



Public Statements Ordinary Council Meeting 17 November 2020

Note: Statements are listed in the order they were received.

Statements

Roberto Pierucci, 139 Townshend Road, Subiaco

Amy Barraclough, 139 Townshend Road, Subiaco

Frank Torre, 107 Nicholson Rd, Shenton Park

Sarah Atkins, 138 Bagot Road, Subiaco (*read by Josephine Haddow*)

Janet Allen, 140 Bagot Road, Subiaco

Mal Thomas, 103 Nicholson Road, Shenton Park

Michael Fish, 103 Nicholson Road, Shenton Park

Dimitri Batalin, 138 Bagot Road, Subiaco (*read by Dorothy Atkins*)

Statement – Roberto Pierucci, 139 Townshend Road, Subiaco

C1 - No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*

Dear Councillors,

What you are being asked to approve or reject is amongst other variations, a massive 99% variation to Residential Design Code requirements on height on a THREE storey (not two) addition coupled with a 25% variation requested on lot boundary setback that together will dwarf surrounding neighbouring properties and cause significant adverse effects on the amenity of the area.

The bulk and scale of such additions if approved in its current format will cause severe visual privacy concerns with full length windows running up the length of the all overlooking directly into neighbouring properties on the eastern boundary. We have been advised that council is powerless to insist on screening of these windows.

An argument put forward by the planning department, that because of the slope of the land it is somehow a less obtrusive 3 storey building may be correct IF you are standing in front of the building in Bagot Rd, however all neighbouring properties on the Eastern boundary (Townshend Rd) are on the same continuing slope and so the result is of an ever greater real building height.

It is noted that the applicant sought to reduce the impact of the proposal upon adjoining properties between the original plans and the amended plans however a 30 centimeters reduction is not a lot in the context of the 9.161 metres they are chasing variation for.

Not only will the three storey building be a huge imposition on neighbouring properties but because of the lot setback variation being sort it will also be extremely close to our living areas creating an overwhelming and suffocating bulk which will completely destroy any privacy currently enjoyed.

If this proposal is approved it will be the only 3 storey single house and the tallest single house in the locality setting a dangerous precedent and a risk of turning this part of Subiaco into a mini City Beach losing its village appeal.

The R Codes and Local Planning Scheme No. 5 are all very clear in their advice to decision makers which tonight is this council, and that is to ensure that residential development meets community expectations especially in regards to the impact of building bulk, privacy and overshadowing o adjoining properties. A proposal such as this has a devastation effect on all these issues and so it must not be approved.

Thank you.

Statement – Amy Barraclough, 139 Townshend Road, Subiaco

C1 - No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*

I am a resident of the City of Subiaco.

Good evening Councillors, today you are being asked to approve three storey additions and alterations to an existing house because the Community and Development Services have, astonishingly recommended that you do so using your discretion.

The purpose of the R Codes and Local Planning Scheme No. 5 is to set a standard of what the community considers fair and just in terms of residential development. What this variation is seeking to do is alter this in favour of one neighbour over other neighbours by a staggering 99% in relation to the wall height. Not surprisingly, the effect of this is that privacy becomes a very real adverse issue for me.

As stated at the previous council meeting there is no discretion to ensure that the glass windows which are positioned all the way up the East side of the building directly overlooking the rear courtyard of my house could be screened or frosted.

The only private yard area I have is the courtyard directly adjacent to the highest part of the three storey addition and the size is 4 metres by 6 metres, there is no other court yard area. This is effectively my sanctuary given I live on Townshend Road close to a round about which is busy and noisy. This area is utilised on a daily basis and my living area opens directly onto it. Further, I have a diagnosed medical condition that requires I expose areas of my skin to sunlight and as such I use this courtyard as my private space to treat and maintain my condition. As a young woman anything which effects my personal privacy is a very real concern and this will greatly affect the way I live and maintain my health.

I personally have no issues with development and people wishing to enhance their residence but I do have issues when that becomes totally inequitable for those around and when amenities, such as privacy adversely impact on peoples' everyday lives.

