



# AGENDA

## Planning Committee

Tuesday, 4 June 2024 at 6:30 PM

### **Disclaimer**

The purpose of this Planning Committee meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council 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 Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

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

### **Copyright**

The Town wishes to advise that any plans or documents contained within this Agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

## 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.

<b>Deputations</b> A formal process where members of the community request permission to address Council or Committee on an issue.	<b>Presentations</b> 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.
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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.

### **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 Planning Committee will be held on 4 June 2024 at 6:30 PM in the Council Chamber, 135 Canning Highway, East Fremantle and your attendance is requested.



Jonathan Throssell

Chief Executive

Officer 30 May 2024

# 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 ANNOUNCEMENT TO GALLERY

*"Members of the gallery are advised that no Council decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision."*

## 4 RECORD OF ATTENDANCE

### 4.1 ATTENDANCE

Cr C Collinson	Presiding Member
Mayor J O'Neill	
Cr J Harrington	
Cr A White	
Cr K Donovan	
Cr L Maywood	

C Catchpole	Acting Executive Manager Regulatory Services
K Culkin	Minutes Secretary

#### 4.2 APOLOGIES

Nil

#### 4.3 APPROVED LEAVE

Nil

### 5 MEMORANDUM OF OUTSTANDING BUSINESS

Nil

### 6 DISCLOSURES OF INTEREST

#### 6.1 FINANCIAL

Nil

#### 6.2 PROXIMITY

Nil

#### 6.3 IMPARTIALITY

Nil

### 7 7. PUBLIC QUESTION TIME

#### 7.1 RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE

Nil

#### 7.2 PUBLIC QUESTION TIME

Nil

### 8 PRESENTATIONS/DEPUTATIONS

#### 8.1 PRESENTATIONS

Nil

#### 8.2 DEPUTATIONS

Nil

### 9 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 9.1 PLANNING COMMITTEE MEETING (7 MAY 2024)

**9.1 OFFICER RECOMMENDATION**

**That the minutes of the Planning Committee meeting held on 7 May 2024 be confirmed as a true and correct record of proceedings.**

**10 ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil

**11 REPORTS OF COMMITTEES**

Nil

## 12 REPORTS OF OFFICERS (COMMITTEE DELEGATION)

### 12.1 18 PIER STREET - AMENDMENT TO EXISTING DEVELOPMENT APPROVAL

<b>Owner</b>	James & Casey Dornan
<b>Applicant</b>	Leanhaus Architects
<b>Report Reference Number</b>	TPR-1883
<b>Planning Reference Code</b>	P034/24
<b>Prepared by</b>	James Bannerman
<b>Supervised by</b>	Andrew Malone
<b>Meeting date</b>	Tuesday, 4 June 2024
<b>Voting requirements</b>	Simple majority
<b>Documents tabled</b>	Nil

#### Attachments

1. Location and advertising plan
2. Photos
3. Plans

#### PURPOSE

The purpose of this report is for Council to consider a development application for amendments to an existing approved development for a single dwelling located at 18 (Lot 233) Pier Street, East Fremantle.

#### EXECUTIVE SUMMARY

This development application proposes amendments to an existing approved development for a single dwelling at 18 (Lot 233) Pier Street, East Fremantle. There are a few changes to the proposed dwelling including moving the front wall forward of the previously approved street setback, modifying the roof pitch to 10 degrees and the installation of a retaining wall on the eastern side of the dwelling. None of the proposed changes are considered to have significant impacts. The property is not heritage listed.

There are 3 variations in relation to the proposed changes as follows.

- Clause 5.1.2 – Residential Design Codes – Primary Street Setback – 7.5m required, 5.962m provided;
- Clause 3.7.17.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 6.85m provided; and
- Clause 5.3.7 – Residential Design Codes – Site Works - Retaining Walls – 1.22m high retaining required setback 1.5m, 0m setback provided.

It is recommended the proposed variations and associated development application be approved subject to the conditions included in the final recommendation of this report.

#### BACKGROUND

<b>Zoning</b>	Residential R12.5
<b>Site Area</b>	890m <sup>2</sup>
<b>Heritage</b>	N/A
<b>Fremantle Port Buffer</b>	N/A
<b>Previous Decision of Town and/or History of Issue Onsite</b>	P032/23 – new dwelling – approved 4 July 2023

## CONSULTATION

### Advertising

The proposed development was advertised to surrounding neighbours from 12 to 29 April 2024. There was one submission which is included below.

Submission	Applicant Response	Town Response
<p>As the owners are seeking to extend their roofline and balcony forward 1.5 metres on their new plans and their roof pitch is steeper than their current house we are concerned that the impact of this will decrease the view we currently enjoy from our balcony towards the Swan River which is at the R-Code designated 7.5 metres from Pier Street. If the R-Codes are now 6 metres from the street then we would appreciate information from Council concerning this change in R-Code setback distance for the upper side Pier Street (even numbers).</p> <p>If 18 (and 16) Pier Street are allowed to do this and have a 6 metre set back instead of the 7.5 metres which the whole street, numbers 20 -30 have adhered to for 15 years then we feel that we would be within our rights to extend our current balcony 1.5 metres forward to retain our views without opposition from Council should we decide to do this, as would all homes currently in existence at 7.5 metre setback on our side of Pier Street. We have concerns for ourselves and the rest of the street by setting this precedent.</p> <p>We have talked with the Planning Officer about the above in a constructive manner but wish our comments to be noted and taken seriously.</p>	Applicant chose to not respond.	See comments in relation to the reduced primary street setback in the main report.

### Internal Consultation

Nil

### External Consultation

Nil

## STATUTORY ENVIRONMENT

Planning and Development Act, 2005

Residential Design Codes (Volume 1)

Local Planning Scheme No. 3 (LPS 3)

## POLICY IMPLICATIONS

Local Planning Policy 3.1.1 – Residential Design Guidelines

Local Planning Policy 3.1.8 – Wood Encouragement - General

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

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

### Built Environment

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

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

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

*3.1.2 Plan for a mix of inclusive diversified housing options.*

*3.1.3 Plan for improved streetscapes.*

*3.2 Maintaining and enhancing the Town's character.*

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

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

#### 3.3.1 Continue to improve asset management within resource capabilities.

#### 3.3.2 Plan and advocate for improved access and connectivity.

## RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

## SITE INSPECTION

A site inspection was undertaken.

## COMMENT

### Statutory Assessment

This development application was assessed against the Town's Local Planning Scheme No. 3, the Residential Design Codes, and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

### Local Planning Scheme No. 3/Residential Design Guidelines/Residential Design Codes

Design Element	Required	Proposed	Status
Street front setback	7.5m	5.962m	D
Garage setback	Impact of garage demonstrated	Impact of garage demonstrated	A
Minor incursions			N/A
Secondary street setback			N/A
Lot Boundary Setbacks – no change from previous approval			
Car Parking	2 car bays	>2 car bays	A
Open Space	55%	>55%	A
Wall Height	5.6m	6.85m	D
Roof Height	8.1m	6.85m	A
Site Works	Max 0.5 m above NGL at lot boundary	1.22m high retaining wall along boundary for 5.6m	D
Visual Privacy			N/A
Overshadowing			N/A
Garage width	Impact of garage demonstrated	Impact of garage demonstrated	A
Roof form and pitch	Impact of roof to be demonstrated	Impact of roof demonstrated	A
Materials and colours			A
Landscaping			A
Front fence & gate			N/A
Sightlines			A
Footpaths and crossovers		Condition	
Drainage		Condition	
Wood Encouragement Policy		N/A	

This development application proposes amendments to an existing approved development (P032/23) for a single dwelling at 18 (Lot 233) Pier Street, East Fremantle. There are a few changes to the dwelling including moving the dwelling forward of the previously approved setback, modifying the roof pitch to 10 degrees and the installation of a

retaining wall on the eastern side of the dwelling. None of the proposed changes are considered to have significant impacts.

The proposed development was advertised from 12 to 29 April 2024 and one submission was received. The property is not heritage listed. The existing dwelling on site will be demolished to make way for the new dwelling. This report considers the proposed amendments to the existing approved development.

There are three variations in relation to the proposed changes including the primary street setback, maximum wall height and site works.

#### Primary Street Setback

The approved primary street setback for this dwelling was 7.5m in accordance with the required setback for a lot with a density code of R12.5. In this case the proposed setback has been reduced to 5.962m which does not achieve the Residential Design Codes deemed to comply clause 5.1.2 C2.1. An examination of the possible use of the offset of the area behind and to the side of the proposed dwelling setback as a means to achieve the deemed to comply requirement did not achieve the minimum area required. Nonetheless the reduced lot boundary setback can be supported in accordance with design principles 5.1.2 P2.1.

The reduced setback is consistent with the established setback, adequate privacy and open space is provided, parking, and landscaping and utilities are not impacted. The undercroft/ garage/ porch is located 8 metres from the front boundary (except for some minor incursions forward). There are no easements of concern. The balcony balustrading which is shown as opaque on the plans is located approximately 6m from the front boundary but the wall, doors and windows onto the balcony are 7.4m from the boundary. The upper storey balcony, which is relatively open is not an enclosed room or highly screened, effectively comprises 1.4m of the reduced setback. It is considered the balcony articulates the design of the dwelling and minimizes any bulk to the front façade.

It is also noted that the balcony of the current dwelling on-site (which is about to be demolished) is located 6m from the primary street boundary so there is no significant change from the existing situation. Views through the balcony from the adjoining property will not be totally eliminated. For these reasons the reduced primary street setback can be supported.

#### Maximum Wall Height

The Residential Design Guidelines acceptable development provision 3.7.17.4.1.3 A1.4 requires that the maximum roof height is 8.1m and the maximum wall height is 5.6m. In this case the maximum roof height is below 8.1m but the maximum wall height is as much as 6.85m. Given that the maximum roof height is not exceeded and in accordance with performance criteria 3.7.17.4.1.2 P1 the proposed dwelling is considered to be of a compatible form, bulk, and scale to development in the immediate area so it is considered the increased wall height can be supported.

It is noted that the previous development approval supported a wall height of 6.3m. The slight increase of 0.55m in wall height is a result of the dwelling being moved forward on a site that already has a significant elevation from the street up to the central part of the site.

#### Site Works - Retaining Walls and Fill

Changes are proposed to the retaining wall along the eastern boundary such that there is a wall with a maximum height of 1.22m for approximately 5.3m. In accordance with the Residential Design Codes deemed to comply clause 5.3.7 C7.2 the wall should be located 1.5m from the boundary (in accordance with Table 4). It is considered this wall can be supported given that it is at a similar level to the surrounding development and a dividing fence will be installed in close proximity along the boundary so there will be negligible visual privacy concerns. In accordance with design principles 5.3.7 P7.3 the retaining walls will result in land that can be effectively used for the benefit of the

residents, do not detrimentally affect the adjoining properties and are designed, engineered, and landscaped having due regard to visual privacy.

