTART BY: --	BC8967	

AREAS	
GROUND	198.13
ALFRESCO	52.55
GARAGE	42.00
STORE	30.96
PORTICO	5.07
TOTAL	328.71 m²

STAIRS	
250 GOING	177 RISER



- NOTE:** REFER TO DETAIL SHEET FOR EAVES DETAILS
- CLIENT NOTE:** REFER TO ADDENDA FOR SUPPLY AND INSTALLATION OF ALL FLOOR COVERINGS
- PLASTERER NOTE:** REFER ROOM LAYOUTS FOR ALL TILING HEIGHTS
- WATERPROOFING:** ALL WATERPROOFING TO COMPLY WITH BCA 3.8.1 AND INSTALLED IN ACCORDANCE WITH AS 3740
- NOTE:** FLOOR WASTES TO ALL NECESSARY WET AREAS
- NOTE:** ALL SMOKE ALARMS ARE HARDWIRED, INTERLINKED AND TO AS 3786
- NOTE:** MECHANICAL VENTILATION USED TO VENTILATE THE SANITARY COMPARTMENT, LAUNDRY OR BATHROOM AS PER BCA VOLUME TWO PART 3.8.5.2(c) & AS 1668.2
- TYPICAL BULKHEAD 1:20**

PLASTERER NOTE
GLASS S/BACK TO KITCHEN, SCULLERY & PHONE NOOK

BRICKLAYER NOTE:
ALL INTERNAL DOOR FRAMES AT 2340 HIGH (U.N.O)

SCALE:	1:100, 1:20
DRAWN BY:	N/W
PREPARED BY:	...
DATE:	16/12/2020

GROUND FLOOR PLAN

**ROSS RESIDENCE
LOT 103 (No.66) PIER STREET
EAST FREMANTLE**

SHEET:	5 OF 9
JOB No:	945
REVISION:	--

WORKING DRAWINGS

THIS HOME IS PART OF THE

SIGNATURE SERIES

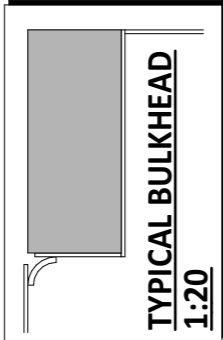
- OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR.
- THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

AREAS	
UPPER	114.83
BALCONY	23.88
STAIRS	8.57
TOTAL	147.28 m²

STAIRS	
250 GOING	177 RISER

WATERPROOFING:
ALL WATERPROOFING TO COMPLY WITH BCA 3.8.1 AND INSTALLED IN ACCORDANCE WITH AS.3740

NOTE:
FLOOR WASTES TO ALL NECESSARY WET AREAS



NOTE:
ALL SMOKE ALARMS ARE HARDWIRED, INTERLINKED AND TO A.S 3786

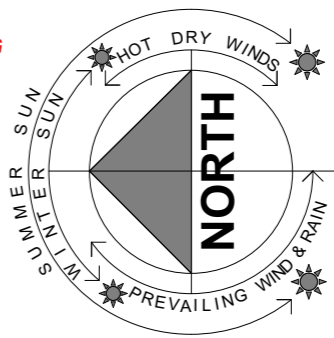
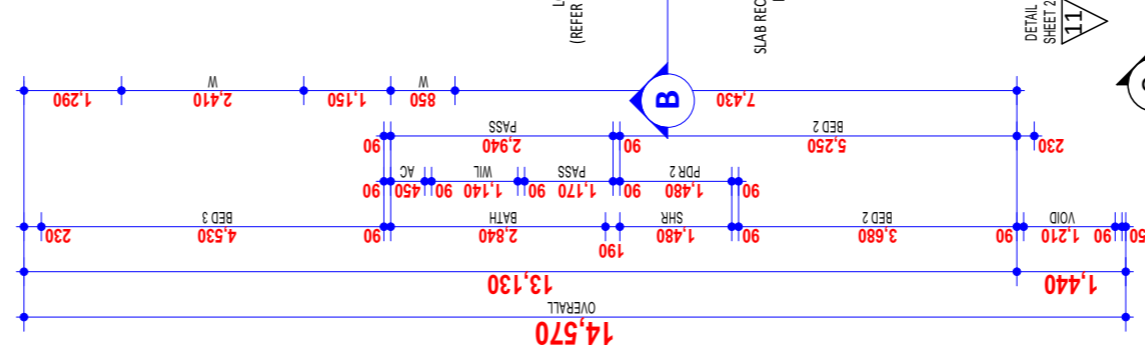
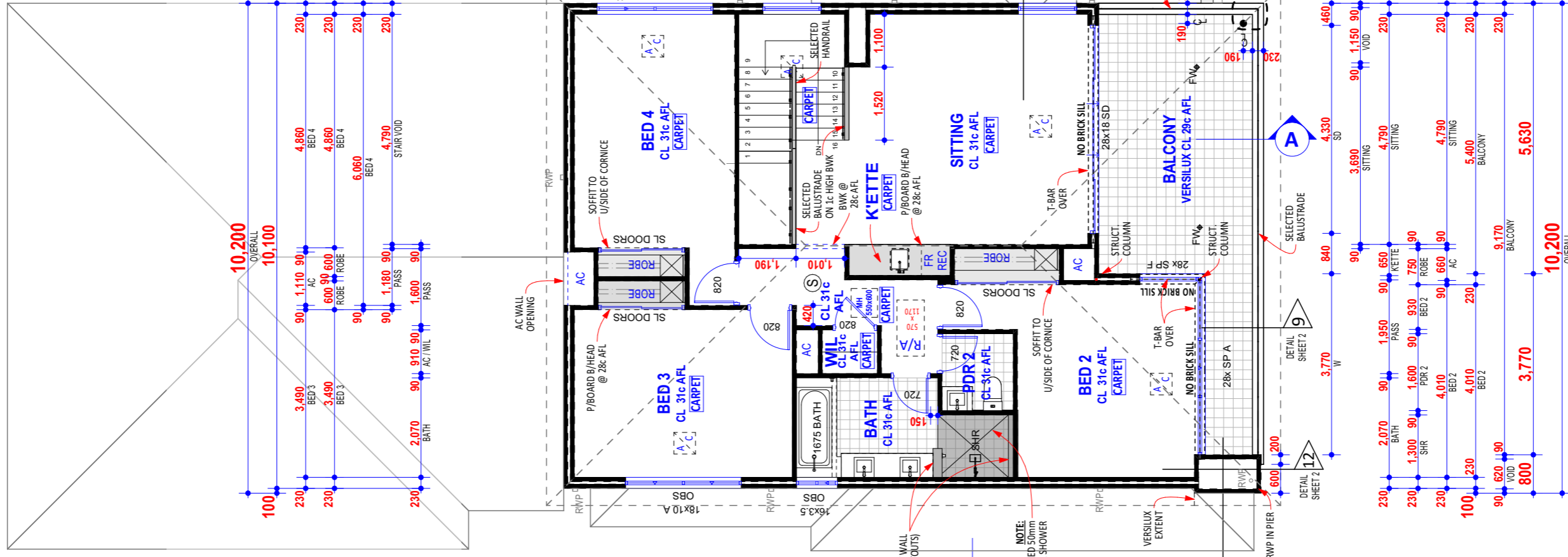
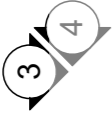
NOTE:
MECHANICAL VENTILATION USED TO VENTILATE THE SANITARY COMPARTMENT, LAUNDRY OR BATHROOM AS PER BCA VOLUME TWO PART 3.8.5.2(c) & AS 1668.2

BALUSTRADE DETAILS:
ALL BALUSTRADING TO COMPLY WITH: N.C.C 3.9.2
A 125mm SPHERE MUST NOT BE ABLE TO PASS THROUGH ANY OPENING IN THE BALUSTRADE DESIGN

BALUSTRADE NOTE:
BALUSTRADE HEIGHT ABOVE F.F.L MUST BE A MINIMUM OF 1000mm

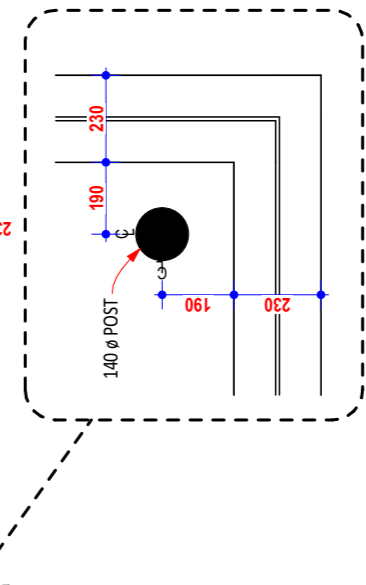
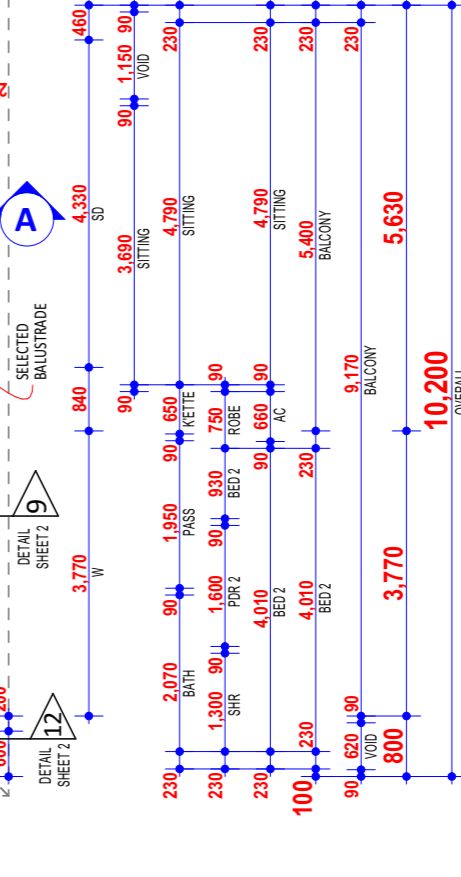
PLASTERER NOTE
REFER ROOM LAYOUTS FOR ALL TILING HEIGHTS

NOTE
* - NOMINATED WINDOWS TO COMPLY WITH B.C.A VOL.2, PART 3.9.2.5. PORTION OF OPENING WINDOW RESTRICTED TO 125mm MAX.



CLIENT NOTE
REFER TO ADDENDA FOR SUPPLY AND INSTALLATION OF ALL FLOOR COVERINGS

1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR
2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.