When discretion is used in instances such as this, the greater the discretion sought the greater the potential for negatively impacting those affected. I am here to say that this use of discretion to approve a three storey addition will greatly negatively impact my everyday life.

This planning application has been incredibly stressful and I have thought of nothing else and would simply ask each Councillor present here tonight to put themselves in my shoes when considering whether to approve the application or not.

Thank you.

Amy Barraclough

Statement – Frank Torre, 107 Nicholson Rd, Shenton Park

11.1 – Elected Temporary Nib Outside 107 Nicholson Road Shenton Park

I refer to this item and note that in Concert with my earlier questions, I believe that this matter should be voted down. As discussed at this Council meeting of the 20 October 2020, it was noted that the parking encroachment of the driveway at Perth Party Hire, was a result of the car parking bays in front of Wholefood Circus being incorrectly measured and marked by this Council. It was further agreed at this meeting, the middle line was to be removed, to covert the 2 bays into 1 bay only, therefore alleviating the encroachment problem. Cr Jennings refers to photos as evidence of the ongoing issue, however, the issue is only occurring because the 2 bays have not been changed to 1 bay yet. This motion should be voted down and an assessment be undertaken, once the bays have been modified, to see if the problem continues, which I believe it will not. I also support the Council officers recommendations on this matter, as a permanent resolution is what is required for all stakeholders.

Statement – Sarah Atkins, 138 Bagot Road, Subiaco (read by Josephine Haddow)

C1 - No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*

Good evening Mayor, councillors and public. My name is Josephine Haddow. and I am speaking on behalf of my family whom reside at 138 Bagot Road. We have lived in our home for nearly a decade together, my grandfather who you may know as Dr. James Batalin, 40 years before that. Subiaco is written into our heritage, it twists and intertwines within our bloodline. My maternal line is in fact five generations strong Subi community. We have been so excited for the opportunity to both fix up and improve our home so to allow for us to remain living as an extended family comfortably for many generations to come. My three siblings and I all attended the local primary school, as did Nanna, who's dad who once taught there, and are now at Shenton College.

Currently we are bursting at the seams, the outdated 80s extension in a state of disrepair. We have done everything possible to maintain the original character of the house, the only alteration being the movement of a window so to give our West neighbour more privacy. It would be so lovely to finally have a functioning kitchen and more than one bathroom between the seven of us. It would also be a comfort knowing we can rest easy knowing that we have the space to grow and take care of one another. All of us love living here, we would never wish to mess with the traditional aspects of Subiaco. In fact, maintaining the heritage aesthetic is a major factor within the plans.

We have been surprised after so much encouragement from state and federal government to build and renovate that this process has been so lengthy. Not only my family but Martin, our builder, and his team have remained patient and have always obliged with council recommendations and regulations throughout. If the size of the renovation has been a cause for concern I'd like to point out that the proposed "three stories" is dual^o an existing underground level which will be made larger due to our sloping block of land. We have tried to make the most of what is already existing to maintain our green-space which is extremely important for wellbeing let alone being much more environmentally sound. It had also been made sure that the extension cannot be seen from the front, therefore not effecting the street view. There were objections made in relation to overshadowing and overlooking, this proposal is 100% compliment with both issues. The planning Staff have confirmed this.

Mayor, councillors and public. The plans my family have submitted for your approval have been made with the main goals of bringing life into the beautiful traditional Subiaco home of ours and keeping loved ones nearby. After the wildly upside-down year we've all shared I'm sure you can all understand the increased desire to ensure your family remain close.

Thank you so much for your time and for your ears this evening.

Statement – Janet Allen, 140 Bagot Road, Subiaco

C1 - No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*

Dear Councillors

I would like to express some of my concerns re the extension proposed next door to my home.

I would never expect to be able to add an extension of this nature to my home at 140 Bagot Rd and as a heritage listed home I recognize I would never be able to demolish or destroy the character of my home with major renovations of this nature.

