



# AGENDA

## Town Planning Committee

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Tuesday 6 October 2020 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.

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### 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;"><b>Deputations</b></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;"><b>Presentations</b></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](mailto: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](mailto: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.

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### 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, 6 October 2020 at East Fremantle Town Hall, 135 Canning Highway, East Fremantle commencing at 6.30 pm and your attendance is requested.

GARY TUFFIN  
Chief Executive Officer

30 September 2020

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**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 (1 September 2020)**

**8.1 OFFICER RECOMMENDATION**

**That the minutes of the Town Planning Committee meeting held on Tuesday 1 September 2020 be confirmed as a true and correct record of proceedings.**

**9. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

**10. REPORTS OF COMMITTEES**

Nil

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## 11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

### 11.1 Fortescue Street No 67 (Lot 133) Proposed home occupation (hair salon)

<b>Owner</b>	Franco Edoardo Pesce & Henry Naglazas Enrikas
<b>Applicant</b>	Angelina Naglazas
<b>File ref</b>	P085/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	6 October 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan</li><li>2. Site photos</li><li>3. Place Record Form</li><li>4. Plans date stamped 25 August 2020</li><li>5. Community consultation</li></ol>

#### **Purpose**

The purpose of this report is for Council to consider a planning application for a proposed home occupation (hair salon) at No 67 (Lot 133) Fortescue Street, East Fremantle.

#### **Executive Summary**

The applicant is seeking Council approval to operate a home occupation (hair salon) at the subject site within the existing ancillary dwelling at the rear of the property.

There are three issues that are relevant to the determination of this application;

1. Impact on residential amenity from business activity
2. Effect of vehicle traffic
3. Adequacy of car parking

It is felt that this proposal can be supported subject to planning conditions, including a 12-month temporary approval to enable potential impacts be monitored and reassessed by Council after the temporary approval has finished.

#### **Background**

Zoning: Residential R12.5

Site area: 1011m<sup>2</sup>

#### **Consultation**

##### Advertising

The proposal was advertised to the surrounding landowners from 31 August to 14 September 2020. The following submissions were received. Five supported the proposal and 6 objected to the proposal.



<b>Submission</b>	<b>Applicant Response</b>	<b>Officer Response</b>
<p><b>Submission 1</b> I object to the proposal. We've owned our property for the last seven years and have enjoyed seeing it grow into a family friendly street that's focused on strengthening community bonds and providing a safe place for kids to grow up. In the last 5 years there's been a burgeoning of children in the street that enjoy playing on the street and being together, usually walking up and down, riding bikes, scooters and skateboards along the footpath. We don't feel that introducing a business into a residential area is a good idea due to the increase in traffic flow, extra cars on the street which impede visuals when people (mainly children) want to cross the road and the coming and going of random people - hence why the majority of businesses are in commercial zones in a site designated to running a business. Our main concern is the children and their safety. There's a lot of them on our street.</p>	<p>By having the rear studio to work out of it. The home occupation fits well with being " community minded and keeping children and people within that community". Home occupation should be looked at being community minded, as if people could walk to a hair salon, not having to get in a car and drive to a shop thus creating more traffic on the street coming and going, as well as creating further connection to those who live within a community and with residents getting to know everyone. In days gone by where there were local corner shops such as delicatessen and barbers, thus strengthened the community and reduced risk of stranger danger by knowing the people in the neighbourhood plus reducing the need to get into a car and drive everywhere for goods and services.</p>	<p>Although it is recognised that the road can become a supplementary play and activity space for children it is essential to realise that the road is primarily designed for vehicle transport and to allow vehicles to access properties along the street. It is essential that children are supervised when using the road or crossing the road. There are no limits on who can access Fortescue Street as it is a public road, not a private road. Conditions will be imposed as part of any approval of the home occupation that will limit the number of customers coming and going from the business.  If the business grows beyond its capacity as a home occupation, then it is expected that it will migrate to commercial premises as it will not be able to achieve the proposed conditions of approval.</p>
<p><b>Submission 2</b> P085/20. As a resident of Fortescue street (60) I support the small business use proposed for 67 Fortescue St.</p>		Noted
<p><b>Submission 3</b> I support the proposal. I think it is important for our community to support diverse options for people living and working in the neighbourhood. I fully support this proposal that will have no impact on neighbours (only one client car visiting the property at one time).</p>		Noted
<p><b>Submission 4</b> I support the proposal. One customer at a time is not going to impact anyone in the street- I support letting this new neighbour make a little income!</p>		Noted
<p><b>Submission 5</b> I support the proposal. Happy to support.</p>		Noted
<p><b>Submission 6</b> I would like to lodge my strong disapproval for the application P085/20 for 67 Fortescue Street East Fremantle.</p>	<p>My daughter and I had a hair salon within an aged care facility where we would share the days and hours of work to fit with the children school and holidays. It was a 4-day concern with hours between school hours. Very part time basis which suited us both. We would share the client appointments and it gave us</p>	<p>There is the potential for residents to establish home occupations at their property in accordance with Local Planning Scheme No 3.</p>

<p>I choose to live on Fortescue Street because it is a quiet residential street, I definitely do not want a Hair business opening up on my street. There are enough cars parked on our street already and they are residents' cars, we don't want any more with people coming and going.</p> <p>If these people want a hair salon, they should go and rent a retail premises, there are good opportunities for cheap shop leases.</p> <p>Looking forward to attending the meeting regarding this matter.</p>	<p>both a small income. Due to COVID-19, our contract and our income ceased. By having a rear studio area to work out from, it will enable us both to have a small income and continue to provide hair dressing to our very few loyal clients. We decided that setting up a commercial type hair dressing salon was not what would suit either of us due to that the small amount of clients wouldn't cover the outgoings, plus also that we do not have or want to work full time and we want to stay at home. We could not afford to pay high rental and all that goes with being a commercial business. By working from home, it will be able us to work around school hours and holidays.</p>	<p>There are no limits on who can access Fortescue Street as it is a public road, not a private road. Conditions will be imposed as part of any approval of the home occupation that will limit the number of customers coming and going from the business.</p> <p>If the business grows beyond its capacity as a home occupation, then it is expected that it will migrate to commercial premises as it will not be able to achieve the proposed conditions of approval.</p>
<p><b>Submission 7</b> I object to the proposal. I have no concerns if the home salon is a small one. Is there only one hair stylist working at a time, ie. one client at a time? The reason I ask is, our street is quite often, full of cars. Plus, it's used as a thoroughfare. Would the salon make it significantly worse?</p>	<p>We do not envisage any increase in car and traffic flow within the street that is not already there. We have walked the street and adjoining streets and find that many houses have more than two cars within their driveway and on the verge as well as parked in the street in front of their homes daily.</p> <p>Based on our few number of clients per day/week we do not see that one car at a time – two /three per day for three/four days a week create any increased risk or intrusion to the community. The number of clients that we service has never been a noticeable amount, has always been unnoticed and has never caused any intrusion to the community via way of noise or congestion to a community street on any usual day.</p> <p>We will only have few clients per day and in some days no clients at all. We will set up the home salon for one hairdresser and one client at one time.</p>	<p>The proposed hair salon will have one hairstylist. Fortescue Street is a public street and as a result, vehicles are free to drive down the street.</p> <p>The opening times and number of customers will be limited to reduce the impact on neighbouring residential properties.</p>
<p><b>Submission 8</b> I have some concerns I wish to address.</p>		<p>Noted</p>
<p><b>Submission 9</b> I support the proposal. I support this proposal as the impact on the street will be minimal and it supports a productive community.</p>		<p>Noted</p>
<p><b>Submission 10</b> I am objecting to the proposal of a hair salon at 67 Fortescue Street, East Fremantle (proposal number P085/20). I have lived in my house for fifty-four years. What used to be a quiet residential street has now turned into a carpark and having a business in the street would only exacerbate the problem. I also fear it would de-value the surrounding properties. Please keep our street residential only!</p>	<p>We have recently moved into the street and are doing substantial beautification renovations to our new home that are costly to us. We intend to stay here for many years and understand property value well and would only want to increase value of our own home and others in our street. We are community minded people and have always been willing to help our neighbours in any way. I worked as a community aged care &amp; disability assessor, assessing clients' needs for them to be able to stay at home safely, for 15 years, and feel strongly about community and people within their community. We would not place in jeopardy any value in our own home or that of other homes in our street.</p>	<p>Streets are public roads and if there are no parking limitations in place then people are able to park their cars on the street.</p> <p>Property value is not a relevant planning consideration.</p> <p>Local Planning Scheme No 3 does allow home occupations to be established in residential areas subject to certain constraints.</p>

	<p>We have gone through the correct process and applied to council for home occupation to be transparent about what we want to do, and in belief that this would be of a benefit to the community, no one would be the wiser that a home salon was operating in the street otherwise. We understand that East Fremantle Local Planning Scheme has allowance for home occupation for small trade occupations and that if all that is met by the requirements there should be no objection.</p>	
<p><b>Submission 11</b> I wish to object to proposal number P085/20 for a hair salon to be built at 67 Fortescue Street, East Fremantle. My wife and I purchased our house because of its quiet residential location and we definitely do not want Fortescue Street turned into an industrial area. A number of hair salons already exist in local business areas and I am concerned that a business in the residential street will see an increase in road traffic. If this proposal for a home business was approved there would be more traffic than at present. There are already cars parked on the street which makes it difficult to navigate in and out of my driveway. There are also many young children on Fortescue Street who are cycling, playing or walking to and from school and I fear that their safety will be at further risk. Having a business in our beautiful, quiet street will be detrimental and has no place in this part of East Fremantle.</p>	<p>As in response to No. 10. I am aware that there are other home businesses operating in the local district. I experience cars coming and going for all sorts of reasons on the street that are a part of general community activity. For instance - Aged care service staff attending to community clients' needs by providing services daily to enable elderly to stay at home, courier drivers delivering purchases which has increased during COVID-19, family and friends visiting residents, football and netball parking, none of this appears to be highlighted, disputed or made a problem. But that is what community is about, expecting activity that brings people into a community. My business is not advertised and will never be. The clients that we have are all long time and word of mouth type client and they do know how to come/go to our home environment without creating an intrusion or safety risk to the community and which is no different if someone had a friend come over for a cup of tea and chat. Local Government Scheme – Planning and Development (Local Planning Schemes) Regulations 2015 Western Australia Home occupation must take place on land or in a dwelling that you own. You must also not:</p> <ul style="list-style-type: none"> <li>• employ a person who is not a family member or occupier of that land or dwelling - Agree</li> <li>• occupy more than 20 square metres – salon area equals 9 sqm (half of the studio is used as my art space – in situ)</li> <li>• have a sign greater than 0.2 square metres – No sign</li> <li>• involve retail sale, display or hire goods unless the sale, display or hire is done only by means of the Internet – No retail</li> <li>• require more car parks than normally needed for a residential dwelling or increase the volume of traffic in the neighbourhood – one car per client parked on either cross over or driveway</li> <li>• use essential services, such as water or power, to an extent greater than normal –</li> </ul>	<p>Fortescue Street is not being rezoned as an industrial area and will remain as a residential area for the foreseeable future.</p> <p>Local Planning Scheme No 3 does allow home occupations to be established in residential areas subject to certain constraints.</p> <p>Although it is recognised that the road can become a supplementary play and activity space for children, it is essential to realise that the road is primarily designed for vehicle transport and to allow vehicles to access properties along the street. It is essential that children are supervised when using the road or crossing the road.</p>

	<p>all usage volume would be less than a family of four would use.</p> <p>Our small home occupation hair salon will be one of a low-profile small enterprise and will not affect the local street and the local activity in any adverse way. There will be no visual advertising on the property or street as we are not seeking to increase client volume but just to provide our craft to those who we already know.</p> <p>I have been hairdressing for 44 years and my daughter has been hairdressing for 17 years. We both love our skill and enjoy our creative expression by way of doing hairdressing. We don't want to work out of home anymore and we feel that what we offer is a good thing in a community and with no adverse outcome or increased traffic volume thus causing risk to family environment within the street. I am a grandmother and between me and my daughter we look after the children and want to earn some income that fits with the care of the children and grandchildren. Thus, the beauty of being able to work to gain some small income within that home environment.</p> <p>We are a family of two people living in Fortescue, I have an elderly father who has dementia that stays with us often. By working from home this allows me to continue to have him with me whilst I continue with my life activities.</p> <p>With the COVID-19 environment and all that has changed, we want to stay close to home now and this opportunity of setting up a home occupation scenario, will allow us to do so. Community is about staying close to home and whereas we still can and want to be, playing an active role in our lives and have some employment. We are socially conscious and believe in the benefits of good communities; we consider on how we manage our home occupation and how this, if any, cause any negative effect, on the home environment and community.</p> <p>We will have a front pedestrian gate for our family, friends, and clients to access. People come and go without any fuss, just as if friends and family are visiting. We park our own vehicles mostly within our property thus leaving the crossover for easy access and safe parking for clients, family, and friends. Whilst the crossover belongs to the council the owner has the right to use the crossover to form an access point to their property.</p> <p>There will be only one client at a time being serviced and most likely only two clients per day, Monday to Friday with the occasional Saturday.</p> <p>Hours of operation are mostly within the school hours, Monday to Friday, with some of our mums bringing their children for haircuts after school and stay for a coffee and a play date with the children.</p>	
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	<p>The one car coming into the street and into our driveway will make no impact to the exiting traffic flow and cause no adverse effect when the children are home from school.</p> <p>Many other homes have more than two people living within those homes, teenagers and young adults within those homes, going to school, university or working part time, thus increasing the flow of traffic/ cars coming and going, congesting the street and verges with their parked vehicles, that I understand.</p> <p>I do not think that two/three visitors two/three times per week for up to a couple of hours at a time, should be considered an issue in relation to this observation.</p> <p>Our streets are not exclusive just for those that live in that street. I do agree that if there is already a general problem with traffic flow and the accessing of the street for other community activity, or being used as a thoroughfare from Marmion Street through to Canning highway, then this should be monitored by Council with the view of some traffic flow discussion.</p> <p>I do not believe that my small low-profile home occupation is/would make any difference to what is already occurring in our street.</p> <p>I have already had introduction to my adjoining and some surrounding neighbours, and they have no objection with my application. They appear to be balanced thinking innovation about how people are managing lifestyles since the COVID-19 interruption.</p> <p>I would like to propose that Council consider approving my application – Home occupation – Hair salon and monitor this over a period and with discussion if any adverse effect or complaint has risen.</p> <p><b>I have attached some comments from our Fortescue Street WhatsApp for consideration:</b></p> <p>“Yes, I can’t see how 1 customer at a time will impact anyone”</p> <p>“Good luck with it all. I can think of no reason why council would be sending letters. We didn't receive anything at. I’m happy to hear we have a hairdresser and an artist in the street. I’m an artist too and would love to drop by sometime to see your work”</p> <p>“We at didn't receive a letter and delighted to have such talent join Fortescue Street. Welcome and best of lucks”</p> <p>“We didn’t get a letter at either and we certainly have no objection to having a hairdresser in the street. Good luck.”</p> <p>“I didn’t get a letter at. I’m an artist working from home too. Feel free to pop over. I think there maybe a few of us in the street”</p> <p>“Lovely to hear - I will pop in to see your creatives”</p>	
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	<p>“Hello Angelina, and welcome to the street, I’m Helen, number [redacted] and I didn’t receive a letter either. I fully support you too, and hope you are able to run your business from home”</p> <p>“No probs here. Pretty sure the letter was from the dissenter not the council?”</p> <p>“I’d love to see both your work. How about giving lessons in small groups?”</p> <p>“I did not get a letter from the council and have no problem with your plan.”</p> <p>“Thanks Angelina, I’ve written to the council in support, all the best.”</p> <p>I have attached photos of the studio.</p>	
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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC. There are no streetscape impacts.