POST SET-OUT 1:50

BRICKLAYER NOTE:
ALL INTERNAL DOOR FRAMES AT 2340 HIGH (U.N.O)

© COPYRIGHT

<p>WORKING DRAWINGS</p> <p>THIS HOME IS PART OF THE</p> <p>SIGNATURE SERIES</p>	<p>SHEET: 6 OF 9</p>	<p>SCALE: 1:100, 1:20</p>	<p>UPPER FLOOR PLAN</p>
	<p>JOB No: 945</p>	<p>DRAWN BY: N/W</p>	<p>ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE</p>
<p>REVISION: --</p>	<p>PREPARED BY: --</p>	<p>DATE: 16/12/2020</p>	<p>novushomes</p>

ROOFING NOTE:




ROOF FRAMING TO A.S 1684
COLORBOND ROOF
 20°49' PITCH TO FIRST FLOOR
 24°43' TO GROUND FLOOR
 20°49' TO GARAGE / STORE

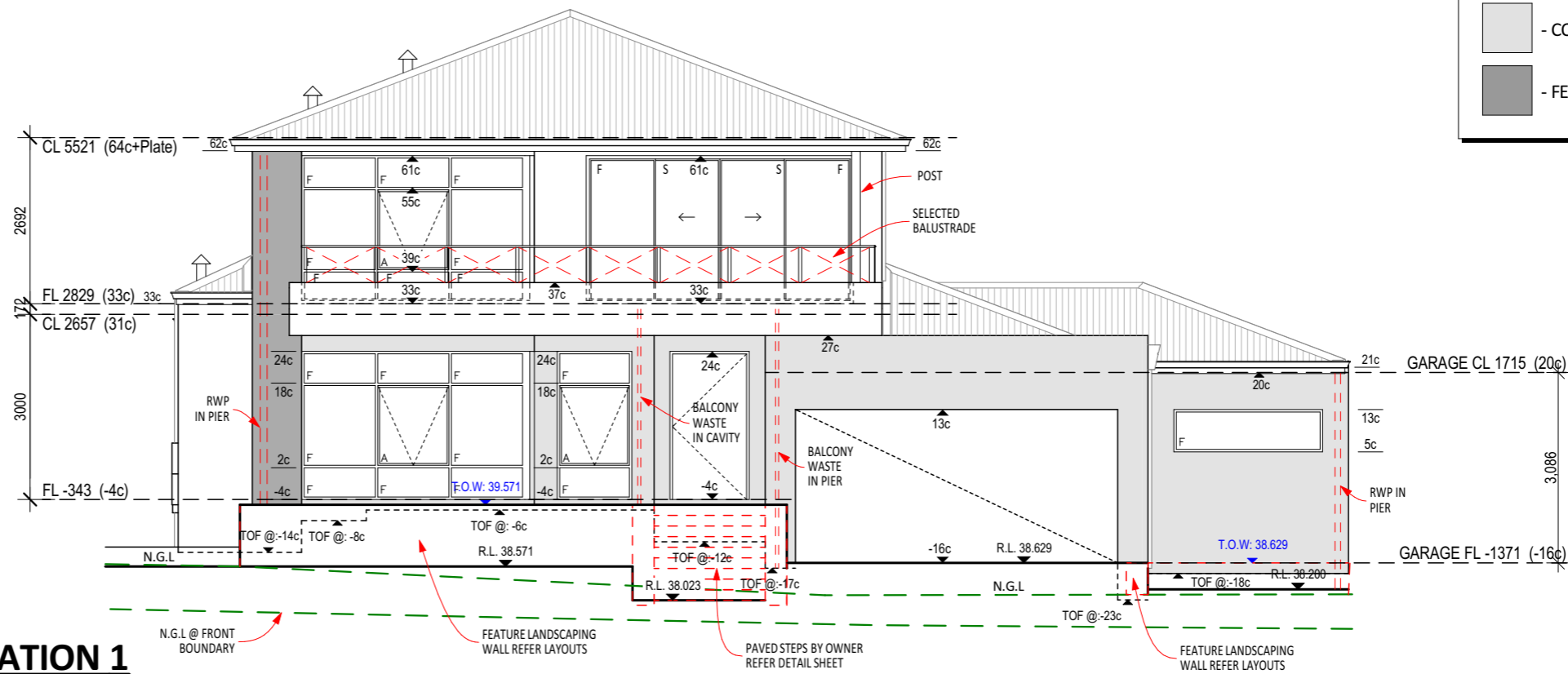
ROOF CARPENTER NOTE:

KEEP ALL FLUMES TO REAR OF RIDGE

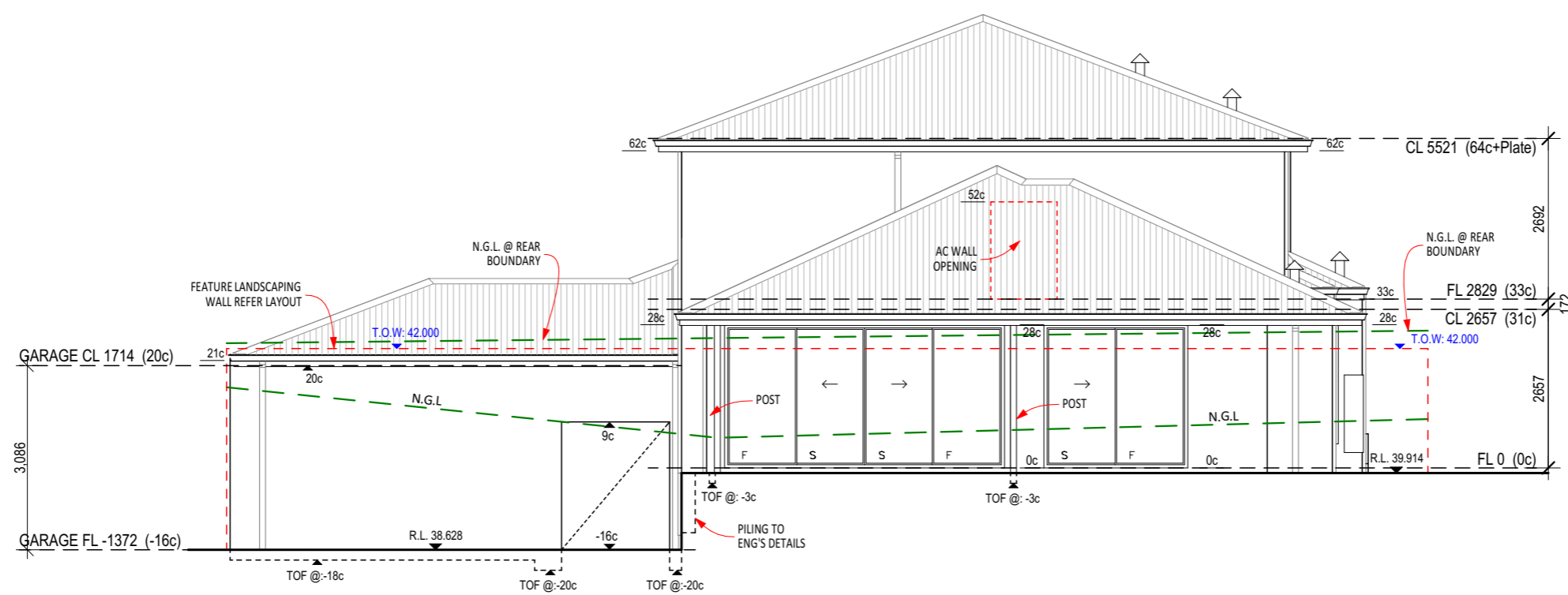
BALUSTRADE NOTE:

BALUSTRADE HEIGHT ABOVE F.F.L
 MUST BE A MINIMUM OF 1000mm

	- MAIN COLOUR
	- CONTRASTING COLOUR
	- FEATURE COLOUR



ELEVATION 1



ELEVATION 3

1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR. 2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

THIS HOME IS PART OF THE 	JOB No: 945	<i>WORKING DRAWINGS</i>	ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE	DRAWN BY: NW	SCALE: 1:100	REVISION: --
	SHEET: 7 OF 9	ELEVATIONS		DATE: 16/12/2020	PRESTART BY: --	

© COPYRIGHT

BC8967



ROOFING NOTE:
ROOF FRAMING TO A.S 1684
COLORBOND ROOF

20°49' PITCH TO FIRST FLOOR
24°43' TO GROUND FLOOR
20°49' TO GARAGE / STORE

ROOF CARPENTER NOTE:
KEEP ALL FLUMES TO REAR OF RIDGE

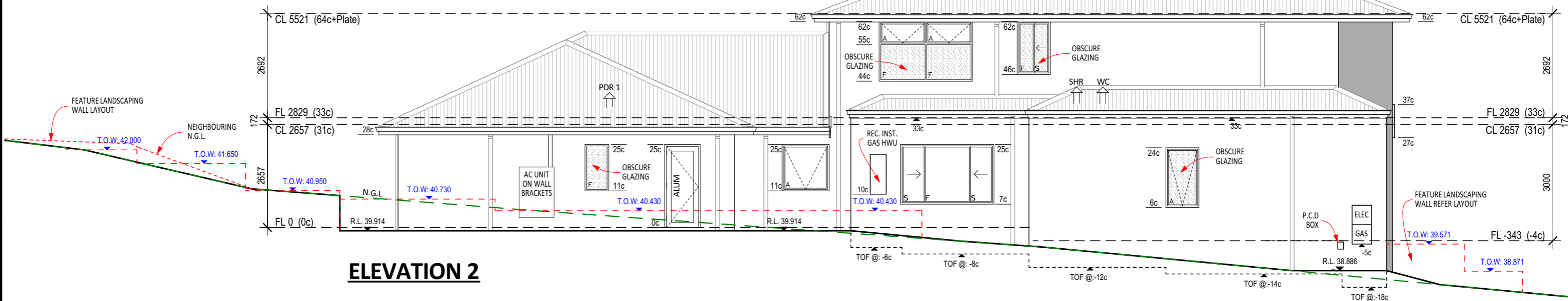
BALUSTRADE NOTE:
BALUSTRADE HEIGHT ABOVE F.F.L
MUST BE A MINIMUM OF 1000mm

2c FACE BLOCKWORK

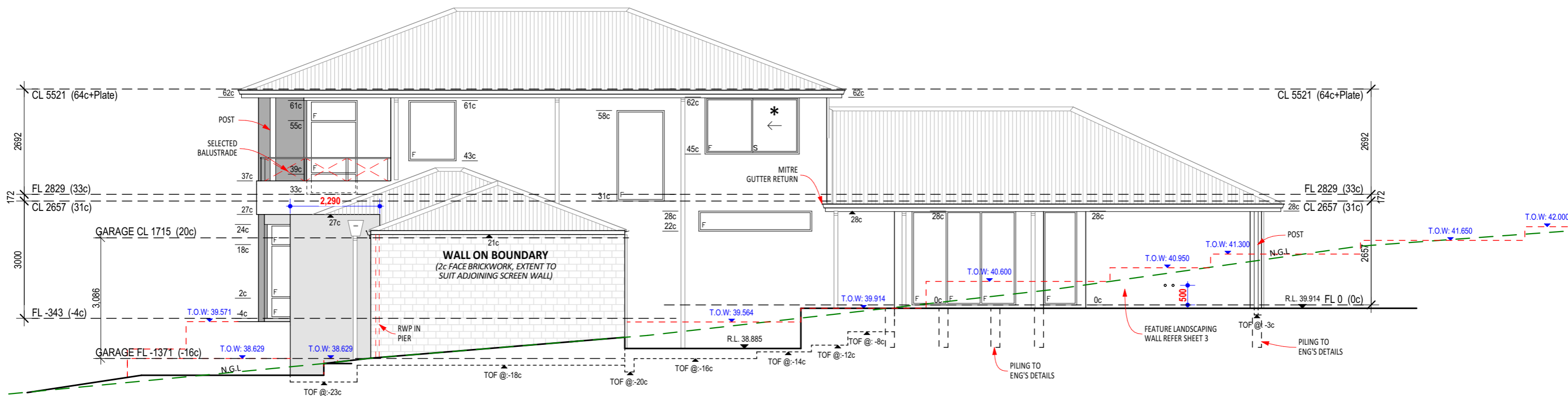
EXTERNAL FACE BRICK SIZE:
290L x 90W x 162H
ALL COURSE HEIGHTS SHOWN ARE TO
STANDARD BRICK COURSING
EXTERNAL FACE BRICKWORK TO BE
IN ONE THIRD BOND COURSING