The extension work will completely overshadow my house on the eastern side, due to the extended height of the extension and the large northern window will completely impose on any privacy in my back yard.

I feel this extension will completely impose on the privacy and statuesque heritage value of my home.

I have lived at 140 Bagot Rd for 11 years and endeavored in every way to maintain the heritage value of this house.

I am currently in the process of repairing the 4 chimneys this house has, and maintaining tuck pointing and repairing the outside brick and wood work. This is a huge expense and I wonder is it worth my while continuing to maintain this beautiful property if next door there will be unsightly extensions protruding?

My was build in 1904 and this house was at one stage, owned by a Doris Bannear, who lived here for 56 years and valiantly fought for the upkeep of heritage houses in Subiaco. (Note Attachment) I am endeavouring now to save what she fought so hard for all her life. Ie heritage beauty

My main concerns are that I have a huge crack and destabilization in my lounge room, and the extensive earthworks and building next door could further cause structural damage.

I believe my privacy will be severely impacted upon on the northern side of my whole garden and the overshadowing will be total on the eastern side of my home.

I am wondering if the house being extended is heritage listed and is there any value in maintaining heritage properties if next door extensions can easily remove their value?

Many thanks for your attention to this matter

Yours sincerely
Janet Gail Allen

Statement – Mal Thomas, 103 Nicholson Road, Shenton Park

11.1 – Elected Temporary Nib outside 107 Nicholson Road Shenton Park

I am one of the owners of Perth Party Hire which is situated at 103 Nicholson Rd Shenton Park, and am here to speak for the motion being put forward by Councillor Jennings for council to consider the installation a temporary curbed nib.

We are unfortunately having to put up with two vehicles parking in the ONE LEGAL car bay in front of the shop at 107 Nicholson Rd Shenton Park, the second car when parked, restricts access to our ONSITE customer parking.

We have been trying to address these issues for the past three years and find the parking problems are still causing major safety issues, and we are now getting customers complaining to us about the danger of entering and exiting our private property parking.

We would like to thank the owners of The Wholefood Circus for acknowledging the problem and putting up a sign, three weeks ago, to try to encourage their customers not to park there and intrude on the crossover. Unfortunately, the situation has not improved as confirmed by the many photos we have forwarded to the councillors.

When we do approach illegally parked cars and ask the drivers to please move, we are encountering a lot of aggression, and this is a position we should not be put in and we find unacceptable.

We are just a small family owned local business that has operated for over 30 years in the same location. We congratulate The Wholefood Circus on their success and have tried to help them with their parking issues by having our permanent staff now park in our onsite carpark to free up additional street parking. We have never wanted the issue to become personal, however recent interactions with Mr Frank Torre, co-owner of The Wholefood Circus has been confronting, aggressive and intimidating.

Our main concern has always been the safety of our customers and staff, we feel that it is a very dangerous situation for vehicles having to navigate two lanes of traffic when travelling west on Nicholson Rd because they have to pull out wide to get around any vehicles that are intruding on our crossover.

It is an accident waiting to happen!!! We are not trying to reinvent the wheel we are just trying to make this safe and allow our customers to use our crossover to enter our premises!!!

Discussions with council staff have informed us that the installation of a temporary nib is an inexpensive and easy fix to the problem. This measure will solve the current safety issue and it would allow all parties to take a breath. We can then monitor the situation to see if the nib has fixed the parking and safety issues, to the satisfaction of all parties.

We strongly request that council approves the motion put forward by Councillor Jennings as a matter of urgency so that we can continue to operate our business in a safe manner for all our customers and staff.

Mal Thomas
Owner of Perth Party Hire

Statement - Michael Fish, 103 Nicholson Road, Shenton Park

11.1 – Elected Temporary Nib outside 107 Nicholson Road Shenton Park

My name is Michael Fish. I am an owner of the property at 103 Nicholson Road, I am a ratepayer and a half owner of Perth Party Hire.