External Consultation

Nil

Environmental Health Officer

Council’s Principal Environmental Health Officer will inspect the premises to confirm that it is suitable for use as a hair salon prior to the commencement of the use in accordance with environmental health requirements. There were no environmental health issues raised during the assessment of the proposal or in discussions with the Town’s environmental health officer.

**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 2017 – 2027 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.*

- 3.2 *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 practices.*
  - 3.3.2 *Optimal management of assets within resource capabilities.*
  - 3.3.3 *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.*
- 4.2 *Enhance environmental values and sustainable natural resource use.*
  - 4.2.1 *Reduce waste through sustainable waste management practices.*
- 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

The applicant is seeking approval for a home occupation for hair salon services. The home occupation involves a hair salon by appointment only from Monday to Friday during school hours and occasional weekends. It is intended that the business will be operated by the applicant and resident of the dwelling and that no other staff from outside the residence will be employed. The hair salon services will take place in the ancillary dwelling at the rear of the house.

A Home Occupation is classified as a "P" or permitted use in the Residential zone, which means:

*"the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme."* (LPS No. 3, sub-clause 4.3.2)

The following table provides compliance details in relation to Home Occupation use as defined under Local Planning Scheme No.3.

Home Occupation - Required	Comment
Does not employ any person not a member of the occupier's household	Employees are all within the household.

Will not cause injury to or adversely affect the amenity of the neighbourhood	There is a potential impact on neighbourhood. Conditions relating to days/hours of operation of the business and number of clients at any one time are intended to limit the impacts.
Does not occupy an area greater than 20 square metres	Occupies 18 square metres. Areas within the ancillary dwelling will be used for the business.
Does not display a sign exceeding 0.2 square metres	A relevant condition will be applied.
Does not involve the retail sale, display or hire of goods of any nature	A relevant condition will be applied.
In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles	It is anticipated there will be vehicle movements that are greater than that anticipated for the recognised daily number of vehicle movements for a dwelling within a Residential zone. Street parking is available.
Does not involve the use of an essential service of greater capacity than normally required in the zone	Complies.

The proposed home occupation may create additional traffic and parking pressures in the street. The relevant issues are discussed below.

**Parking**

There are at least 2 car parking bays available for the residents of the dwelling and clients to the business. There is a driveway that extends for almost the full length of the property with at least 2 car parking bays available on site. Car parking is also available in front of the property on the road, although this is not specifically for the applicant’s use as it is public space. On-street parking is not reserved parking and operates on a first come first served basis.

**Traffic and vehicle movements**

Traffic generation from the site is also a relevant consideration. In accordance with the proposed conditions of operation it is noted that the business will only operate for limited times when people are generally at work and children are at school, therefore the impacts are considered to be minimal. The approved use is also conditioned to be limited to 12 months so potential impacts on parking and traffic can be monitored.

**Operation of home occupation**

It is recommended that restrictions be placed on the hours and days that individual clients can have their hair cut with the removal of the ability to trade on Sundays or public holidays. It is recommended that the days be restricted to Monday to Saturday between 9.00am and 4.00pm with no services available on Sundays or Public Holidays.

As stated previously the home occupation use is designed to support businesses that have limited amenity or parking impacts on the surrounding residential properties. Any expansion in the size of the business operations beyond what is recommended in this report will have effects that are better suited to areas with commercial or mixed-use zoning.

**Conclusion**

Although the Town is broadly supportive of the proposal it is recognised that there are questions of amenity, parking and traffic that have to be addressed and the Town must act in the best interests of the whole community.



Home occupations are uses that are generally only permitted in Residential zones when they are small scale activities that will not bring about significant change to resident amenity, parking demand or vehicle traffic. A number of conditions in respect to the number of individual clients, hours and days of operation, parking, signage and other standard planning and environmental health conditions are recommended to be imposed to restrict the scale and intensity of the commercial activity. If there was a significant increase in customers visiting the dwelling, then the parking and traffic pressures would increase.

A twelve-month approval period is considered to be warranted so the home occupation can continue to be monitored for any negative impacts. As this proposal is within a Residential zone it is important that caution be applied to home occupation approvals of this nature and that regular renewals are required, rather than being granted on a permanent basis. If the home occupation does not operate as the applicant has specified and in accordance with the conditions imposed by Council, then the approval may be revoked.

It is recommended that a twelve-month approval be issued with relevant conditions.

**11.1 OFFICER RECOMMENDATION:**

That development approval is granted and Council exercises its discretion in regard to a home occupation (hair salon) at No. 67 (Lot 133) Fortescue Street, East Fremantle, in accordance with the plans date stamped received 25 August 2020, subject to the following conditions:

- (1) Approval is for a temporary period of twelve (12) months from the date of this development approval.
- (2) Continuation of the home occupation use after the twelve (12) month approval period has expired will require the submission of a new development approval application for Council's consideration.
- (3) The premises are to be inspected by the Town's Environmental Health Officer prior to the business operating and annually thereafter should a further planning approval be granted following the twelve (12) month approval period.
- (4) Only one (1) individual client per hour is permitted from Monday to Friday between the hours of 9.00am to 4.00pm.
- (5) Only one (1) client for individual hair salon appointment is permitted to be on the premises at any one time.
- (6) Only one (1) client vehicle may be parked at the premises at any one time.
- (7) The home occupation is not to operate on Sundays or Public Holidays.
- (8) The home occupation shall not employ any person who is not a member of the occupier's household.
- (9) The home occupation is not to occupy any other area of the dwelling other than the rooms within the ancillary dwelling as shown on the plans date stamped received 25 August 2020.
- (10) No signage shall be displayed exceeding 0.2 square metres.
- (11) No products or goods shall be sold from the dwelling.
- (12) The home occupation approval is valid for a period of twelve (12) months only from the date of the "Approval to Commence Development" and the applicant is required to seek a renewal thereafter to enable the continuance of the home occupation. During the review of the renewal process, assessment of number of clients per day, group session numbers, car parking, noise, vehicle movements, safety, resident amenity and compliance with Home Occupation requirements and Scheme requirements will be undertaken.

***Footnote:***

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

- (i) The applicant be advised that failure to comply with the above conditions of this approval or if the home occupation causes a nuisance or annoyance to owners or occupiers of the land in the neighbourhood, Council may revoke its approval of the home occupation.*
- (ii) A fresh development (planning) approval application is to be made for Council's consideration at the expiry of the twelve (12) month temporary approval period should the applicant wish to continue the use.*
- (iii) The applicant be advised that following receipt of planning approval the Town's Principal Environmental Health Officer is to be contacted to arrange for an inspection of the premises (telephone 9339 9339).*
- (iv) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site;*
- (v) a copy of the approved plans as stamped by Council are attached and the use is to conform with the approved plans (25 August 2020) unless otherwise approved by Council.*
- (vi) all noise levels produced by the home occupation are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (vii) under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document, "An Installers Guide to Air Conditioner Noise".*

67 Fortescue Street – Map and Photo



67 Fortescue Street – Photos



## PLACE RECORD FORM



PRECINCT	Woodside
ADDRESS	67 Fortescue Street
PROPERTY NAME	N/A
LOT NO	Lot 133
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1933
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	No 67 Fortescue Street is a single storey house constructed in rendered brick with a hipped and gable tiled roof. It is a good expression of the Inter-War Bungalow style. The front elevation is asymmetrically planned with a thrust gable bay and a part width broken back roofed verandah. The verandah is supported on rendered piers. A rendered balustrade runs between the piers. The verandah construction may be a replacement for a previous timber detail. The verandah terminates at the gabled thrust bay. The half-timbered thrust bay features double hung sash windows under a sunhood. There is a central door flanked by

	<p>casement windows. The roofscape features a rendered chimney and finials.</p> <p>The place retains its basic form and details. There are additions to the rear.</p> <p>The place is consistent with the building pattern in the Precinct. The place plays an important role in the pattern of development of a middle class suburb.</p>
HISTORICAL NOTES	<p>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 Californian Bungalow style residence is also represented in Woodside.</p> <p>The Woodside Precinct remains largely intact in terms of original housing with little infill subdivision or replacement housing.</p>
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	<p>Walls – Rendered brick</p> <p>Roof – Tiles</p>
PHYSICAL SETTING	The residence is situated on a gently sloping site with a densely planted garden. There is a rendered brick wall and a timber picket fence at the lot boundary.
STATEMENT OF SIGNIFICANCE	<p>No 67 Fortescue Street is a single storey house constructed in 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.</p> <p>The place has considerable heritage value for its intrinsic aesthetic value as an Inter-War Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.</p>
AESTHETIC SIGNIFICANCE	No 67 Fortescue Street has considerable aesthetic value as an Inter-War Bungalow. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 67 Fortescue Street has some historic value. 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 SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 67 Fortescue Street has some 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 67 Fortescue Street is not rare in the immediate context, but Woodside has rarity value as a cohesive middle class suburb.
CONDITION	No 67 Fortescue Street is in good condition.
INTEGRITY	No 67 Fortescue Street retains a high degree of integrity.
AUTHENTICITY	No 67 Fortescue Street retains a moderate degree of authenticity.
MAIN SOURCES	



This floor plan including furniture, fixture measurements and dimensions are approximate and for illustrative purposes only. Boxbrownie.com gives no guarantee, warranty or representation as to the accuracy and layout. All enquiries must be directed to the agent, vendor or party representing this floor plan.

67 Fortescue Street, East Fremantle



## Community Engagement Checklist

### Development Application P085/20 - 67 Fortescue Street

Project Name

<b>Objective of Engagement:</b>	Neighbour consultation		
<b>Lead Officer:</b>	Regulatory Services		
<b>Timeline:</b>	<b>Start Date:</b>	31/08/2020	<b>Outcomes By:</b> 14/09/2020
Stakeholders			
<b>Stakeholders to be considered.</b>  <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"/>
<b>Staff to be notified:</b>	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	14/09/2020	<input checked="" type="checkbox"/> Advertised to 6 surrounding properties
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>



Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		14/09/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

## 11.2 Salvado Road No 4 (Lot 2) Proposed new dwelling

<b>Owner</b>	Ben & Tracey Morse
<b>Applicant</b>	Summit Homes
<b>File ref</b>	P079/20
<b>Prepared by</b>	James Bannerman, Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	6 October 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan</li><li>2. Site photos</li><li>3. Plans date stamped 5 August 2020</li><li>4. Community consultation</li></ol>

### Purpose

The purpose of this report is for Council to consider a planning application for proposed new dwelling at No 4 (Lot 2) Salvado Road, East Fremantle.

### Executive Summary

This development application proposes a new single storey dwelling to be constructed on a vacant 454m<sup>2</sup> survey strata lot at 4 Salvado Road, East Fremantle. The dwelling is located on a north facing lot with a wide street frontage.

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 Setbacks - 1.5m required, 1m provided,
- (ii) Clause 5.3.1 – Residential Design Codes – Outdoor Living Areas – located behind street setback line required, located in front of the street setback line provided, and
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees provided.

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

### Background

Zoning: Residential R12.5

Site area: 454m<sup>2</sup>

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

No. 53 (Lot 200) Alexandra Road subdivided – No 4 (Lot 2) Salvado Road created - WAPC Ref 1189-17 - June 2018

### Consultation

#### Advertising

The application was advertised to surrounding landowners from 25 August to 8 September 2020. No formal submissions were received from surrounding property owners.

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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC.

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 2017 – 2027 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.*
- 3.2 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 practices.*
  - 3.3.2 Optimal management of assets within resource capabilities.*
  - 3.3.3 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.*
- 4.2 Enhance environmental values and sustainable natural resource use.*
  - 4.2.1 Reduce waste through sustainable waste management practices.*
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.*
  - 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.*

### Risk Implications

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

### Site Inspection

A site inspection was undertaken.

### Comment

#### Statutory Assessment

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

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

#### Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6m	6m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Eastern wall - garage	0m	0m	A
Eastern wall – master suite	1.5m	2m	A
<b>Southern wall – master suite, WIR, bedroom 2, powder room, bathroom, bedroom 3, laundry</b>	<b>1.5m</b>	<b>1m</b>	<b>D</b>
Eastern wall – laundry, kitchen, alfresco	1m	1.02m	A
Open Space	50%	47%	A
<b>Outdoor Living Area</b>	<b>Behind street setback area</b>	<b>In front of street setback area</b>	<b>D</b>
Wall Height	6m	2.8m	A
Roof Height	9m	5.56m	A
Setback of Garage	4.5m	5.501m	A
Car Parking	2 car bays	2 car bays	A
Site Works			N/A
Visual Privacy			N/A
Overshadowing	<25%	15%	A
Drainage			To be conditioned

#### Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	N/A
3.7.3 Development of Existing Buildings	N/A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>

3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	N/A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	N/A
3.7.14 Footpaths and Crossovers	A
3.7.15.3.3 Garages and Carports	A
3.7.15.4.3.1 Fremantle Port Buffer Area	A

This development application proposes a new single storey dwelling to be constructed on a 454m<sup>2</sup> survey strata lot at 4 Salvado Road East Fremantle. Two variations are requested to the requirements of the Residential Design Codes and one variation is requested to the requirements of the Residential Design Guidelines. The variations relate to lot boundary setbacks, the requirement for outdoor living areas to be located behind the street setback area and roof pitch.

#### Lot Boundary Setback

The southern wall of the property is approximately 20m long and 2.8m high. It has major openings from bedroom 2. As such it is required to be setback 1.5m from the southern boundary in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 and Table 2b. In this case it is setback 1m from the boundary. This is a marginal difference considering the single storey nature of the development. The reduced setback does achieve design principles clause 5.1.3 P3.1 for the following reasons;

- There is reduced impact from the building bulk on adjoining properties because the building is single storey,
- Adequate sunlight and ventilation are provided to the building and open spaces on the site and adjoining properties as the building is north facing and single storey, and
- There is minimal overlooking and resultant loss of privacy on adjoining properties.

For these reasons, the reduced boundary setback can be supported.

#### Outdoor living Areas

In accordance with deemed to comply clause 5.3.1 C1.1 there is a requirement that outdoor living areas are provided behind the street setback area. In this case the alfresco area is provided in the front setback area on the northern side of the proposed dwelling. As a result of this location the outdoor living area is capable of use in conjunction with the living area of the dwelling, is open to the winter sun and ventilation and as such optimises use of the northern aspect of the site.