#### Submission from Advertising

There has been one submission opposing the changes, however, it is noted that the reduction in primary street setback is not unreasonable given that all views are not eliminated by this change. It is also noted that existing balcony is located 6 metres from the front boundary. The viewing corridor is reduced by a marginal amount, but not totally as a result of this change. Extensive views of the river and ocean to the south west and the southern hinterland are retained from the eastern neighbouring property. In addition the existing dwelling on the subject site is currently setback a similar distance from the front boundary (although this is to be demolished as part of the development that is the subject of this report). It is noted that there is to be a neighbouring dwelling directly to the west that has an approved front setback of 6m and this proposal does not represent a significant difference given that the setback of the balcony of the existing dwelling on the subject site is also currently 6m. A proposed dwelling at 2 Parker Street on the corner of Parker Street and Pier Street and two lots west of the subject site has an approved setback from a secondary street of 2m (as permitted by the Residential Design Codes). The reduced setback of the proposed dwelling includes a front balcony which reduces the effect of the proposed dwelling being moved forward on the site. For this reason, the reduced primary street setback is supported.

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#### CONCLUSION

It is recommended that the proposed amendments to the existing development approval be supported by Council subject to the conditions included in the final recommendation. The proposed amendments are considered relatively minor.

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#### OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

##### **OFFICER RECOMMENDATION**

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

- (i) Clause 5.1.2 – Residential Design Codes – Primary Street Setback – 7.5m required, 5.962m provided;**
- (ii) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Wall Height – 5.6m required, 6.85m provided;**  
**and**
- (iii) Clause 5.3.7 – Residential Design Codes – Site Works - Retaining Walls – 1.22m high retaining required setback 1.5m, 0m setback provided,**

**for amendments to an existing development approval at No. 18 (Lot 233) Pier Street, East Fremantle, in accordance with the plans submitted 8 April 2024, subject to the following conditions:**

- (1) Visual privacy screening is to be installed in accordance with the plans submitted 8 April 2024 that achieves the deemed to comply requirements of clause 5.4.1 C1.2 of the Residential Design Codes. The screening shall be a minimum of 1.6m from the finished floor level, at least 75% obscure, permanently fixed, made of durable material, and restrict view in the direction of the overlooking.**
- (2) Existing trees located within the verge are a Town asset and as such must be retained and not pruned, shaped, or modified, except where otherwise approved for removal or modification by the Town.**
- (3) During construction the verge trees are to be protected with cages around the trunks to ensure that they are not damaged by surrounding works, vehicles, or materials.**
- (4) An application is to be submitted to the Operations Department of the Town for the removal of any verge trees. Verge trees are not to be removed without written approval from the Town.**
- (5) Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:**
  - (a) Noise, vibration, air, and dust management;**



- (b) Contact details of essential site personnel, construction periods and construction operating hours;
- (c) Traffic management, including footpath closures and proposed signage;
- (d) Parking management for all trades, contractors, and visitors to site;
- (e) Public safety and amenity (traffic control and pedestrian management);
- (f) Site access/egress management;
- (g) Scaffolding management plan;
- (h) Management plan for the loading and unloading of vehicles;
- (i) Heavy construction machinery and deliveries;
- (j) Bulk earthwork operations;
- (k) Stormwater and sand/sediment control;
- (l) Street tree management and protection;
- (m) Protection of footpath;
- (n) Details of all concrete pours and requirements relating to piling methods or associated works;
- (o) Temporary fencing;
- (p) Temporary toilets;
- (q) Dilapidation of Town infrastructure and nearby properties;
- (r) Hoardings and gantries; and
- (s) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

- (6) The crossover widths are not to exceed the width of the crossovers indicated on the plans date submitted 8 April 2024 and to be in accordance with the Town of East Fremantle's (the Town) crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide.
- (7) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Town's further approval.
- (8) The proposed works are not to be commenced until the Town has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by the Town.
- (9) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
- (10) 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 Town prior to the issue of a Building Permit.
- (11) If requested by the Town 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.
- (12) 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.
- (13) 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 the Town and if approved, the total cost to be borne by the applicant. The Town 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.

- (14) This development approval is to remain valid for a period of 24 months from the date of this approval.

**Footnote:**

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

- (a) *This decision does not include acknowledgement or approval of any unauthorised development which may be on site.*
- (b) *A copy of the approved plans as stamped by the Town are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town.*
- (c) *An application for a new crossover is to be submitted to the Operations Department of the Town and plans are to be included with the application that meets the requirements of the Town's crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide. This application and relevant information are available at the following links;*

**Crossover Specifications**

[https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Crossover\\_Specification\\_2017.pdf](https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Crossover_Specification_2017.pdf)

**Residential Design Guidelines**

[https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Document-Centre/local-planning-policies/3\\_1\\_1\\_LPP\\_Residential\\_Design\\_Guidelines\\_Amended\\_17\\_May\\_2016.pdf](https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Document-Centre/local-planning-policies/3_1_1_LPP_Residential_Design_Guidelines_Amended_17_May_2016.pdf)

**Urban Streetscape and Public Realm Style Guide**

<https://www.eastfremantle.wa.gov.au/documents/914/urban-streetscape-and-public-realm-style-guide>

**Application to Conduct Crossover Works**

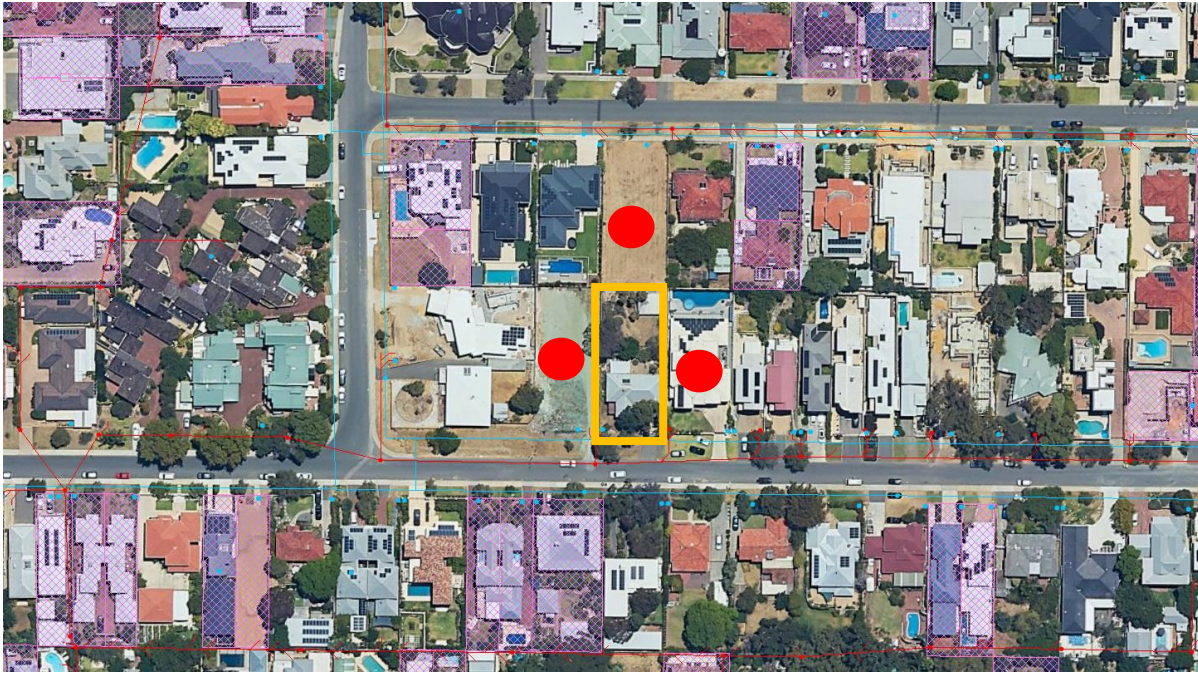
[https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Application\\_to\\_conduct\\_crossover\\_works.pdf](https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Application_to_conduct_crossover_works.pdf)

- (d) *It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner 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 the Town and one copy should be given to the owner of any affected property.*
- (e) *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).*
- (f) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (g) *Trees on verges are the property of the Town. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town acting against the owners/builders/contractors responsible. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.*
- (h) *Any damage to other Town assets, including but not limited, to the kerb, drainage, footpaths, roads, and signage will have to be repaired by the applicant/owners/contractors at their cost.*