NOTE
* - NOMINATED WINDOWS TO COMPLY
WITH B.C.A VOL.2, PART 3.9.2.5.
PORTION OF OPENING WINDOW
RESTRICTED TO 125mm MAX.

	- MAIN COLOUR
	- CONTRASTING COLOUR
	- FEATURE COLOUR



ELEVATION 2



ELEVATION 4

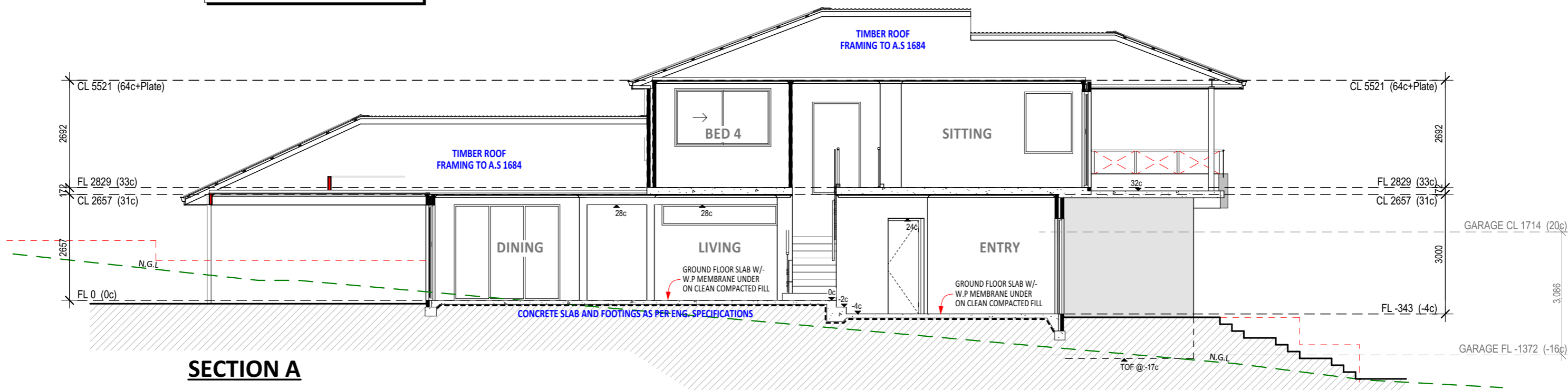
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<p>THIS HOME IS PART OF THE</p>	<p>JOB No:</p> <p>945</p>	<p>WORKING DRAWINGS</p>	<p>ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE</p>	<p>DRAWN BY:</p> <p>NW</p>	<p>SCALE:</p> <p>1:100</p>	<p>REVISION:</p> <p>--</p>	
	<p>SHEET:</p> <p>8 OF 9</p>	<p>ELEVATIONS</p>		<p>DATE:</p> <p>16/12/2020</p>	<p>PRESTART BY:</p> <p>--</p>	<p>BC8967</p>	

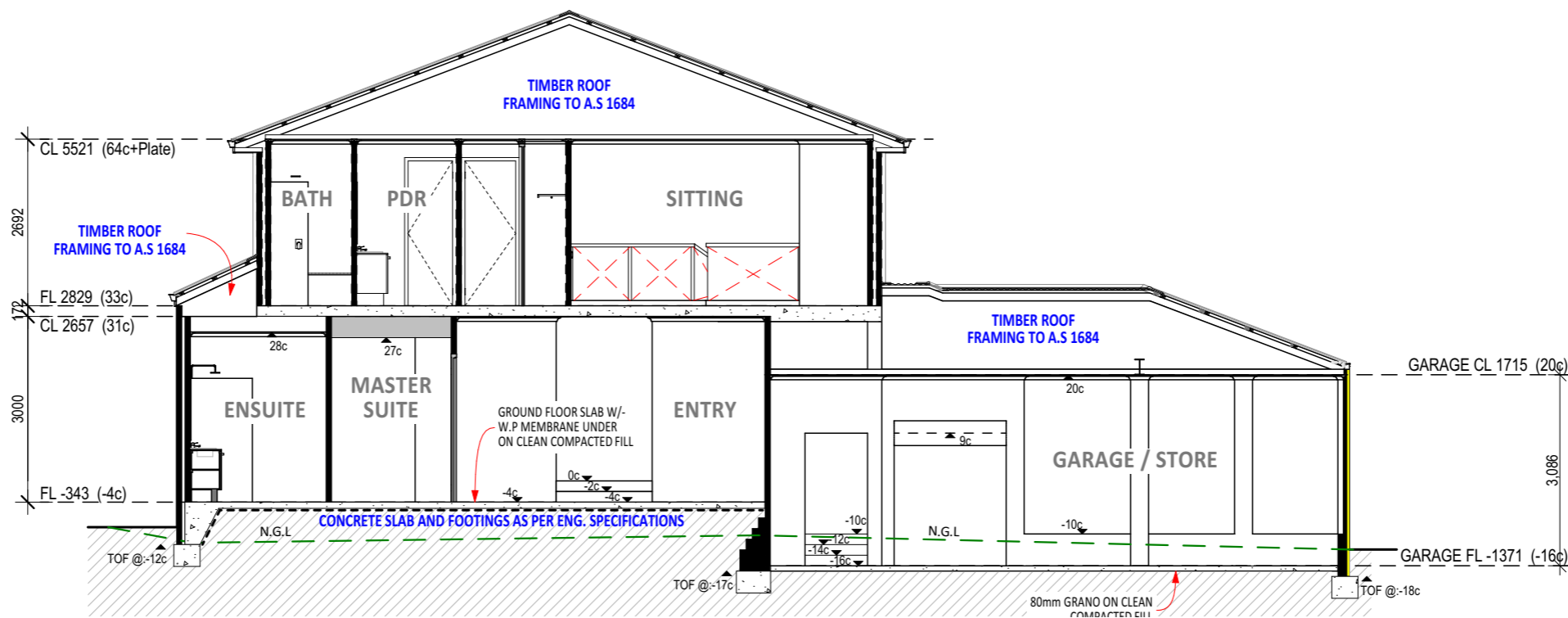
ROOFING NOTE:
 ROOF FRAMING TO A.S 1684
COLORBOND ROOF
 20°49' PITCH TO FIRST FLOOR
 24°43' TO GROUND FLOOR
 20°49' TO GARAGE / STORE

ROOF CARPENTER NOTE:
 KEEP ALL FLUMES TO REAR OF RIDGE

BALUSTRADE NOTE:
 BALUSTRADE HEIGHT ABOVE F.F.L
 MUST BE A MINIMUM OF 1000mm



SECTION A



SECTION B

1. OWNER TO NOTE THAT ALL SIZES SHOWN ARE WITHOUT PLASTER (WHERE APPLICABLE) AND SHOULD BE ALLOWED FOR. 2. THE BUILDER RESERVES THE RIGHT TO ALTER DIMENSIONS ON SITE TO SUIT CONSTRUCTION, ENGINEERING, OR SITE CONDITIONS.

THIS HOME IS PART OF THE 	JOB No: 945	WORKING DRAWINGS SECTIONS	ROSS RESIDENCE LOT 103 (No.66) PIER STREET EAST FREMANTLE	DRAWN BY: NW	SCALE: 1:100	REVISION: --
	SHEET: 9 OF 9			DATE: 16/12/2020	PRESTART BY: --	



Community Engagement Checklist

Development Application P03/21 - 66 Pier Street

Project Name

Objective of Engagement:	Neighbour consultations		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	21/1/2021	Outcomes By: 4/2/2021
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	4/2/2021	<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		4/2/2021	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input checked="" 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			

11.3 Penshurst Street No. 3 (Lot 2) - Proposed upper floor additions and alterations

Owner	Carey-Lyn Parker & Matthew Markovic
Applicant	Nexus Home Improvements Pty Ltd
File ref	P148/20
Prepared by	James Bannerman, Planning Officer
Supervised by	Christine Catchpole, Acting Executive Manager Regulatory Services
Meeting date	2 March 2021
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Plans date stamped received 9 December 20204. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a development application for proposed upper floor additions and alterations at No. 3 (Lot 2) Penshurst Street, East Fremantle. This property is a survey strata lot and is not heritage listed.

Executive Summary

This development application proposes upper floor additions and alterations, comprising two bedrooms, ensuite bathroom and a retreat.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Western Boundary – 6m required, 4.84m provided;
- (ii) Clause 5.4.1 – Residential Design Codes – Privacy Setback – Master Suite – 4.5m required, 3m provided; and
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 3 degrees provided.

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

Background

Zoning: Residential R12.5

Site area: 485m²

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

P84/08 – development approval for swimming pool – 22 April 2008.

Consultation

Advertising

The application was advertised to surrounding landowners from 9 to 23 December 2020. Two submissions were received.