For these reasons the proposed location of the alfresco area in the street setback area can be supported.

#### Roof Pitch

The Residential Design Guidelines acceptable development provisions 3.7.8.3 A4.1 requires that the roof has a pitch of between 28 and 36 degrees. In this case there are sections of the roof that have a pitch of 25 degrees, while other sections including the front portico have a pitch of 35 degrees. However, under the performance criteria clause 3.7.8.3 P4 roof forms of buildings must complement the traditional form of surrounding development in the immediate locality.

In this case the proposed roof pitch complements the surrounding properties and therefore can be supported.

### Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Design Codes and the Residential Development Guidelines are considered acceptable. As such it is recommended that the proposed development be supported subject to planning 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 – 1.5m required, 1m provided,**
- (ii) Clause 5.3.1 – Residential Design Codes – Outdoor Living Areas – located behind street setback line required, located in front of the street setback line provided, and**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees provided**

**for a new residential dwelling at No. 4 (Lot 2) Salvado Road, East Fremantle, in accordance with the plans date stamped received 5 August 2020, subject to the following conditions:**

- (1) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 5 August 2020 and to be in accordance with Council’s crossover policy (2017) and the Residential Design Guidelines.**
- (2) All fencing within the street setback area is to be in compliance with the front fence provisions of the Residential Design Guidelines. Any proposed new fencing or walls in the front setback area will require the submission of a development application for the consideration of the Town.**
- (3) Retaining walls in excess of 0.5m above natural ground level will require the submission of a development application for the consideration of the Town.**
- (4) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council’s further approval.**
- (5) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (6) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council’s attention.**
- (7) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (8) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.**
- (9) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping**

of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.

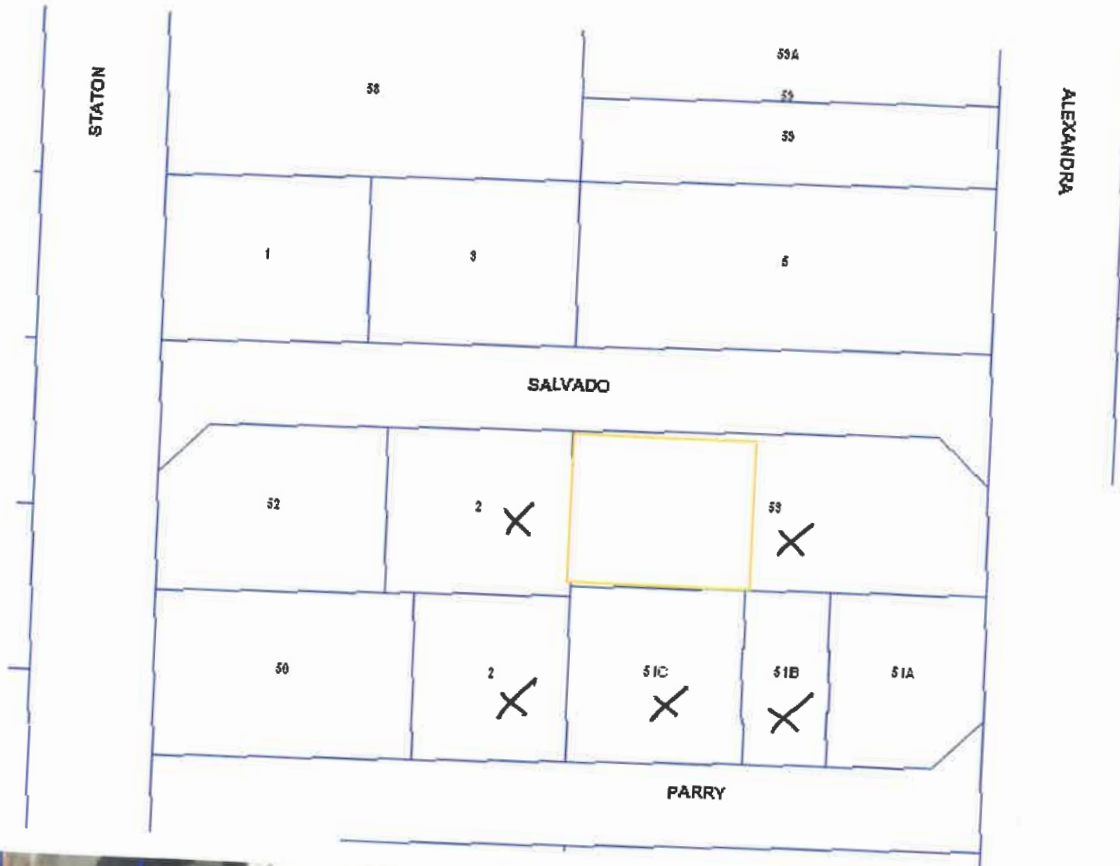
- (10) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
- (11) This planning approval is to remain valid for a period of 24 months from date of this approval.

**Footnote:**

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

- (i) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) *a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected property.*
- (iv) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (v) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

4 Salvado Avenue – Map and Photo





Photos - 4 Salvado Avenue



**ROOF NOTE**

- COLORBOND ROOF, PITCH AT 25° W/ 500W EAVES UNO
- STEEL ROOF IN ACCORDANCE TO NASH STANDARD
- CEILINGS AT 30c + PLATE UNLESS NOTED OTHERWISE

**ITEM 11.2**

**ATTACHMENT 3**

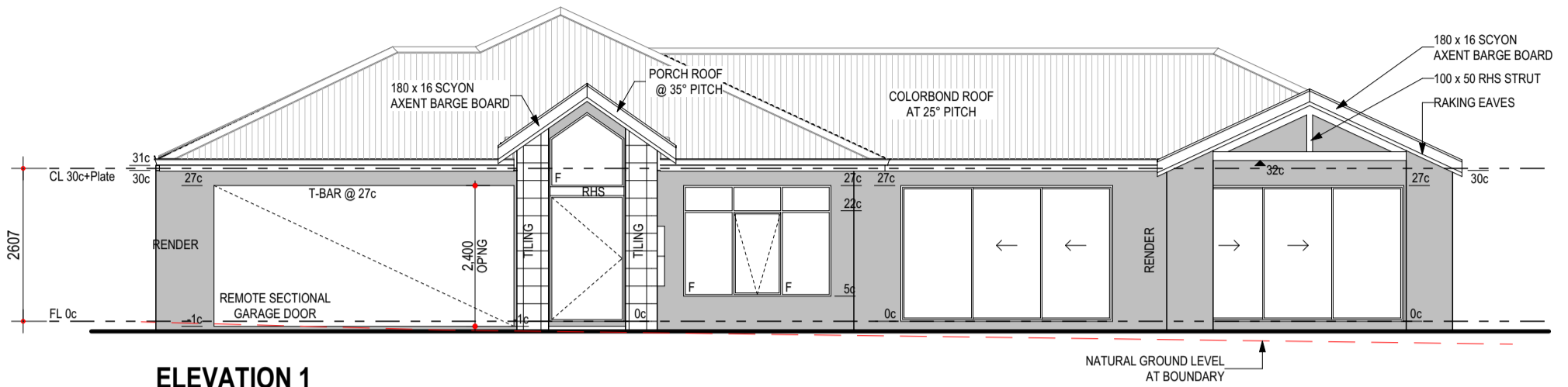
**DO NOT SCALE FROM THIS DRAWING**  
 All Sub-contractors to check dimensions & notes prior to initiating works. Any discrepancies to be notified to the Site Supervisor without delay.  
**ALL DIMENSIONS TO BRICKWORK.**

**WINDOW SUPPLIER NOTE**

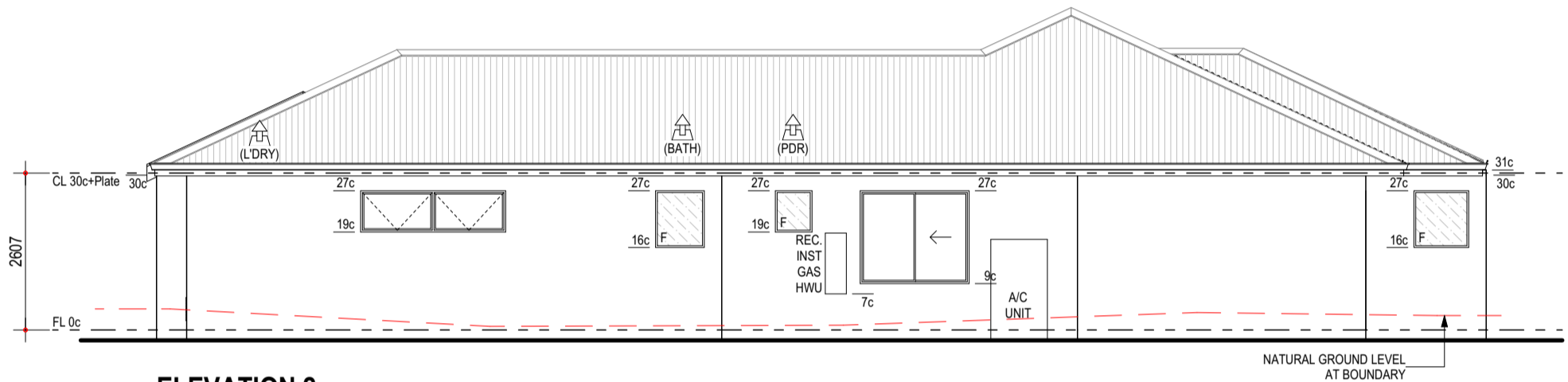
- SHADED WINDOWS INDICATES OBSCURE GLAZING
- GLAZING DESIGNED & CONSTRUCTED IN ACCORDANCE WITH AS1288

**FOR WINDOWS IN BRICK CONSTRUCTION:**

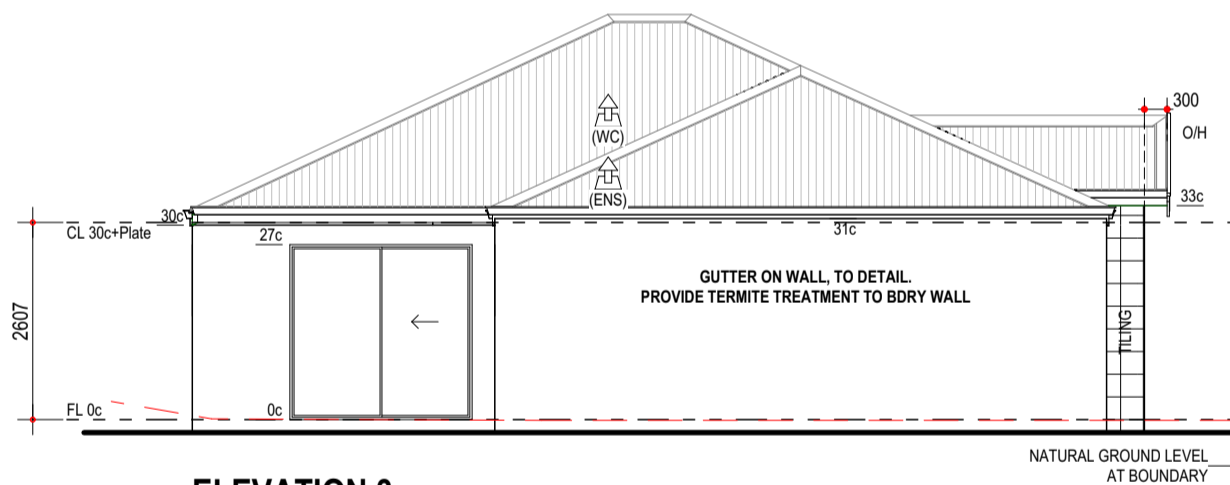
WINDOW SUPPLIER TO SITE MEASURE FOR FINAL MEASUREMENTS IF DESIGN HAS A RAKING OR CLERESTORY WINDOWS PRIOR TO MANUFACTURE.



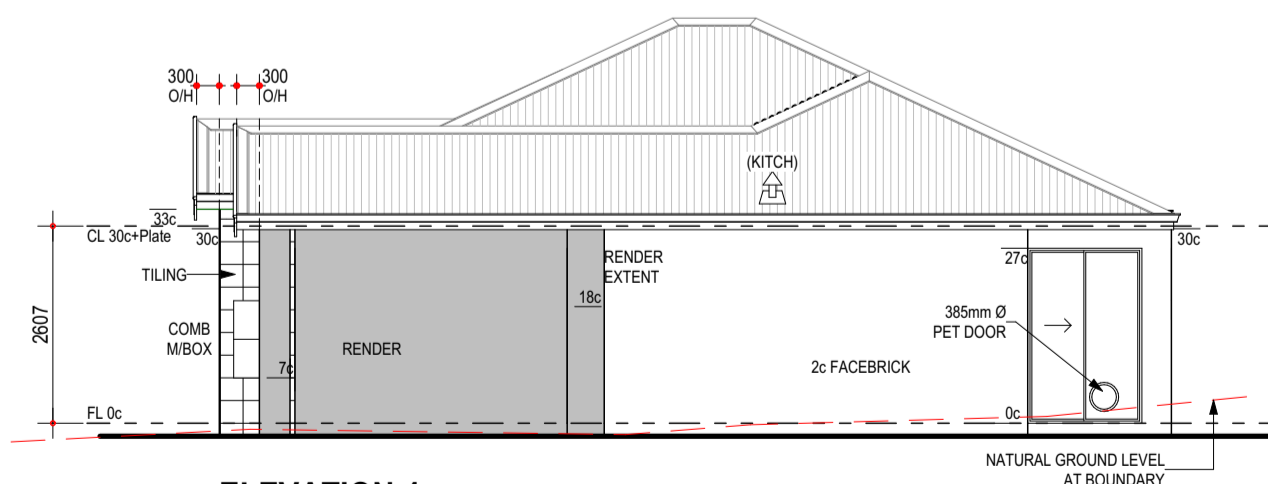
**ELEVATION 1**



**ELEVATION 2**



**ELEVATION 3**



**ELEVATION 4**

WITNESS:	CLIENT(S):	BUILDER:

PROPOSED RESIDENCE FOR:  
**MORSE**

ADDRESS:  
 SSL2 (#4) SALVADO AVE  
 EAST FREMANTLE

DRAWN:	AGR	SCALE:	1:100	Issue Name	Drawn	Date	Issue Name	Drawn	Date
DESIGNED:	TRI	SHEET:	2 OF 9	AMENDMEN	AGR	21.04.20			
CHECKED:	PMI	SIZE:	A3	T	AGR	29.07.20			
DATE:	20/11/19	ONE-OFF		V002					
MODEL:	ONE-OFF	JOB N°	158558						