## REPORT ATTACHMENTS

Attachments start on the next page

**18 Pier Street – Location and Advertising Plan**





Attachment -2  
**18 Pier Street – Photos**





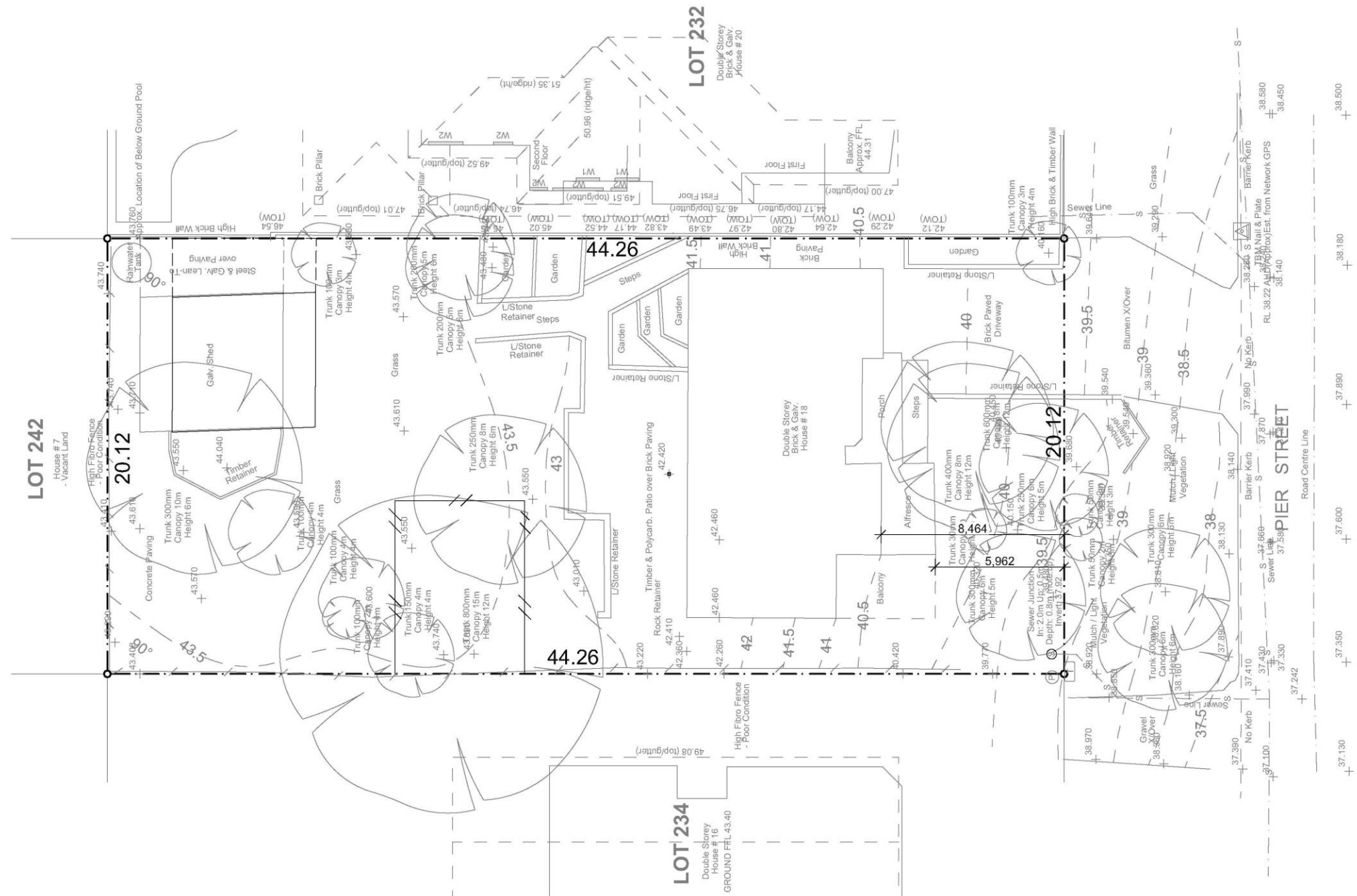


DORNAN RESIDENCE


18 PIER STREET, EAST FREMANTLE

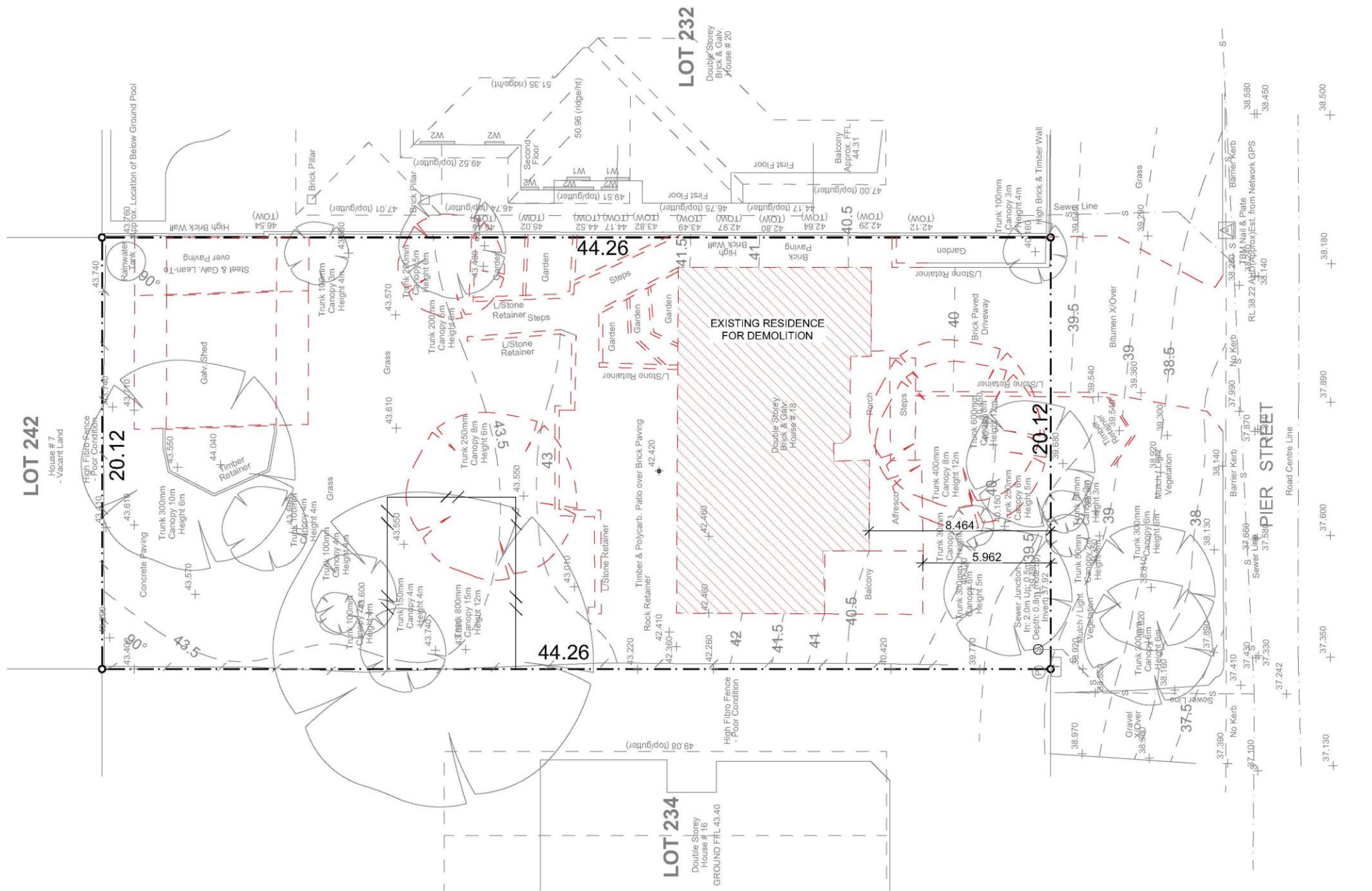
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				22005 PROJECT New Residence	08/04/2024 RE-ISSUE -	DORNAN 18 PIER STREET EAST FREMANTLE	





1	EXISTING SITE PLAN
SD100	@A3 - 1:200

<div>SD100</div> <div>SD</div>	<p><b>DRAWN BY</b> BC, CH</p> <p><b>ISSUE FOR</b> <b>AMENDMENT TO DA</b></p>	<p>DISCLAIMER: THESE DRAWINGS REMAIN COPYRIGHT OF 'LEANHAUS'. MUST BE READ IN CONJUNCTION WITH RELEVANT DOCUMENTATION AND CONSULTANTS' DRAWINGS, AND MUST BE VERIFIED PRIOR TO FABRICATION OR CONSTRUCTION. DO NOT DIMENSION OFF PLANS. ANY DISCREPANCIES TO BE REPORTED TO DESIGNER. BUILDER MUST ENSURE COMPLIANCE WITH NATIONAL CONSTRUCTION CODE. AUSTRALIAN STANDARDS AND ALL RELEVANT REGULATIONS.</p>	<div>N</div> <div></div>	<p><b>PROJECT NO.</b> 22005</p> <p><b>PROJECT</b> New Residence</p>	<p><b>ISSUE</b> 08/04/2024</p> <p><b>RE-ISSUE</b> -</p>	<p><b>CLIENT</b> DORNAN 18 PIER STREET EAST FREMANTLE</p>	<div> <div>leanhaus.com.au</div> <div>Ben Caine, Architect</div> <div>ben@leanhaus.com.au</div> <div>0414 496 870</div> </div> <div>leanhaus</div>
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1  
SD110 | DEMOLITION PLAN  
@A3 - 1:200