Submission	Applicant Response	Officer Response
<p>I have some concerns I wish to address.</p> <p>There is currently a 2nd storey renovation happening at 67 Fraser St which is directly in front of 3 Peshurst. Parking in the street has been obstructive and is a nuisance. Our driveway is directly in front of 3 Peshurst and it is a daily problem to tell contractors to shift their vehicles as they park directly in front of our driveway prohibiting us from being able to exit and go to work. I do not know when 67 Fraser's build will be completed but I do not want another one starting up until it is finished.</p>	<p>Street parking during construction is a common frustration for surrounding residents. We do not believe that parking during construction is a planning consideration, however we can see that the neighbour has been highly inconvenienced and can understand why. Nexus is not able to promise that the timing will differ from the one at 67 Fraser, although we still need to obtain a building permit and other processes before we commence works onsite. They are free to contact us directly to address any parking issues that may (if any) arise during the construction of our project so that we can manage their concerns.</p>	<p>Contractors working on development sites are required to park in appropriate locations on the road and comply with the relevant road rules and parking requirements.</p> <p>Development start days are not controlled by the Town. These decisions are made independently by the relevant contractors and property owners.</p> <p>The Ranger can be notified by residents of any parking issues should they arise.</p>
<p>I have some concerns I wish to address.</p> <p>The design is fine. I just have concerns re the spare bed 4 windows looking directly into our backyard. I understand the need for the windows, but can they be obscure glass?</p>	<p>Overlooking from habitable spaces is an item that our designers were very aware of from the early concept stages. We believe that the concerns raised above come from not understanding the plans (which can be a little hard if you are not in the building industry). The windows to bed 4 have the sills at approximately 1,886mm above floor level. This is substantially higher than the R-Code requirements for visual privacy and mean that almost everyone would need to stand on a ladder to look out. We believe that the neighbours' privacy is being protected with our submitted design.</p>	<p>The two windows to bedroom 4 (on the western and northern walls of the addition) have a sill height of 1.886m above the finished floor level.</p> <p>As a result of the sill height being more than 1.6m above the finished floor level the windows are not considered a major opening and therefore do not have to be obscured. The windows as indicated are in compliance with the R-Codes visual privacy requirements.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC. No comments were received from Committee members.

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			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Northern boundary	1.5m	9.586m	A
Western boundary	6m	4.184m	D
Southern boundary	1.5m	3.142m	A
Open Space			N/A
Roof height	7m	6.745m	A
Setback of garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy (bedroom)	4.5m	3m	D
Overshadowing	<25%	15.3%	A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	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	D
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
3.7.15.4.3.1 Fremantle Port Buffer Area	N/A
3.7.15.3.3 Garages and Carports	N/A

This development application proposes upper floor additions and alterations. The property is a survey strata lot and is not heritage listed. The neighbouring strata property owners have provided signed support for the proposed development. Two variations are requested to the Residential Design Codes in relation to the western lot boundary setback and a privacy setback and one variation is requested to the Residential Design Guidelines in relation to roof pitch.

It is noted that the neighbouring strata property at 67 Fraser Street recently received development approval for a second storey addition. Similar issues that were evident for that development are present here. The need to try to conceal the upper storey from the street is extremely difficult given that the lot is between

18 and 20 metres deep and 24 metres wide, however, the original dwelling is not heritage listed and as such is not what the Residential Design Guidelines refers to as a contributory building. The performance criteria do not address non-contributory buildings.

The proposed development is also setback from the front boundary by a distance similar to the neighbouring properties which meets acceptable development provision 3.7.7.3 A1.1 of the Residential Design Guidelines. The design of the upper storey addition is such that it can be seen from the street, but it has a concealed roof which reduces the overall height of the structure below what is potentially possible if the development was to have a more traditional pitched roof (9m maximum height possible; proposed height 6.745m). There is a significant amount of glazing on the front façade of the addition as well as timber or timber like materials. The shape of the development and use of the concealed roof gives it a more contemporary look. In response to comments from one of the submitters the applicant has provided an amended colour and materials schedule with the roof now proposed to be Surfmist colour rather than Zinalume.

Rear Lot Boundary Setback

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 it is necessary for the rear lot boundary setback (on the western boundary) to be 6m for lots that are located in areas with a density code of R12.5 irrespective of length or height. In this case the rear lot boundary setback is 4.184m. In accordance with design principles 5.1.3 P3.1 the reduced lot boundary setback can be supported for the following reasons:

- There is reduced impact from building bulk on adjoining properties;
- Adequate sunlight and ventilation can be provided to the building and open spaces on the site and adjoining properties; and
- There will be no overlooking or loss of privacy to adjoining properties.

It is noted that the structure has less height than if it was designed with a pitched roof. The setback will ensure that there is enough space for the flow of air and protection of access to sunlight. The lack of windows on the upper storey of the western wall means that privacy for the adjoining property will be protected from the upper storey.

Privacy Setback

The master suite has a window on the south eastern corner of the upper storey. This permits views across the eastern edge of the neighbouring dwelling roof. A privacy setback of 4.5m is required in accordance with the Residential Design Codes deemed to comply clause 5.4.1 C1.1 and this is less than required at 3m. However, in accordance with design principles 5.4.1 P1.1 there is minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings. Privacy is achieved through the design ensuring that the overlooking occurs over the roof of the neighbouring dwelling and does not overlook an active habitable area. In addition, the window is setback such that it reduces overlooking towards the rear of the adjacent property.

Roof Pitch

In accordance with the Residential Design Guidelines acceptable development provisions 3.7.8.3 A4.1 the roof pitch is required to be between 28 and 36 degrees. In this case the upper floor additions have a roof pitch of 3 degrees. The roof achieves performance criteria 3.7.8.3 P4 because the roof form of the new building complements the traditional form of surrounding development in the immediate locality. It is noted that the neighbouring strata property has provided signed support for the proposal and the development application has been advertised to the surrounding properties.

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 Design Guidelines are considered acceptable. As such it is recommended that the proposed development be approved subject to conditions of development approval.

11.3 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 – Western Boundary – 6m required, 4.84m provided;**
- (ii) Clause 5.4.1 – Residential Design Codes – Privacy Setback – Master Suite – 4.5m required, 3m provided; and**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 3 degrees provided,**

for upper floor additions and alterations at No. 3 (Lot 2) Penshurst Street, East Fremantle, in accordance with the plans date stamped received 9 December 2020, subject to the following conditions:

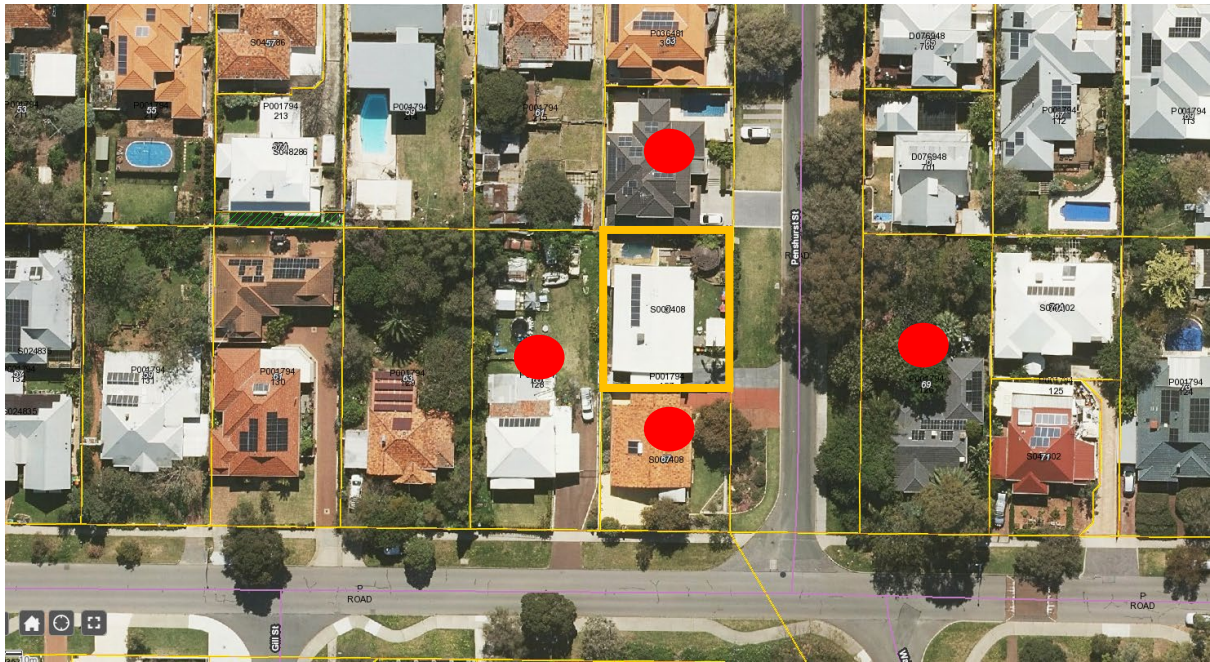
- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council’s further approval.**
- (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit is issued in compliance with the conditions of this development approval unless otherwise amended by Council.**
- (3) Regarding 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.**
- (4) 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.**
- (5) 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.**
- (6) 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.**
- (7) 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.**
- (8) This development approval is to remain valid for a period of 24 months from the 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).*
- (v) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

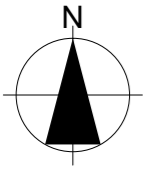
3 Penshurst Street - Location and Advertising Plan