ELEVATIONS



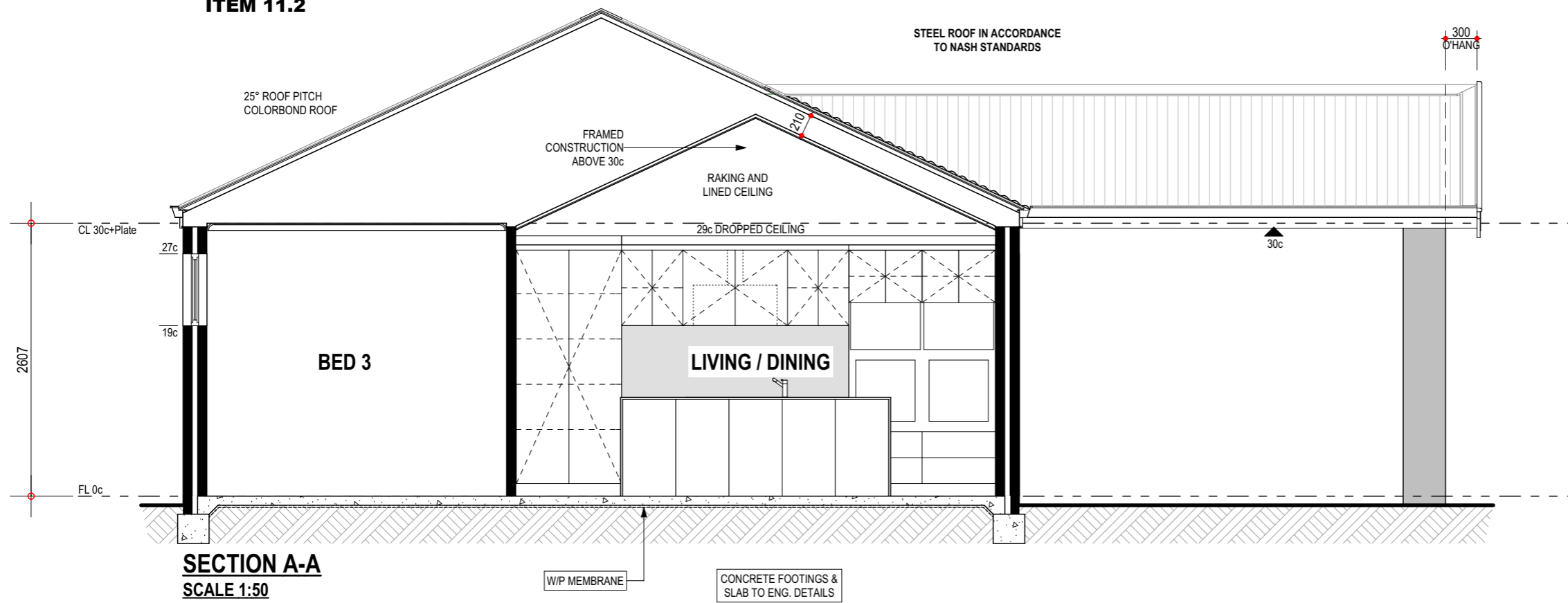
**SUMMIT**  
 HOMES GROUP

BUILD | RENOVATE | DEVELOP

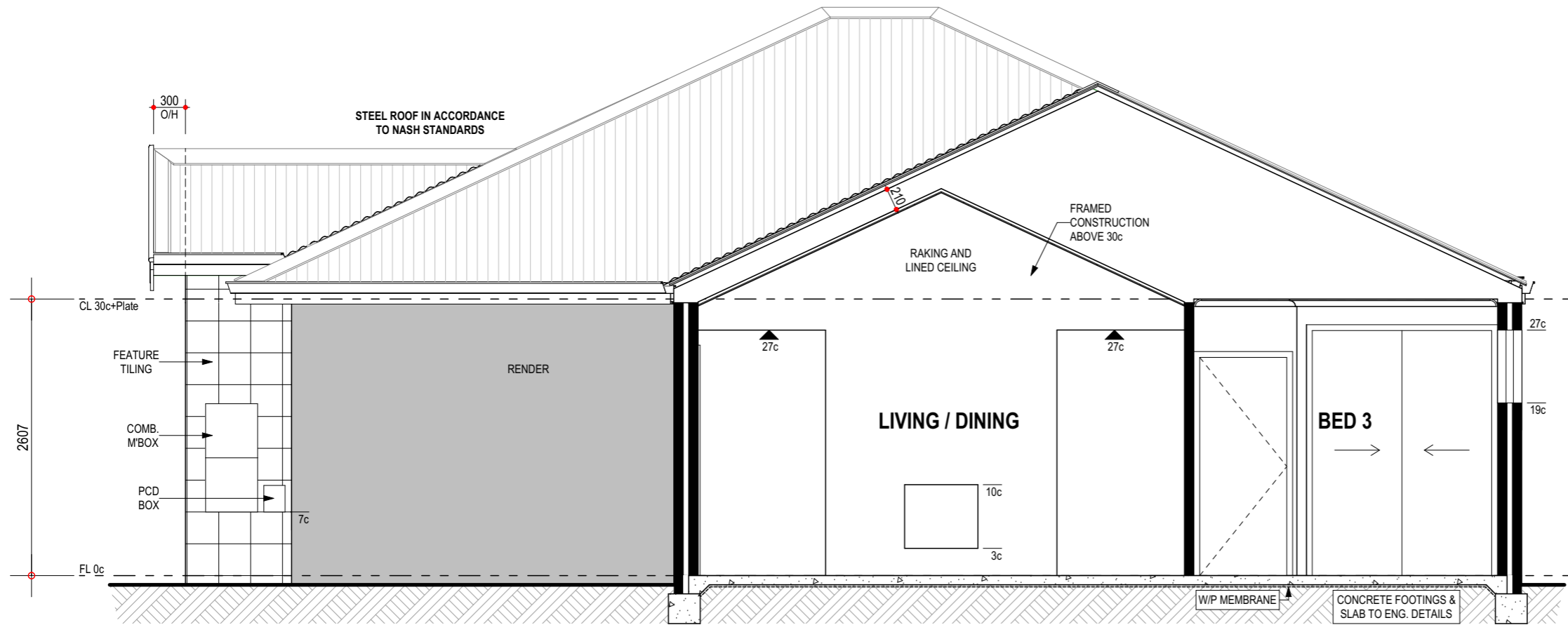
**ITEM 11.2**

**ATTACHMENT 3**

DO NOT SCALE FROM THIS DRAWING  
All Sub-contractors to check dimensions & notes prior to initiating works. Any discrepancies to be notified to the Site Supervisor without delay.  
ALL DIMENSIONS TO BRICKWORK.



**SECTION A-A**  
SCALE 1:50



**SECTION B-B**  
SCALE 1:50

DO NOT SCALE FROM THIS DRAWING  
All Sub-contractors to check dimensions & notes prior to initiating works.  
Any discrepancies to be notified to the Site Supervisor without delay.  
ALL DIMENSIONS TO BRICKWORK.

BUILDER: / /  
CLIENT(S): / /  
WITNESS: / /

PROPOSED RESIDENCE FOR:  
**MORSE**

ADDRESS:  
**SSL2 (#4) SALVADO AVE  
EAST FREMANTLE**

**BUILT AROUND PEOPLE**

DRAWN: AGR  
DESIGNED: TRI  
CHECKED: PMI  
DATE: 20/11/19  
MODEL: ONE-OFF

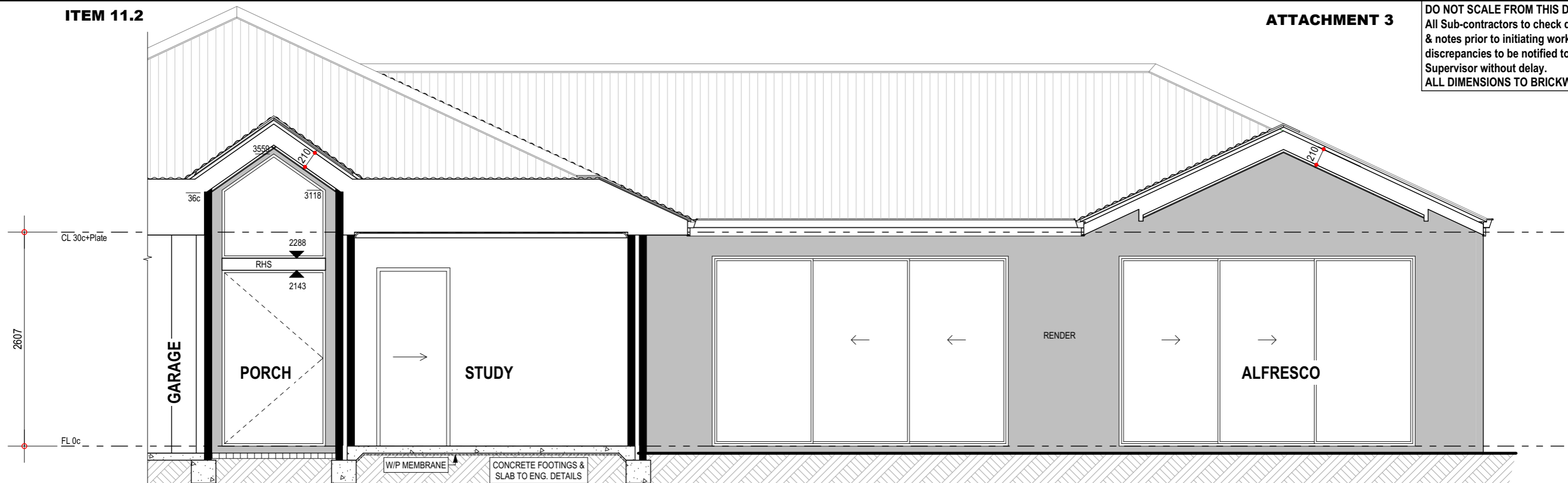
SCALE: AS NOTED  
SHEET: 3 OF 9  
SIZE: A3  
ONE-OFF  
JOB N° 158558

Issue Name	Drawn	Date	Issue Name	Drawn	Date
AMENDMEN T	AGR	21.04.20			
V002	AGR	29.07.20			

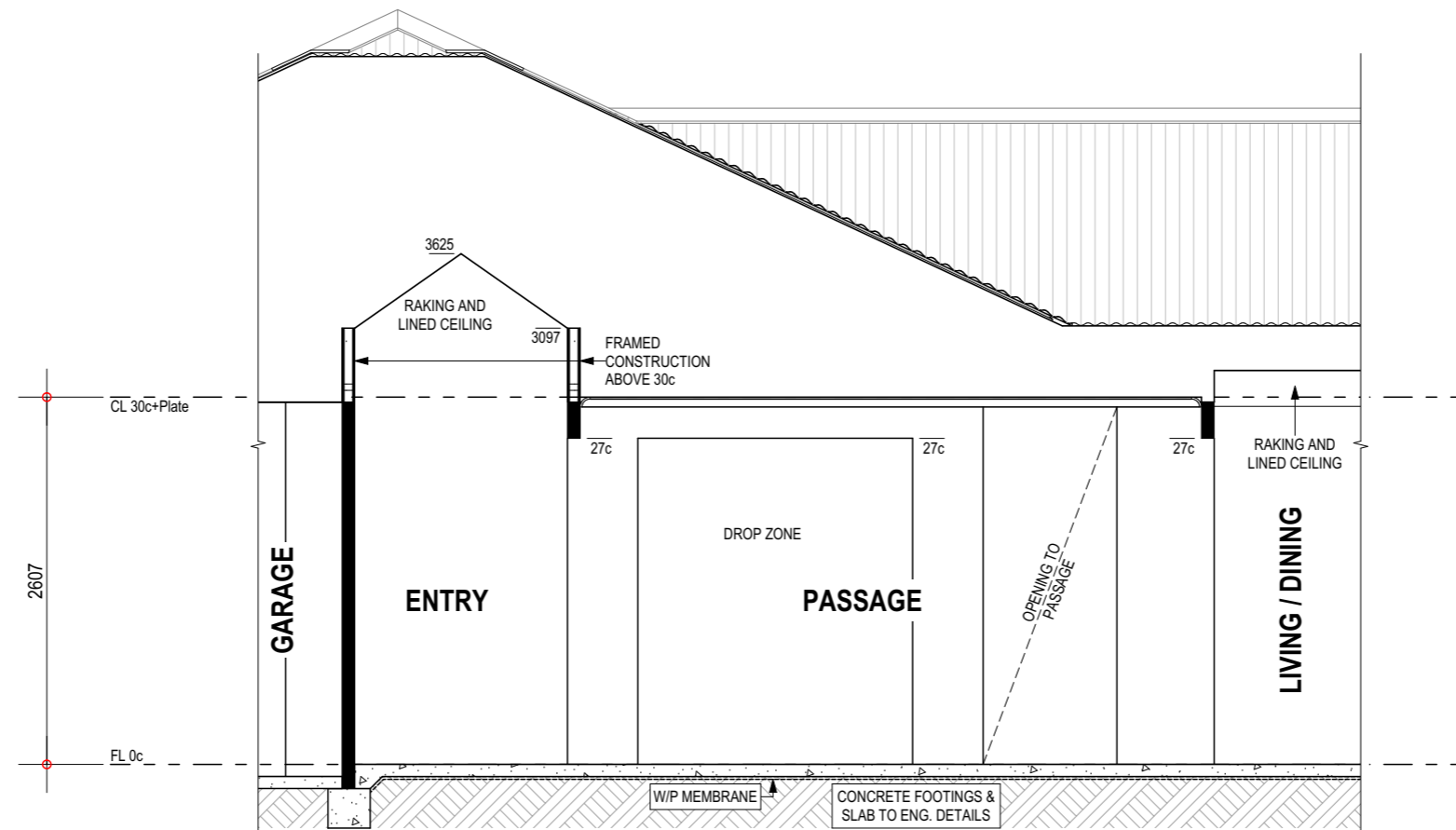
SECTION



DO NOT SCALE FROM THIS DRAWING  
All Sub-contractors to check dimensions & notes prior to initiating works. Any discrepancies to be notified to the Site Supervisor without delay.  
ALL DIMENSIONS TO BRICKWORK.



**SECTION C-C**  
SCALE 1:50



**SECTION D-D**  
SCALE 1:50

DO NOT SCALE FROM THIS DRAWING  
All Sub-contractors to check dimensions & notes prior to initiating works.  
Any discrepancies to be notified to the Site Supervisor without delay.  
ALL DIMENSIONS TO BRICKWORK.