SD110

SD

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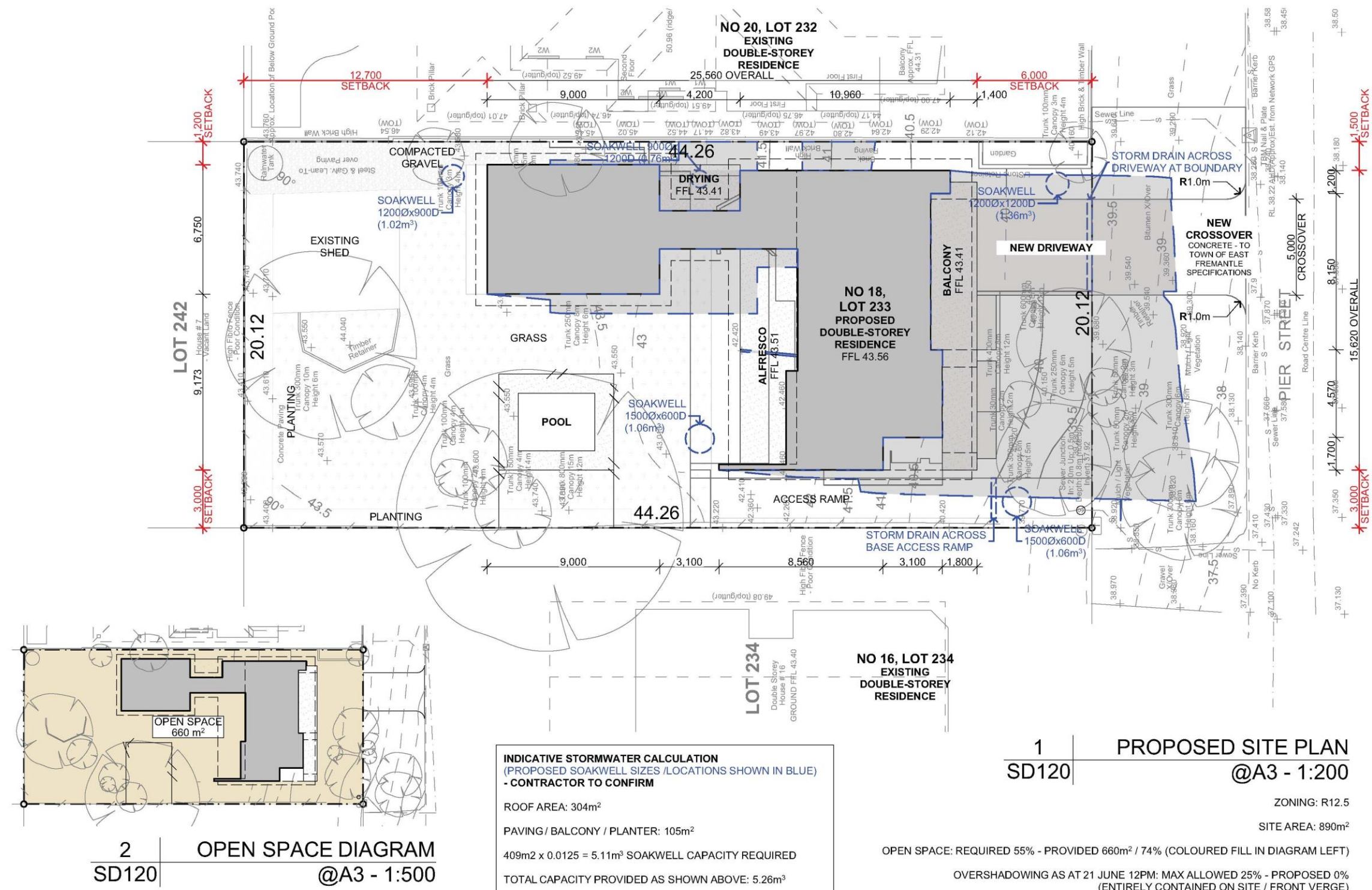
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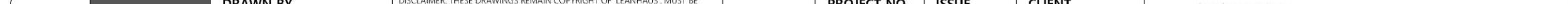
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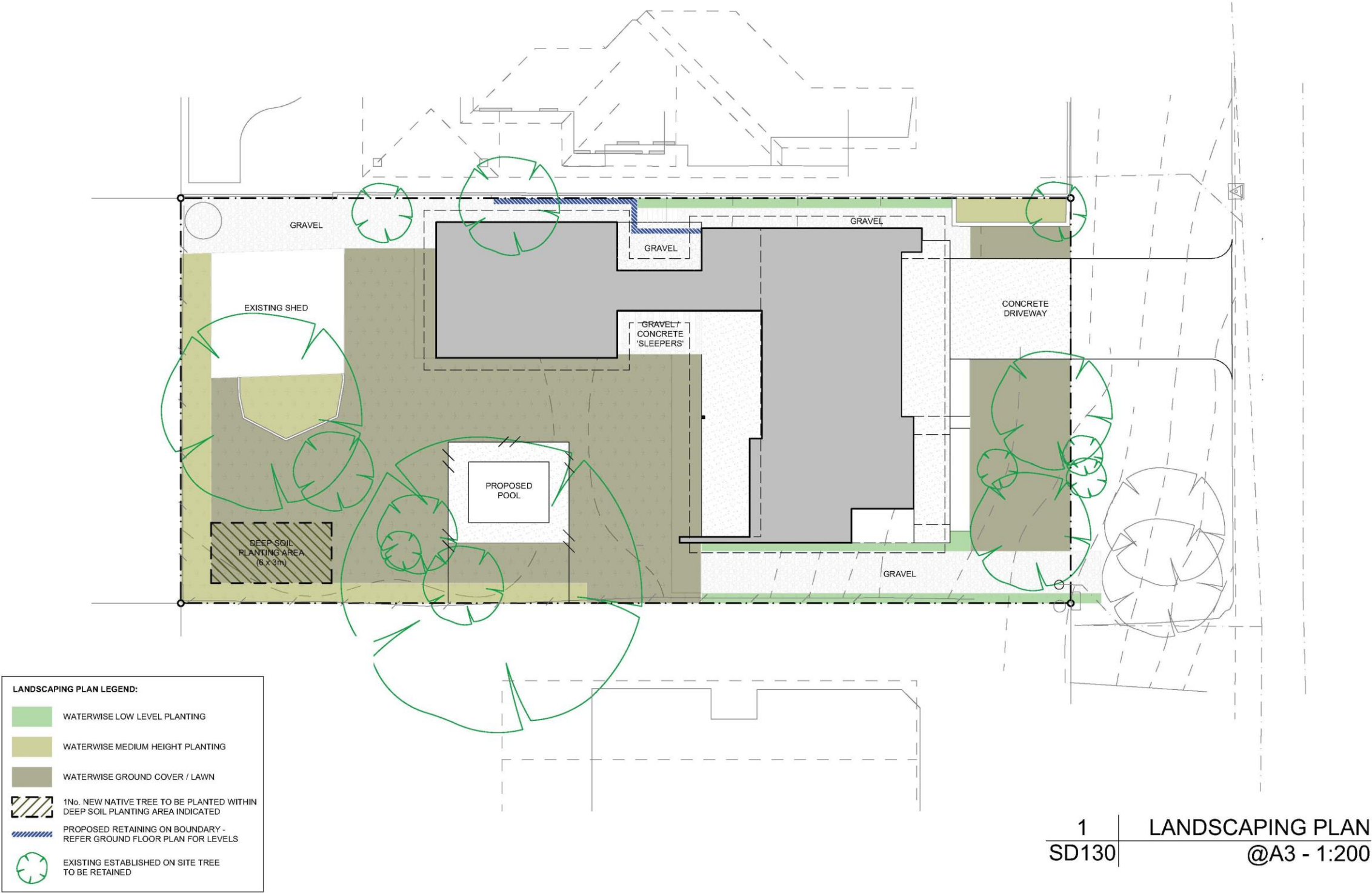
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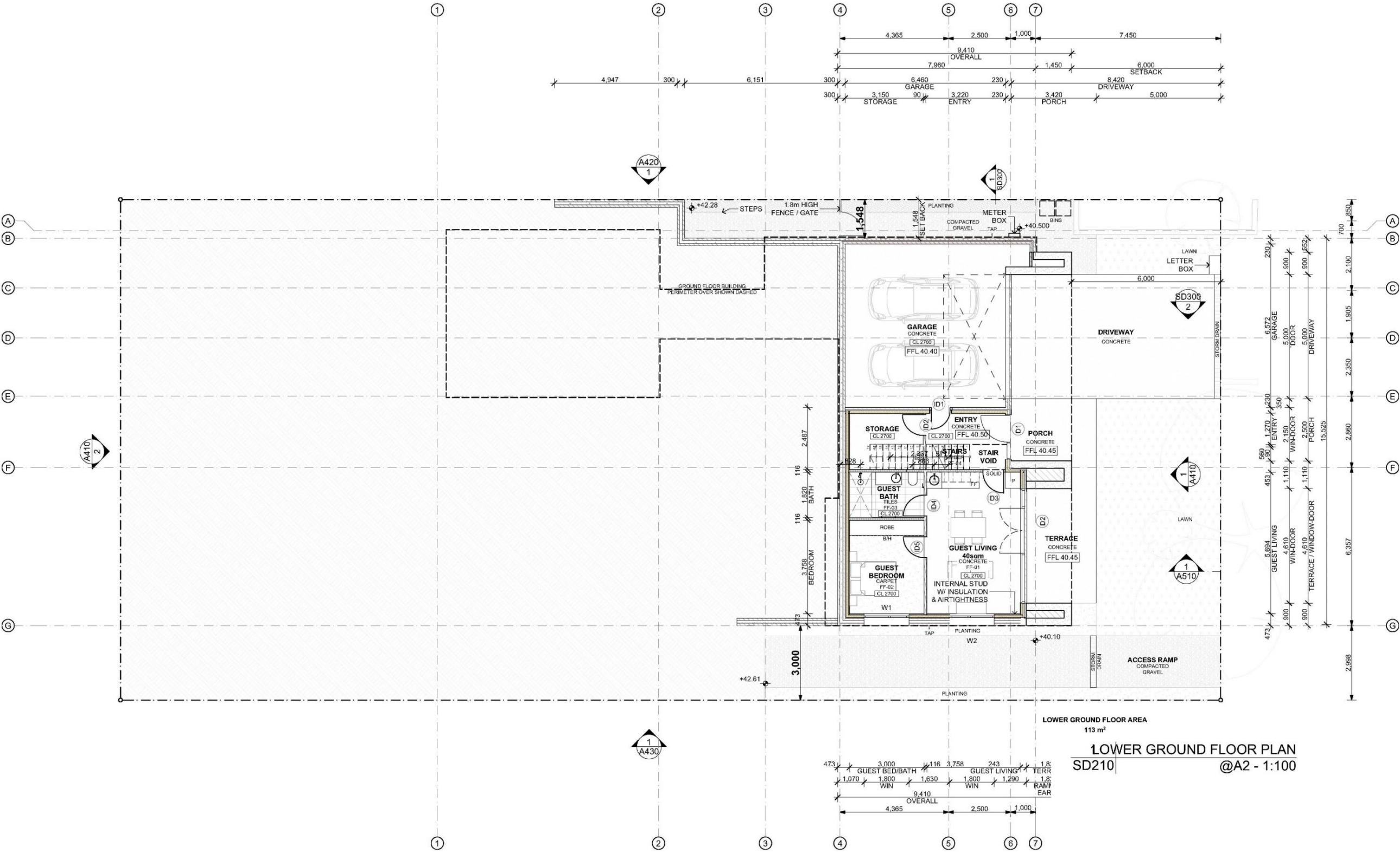


<div>SD120</div> <div>SD</div>	<p><b>DRAWN BY</b> BC, CH</p> <p><b>ISSUE FOR</b> <b>AMENDMENT TO DA</b></p>	<p>DISCLAIMER: THESE DRAWINGS REMAIN COPYRIGHT OF 'LEANHAUS'. MUST BE READ IN CONJUNCTION WITH RELEVANT DOCUMENTATION AND CONSULTANTS' DRAWINGS, AND MUST BE VERIFIED PRIOR TO FABRICATION OR CONSTRUCTION. DO NOT DIMENSION OFF PLANS. ANY DISCREPANCIES TO BE REPORTED TO DESIGNER. BUILDER MUST ENSURE COMPLIANCE WITH NATIONAL CONSTRUCTION CODE. AUSTRALIAN STANDARDS AND ALL RELEVANT REGULATIONS.</p>	<p>N </p>	<p><b>PROJECT NO.</b> 22005</p> <p><b>PROJECT</b> New Residence</p>	<p><b>ISSUE</b> 08/04/2024</p> <p><b>RE-ISSUE</b> -</p>	<p><b>CLIENT</b> DORNAN 18 PIER STREET EAST FREMANTLE</p>	<p>leanhaus.com.au Ben Caine, Architect ben@leanhaus.com.au 0414 496 870</p>	
								