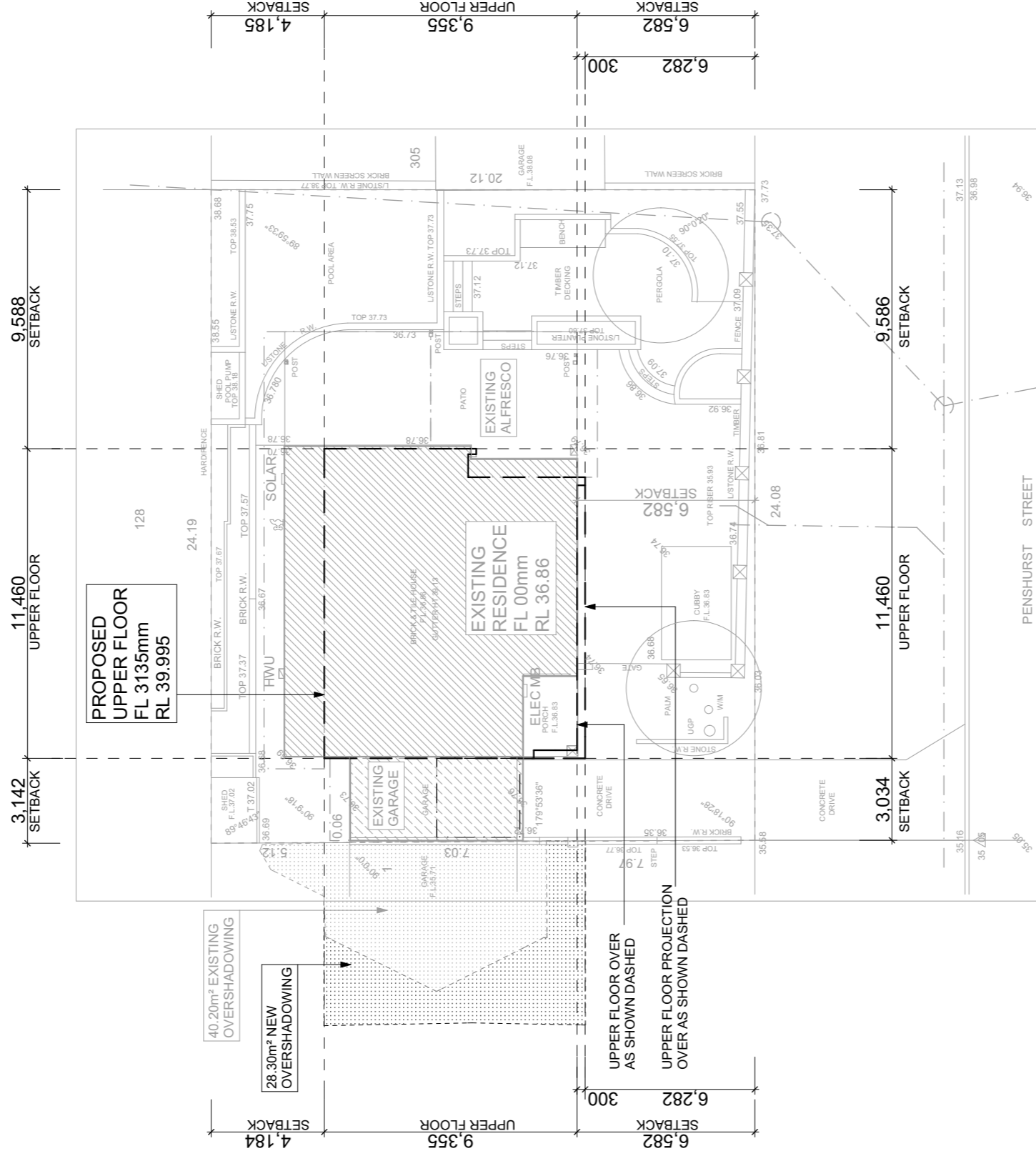
3 Penshurst Street – Site Photos







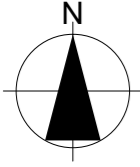
SITE INFO	
LOT AREA	485m ²
ZONING	R12.5
OPEN SPACE	N/A
TOTAL OVERSHADOWING AS SHOWN SHADED	68.50m ²



SURVEYED RT.O.	163 GROSVENOR ROAD NORTH PERTH WA 6006 M 0419 845 883 E ptopsurveye@bigpond.com
DRAWN RT.O.	PATERSON TUDOR OWEN & PARKER CONSULTING SURVEYORS
SCALE	1:100
DATE	27.8.2020
JOB NO	126721
DATUM	A.H.D.

SITE FEATURE SURVEY PLAN
1:200

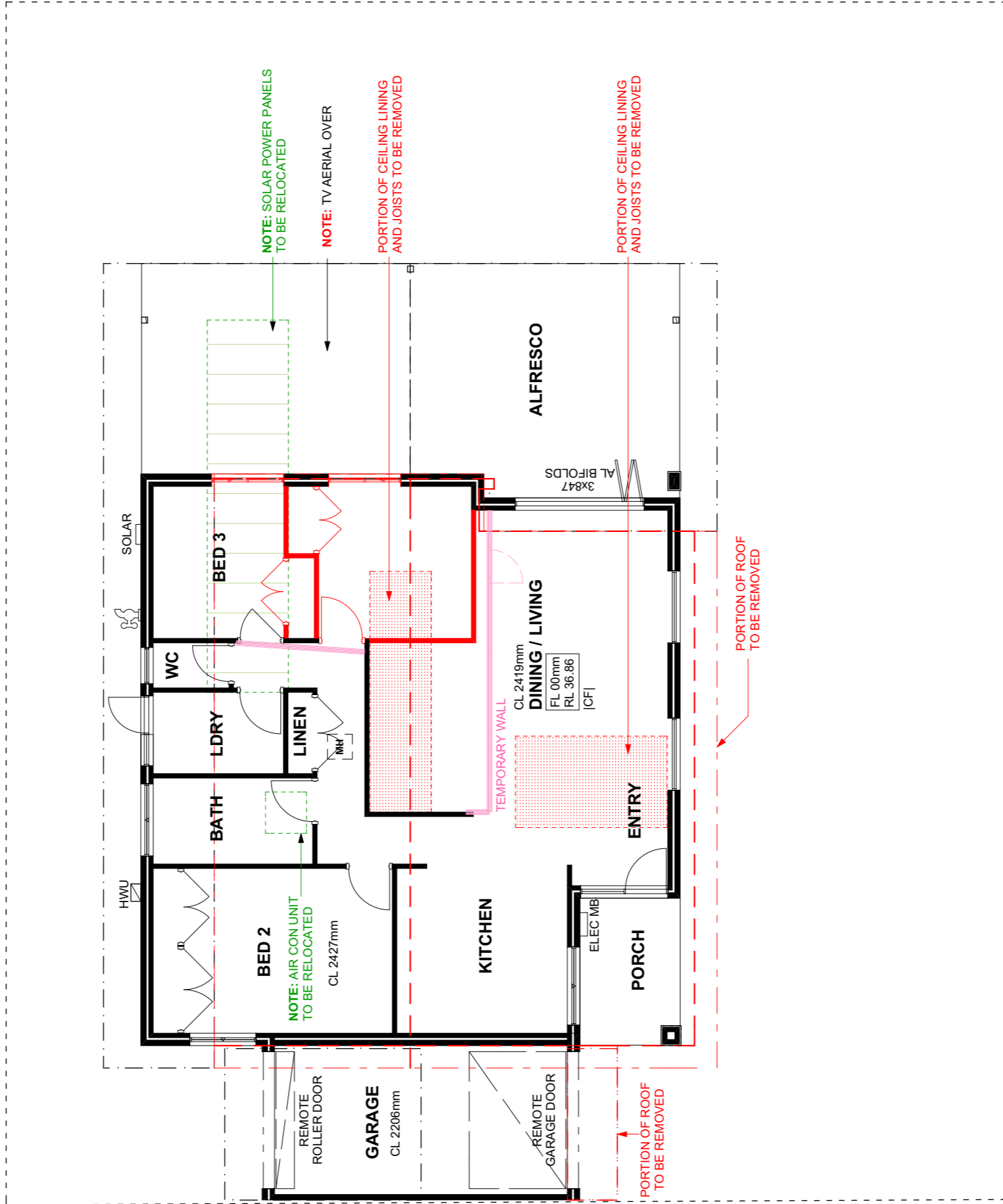
	STAGE: PLANNING	SHEET: SITE FEATURE SURVEY PLAN	SHEET N°: 1 OF 8
	CLIENT: CAREY & MATT MARKOVIC	DATE: 12-10-20 01-12-20	NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164 T: 08 9414 1789 ABN: 7215269326 W: www.nexushomesgroup.com.au
PROPOSED RESIDENCE AT: 3 PENSHURST ST EAST FREMANTLE	REV: DESCRIPTION: A CONTRACT B PLANNING	BY: GP/C GP/C	JOB N°: 2019
DATE PRINTED: 11/2/2020			SCALE: A3 SHEET NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY



LEGEND:

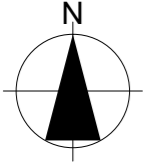
NEW	EXIST
BRICK WALL	TIMBER FRAME WALL
MASTERWALL CLADDING	CLADDING AS NOTED
WHERE POD CONSTRUCTION: EXTERNAL WALLS AND INTERNAL POD JOINS INCLUDE PLYWOOD BOARD ON TIMBER FRAME WALL	
ICFI CONCRETE FLOOR	
ITF TIMBER FRAME FLOOR	
ZIG ZAG = DRYLINE PLASTERBOARD	
GREEN NOTES = ITEMS IN GREEN HAVE/NOT BEEN ALLOWED FOR BY THE BUILDER	

ADDENDUM NOTE:
DRAWINGS TO BE READ IN CONJUNCTION WITH ADDENDUM TO THE SPECIFICATION AND COLOUR ADDENDUM

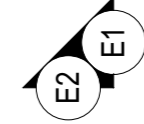
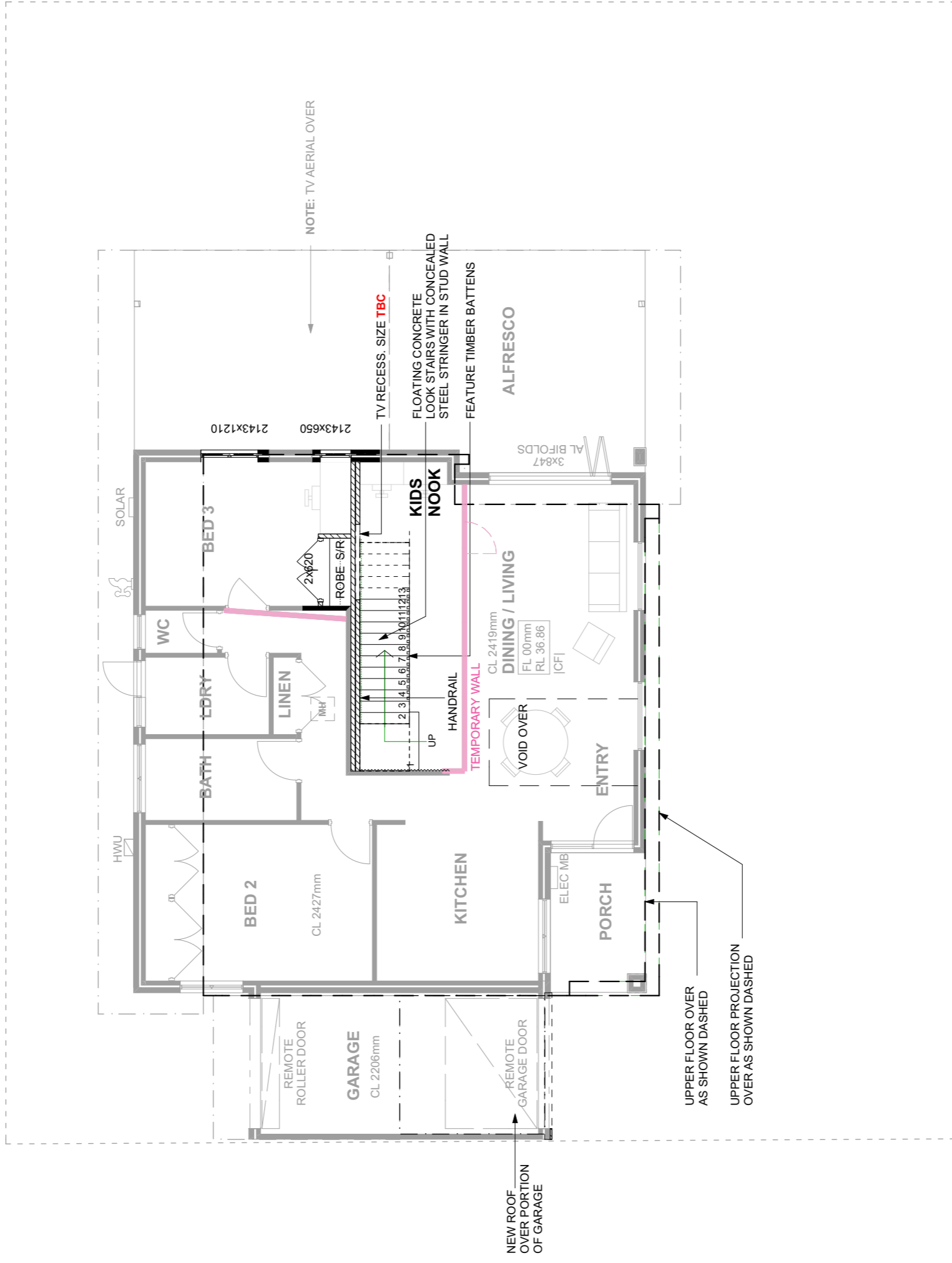