BUILDER: / /  
CLIENT(S): / /  
WITNESS: / /

PROPOSED RESIDENCE FOR:  
**MORSE**

ADDRESS:  
**SSL2 (#4) SALVADO AVE  
EAST FREMANTLE**

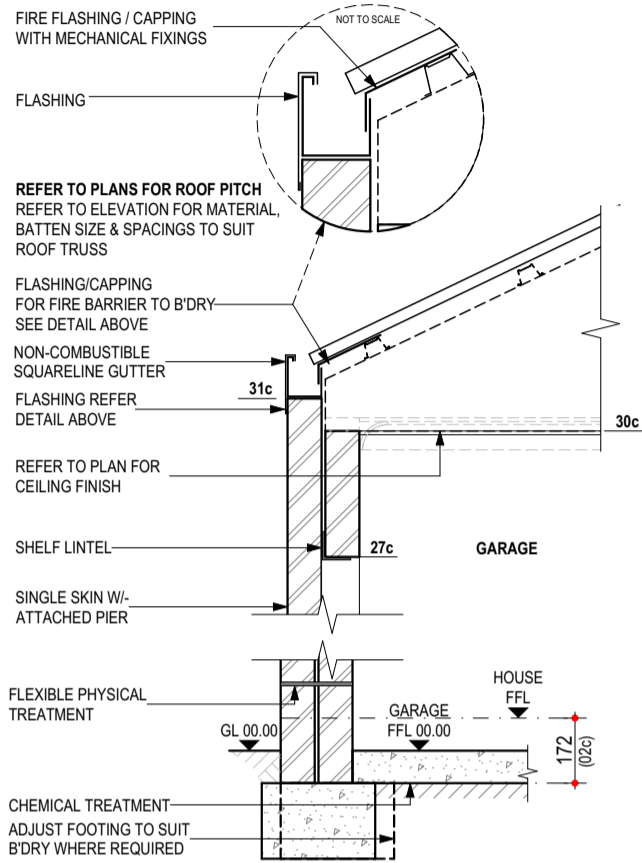
DRAWN: AGR  
DESIGNED: TRI  
CHECKED: PMI  
DATE: 20/11/19  
MODEL: ONE-OFF  
SCALE: AS NOTED  
SHEET: 4 OF 9  
SIZE: A3  
ONE-OFF  
JOB N° 158558

Issue Name	Drawn	Date	Issue Name	Drawn	Date
AMENDMEN T	AGR	21.04.20			
V002	AGR	29.07.20			

SECTION

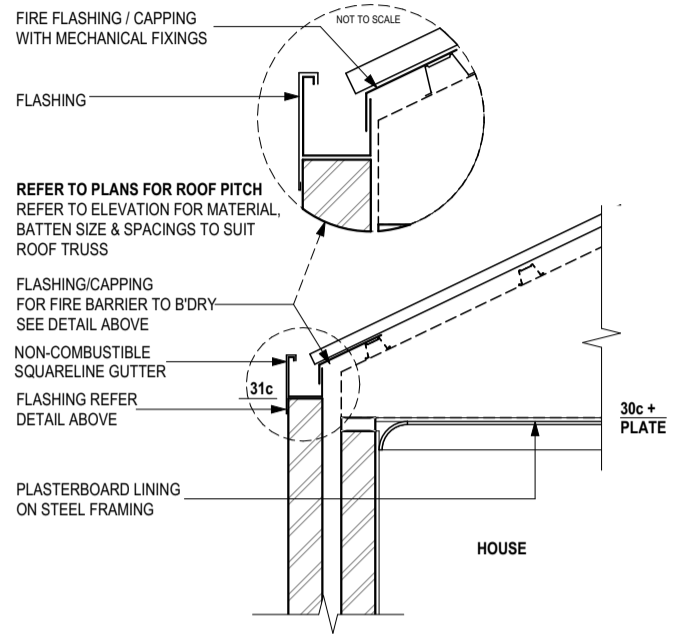


DO NOT SCALE FROM THIS DRAWING  
All Sub-contractors to check dimensions & notes prior to initiating works. Any discrepancies to be notified to the Site Supervisor without delay.  
ALL DIMENSIONS TO BRICKWORK.



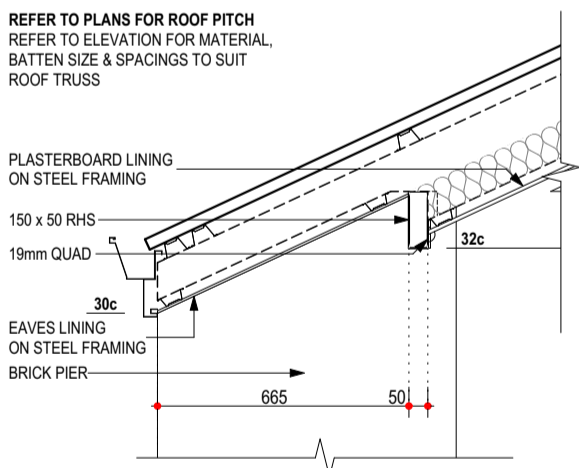
**D01 - GUTTER ON WALL/FLASHING DETAIL TO GARAGE W/- TERMITE TREATMENT**

- NOTES:**
- REFER TO ENGINEERS DRAWINGS FOR TIE DOWN DETAILS & BULKHEAD DETAILS
  - WALL THICKNESS & FINISH NOT SHOWN FOR CLARITY. REFER TO PLANS
  - REFER TO ENGINEERS DRAWINGS FOR FOOTING AND SLAB DETAILS
  - STEEL ROOF CONSTRUCTED IN ACCORDANCE TO MANUFACTURER'S SPEC.
  - SCALE 1 : 20



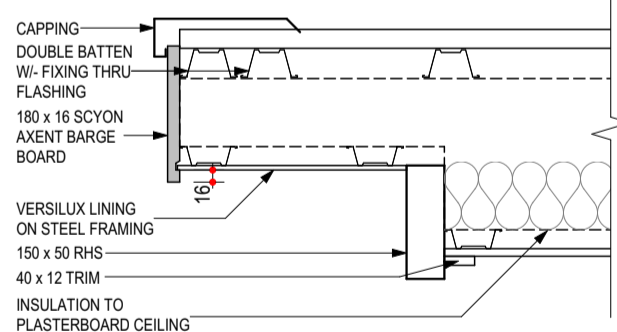
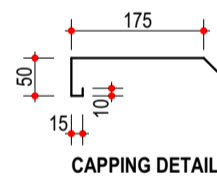
**D02 - GUTTER ON WALL / FLASHING DETAIL TO HOUSE**

- NOTES:**
- REFER TO ENGINEERS DRAWINGS FOR TIE DOWN DETAILS & BULKHEAD DETAILS
  - WALL THICKNESS & FINISH NOT SHOWN FOR CLARITY. REFER TO PLANS
  - STEEL ROOF CONSTRUCTED IN ACCORDANCE TO MANUFACTURER'S SPEC.
  - SCALE 1 : 20



**D03 - RAKING CEILING & EAVES TO TRUSS TO ALFRESCO**

- NOTES:**
- REFER TO ENGINEERS DRAWINGS FOR TIE DOWN DETAILS & BULKHEAD DETAILS
  - STEEL ROOF CONSTRUCTED IN ACCORDANCE TO MANUFACTURER'S SPEC.
  - SCALE 1:20



**D04 - RAKING BARGE DETAIL TO TRUSS**

- NOTES:**
- REFER TO ENGINEERS DRAWINGS FOR TIE DOWN DETAILS & BULKHEAD DETAILS
  - STEEL ROOF CONSTRUCTED IN ACCORDANCE TO MANUFACTURER'S SPEC.
  - SEE ELEVATION FOR ROOF PITCH
  - SCALE 1:10

BUILDER: \_\_\_\_\_  
CLIENT(S): \_\_\_\_\_  
WITNESS: \_\_\_\_\_

PROPOSED RESIDENCE FOR:  
**MORSE**

ADDRESS:  
SSL2 (#4) SALVADO AVE  
EAST FREMANTLE

**BUILT AROUND PEOPLE**

DRAWN:	AGR	SCALE:	AS NOTED	Issue Name	Drawn	Date	Issue Name	Drawn	Date
DESIGNED:	TRI	SHEET:	5 OF 9	AMENDMENT	AGR	21.04.20			
CHECKED:	PMI	SIZE:	A3	V002	AGR	29.07.20			
DATE:	20/11/19	ONE-OFF							
MODEL:	ONE-OFF	JOB N°	158558						
		DETAILS							

**BENCHTOP NOTE**

- LOCATION OF JOINS TO BENCHTOPS TO BE AT CABINET MAKERS/STONE MASON'S DISCRETION

**WALL FINISH NOTE**

- DIMENSIONS SHOWN ON PLAN ARE TO B/WORK ONLY, SIZES WILL VARY ON SITE DUE TO ALLOWANCE FOR WALL FINISHES

**CABINETMAKER NOTE**

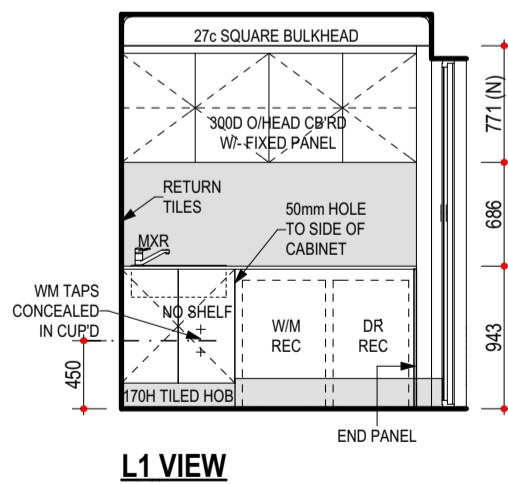
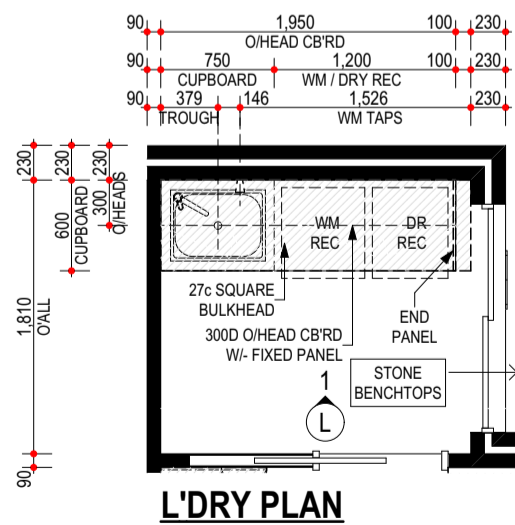
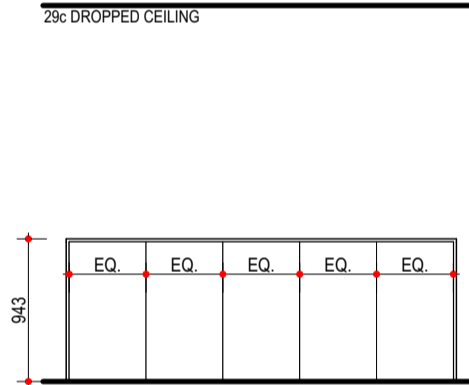
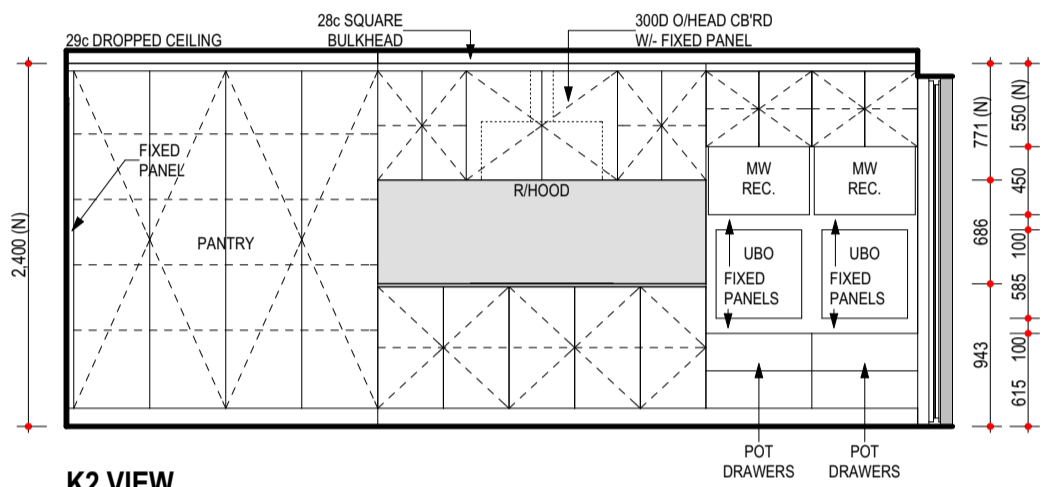
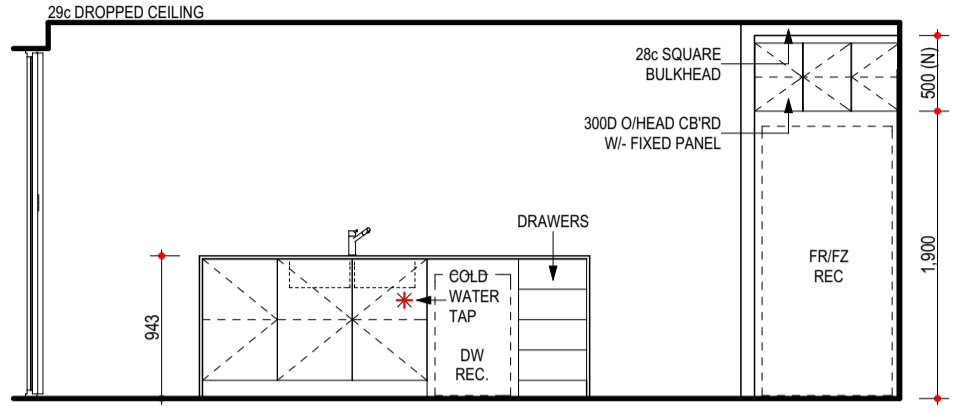
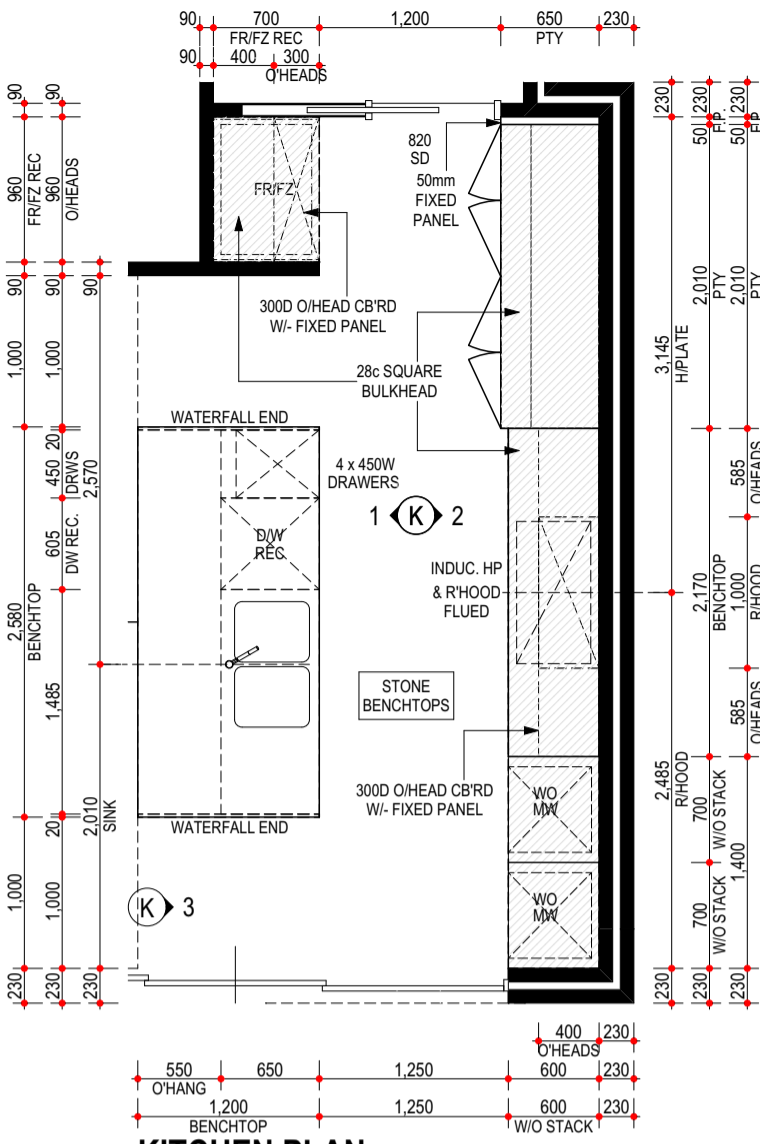
- REFER TO ELECTRICAL PLAN FOR GPO LOCATIONS