I am here to speak regarding the motion being put forward by Councilor Jennings for Council to consider and approve the installation of a temporary curbed nib outside Wholefood Circus, which will ALLEVIATE the ongoing safety risk to our customers, our staff and the public.

Perth Party Hires greatest concern is SAFETY FIRST and we would think this would also be the Councils main concern.

Continually over any given day two vehicles park in front of Wholefood Circus in what is ONLY a ONE LEGAL car bay NOT two. The daily running of our business is persistently inconvenienced and most importantly greatly compromised to be able to keep a safe external environment for our customers and business vehicles to enter and exit our property.

When a second car is parked at Wholefood Circus it can sit 1/3 to 1/2 way across our driveway restricting and sometimes blocking full access to our onsite parking bays that we provide for our customers and staff.

Our customers and staff's safety is constantly put at risk with having to navigate two lanes of busy traffic when travelling west onto Nicholson Road because they have to pull out very wide to get around any vehicle that is intruding over our driveway from the Circus shop. It is an accident waiting to happen!

Often the Circus customers use our driveway as a turning point to then reverse out into oncoming traffic to park as the second car in front of the Circus shop and then restrict our driveway. We have our own customers and company vehicles coming and going at any time of the day therefore at times our staff may need to approach the shops illegally parked customers and ask the drivers to please move to allow our customers to leave our premises. In doing so on occasions they have received aggressive behavior. Now our staff feel nervous to approach anyone blocking our exit point.

Perth Party Hire (previously Hendies Hire Service) has been operating from the same premises since 1983 (37 years ago). We have owned our family local business for 32 years and in that time we have never before encountered the constant safety issues and inconvenience to run our business effectively that we now have experienced over the past three years.

Perth Party Hire strongly requests that Council approve the motion put forward by Councillor Jennings as a matter of urgency. It is inevitable that there will be an accident and possibly injury if the council does not ACT on putting a curbed nib in to rectify this safety issue.

Perth Party are not involved in the push by Wholefood Circus to obtain more parking on Nicholson Road as we have always had off street parking as was stipulated by the City of Subiaco in 1982, when our property was redeveloped. Our issue is the safety for our customers and staff and for our driveway to be unobstructed so we can operate our business. Our appeal is a separate situation to the traffic issues and road modification proposal and it needs attention and action now!

Thank you

Statement - Dimitri Batalin, 138 Bagot Road, Subiaco (read by Dorothy Atkins)

C1 - No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*

Good Afternoon Mayor, Councilors, Ladies and Gentlemen

My name is Dorothy Atkins, I am Mum of Sarah Atkins and partner of Jim Batalin. With Jim's Parkinson he has asked that I speak on his behalf.

Prior to submitting the design for renovations my builder consulted with the City's Planning Services to establish design guidelines.

During the design process my builder and designer worked tirelessly with City of Subiaco Planning Officer Hayden to achieve a satisfactory design which would meet all necessary requirements.

An application was lodged in June 2020, letters were sent to neighbours close to us. Four neighbours on the east side, one at the back, one on the west side and we assume the homes across the road. On speaking to our friendly neighbours we learned two had objected.

Our builder worked with the Planning Office to address the objection. The height of the second story was decreased, the wall on the east side was moved further into the block. Now a distance of nearly 5 metres from the east boundary.

Before submitting the plans, being thoughtful to the neighbour a window that had always overlooked their back yard is to be relocated away from the side boundary to the back of the home.

When I offered our family to move into Bagot Road eight years ago, with only one bathroom and six of us, sometimes seven living in the home; the long term plan was to renovate.

There has been no addition or change to the front of the lovely old Subiaco style home. The new addition is at the back of the home, in the centre of the block and cannot be seen from Bagot Road.

We have done everything the Planning Department has asked us to do and addressed all objections.

The Planning Department have given approval for the renovations and we ask for a positive response please from Council to renovate our family home.

Thank you for your time.
Dr Jim Batalin