DEMOLITION GROUND FLOOR PLAN
1:100

<p>NEXUS HOME IMPROVEMENTS</p>	<p>STAGE: PLANNING</p> <p>CLIENT: CAREY & MATT MARKOVIC</p> <p>PROPOSED RESIDENCE AT: 3 PENSURST ST EAST FREMANTLE</p>	<p>SHEET: DEMOLITION GROUND FLOOR</p> <p>DATE: 12-10-20</p> <p>REV: A</p> <p>DESCRIPTION: CONTRACT PLANNING</p>	<p>NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164</p> <p>T: 08 9414 1789 ABN: 72152669326</p> <p>W: www.nexusgroup.com.au</p>	<p>SHEET N°: 2 OF 8</p> <p>JOB N°: 2019</p> <p>SCALE: A3 SHEET</p>
	<p>DATE PRINTED: 1/12/2020</p>	<p>BY: GP/C GP/C</p>	<p>NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY.</p>	



LEGEND:	EXIST
NEW	BRICK WALL
TIMBER FRAME WALL	TIMBER FRAME WALL
MASTERWALL CLADDING	MASTERWALL CLADDING
CLADDING AS NOTED	CLADDING AS NOTED
WHERE POD CONSTRUCTION: EXTERNAL WALLS AND INTERNAL POD JOINS INCLUDE PLYWOOD BOARD ON TIMBER FRAME WALL	
ICFI CONCRETE FLOOR	
ITF TIMBER FRAME FLOOR	
ZIG ZAG = DRYLINE PLASTERBOARD	
GREEN NOTES = ITEMS IN GREEN HAVE/ NOT BEEN ALLOWED FOR BY THE BUILDER	
ADDENDUM NOTE:	
DRAWINGS TO BE READ IN CONJUNCTION WITH ADDENDUM TO THE SPECIFICATION AND COLOUR ADDENDUM	
WINDOW NOTE: UPPER FLOOR BEDROOM WINDOWS TO BE PROTECTED IN ACCORDANCE WITH BCA 3.9.2.5	
STAIR NOTE: STAIR CONSTRUCTION TO COMPLY WITH BCA 3.9.1. BALUSTRADE AND HANDRAILS TO COMPLY WITH BCA 3.9.2	



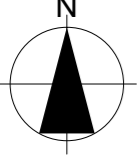
GROUND FLOOR PLAN
1:100

GF AREAS	
EXISTING ALFRESCO	47.68
EXISTING GARAGE	19.86
EXISTING GROUND	116.67
EXISTING PORCH	5.98
TOTAL	190.19 m²

NEXUS HOME IMPROVEMENTS:	
P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164	SHEET N°: 3 OF 8
T: 08 9414 1789 ABN: 72152669326	JOB N°: 2019
W: www.nexushomesgroup.com.au	SCALE: A3 SHEET
NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY.	

STAGE: PLANNING	SHEET: GROUND FLOOR
CLIENT: CAREY & MATT MARKOVIC	BY: GP/C
PROPOSED RESIDENCE AT: 3 PENSURST ST EAST FREMANTLE	GP/C
DATE: 12-10-20	REV: DESCRIPTION:
01-12-20	A CONTRACT PLANNING
	B
DATE PRINTED: 1/12/2020	©COPYRIGHT





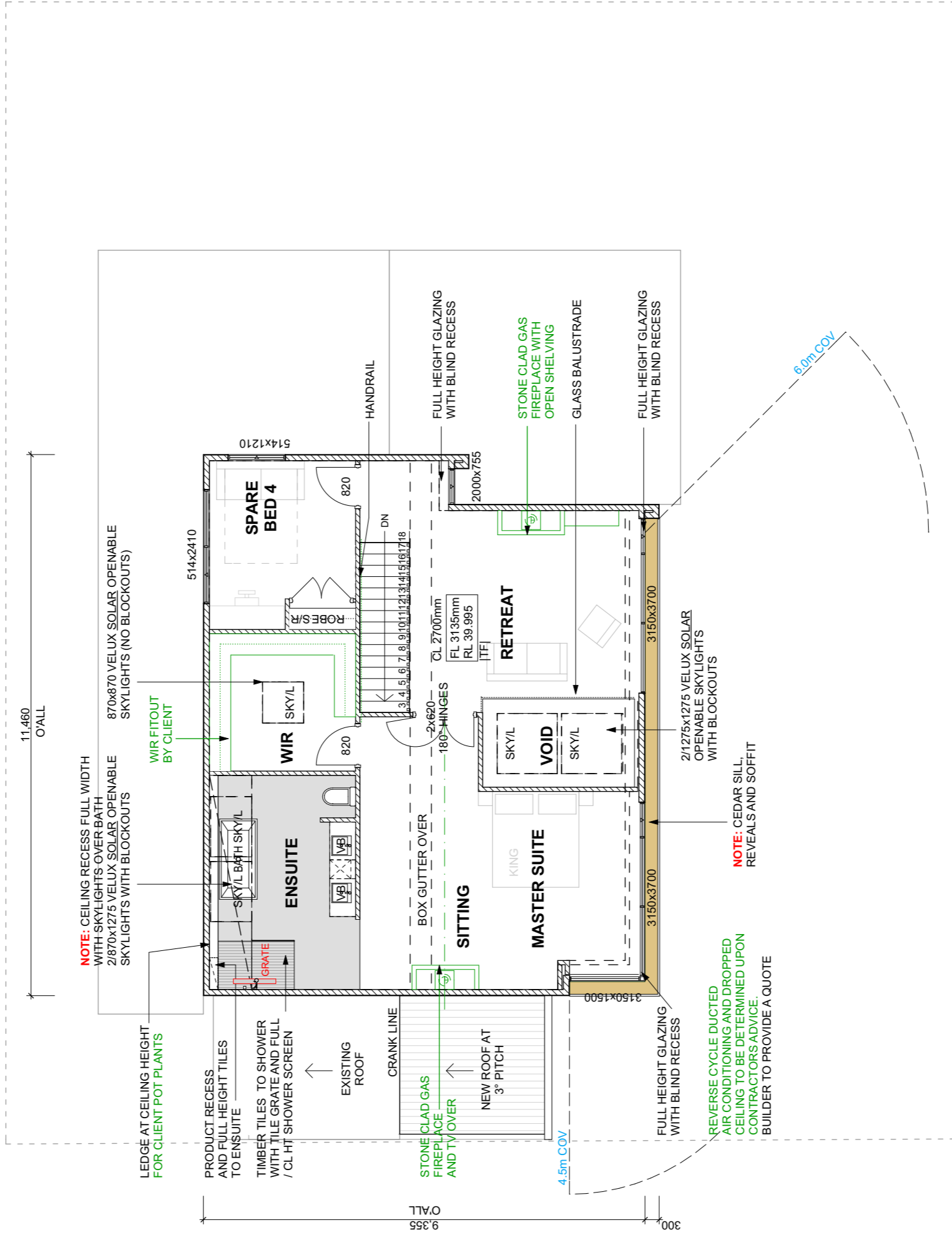
LEGEND:

	NEW BRICK WALL		EXIST BRICK WALL
	TIMBER FRAME WALL		TIMBER FRAME WALL
	MASTERWALL CLADDING		CLADDING AS NOTED
	WHERE POD CONSTRUCTION: EXTERNAL WALLS AND INTERNAL POD JOINS INCLUDE PLYWOOD BOARD ON TIMBER FRAME WALL		ICFI CONCRETE FLOOR
	ITFI TIMBER FRAME FLOOR		ZIG ZAG
	ITFI DRYLINE PLASTERBOARD		GREEN NOTES = ITEMS IN GREEN HAVE/NOT BEEN ALLOWED FOR BY THE BUILDER

ADDENDUM NOTE:
DRAWINGS TO BE READ IN CONJUNCTION WITH ADDENDUM TO THE SPECIFICATION AND COLOUR ADDENDUM

WINDOW NOTE: UPPER FLOOR BEDROOM WINDOWS TO BE PROTECTED IN ACCORDANCE WITH BCA 3.9.2.5

STAIR NOTE: STAIR CONSTRUCTION TO COMPLY WITH BCA 3.9.1. BALUSTRADE AND HANDRAILS TO COMPLY WITH BCA 3.9.2



UPPER FLOOR PLAN
1:100

UF AREAS	
PROPOSED UPPER	106.17
	106.17 m ²

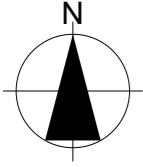
NEXUS HOME IMPROVEMENTS:
P: 21 HAMMOND ROAD
COCKBURN CENTRAL
WA 6164
T: 08 9414 1789
ABN: 7215269326
W: www.nexusgroup.com.au

SCALE: A3 SHEET

NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY

STAGE:	PLANNING
CLIENT:	CAREY & MATT MARKOVIC
PROPOSED RESIDENCE AT:	3 PENSURST ST EAST FREMANTLE
DATE:	12-10-20
REV:	A
DESCRIPTION:	CONTRACT PLANNING
DATE:	01-12-20
REV:	B
DATE PRINTED:	11/12/2020

SHHEET:	UPPER FLOOR
DATE:	12-10-20
REV:	A
DESCRIPTION:	CONTRACT PLANNING
DATE:	01-12-20
REV:	B



LEGEND:

NEW

- BRICK WALL
- TIMBER FRAME WALL
- MASTERWALL CLADDING
- CLADDING AS NOTED

WHERE POD CONSTRUCTION: EXTERNAL WALLS AND INTERNAL POD JOINS INCLUDE PLYWOOD BOARD ON TIMBER FRAME WALL

ICFI CONCRETE FLOOR

ITFI TIMBER FRAME FLOOR

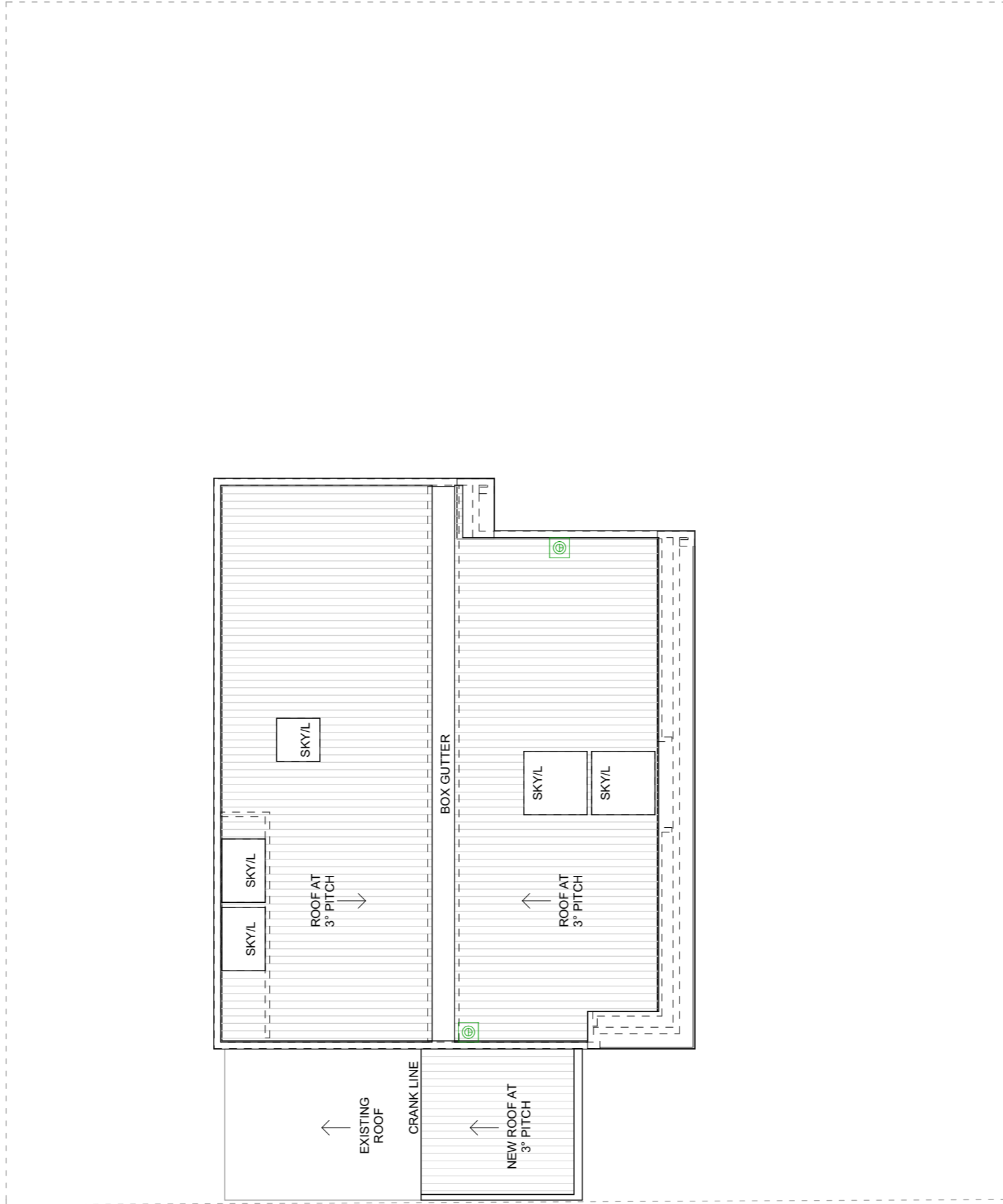
ZIG ZAG = DRYLINE PLASTERBOARD

GREEN NOTES = ITEMS IN GREEN HAVE/NOT BEEN ALLOWED FOR BY THE BUILDER

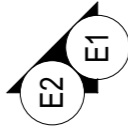
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DRAWINGS TO BE READ IN CONJUNCTION WITH ADDENDUM TO THE SPECIFICATION AND COLOUR ADDENDUM

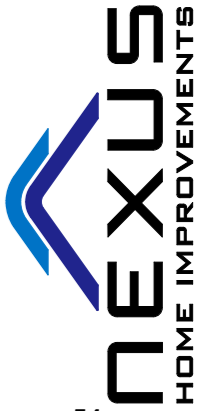
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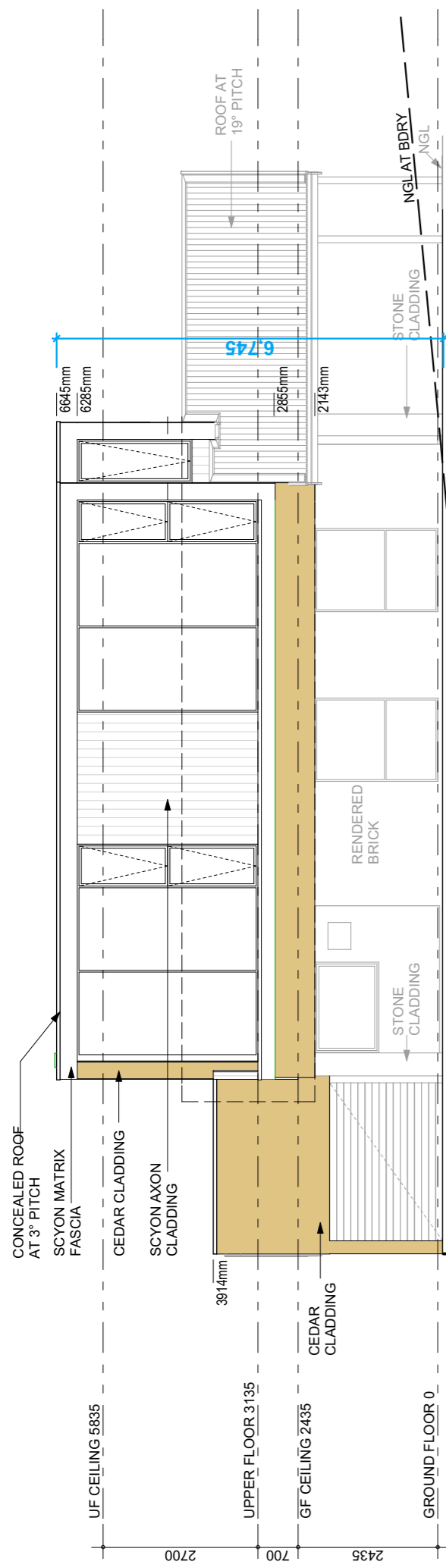
STAIR NOTE: STAIR CONSTRUCTION TO COMPLY WITH BCA 3.9.1. BALUSTRADE AND HANDRAILS TO COMPLY WITH BCA 3.9.2