**TILER NOTE**

- SHADING DENOTES EXTENT OF TILING  
 - ALL TILING & SOAP HOLDER HEIGHTS AS PER TILE SELECTION SHEET  
 - CLIENT TO MEET TILER ON SITE PRIOR TO COMMENCEMENT OF WORKS TO VERIFY LOCATION OF TILES  
 - ALL WINDOW SILLS IN WET AREAS TO BE TILED

**DO NOT SCALE FROM THIS DRAWING**  
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**ALL DIMENSIONS TO BRICKWORK.**

REFER TO ADDENDUM FOR FITOUT SPECIFICATION  
 WET AREAS CONSTRUCTED IN ACCORDANCE WITH PART 3.8.1 OF B.C.A. (VOL 2)



BUILDER: \_\_\_\_\_  
 CLIENT(S): \_\_\_\_\_  
 WITNESS: \_\_\_\_\_

PROPOSED RESIDENCE FOR:  
**MORSE**

ADDRESS:  
 SSL2 (#4) SALVADO AVE  
 EAST FREMANTLE

**BUILT AROUND PEOPLE**

DRAWN:	AGR	SCALE:	1:50	Issue Name	Drawn	Date	Issue Name	Drawn	Date
DESIGNED:	TRI	SHEET:	6 OF 9	AMENDMEN	AGR	21.04.20			
CHECKED:	PMI	SIZE:	A3	V002	AGR	29.07.20			
DATE:	20/11/19	ONE-OFF							
MODEL:	ONE-OFF	JOB N°	158558						

ROOM LAYOUTS



**BENCHTOP NOTE**

- LOCATION OF JOINS TO BENCHTOPS TO BE AT CABINET MAKERS/STONE MASON'S DISCRETION

**WALL FINISH NOTE**

- DIMENSIONS SHOWN ON PLAN ARE TO B/WORK ONLY, SIZES WILL VARY ON SITE DUE TO ALLOWANCE FOR WALL FINISHES

**CABINETMAKER NOTE**

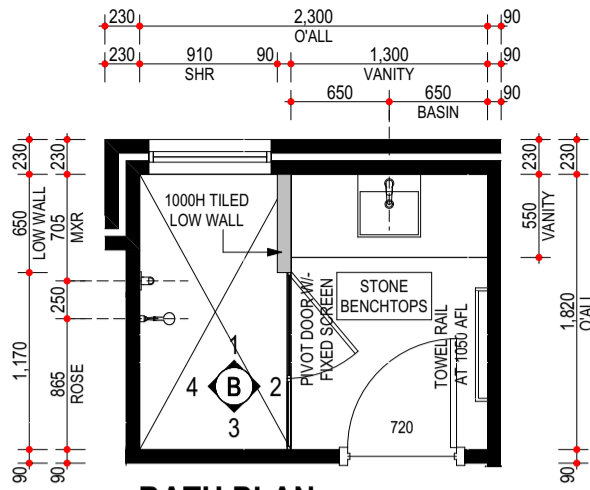
- REFER TO ELECTRICAL PLAN FOR GPO LOCATIONS

**TILER NOTE**

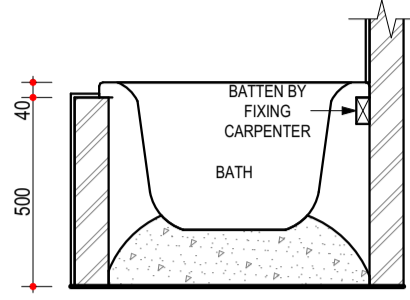
- SHADING DENOTES EXTENT OF TILING  
- ALL TILING & SOAP HOLDER HEIGHTS AS PER TILE SELECTION SHEET  
- CLIENT TO MEET TILER ON SITE PRIOR TO COMMENCEMENT OF WORKS TO VERIFY LOCATION OF TILES  
- ALL WINDOW SILLS IN WET AREAS TO BE TILED

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REFER TO ADDENDUM FOR FITOUT SPECIFICATION  
WET AREAS CONSTRUCTED IN ACCORDANCE WITH PART 3.8.1 OF B.C.A. (VOL 2)

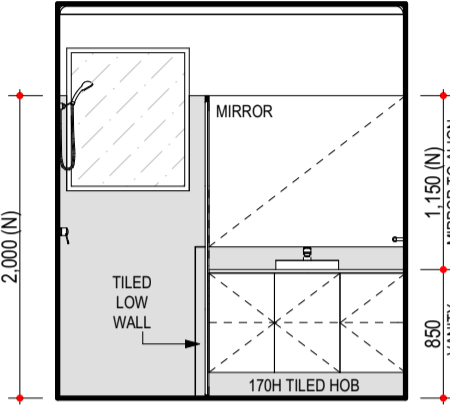


**BATH PLAN**

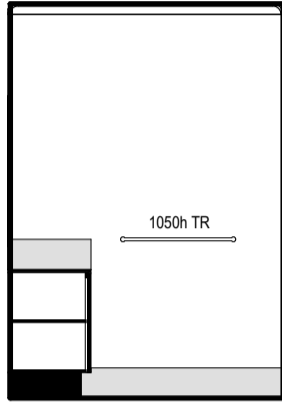


**TYPICAL BATH HOB SECTION**

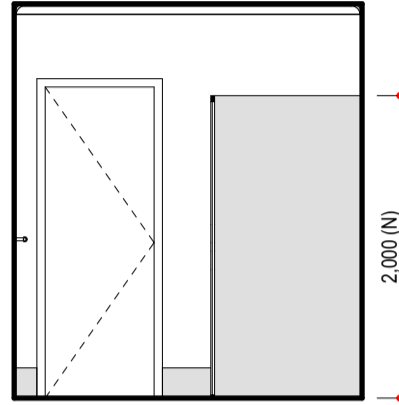
- SCALE 1 : 20



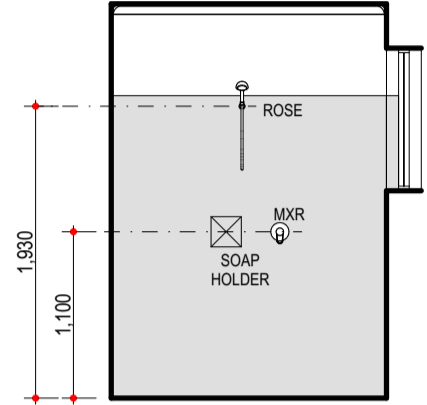
**B1 VIEW**



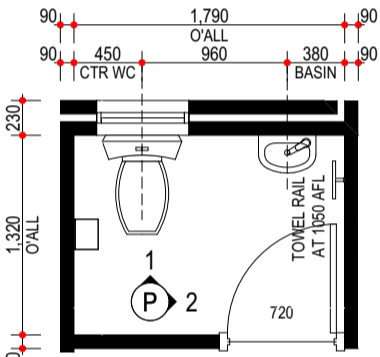
**B2 VIEW**



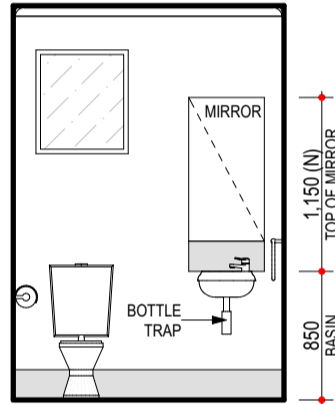
**B3 VIEW**



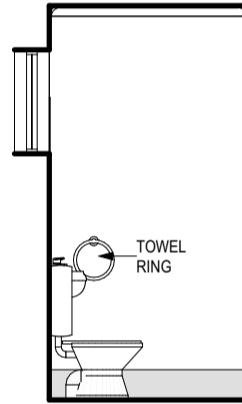
**B4 VIEW**



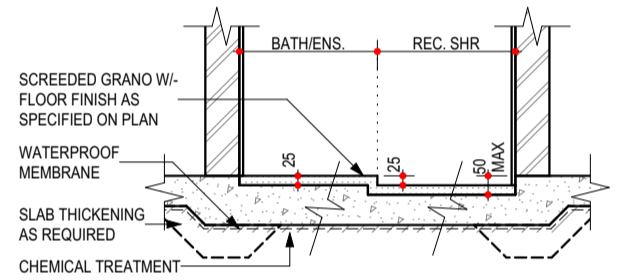
**PDR PLAN**



**P1 VIEW**



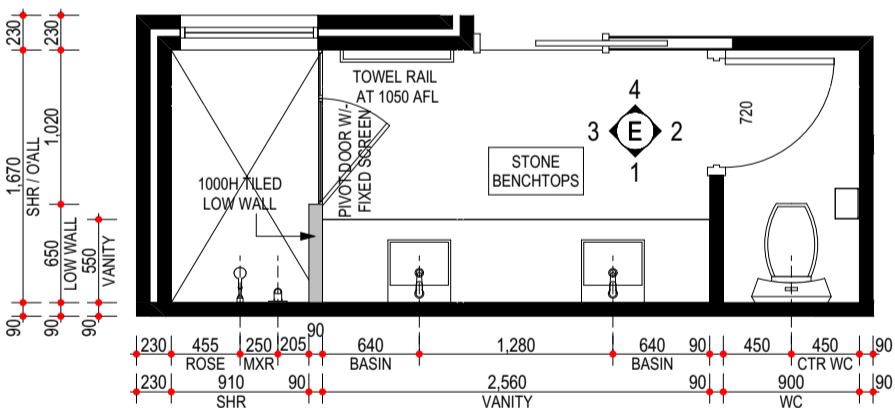
**P2 VIEW**



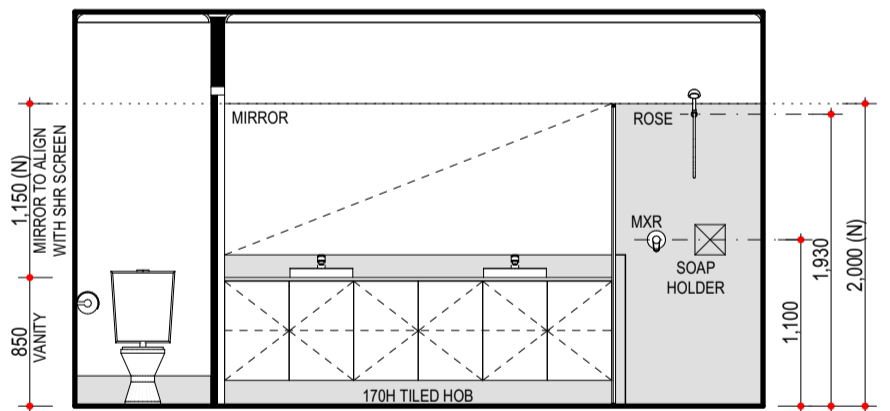
**RECESSED SHOWER DETAIL (NO HOB)**

**NOTES:**

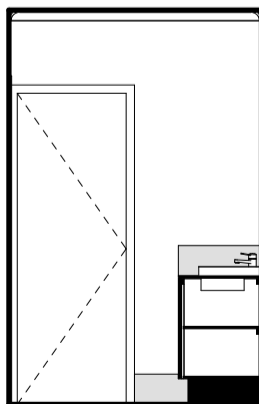
- REFER TO ENGINEERS DRAWINGS FOR FOOTING AND SLAB DETAILS  
- WALL THICKNESS & FINISH NOT SHOWN FOR CLARITY. REFER TO PLANS  
- SCALE 1 : 20