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SD200

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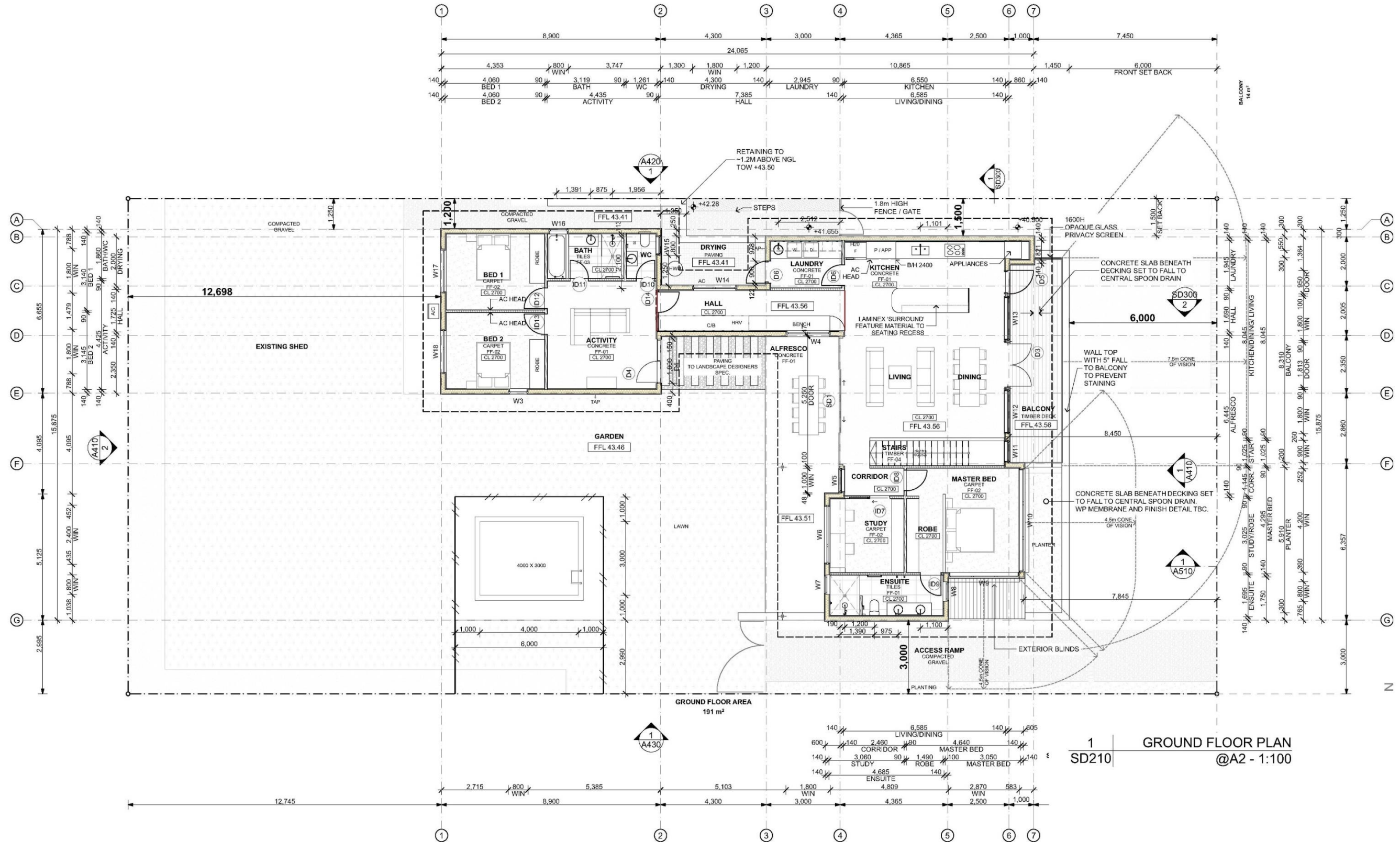
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1  
SD210  
GROUND FLOOR PLAN  
@A2 - 1:100

SD210

PD

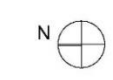
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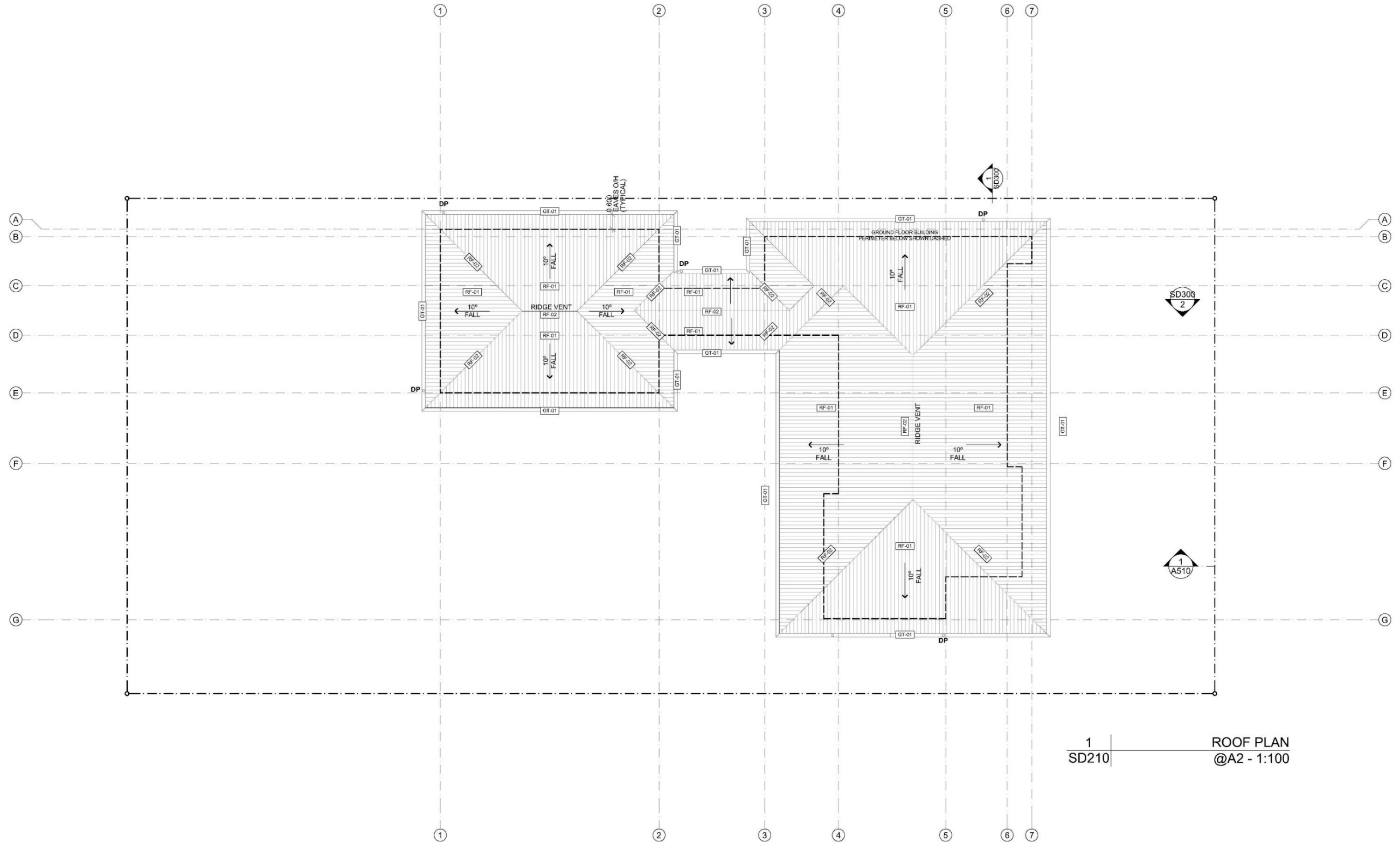
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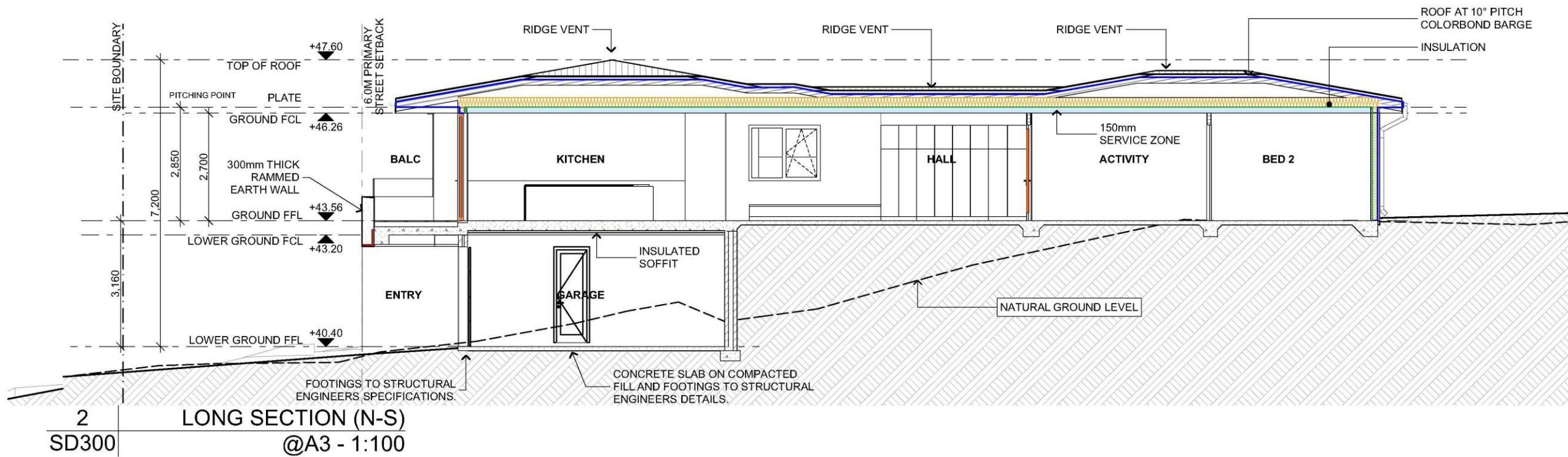
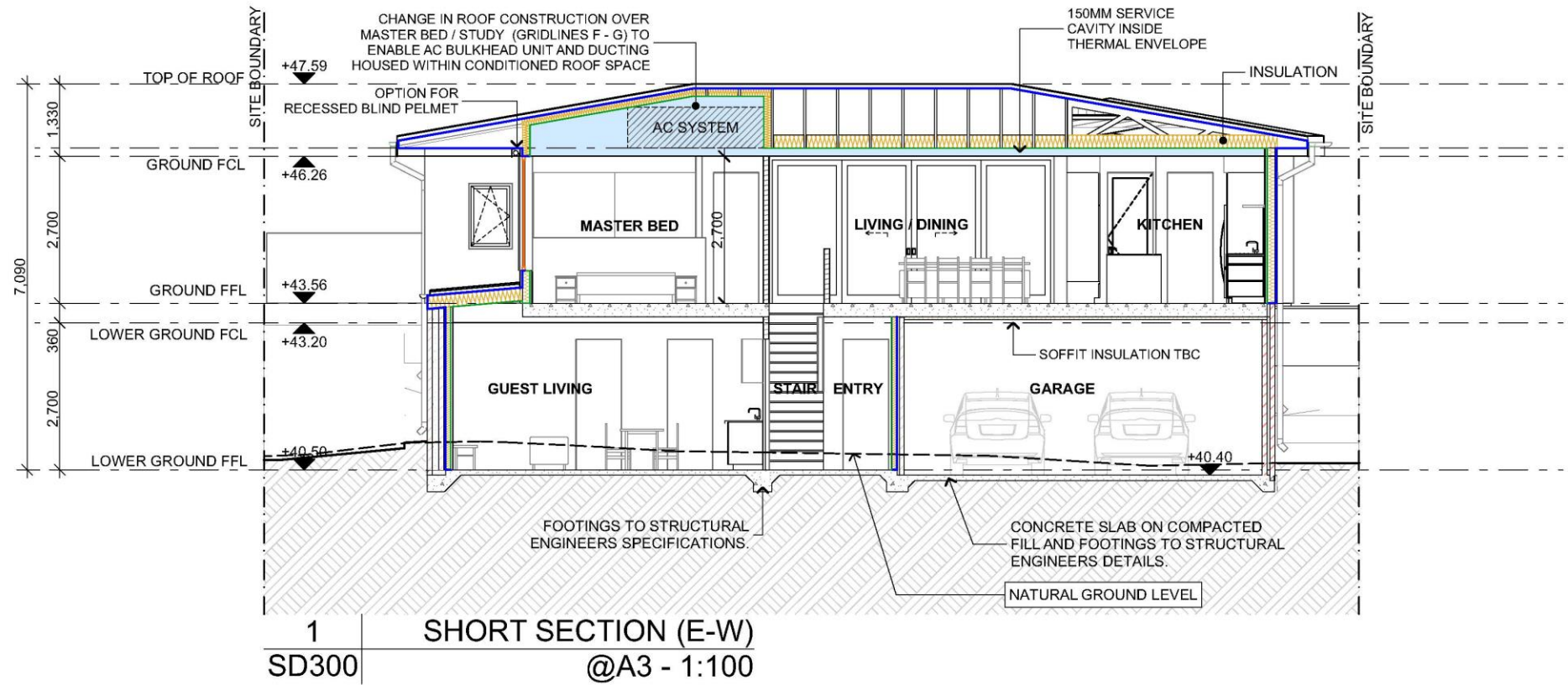