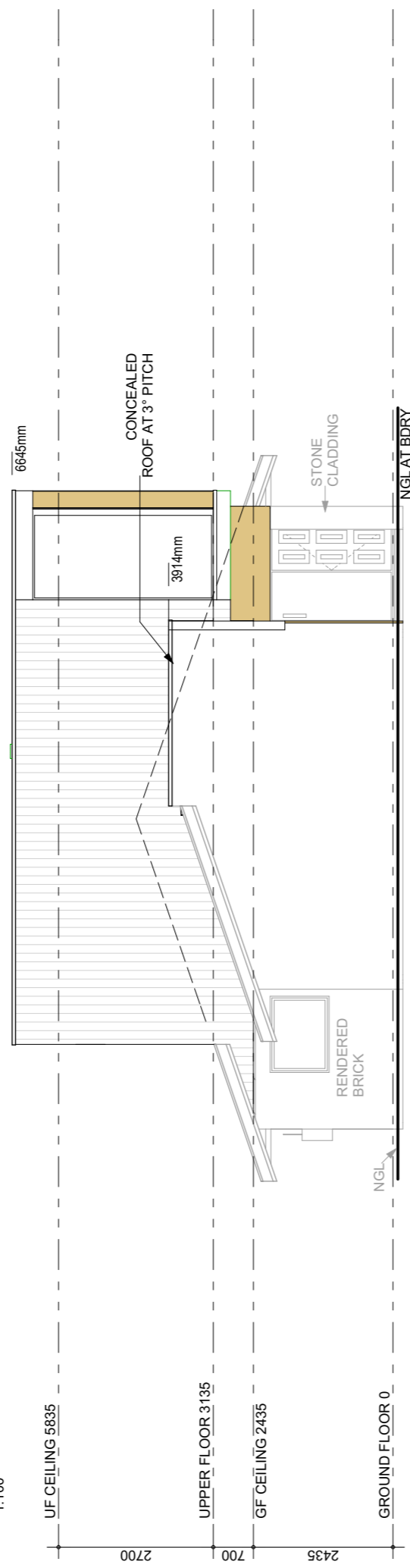
ROOF PLAN
1:100



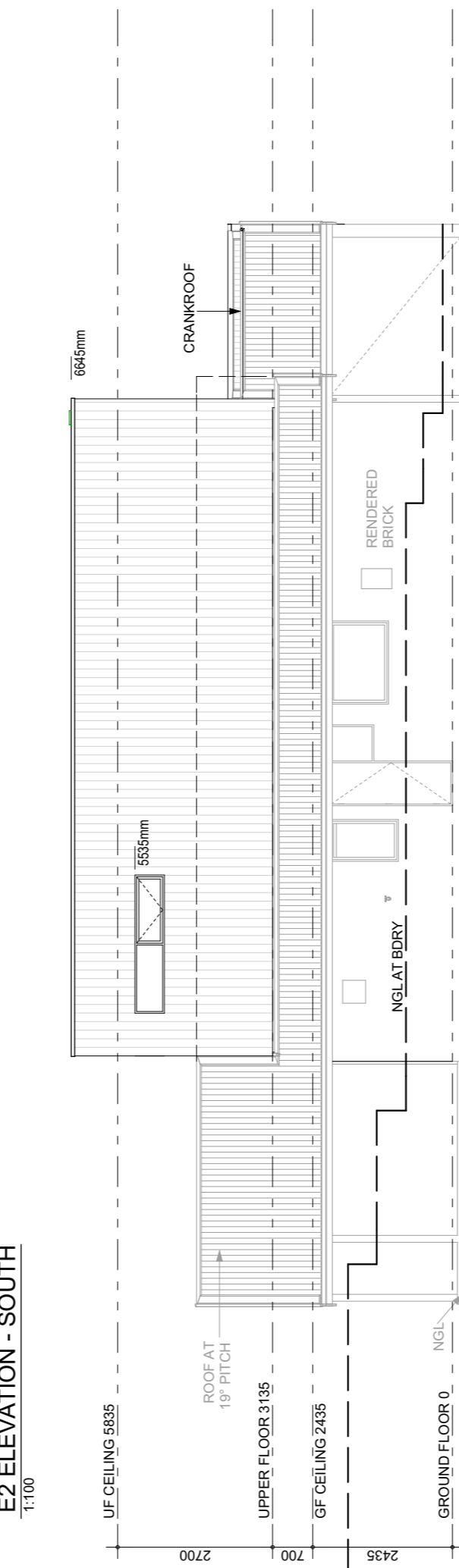
 <p>NEXUS HOME IMPROVEMENTS</p>	<p>STAGE: PLANNING</p>	<p>SHEET: ROOF PLAN</p>	<p>NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164 T: 08 9414 1789 ABN: 72152669326 W: www.nexushomesgroup.com.au</p>	<p>SHEET N°: 5 OF 8</p>
	<p>CLIENT: CAREY & MATT MARKOVIC</p> <p>PROPOSED RESIDENCE AT: 3 PENSURST ST EAST FREMANTLE</p>	<p>DATE: 12-10-20 REV: A DESCRIPTION: CONTRACT PLANNING</p>	<p>DATE PRINTED: 1/12/2020</p>	<p>JOB N°: 2019</p> <p>SCALE: A3 SHEET</p>
<p>NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY</p>				



E1 ELEVATION - EAST
1:100



E2 ELEVATION - SOUTH
1:100



E3 ELEVATION - WEST
1:100



E4 ELEVATION - NORTH
1:100

NGL ADJOINING PROPERTY

<p>STAGE: PLANNING</p> <p>CLIENT: CAREY & MATT MARKOVIC</p> <p>PROPOSED RESIDENCE AT: 3 PENSHURST ST EAST FREMANTLE</p>	<p>DATE: 12-10-20</p> <p>REV: A</p>		<p>DESCRIPTION: CONTRACT PLANNING</p>	<p>BY: GP/C</p>	<p>NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164</p>	<p>SHEET N°: 6 OF 8</p>
	<p>DATE: 01-12-20</p> <p>REV: B</p>		<p>CONTRACT PLANNING</p>	<p>GP/C</p>	<p>T: 08 9414 1789 ABN: 72152669326 W: www.nexushomesgroup.com.au</p>	<p>JOB N°: 2019</p> <p>SCALE: A3 SHEET</p>
<p>DATE PRINTED: 11/12/2020</p> <p>NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY.</p>						





Colour & Materials Schedule 5.1.21

Client: Carey-Lyn and Matthew Stanley MARKOVICH

Address: 3 Penshurst St East Fremantle

Item	Colour	Material/ Profile	Make
Roofing			
Roof Cover – addition upper floor – concealed roof	CB Surfmist	Metal Deck – Trimdeck or similar	Rev Roofing or Colorbond
Exterior Walls & Columns/Piers			
Exterior Timber (or timber alternative) feature Cladding	Oak or similar timber finish	Timber or timber alternative	New Techwood or similar
Exterior Hardies Cladding	Night Sky	Axon vertical cladding	Hardies
Paving/Driveway			
Main Area	As existing – not in scope of works	NA	NA
Other			
Garage Door	Not in scope of works	NA	NA
Window Frames	Night Sky	Powder Coated Aluminium	Jasons or similar
Feature Fascia to East and South elevations	Night Sky	Scyon Matrix cladding	Hardies
Sill and reveal to fascia above	Oak or similar timber finish	Timber or timber alternative	New Techwood or similar



Community Engagement Checklist

Development Application P148/20 - 3 Penshurst Street

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	9/12/2020	Outcomes By: 23/12/2020
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	23/12/2020	<input checked="" type="checkbox"/> Advertised to 4 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		23/12/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input checked="" 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			

11.4 Moss Street, No. 33 (Reserve 37909) – Short Term Residential Accommodation for up to 10 Persons – Request for Increase to 15 Persons

Applicant	Mark Stokoe on behalf of South Metropolitan Health Service
Landowner	State of WA - Minister for Health
File ref	P05/21
Prepared by	Christine Catchpole, Acting Executive Manager Regulatory Services
Supervised by	Peter Kocian, Acting Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Meeting date	2 March 2021
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place record form4. Applicant letter requesting additional accommodation dated 15 January 20215. Community engagement checklist

Purpose

The purpose of this report is for Council to consider a request for the number of persons at the short term residential accommodation facility to be increased from 10 to 15.

Executive Summary

The application, submitted by the South Metropolitan Health Service, seeks approval for an increase in the number of persons accommodated on the site from 10 to 15. This is in response to an increased need for mental health services in general, due to the public health circumstances of the past year. No further building works or changes to the original conditions of development (planning) approval are required.

The original application determined in 2016 proposed the accommodation of up to 15 persons and renovations to the building were completed to accommodate that number of residents. However, the Council determined that only 10 people and 5 staff were to be accommodated on the site with a temporary approval being granted 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, over the past year all required alterations to the building and grounds, including the provision of parking bays have been completed to the Town's satisfaction and the facility was officially opened in July 2020. The building has been occupied and providing services for the residents since 3 August 2020.

Consultation in relation to the current application has been undertaken with surrounding owners/occupiers between 29 January and 19 February 2021. One submission in support of the proposal was received. Since the facility has been operating the Town has not been advised of any concerns from surrounding residents and the use is operating in accordance with all planning conditions.

The increase of five persons to be accommodated at the site is considered reasonable and to not result in an impact on the amenity of the surrounding area. The required number of beds is already available as the original plans and renovations were based on that number. The same conditions of planning approval remain applicable to the use of the property, as does the 12 month temporary approval period. Prior to August 2021 a fresh development application for the continued use of the site will be required to be submitted for Council's consideration. The development (planning) approval renewal process will also involve further consultation with the community.

Given the accommodation service has not raised any issues and no adverse submissions have been received it is recommended Council grant approval for an increase in the number of persons from 10 to 15. This is subject to the temporary approval period remaining unchanged, restriction on the length of stay and the number of staff and the original conditions of approval continuing to apply.

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.

The applicant has submitted a letter (refer to Attachment 4) in support of the request for an increase in the number of persons to be accommodated at the facility.

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 consulted indicated on the location map in Attachment 5). The consultation was undertaken from 29 January to 19 February 2021. One (1) submission in support of the proposal was received.

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 2020 and February 2021

Comment

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 compatible with the surrounding residential area, particularly as it was intended for the occupants to live in a residential setting. After taking into account the 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 surrounding residents as determined by Council, the approval may be revoked.

The existing facility accommodates patients transitioning between a hospital stay and 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 five 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.

Since the facility commenced operations in August 2020 the community has not raised any issues regarding the operation of the accommodation service and the Town is not aware of any issues that have resulted due to the change of use. At the conclusion of the advertising period one submission in support of the application had been received.

The use has been in operation for seven months without raising any concerns. The accommodation of an additional five persons will occur within the 12 month temporary approval period so if any concerns do arise, they can be assessed by Council before the renewal of the development (planning) approval is required in August 2021. At this time further community consultation will be undertaken.

Considering the above comments and no adverse submissions from the community it is recommended that Council grant approval for an increase in the number of persons in short term residential accommodation at the facility from 10 to 15. This is subject to the temporary approval period remaining unchanged, restrictions on the length of stay and number of staff and the original conditions of approval continuing to apply.

11.4 OFFICER RECOMMENDATION

That Council grant approval for an increase in the number of persons in short term residential accommodation from 10 to 15 at No. 33 (Reserve 37909) Moss Street, East Fremantle subject to the following conditions:

1. No more than 15 persons and five (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 five (5) persons is valid until 3 August 2021 and the applicant is required to seek a renewal of the development approval thereafter to enable the continuance of the use and for approval of the number of persons to be accommodated and the number of staff to be working at the site.
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, are to apply to this development approval.
4. This development approval is to remain valid until 3 August 2021 unless otherwise revoked.

Footnote:

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

- (i) *in relation to condition 1 the temporary approval for the change of use also relates to the maximum number of people accommodated and the maximum number of staff at any one time. Prior to the expiry of the original 12 month period (expiry date 3 August 2021) the applicant is required to submit a fresh development approval application for Council's consideration.*
- (ii) *the applicant be advised that failure to comply with the above conditions of this 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 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.

- (iii) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (iv) all noise levels produced are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) the applicant is advised that development approval is not extended beyond the original period of 12 months only and re-application prior to the expiry of this approval (i.e. 3 August 2021) will be necessary should the continuation of the use be required. It is further noted that non-compliance with the continuation of this development approval may result in its revocation.*

33 Moss Street – Location Plan



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:
Phone: 9431-3976

15 January 2021
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 Planning Approval

Please find attached an Application for Planning Approval for No. 33 Moss Street, East Fremantle dated 11th January 2021.

South Metropolitan Health Service is applying for continued of the use of the facility as short-term residential accommodation and to increase the approval on the number of persons from ten (10) to fifteen (15) persons plus staff.

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 conducted on the 31st July 2020 with full operational use of 33 Moss Street commencing on the 3rd August 2020. The opening and operation of the facility was well received by the local East Fremantle residents on the day and has continued to be so to date.

There has been a significant increase in the demand for Mental Health services over the past nine 9 months and subsequently an urgent need to increase the capacity of 33 Moss Street to fifteen (15) persons as submitted in the original development application. The change in up to fifteen (15) persons in short term accommodation will have negligible impact on the number of staff and parking on the site.

The residence would continue provide the same programs that have been successfully delivered at Moss Street. The service is a shared living/communal home that provides short-term accommodation (for up to six weeks) to people who are 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 require short-term assistance but do not require 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.

Regards

Mark Stokoe
Area Director, Infrastructure, Facilities Management & Health Support Services
South Metropolitan Health Service



Community Engagement Checklist

Development Application P05/21 - 33 Moss Street

Project Name

Objective of Engagement:	Surrounding land owner and occupier consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	29 January 2021	Outcomes By: 19 February 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	19 February 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	19 February 2021	1 submission received.	
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:			



- 12. MATTERS BEHIND CLOSED DOORS**
- 13. CLOSURE OF MEETING**