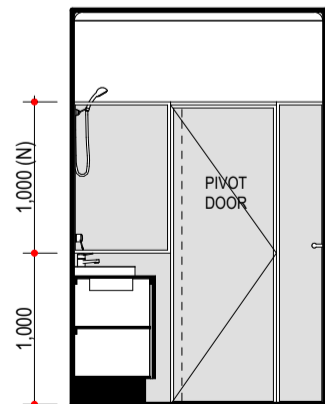
**ENS PLAN**



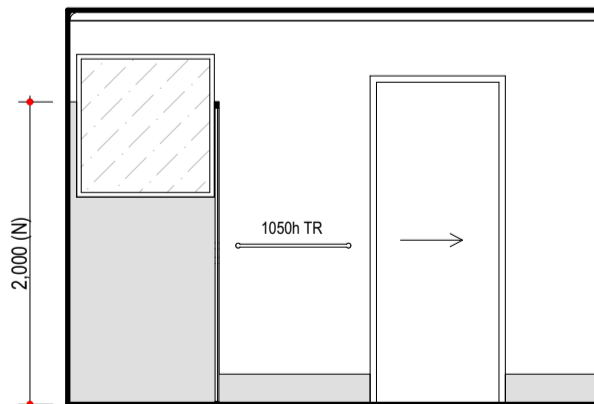
**E1 VIEW**



**E2 VIEW**



**E3 VIEW**



**E4 VIEW**

WITNESS: \_\_\_\_\_  
CLIENT(S): \_\_\_\_\_  
BUILDER: \_\_\_\_\_

PROPOSED RESIDENCE FOR:  
**MORSE**

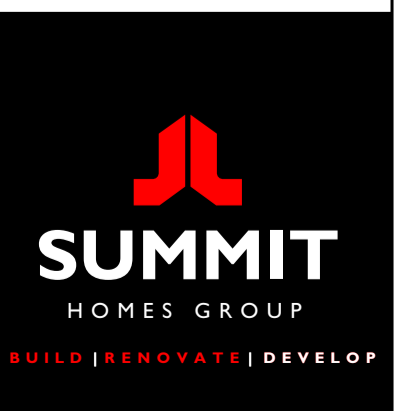
ADDRESS:  
SSL2 (#4) SALVADO AVE  
EAST FREMANTLE

DRAWN: AGR  
DESIGNED: TRI  
CHECKED: PMI  
DATE: 20/11/19  
MODEL: ONE-OFF

SCALE: 1:50  
SHEET: 7 OF 9  
SIZE: A3  
ONE-OFF  
JOB N° 158558

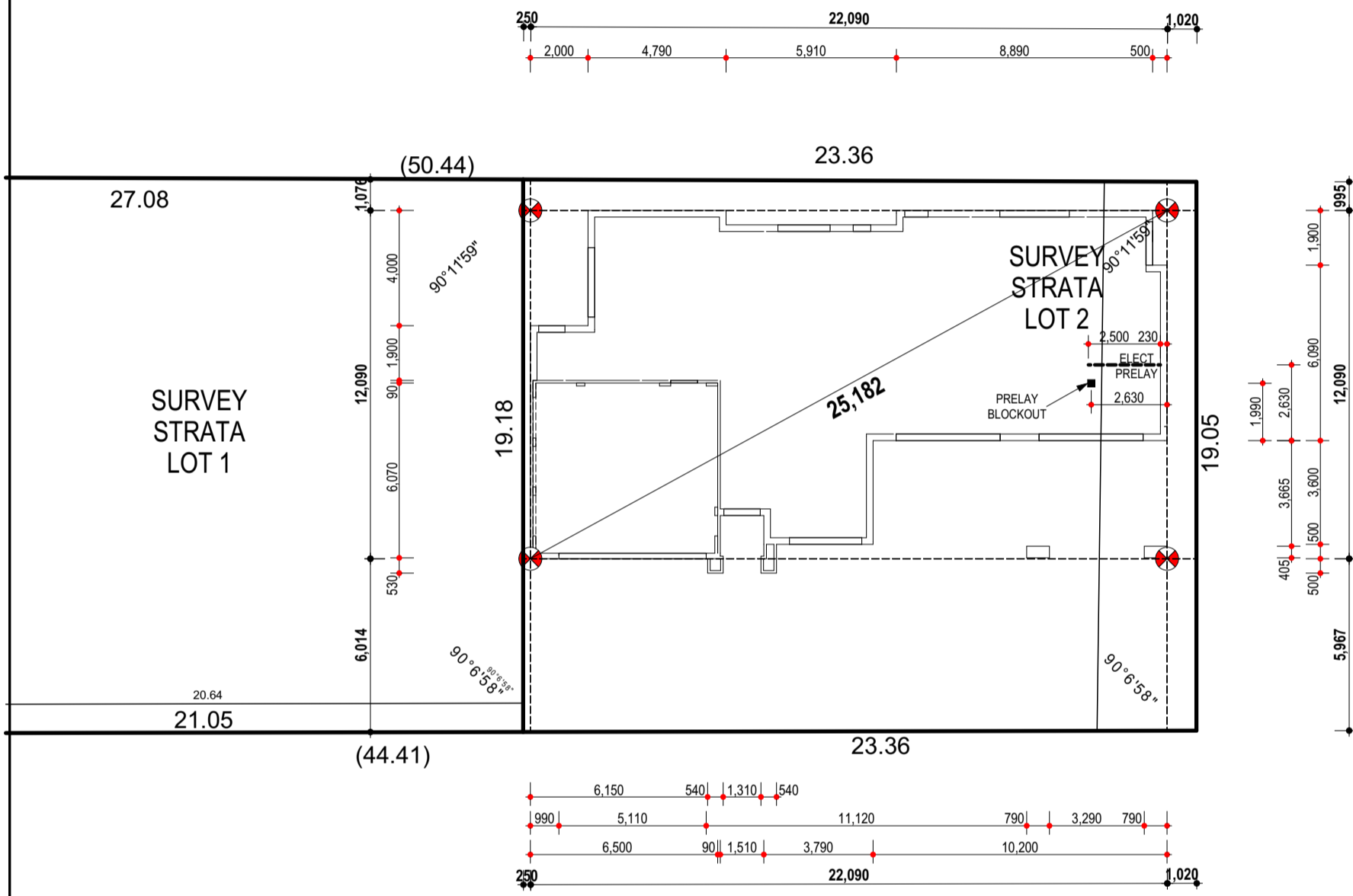
Issue Name	Drawn	Date	Issue Name	Drawn	Date
AMENDMENT	AGR	21.04.20			
V002	AGR	29.07.20			

ROOM LAYOUTS



DO NOT SCALE FROM THIS DRAWING  
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ALL DIMENSIONS TO BRICKWORK.

LEGEND		SEC Dome
		Power Pole
		Phone Pits
		Water Conn.
		Top Pillar/Post
		Top Wall
		Top Retaining
		Top Fence



**DISCLAIMER:**  
Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

**DISCLAIMER:**  
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey inc. any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from inform. supplied by Water Corp.

**DISCLAIMER:**  
Survey shows visible features only & will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal & mains services should be confirmed prior to finalisation of any design work.

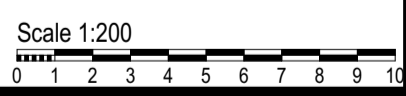
**NOTE:**  
Earthworks/set-out dimensions may vary on site at builders discretion. Sewer/drainage may vary from schematic presentation/check min. clearances. Retaining not included in contract - remains owners responsibility. This survey does not guarantee the location of boundary pegs or fences. Check title for easements/covenants etc.

**DISCLAIMER:**  
Survey does not include verification of cadastral b'daries. All features & levels shown are based on orientation to existing pegs & fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true b'dary.

**WARNING:**  
Plan not yet approved by titles office. Verify lot dimensions & angles with title.

**SETOUT PLAN**

WITNESS: \_\_\_\_\_  
CLIENT(S): \_\_\_\_\_  
BUILDER: \_\_\_\_\_



**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

AREA: 446.54m <sup>2</sup>	ROAD DESCR.: BITUMEN	GAS: YES	SSA/OLD AREAS: OLD A.	UNLODGED SS PLAN: N/A
SHIRE: EAST FREMANTLE	KERBING: RTS	WATER: YES	C/JOB#: 463817	ORIGINAL LOT: 200
D.PLAN: 78185	FOOTPATH: NIL	ELECTRICITY: U/G	DATE: 09.01.20	LOT MISCLOSE: -
C/T VOLUMN: -	SOIL: RTS	PH/COMMS: YES	SCALE: 1:200	SSL 1 MISCLOSE: .009
FOLIO: -	DRAINAGE: GOOD	SEWER: YES	DRAWN: C. WEIGHTMAN	SSL 2 MISCLOSE: .001
MSD REF: 430 15/29	VEGETATION: RTS	COASTAL: NO		

PROPOSED RESIDENCE FOR: MORSE	DRAWN: AGR	SCALE: 1:200	Issue Name: AMENDMENT	Drawn: AGR	Date: 21.04.20	Issue Name: V002	Drawn: AGR	Date: 29.07.20
ADDRESS: SSL2 (#4) SALVADO AVE EAST FREMANTLE	DESIGNED: TRI	SHEET:	SIZE: A3	DATE: 20/11/19	ONE-OFF	JOB N°: 158558	SETOUT PLAN	







### Community Engagement Checklist

## Development Application P079/20 - 4 Salvado Avenue

Project Name

<b>Objective of Engagement:</b>	Neighbour consultation		
<b>Lead Officer:</b>	Regulatory Services		
<b>Timeline:</b>	<b>Start Date:</b>	25/08/2020	<b>Outcomes By:</b> 8/09/2020
Stakeholders			
<b>Stakeholders to be considered.</b>  <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"/>
<b>Staff to be notified:</b>	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	8/09/2020	<input checked="" type="checkbox"/> Advertised to 5 surrounding property
# 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		8/09/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

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**11.3 Marmion Street No 30 (Lot 1) Proposed carport**

<b>Owner</b>	Ben Ansell and Matthew Byrne
<b>Applicant</b>	Ben Ansell and Matthew Byrne
<b>File ref</b>	P091/20
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	6 October 2020
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	1. Location plan 2. Site photos 3. Place record form 4. Plans received 4 September 2020

**Purpose**

The purpose of this report is for Council to consider a planning application for a proposed carport at No 30 (Lot 1) Marmion Street, East Fremantle.

**Executive Summary**

This development application proposes a carport in the front setback area of the dwelling. On street parking is already located onsite but uncovered. An existing garage is located on site at the rear of the property facing Sewell Street.

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 Setbacks – 1m required, 0m provided;
- (ii) Clause 5.2.1 – Residential Design Codes – Garage Setbacks – 4.5m required, 1m provided
- (iii) Clause 5.2.5 – Residential Design Codes – Sightlines – 1.5m required, 0m provided
- (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees,
- (v) Clause 3.7.16.3.3 – Residential Design Guidelines – Garages, Carports and Outbuildings – On street parking provided, carport to not adversely impact streetscape.

It is considered that four out of five of the above variations cannot be supported and it is recommended that the development application be refused.

**Background**

Zoning: Residential R20  
Site area: 491m<sup>2</sup>

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

**Consultation**

Advertising

The application was not advertised to surrounding land owners, however, the applicant did provide signed support from the neighbouring property owners directly to the east.

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Community Design Advisory Committee (CDAC)

The application was not referred to CDAC.

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 2017 – 2027 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.*
- 3.2 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 practices.*
  - 3.3.2 Optimal management of assets within resource capabilities.*
  - 3.3.3 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.*
- 4.2 Enhance environmental values and sustainable natural resource use.*
  - 4.2.1 Reduce waste through sustainable waste management practices.*
- 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
<b>Lot Boundary Setbacks</b>			
<b>Eastern wall</b>	<b>1m</b>	<b>0m</b>	<b>D</b>
Open Space	50%	>50%	A
Wall height	6m	2.76m	A
Roof Height	9m	3.9m	A
<b>Setback of Carport</b>	<b>4.5m</b>	<b>1m</b>	<b>D</b>
Car Parking	0 car bays	1 car bay	A
Site Works			N/A
<b>Sightlines</b>	<b>Corner truncation</b>	<b>No truncation</b>	<b>D</b>
Visual Privacy			N/A
Overshadowing			N/A
Drainage			Condition

#### 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	N/A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	N/A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
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

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3.7.16.3 Garages and Carports	D
3.7.16.4.3 Fremantle Port Buffer Area	A

This development application proposes a carport in the front setback area of a dwelling located at No 30 (Lot 1) Marmion Street, East Fremantle. Two variations are requested to the requirements of the Residential Design Codes and three variations are requested to the Residential Design Guidelines. These variations are related to side boundary setback, front boundary setback, corner truncations, roof pitch and garages and carports respectively. The property is on the heritage inventory and is registered as Category C.

#### General Commentary

The applicants/owners have provided a lengthy cover letter which attempts to justify the proposed carport, however, many of the points raised in the letter are not considered relevant planning considerations.

Protection of cars from the weather is not a relevant planning consideration. When the applicants/owners purchased the property, they were purchasing a property that had an open parking area without a carport and their vehicles would be exposed to the elements. The Town does not have a problem with the idea of an area that vehicles can be parked safely with reduced risk of storm or hail damage, however, the current proposed location is not considered suitable due to its proximity to Marmion Street which is a busier street than Sewell Street.

The cost of car insurance is not a relevant planning consideration. Again, the applicants/owners were aware when they purchased the property there was an open area for parking vehicles in the front setback area without any carport structure. There is an existing garage accessed off Sewell Street. The Town would consider the re-development of the existing garage at the rear of the property to be a more appropriate location than the current proposal due to the integration of the garage with the side setbacks and the dwelling. The applicant has indicated the garage is unsuitable, however it is considered modifications to the garage could be undertaken to facilitate covered off street parking.

The Residential Design Guidelines emphasises in clause 3.7.16.3.1 (page 53) states that *“Garages and carports are incorporated into the design of the dwelling and are not dominant features of the streetscape”* and *“Garages and carports are discouraged in the Plympton Precinct”* which is where this dwelling is located. The desired development outcomes clause 3.7.16.3.2 states categorically that there should be an *“absence of garages and carports in the streetscape”*.

The precedents in the area are all examples located along Sewell and King Streets not Marmion Street. Each carport is located within the front setback area, but many have a larger setback than the current proposal that is the subject of this report. Each example also faces a single street and does not have a secondary street frontage, or an existing garage located on the secondary street.

It is noted that the property currently has a garage located along Sewell Street on the north western corner of the lot. This garage could be re-developed to achieve similar aims to the current proposal before the Town facilitating off street parking and addressing the ongoing concerns of the owners. Permitting the proposed design in its current form would set a precedent that would result in the very aims of the Residential Design Guidelines and Residential Design Codes being undermined and orderly and proper planning would not be able to be achieved.

#### Lot Boundary Setbacks

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 the wall of the carport should be located 1m from the side boundary. In this case the carport is located on the boundary. The

proximity of the structure to the front boundary and in the front setback area means that its proximity to the side boundary cannot be supported. Such a structure constructed forward of the building line, and on the eastern boundary only adds to the scale and bulk of structures as experienced from Marmion Street. There is a gate to Marmion Street which is considered to provide secure off-street parking, albeit uncovered. Please see above comments regarding the Sewell Street garage. The Residential Design Codes requires that if a wall is located on the boundary it must be *behind* the front setback area to achieve the deemed to comply requirements.

#### Carport Setback

The carport is located 1m from the front boundary. This is significantly less than the 4.5m that is required of deemed to comply clause 5.2.1 of the Residential Design Codes and results in the structure being located in a position that cannot be supported. Please also refer to the above comments relating to bulk, scale and existing parking provisions on site.

#### Sightlines

There are no corner truncations indicated on the submitted plans. It is essential that corner truncations are included in the front fence to improve the sightlines for reversing vehicles in accordance with the Residential Design Codes clause 5.2.5 C5. Alternatively, the truncation can be substituted for a fence that drops to being no more than 0.75m above ground level. It is critical that sightlines are maintained to ensure reversing vehicles have a clear view of the area between the street and the boundary. For this reason, the current design cannot be supported.

#### Roof Pitch

The pitch of the carport is 27 degrees which is less than the required 28 to 36 degrees that is required by acceptable development provisions 3.7.8.3 A 4.1. This is the only feature of the proposed design that can be supported. In accordance with performance criteria 3.7.8.3 P4 of the Residential Design Guidelines roof forms of new buildings should complement the traditional form of surrounding development in the immediate locality. The roof pitch that is less than the required 28 degrees is negligible and therefore can be supported.

#### Garages and Carports

Acceptable development clause 3.7.16.3.3 A1 in the Residential Design Guidelines states that on street parking is an acceptable outcome for properties in Plympton precinct. Under performance criteria 3.7.16.3.3 P1 garages and carports are to not adversely affect the streetscape. In this case the carport does adversely affect the streetscape and as a result cannot be supported.