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SD300

SD

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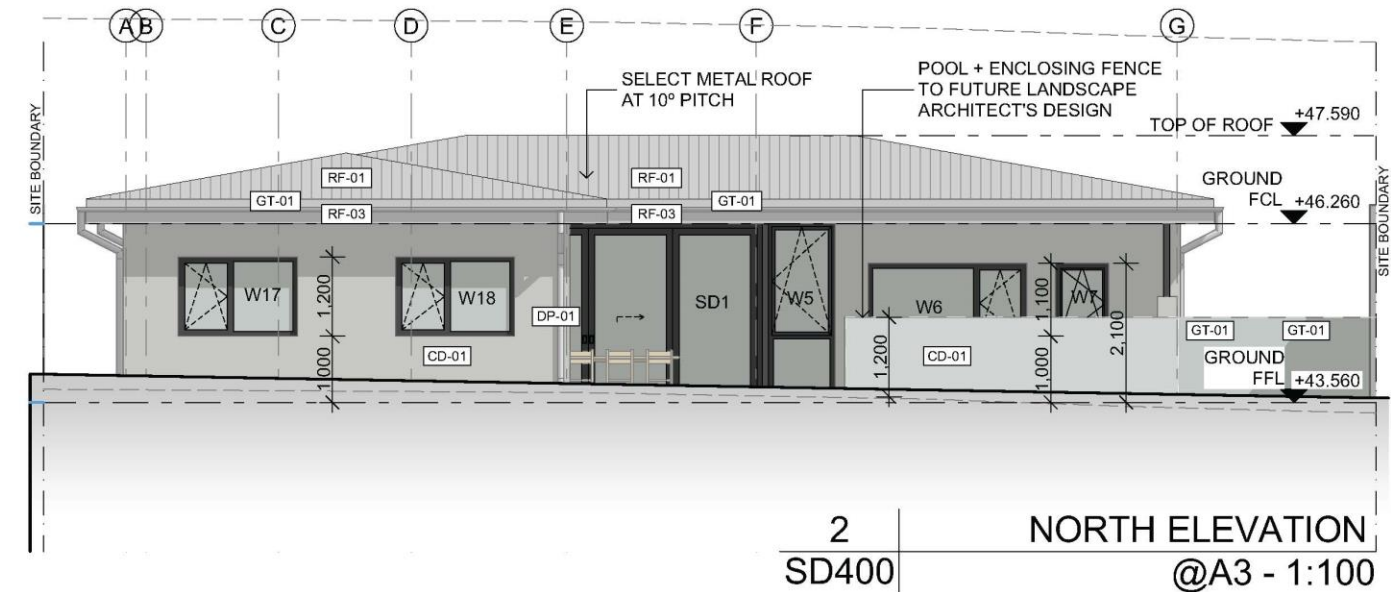
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### LEGEND

	APPROXIMATE LINE AND RL OF EXISTING NATURAL GROUND LEVEL AT PROPOSED DEVELOPMENT
	FINISHED GROUND LEVEL AT PROPOSED DEVELOPMENT
	OFFSET TO NATURAL GROUND LEVEL AS SHOWN FOR ASSESSMENT AGAINST WALL / RIDGE LINE HEIGHT LIMITS

### FINISHES

RF-01	COLORBOND PROFILED METAL ROOF SHEETING - SURFMIST / SHALE GREY
RF-02	COLORBOND ROOF FLASHING - SURFMIST / SHALE GREY
RF-03	COLORBOND FASCIALINING - SURFMIST / SHALE GREY
GT-01	COLORBOND GUTTERS- SURFMIST / SHALE GREY
CD-01	HARDIES EASYTEX PANEL - FINE RENDER FINISH LEXICON
CT-01	SELECT TIMBER OR COMPOSITE CLADDING
MW-01	RAMMED LIMESTONE W PLASTICURE WATERPROOF SEALANT
MW-02	RENDERED BRICKWORK - PAINT FINISH, DULUX DOMINO
GS-01	CLEAR DOUBLE GLAZING - TO ALL WINDOWS + GLAZED DOORS UNLESS NOTED OTHERWISE
GS-02	CLEAR DOUBLE GLAZING WITH VISUALLY OBSCURING FILM
GS-03	GLASS BALUSTRADE - TOUGHENED SAFETY GLASS
FN-01	COLORBOND FENCING - SURFMIST / SHALE GREY
OD-01	PANELLED OPERABLE GARAGE DOOR - COLORBOND DOMINO OR EQUAL APPROVED
LB-01	CUSTOM DESIGN LETTERBOX AS SHOWN
GT-01	PERMEABLE METAL GATE, CAT / KITTEN FORMAT POWDERCOAT FINISH, DULUX MONUMENT O.E.A.
DP-01	EXPOSED DOWNPIPES 75mm Ø - COLORBOND SURFMIST

SD400

SD

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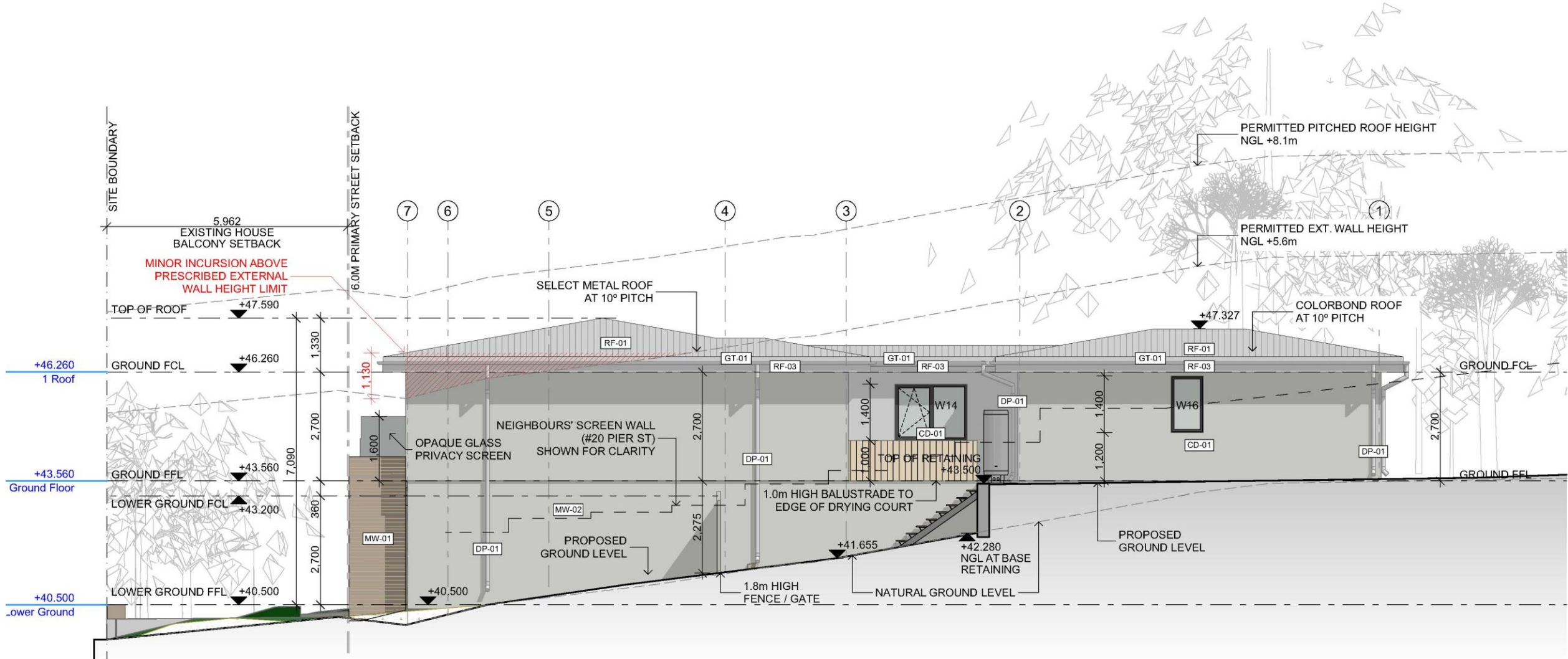
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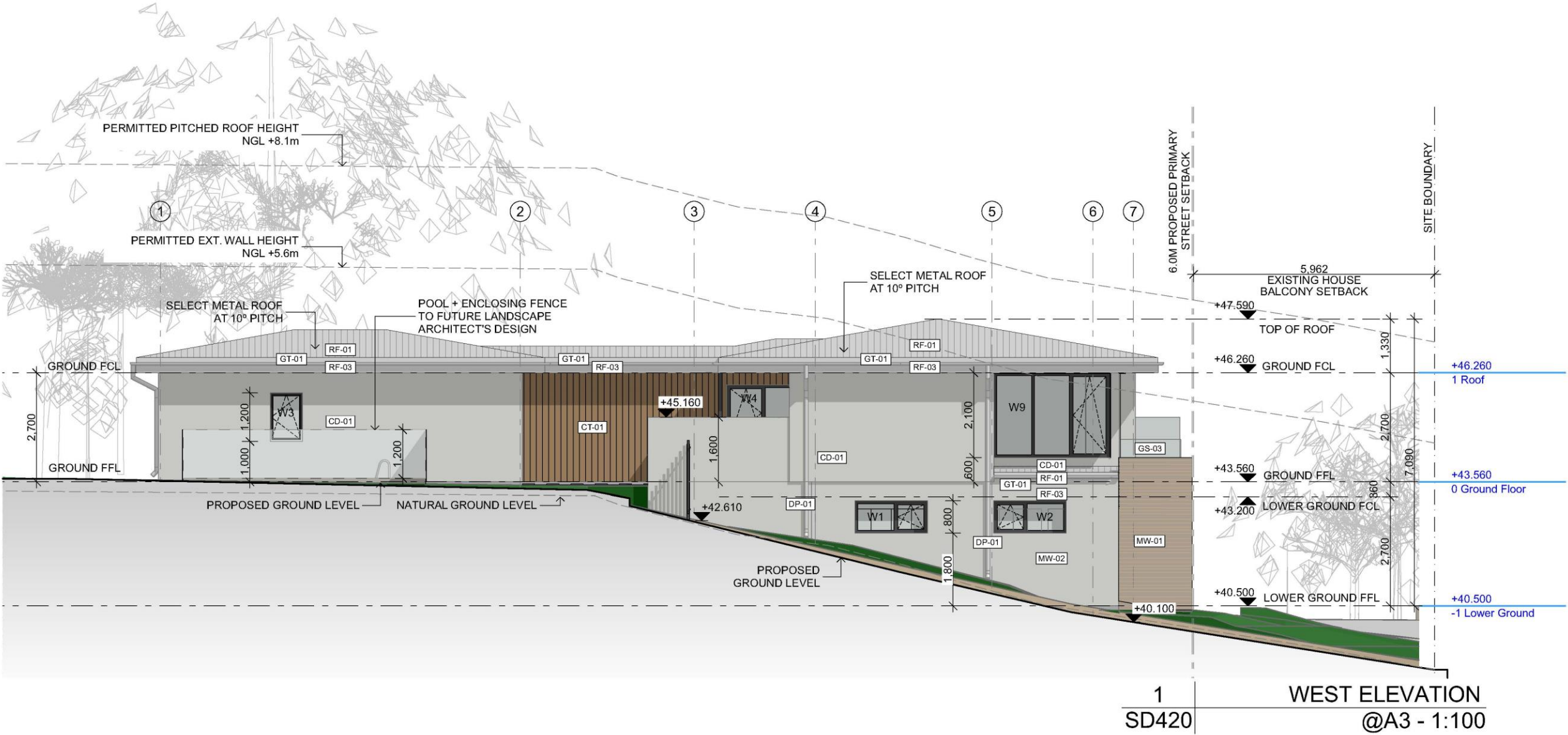
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1 EAST ELEVATION  
SD410 @A3 - 1:100

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1  
SD430 | STREET MONTAGE



2 PARKER ST



16 PIER ST



18 PIER ST (PROPOSED)



20 PIER ST



22 PIER ST

SD430

SD

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## 12.2 125 PETRA STREET - ALTERATIONS AND ADDITIONS

<b>Owner</b>	Siobhan Siegert
<b>Applicant</b>	Ox Studio
<b>Report Reference Number</b>	TPR-1855
<b>Planning Reference Code</b>	P036/24
<b>Prepared by</b>	James Bannerman
<b>Supervised by</b>	Andrew Malone
<b>Meeting date</b>	Tuesday, 4 June 2024
<b>Voting requirements</b>	Simple majority
<b>Documents tabled</b>	Nil

**Attachments**

1. Location and advertising plan
2. Photos
3. Plans
4. Place Record

**PURPOSE**

The purpose of this report is for Council to consider a development application for alterations and additions to a dwelling located at 125 (Lot 150) Petra Street, East Fremantle.

**EXECUTIVE SUMMARY**

This development application proposes alterations and additions to an existing Category C heritage dwelling located at 125 (Lot 150) Petra Street, East Fremantle. It is proposed to demolish an existing rear section which includes family room, bathroom, laundry, two bedrooms and verandah. The existing study, master bedroom, ensuite, bedroom 2, toilet and lounge are being retained at the front of the property. The dwelling does not have a carport or garage but a new double garage is proposed along with a second storey ancillary dwelling above the garage. Two new bedrooms, kitchen, scullery, living, dining, bathroom, lounge and alfresco is proposed to be constructed at the rear of the dwelling. The front driveway is being widened through the removal of one section of the fence.

There are three variations to the Residential Design Codes and the Residential Design Guidelines that are listed below:

- Clause 3.7.15.3.3 – Residential Design Guidelines – Garage Width – 30% required, 33.3% provided;
- Clause 5.2.5 – Residential Design Codes – Corner Truncation – 1.5m required, less than 1.5m provided; and
- Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided.

It is recommended that the proposed development is supported subject to conditions included in the final recommendation.

**BACKGROUND**

<b>Zoning</b>	Residential R12.5
<b>Site Area</b>	804m <sup>2</sup>
<b>Heritage</b>	Category C
<b>Fremantle Port Buffer</b>	N/A
<b>Previous Decision of Town and/or History of Issue Onsite</b>	P7/08 – development approval for a swimming pool – 31 January 2008

## CONSULTATION

The proposed development was advertised from 19 April to 6 May 2024. One submission was received in support of the proposal.

Submission	Applicant Response	Town Response
Thank you for sending the plans of the proposed renovation to our neighbours' property. My wife XXXX and I have no objections to the plans.	Noted	Noted

### Internal Consultation

Nil

### External Consultation

Referred to Water Corporation. The following advice was received.

#### Water

*Reticulated water is available to the subject lot.*

#### Wastewater

*Reticulated sewerage is available to the subject lot.*

*Any portion of the proposed development which is in close proximity to the reticulated sewer mains may require structural piles to protect the sewer main in accordance to our technical guidelines. These will be required to be submitted at time of building approval. Piling design for sewer main protection shall be designed by a suitably qualified practicing professional engineer who has appropriate structural engineering experience and is a holder of our current design standards.*

#### Approval for works

*Any works carried out in proximity to our Assets must receive prior approval by applying for an Asset Protection Risk Assessment (APRA) To assess whether the proposed development will require and APRA details of the Prescribed Proximities and relevant legislation are available in our guidelines.*

#### Building Approval Application

*The applicant is required to submit an additions application by using our online portal BuilderNet. Attachments required for approval will include:*

- *Final construction site & architectural floor plans*
- *Engineer certified piling detail plans (if applicable)*

*The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.*

A condition has been included in the final recommendation requiring written approval to be granted by the Water Corporation prior to the submission of a building permit application. The development approval will not be delayed by this requirement.

## STATUTORY ENVIRONMENT

Planning and Development Act, 2005  
Residential Design Codes (Volume 1)  
Local Planning Scheme No. 3 (LPS 3)



## POLICY IMPLICATIONS

Local Planning Policy 3.1.1 – Residential Design Guidelines  
Local Planning Policy 3.1.8 – Wood Encouragement - General

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

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

### Built Environment

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

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

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

*3.1.2 Plan for a mix of inclusive diversified housing options.*

*3.1.3 Plan for improved streetscapes.*

*3.2 Maintaining and enhancing the Town's character.*

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

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

*3.3.1 Continue to improve asset management within resource capabilities.*

*3.3.2 Plan and advocate for improved access and connectivity.*

## RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

## SITE INSPECTION

A site inspection was undertaken.

## COMMENT

### Statutory Assessment

This development application was assessed against the Town's Local Planning Scheme No. 3, the Residential Design Codes, and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

### Local Planning Scheme No. 3/Residential Design Guidelines/Residential Design Codes

Design Element	Required	Proposed	Status
Street front setback	7.5m	6.832m (compensating offset provided)	A
Garage setback	1.2m behind existing dwelling	1.2m behind existing dwelling	A
Minor incursions			N/A
Secondary street setback			N/A
Lot Boundary Setbacks			

Southern wall – pool store, laundry, bath - ground floor	1.1m	1.5m	A
Southern wall – bed 4, bed 3 – ground floor	0m	0m	A
Southern wall – bed 2, ensuite, existing bed 1, existing robe – ground floor		Existing wall	N/A
Western wall – pool store – ground floor	1.1m	1.5m	A
Western wall – scullery, kitchen, alfresco – ground floor	2.2m	4.86m	A
Northern wall – alfresco, verandah – ground floor	2.2m	7.289m	A
Northern wall – garage – ground floor	1.1m	2.3m	A
Car Parking	3 car bays	4 car bays	Yes
Open Space	55%	64%	A
Wall Height	7m	5.2m	A
Roof Height	10m	7.352m	A
Site Works			N/A
Overshadowing	<25%	15.6%	A
<b>Garage width</b>	<b>30%</b>	<b>33.3%</b>	<b>D</b>
<b>Roof form and pitch</b>	<b>28 to 36 degrees</b>	<b>&lt;28 degrees</b>	<b>D</b>
Materials and colours			A
Landscaping			A
Front fence & gate			
<b>Sightlines</b>	<b>1.5m truncation</b>	<b>&lt;1.5m truncation</b>	<b>D</b>
Footpaths and crossovers		Condition	
Drainage		Condition	
Wood Encouragement Policy		Timber balustrade on Juliette balcony of upper storey addition	

This development application proposes alterations and additions to an existing Category C heritage dwelling located at 125 (Lot 150) Petra Street, East Fremantle. An existing rear section which includes family room, bathroom, laundry, two bedrooms and verandah is being demolished. The existing study, master bedroom, lounge, ensuite, and bedroom 2 are being retained at the front of the property. The dwelling does not have a carport or garage, but a double garage is being proposed along with a second storey ancillary dwelling above the garage. Two new bedrooms, kitchen, scullery, living, dining, bathroom, lounge and alfresco is proposed to be constructed at the rear of the dwelling. The front driveway is being widened through the removal of one section of the existing fence.