#### Conclusion

Four out of five variations (from both the Residential Design Codes and the Residential Design Guidelines) requested are not considered acceptable and cannot be supported including front lot boundary setback, side boundary setback and corner truncations and location of carport such that it impacts the streetscape. The requirements of the Residential Design Codes have been created by the state government to promote orderly and proper planning within residential areas. Likewise, the Residential Design Guidelines have been prepared by the Town to ensure that development within the Town is reflective of characteristics of streetscapes that the Town wishes to promote. There is a desire that carports do not dominate streetscapes, either through their proximity to the primary street boundary or to the side boundary in the front setback area. In this case a carport is being proposed that is too close to the street front that produces an outcome which is unacceptable to the Town. It also has no corner truncations which compromises the safety of vehicles reversing from the proposed carport.

Based on the preceding assessment that has been completed for this development and the explanation provided in this report, the variations that have been proposed to the Residential Development Guidelines are considered unacceptable. As such it is recommended that the proposed development be refused.

**11.3 OFFICER RECOMMENDATION:**

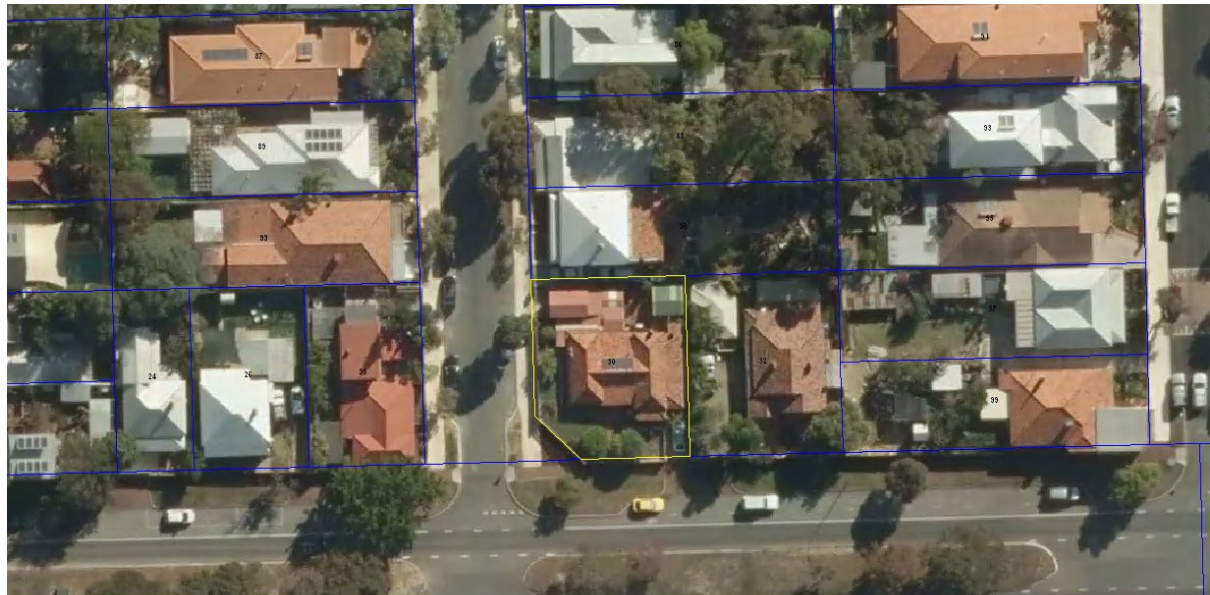
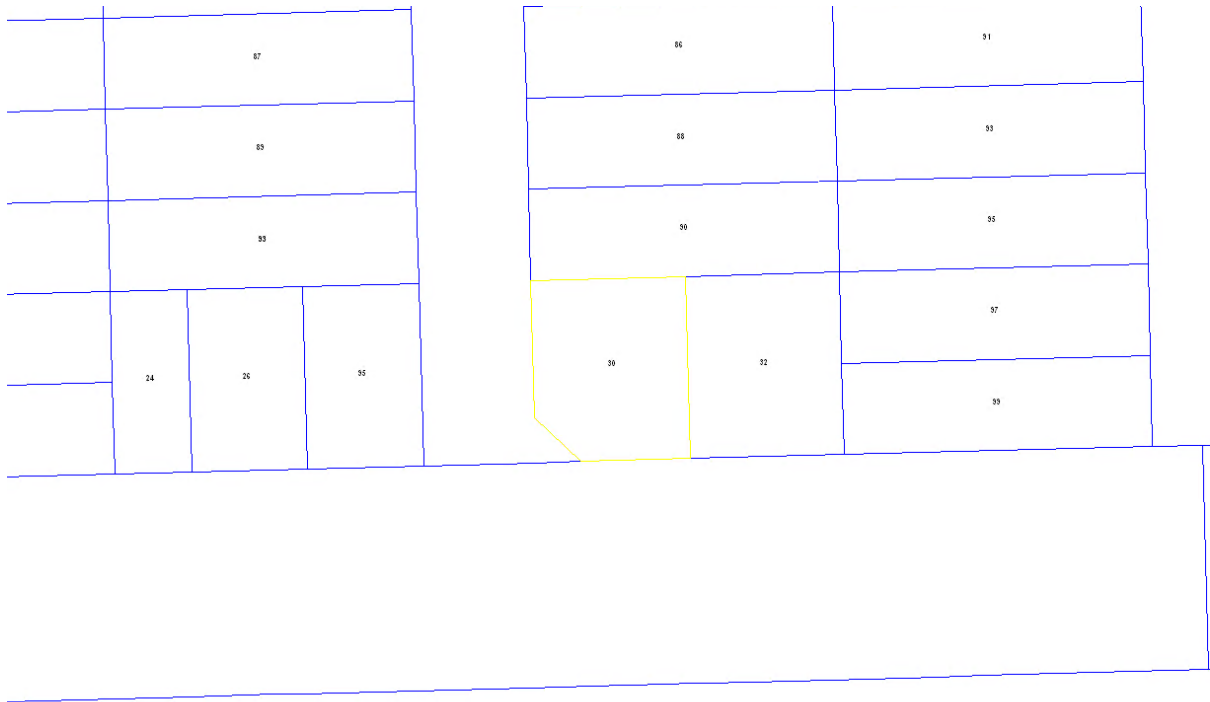
**That Council refuse development approval for a carport at No 30 (Lot 1) Marmion Street, East Fremantle, in accordance with the plans date stamped received 3 September 2020, for the following reason:**

**The proposed development conflicts with the provisions of the Town of East Fremantle Local Planning Scheme No 3 and Deemed Provision for Local Planning Schemes Clause 67 because it is incompatible with:**

- (1) s67 (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;**
- (2) s67 (c) any approved State planning policy**
- (3) s67 (g) any local planning policy for the Scheme area;**
- (4) s67 (m) the compatibility of the development with its setting including the relationship of the development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.**
- (5) s67 (zb) any other planning consideration the local government considers appropriate.**



30 Marmion Street – Map and Photo



30 Marmion Street – Photos

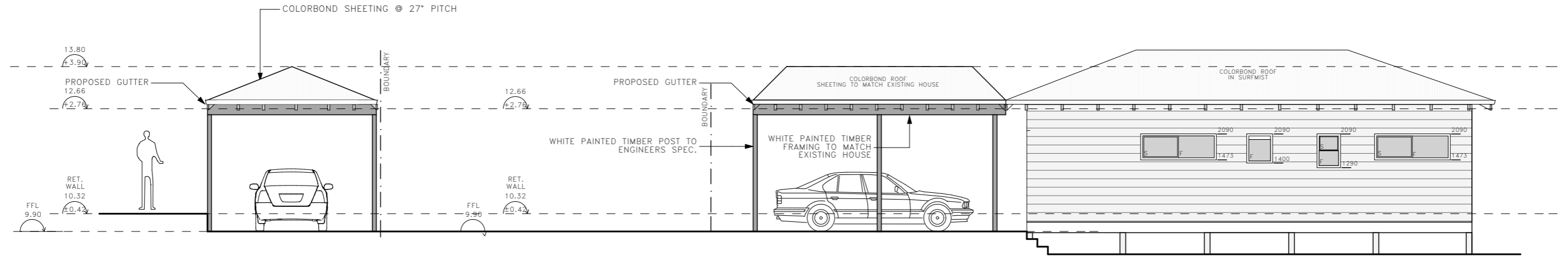


## PLACE RECORD FORM



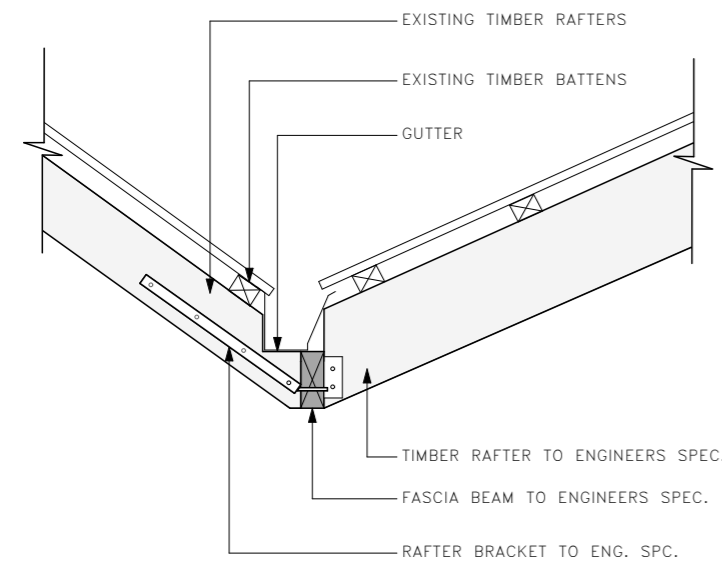
PRECINCT	Plympton
ADDRESS	30 Marmion Street
PROPERTY NAME	N/A
LOT NO	Lot 1
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1939
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	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.</p> <p>There are additions to the rear.</p> <p>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.</p>
HISTORICAL NOTES	<p>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.</p>
OWNERS	<p>Unknown</p>
HISTORIC THEME	<p>Demographic Settlements - Residential Subdivision</p>
CONSTRUCTION MATERIALS	<p>Walls - Timber framing and weatherboard cladding</p> <p>Roof - Tiles</p>
PHYSICAL SETTING	<p>The residence is situated on a sloping site with a rendered masonry and blockwork wall at the lot boundary.</p>
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	<p>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.</p>
HISTORIC SIGNIFICANCE	<p>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.</p>
SCIENTIFIC SIGNIFICANCE	<p>N/A</p>
SOCIAL SIGNIFICANCE	<p>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.</p>
RARITY	<p>No 30 Marmion Street is not rare in the immediate context but Plympton has rarity value as a working class suburb.</p>
CONDITION	<p>No 30 Marmion Street is in good condition.</p>
INTEGRITY	<p>No 30 Marmion Street retains a high degree of integrity.</p>
AUTHENTICITY	<p>No 30 Marmion Street retains a moderate degree of authenticity.</p>
MAIN SOURCES	

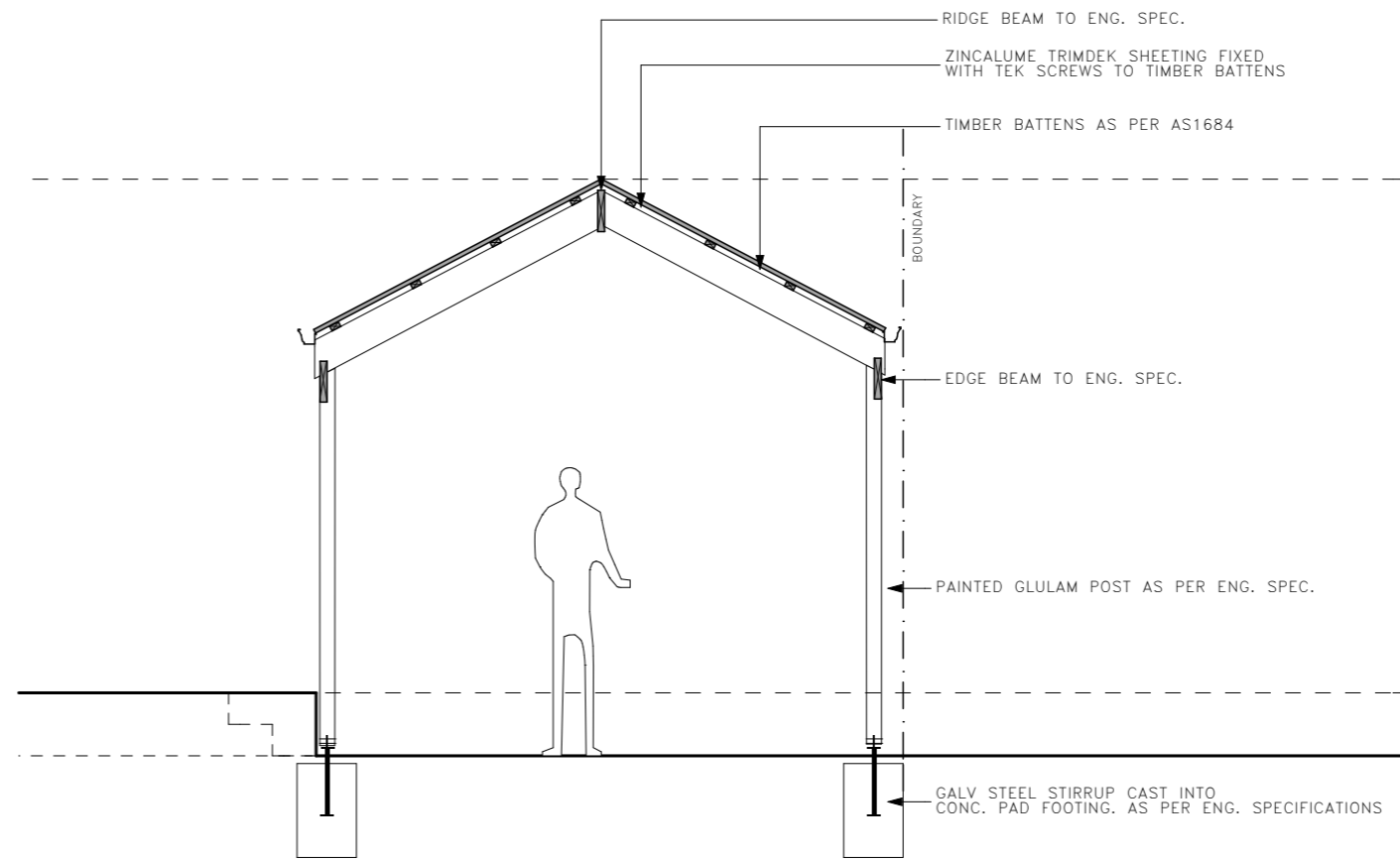


SOUTH ELEVATION  
SCALE 1:100

EAST ELEVATION  
SCALE 1:100



DETAIL 1  
SCALE 1:20



SECTION A-A  
SCALE 1:50

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	07.06.2020
B	24.07.2020

Description:  
PRELIM  
ISSUED FOR DA

BP02 ELEVATIONS AND SECTION  
PROPOSED  
CARPORT  
30 MARMION STREET, EAST FREMANTLE WA

**12. MATTERS BEHIND CLOSED DOORS**

**13. CLOSURE OF MEETING**