There are three variations to the Residential Design Codes and the Residential Design Guidelines that are being requested including the garage width, sightlines for the front fence and the roof pitch. These are explained in more detail below.

### Garage Width

The Residential Design Guidelines acceptable development provision 3.7.15.3.3 A3 requires that the garage is no wider than 30% of the lot width. In this case the garage is 33.3% of the lot width. In accordance with performance criteria 3.7.15.3.3 P3 it is considered the garage does not visually dominate the streetscape or the buildings to which they belong, and the structure does not detract from the heritage character of the dwelling noting that the property is Category C heritage. It is setback from the existing dwelling by 1.2m from the front of the verandah and the second storey reduces the visual impact of the garage. The proposed ancillary dwelling design provides for a Juliette balcony, which articulates the front facade and further reduces any visual impact of the garage. The proposed garage width is compliant with the minimum required setback in relation to existing dwellings. For these reasons the garage width can be supported.

### Sightlines

A corner truncation of 1.5m or a reduction in the height of the fence to 0.75m is required where a fence adjoins a driveway in accordance with the Residential Design Codes deemed to comply clause 5.2.5 C5. In this case the northern section of an existing wall is being removed to widen the driveway. The fence is not being reduced in height and the additional width is less than 1.5m, however the opening has been increased to 1.077m on the south side of the driveway and 1.12m on the north side of the driveway, facilitating sightlines each side of the 5 metre crossover. It is considered that this additional opening width will create unobstructed sightlines for reversing vehicles in accordance with design principles 5.2.5 P5. For this reason, the proposed change to the fence and variation of the sight line can be supported.

### Roof Pitch

In the Richmond precinct the roof pitch is required to be between 28 and 36 degrees in accordance with the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1. In this case the roof pitch is proposed to be 24 degrees for the upper storey extension and 15 degrees for the rear additions. In accordance with performance criteria 3.7.8.3 P4 the reduced roof pitch can be supported as it is considered to complement the traditional form of surrounding development in the immediate locality. The upper storey roof has a pitch similar to the existing dwelling and the rear additions are hidden from the street. For these reasons it is considered the proposed roof form and pitch can be supported.

### Upper Storey Development

It is noted that the second storey addition is proposed to be above the garage but in alignment with the acceptable development provision 3.7.2.3 which requires the development to be behind the existing dwelling. The development is behind the existing Category C heritage dwelling, but not hidden. Nevertheless, it is considered to complement the existing dwelling. Attempts have been made to moderate the appearance and design of the addition by adding a Juliette balcony for surveillance and ensuring that a similar pitch and complementary materials are used for the addition. It is considered the design complements rather than detracts from the streetscape. For this reason, the proposed addition is not seen as a variation.

### Water Corporation Referral

The application was referred to the Water Corporation as a sewer line runs along the northern boundary in close proximity of the garage and upper storey addition. Following the advice received from the Water Corporation a condition has been included in the final recommendation requiring that Water Corporation approval be obtained for the proposed development and submitted with the building permit application to the Town.

---

## CONCLUSION

This development application proposes alterations and additions to an existing Category C heritage dwelling located at 125 (Lot 150) Petra Street, East Fremantle. The changes are reasonably significant, however, it is recommended that the proposed development be supported. A Category C heritage dwelling is being retained and modernised even though the owners have the option of demolition but have opted to renovate instead. There are only three minor variations as explained previously.

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## OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

### **OFFICER RECOMMENDATION**

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

- (i) Clause 3.7.15.3.3 – Residential Design Guidelines – Garage Width – 30% required, 33.3% provided;**
- (ii) Clause 5.2.5 – Residential Design Codes – Corner Truncation – 1.5m required, less than 1.5m provided; and**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided,**

for alterations and additions to a single dwelling at No. 125 (Lot 150) Petra Street, East Fremantle, in accordance with the plans submitted 16 April and 2 May 2024, subject to the following conditions:

- (1) Written approval from the Water Corporation for the proposed development to be provided with the building permit application.
- (2) Existing trees located within the verge are a Town asset and as such must be retained and not pruned, shaped, or modified except where otherwise approved for removal or modification by the Town.
- (3) During construction the verge trees are to be protected with cages around the trunks to ensure that they are not damaged by surrounding works, vehicles, or materials.
- (4) An application is to be submitted to the Operations Department of the Town for the removal of any verge trees. Verge trees are not to be removed without written approval from the Town.
- (5) The footpath is to always remain accessible to pedestrians.
- (6) Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:
  - (a) Noise, vibration, air, and dust management;
  - (b) Contact details of essential site personnel, construction periods and construction operating hours;
  - (c) Traffic management, including footpath closures and proposed signage;
  - (d) Parking management for all trades, contractors, and visitors to site;
  - (e) Public safety and amenity (traffic control and pedestrian management);
  - (f) Site access/egress management;
  - (g) Scaffolding management plan;
  - (h) Management plan for the loading and unloading of vehicles;
  - (i) Heavy construction machinery and deliveries;
  - (j) Bulk earthwork operations;
  - (k) Stormwater and sand/sediment control;
  - (l) Street tree management and protection;
  - (m) Protection of footpath;
  - (n) Details of all concrete pours and requirements relating to piling methods or associated works;
  - (o) Temporary fencing;
  - (p) Temporary toilets;
  - (q) Dilapidation of Town infrastructure and nearby properties;
  - (r) Hoardings and gantries; and
  - (s) Any other relevant matters.The requirements of this plan are to be observed at all times during the construction process.
- (7) The crossover widths are not to exceed the width of the crossovers indicated on the plans date submitted and to be in accordance with the Town of East Fremantle's (the Town) crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide.
- (8) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Town's further approval.
- (9) The proposed works are not to be commenced until the Town has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by the Town.
- (10) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
- (11) 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 Town prior to the issue of a Building Permit.

- (12) If requested by the Town 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.
- (13) 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.
- (14) 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 the Town and if approved, the total cost to be borne by the applicant. The Town 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.
- (15) This development approval is to remain valid for a period of 24 months from the date of this approval.

**Footnote:**

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

- (a) *This decision does not include acknowledgement or approval of any unauthorised development which may be on site.*
- (b) *A copy of the approved plans as stamped by the Town are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town.*
- (c) *An application for a new crossover is to be submitted to the Operations Department of the Town and plans are to be included with the application that meets the requirements of the Town's crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide. This application and relevant information are available at the following links;*

**Crossover Specifications**

<https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Crossover Specification 2017.pdf>

**Residential Design Guidelines**

<https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Document-Centre/local-planning-policies/3 1 1 LPP Residential Design Guidelines Amended 17 May 2016.pdf>

**Urban Streetscape and Public Realm Style Guide**

<https://www.eastfremantle.wa.gov.au/documents/914/urban-streetscape-and-public-realm-style-guide>

**Application to Conduct Crossover Works**

<https://www.eastfremantle.wa.gov.au/Profiles/eastfremantle/Assets/ClientData/Documents/works-reserves/Application to conduct crossover works.pdf>

- (d) *It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner 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 the Town and one copy should be given to the owner of any affected property.*

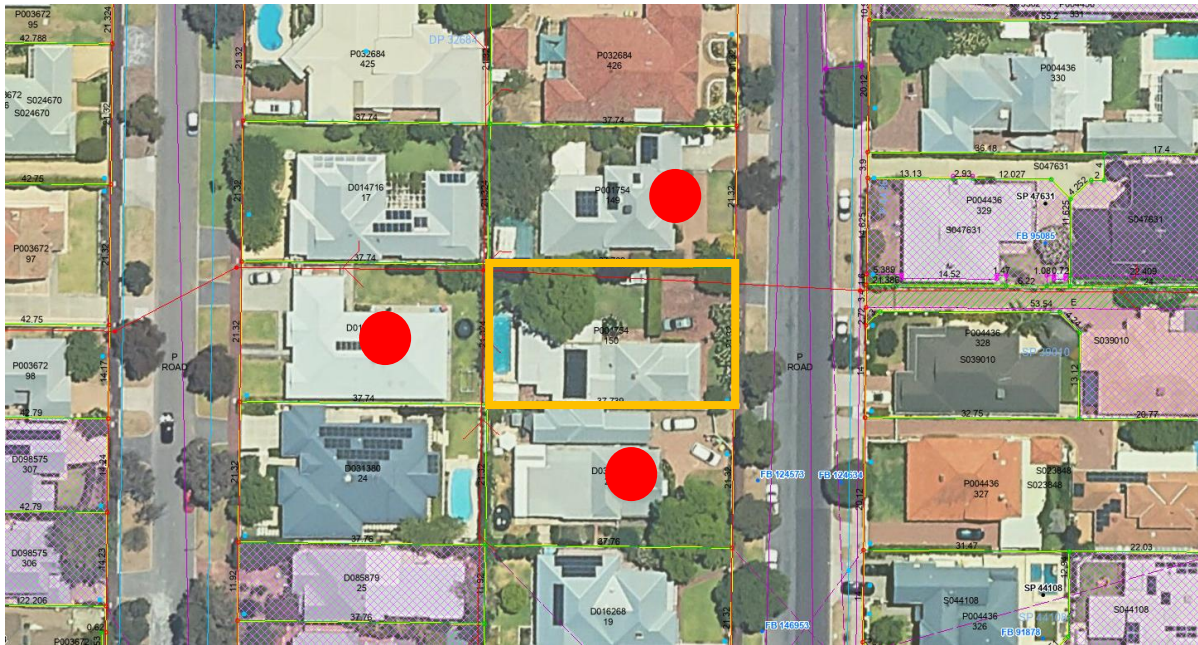


- (e) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).**
- (f) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.**
- (g) Trees on verges are the property of the Town. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town acting against the owners/builders/contractors responsible. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.**
- (h) Any damage to other Town assets including but not limited to the kerb, drainage, footpaths, roads, and signage will have to be repaired by the applicant/owners/contractors at their cost.**

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## REPORT ATTACHMENTS

Attachments start on the next page



**125 Petra Street – Photos**











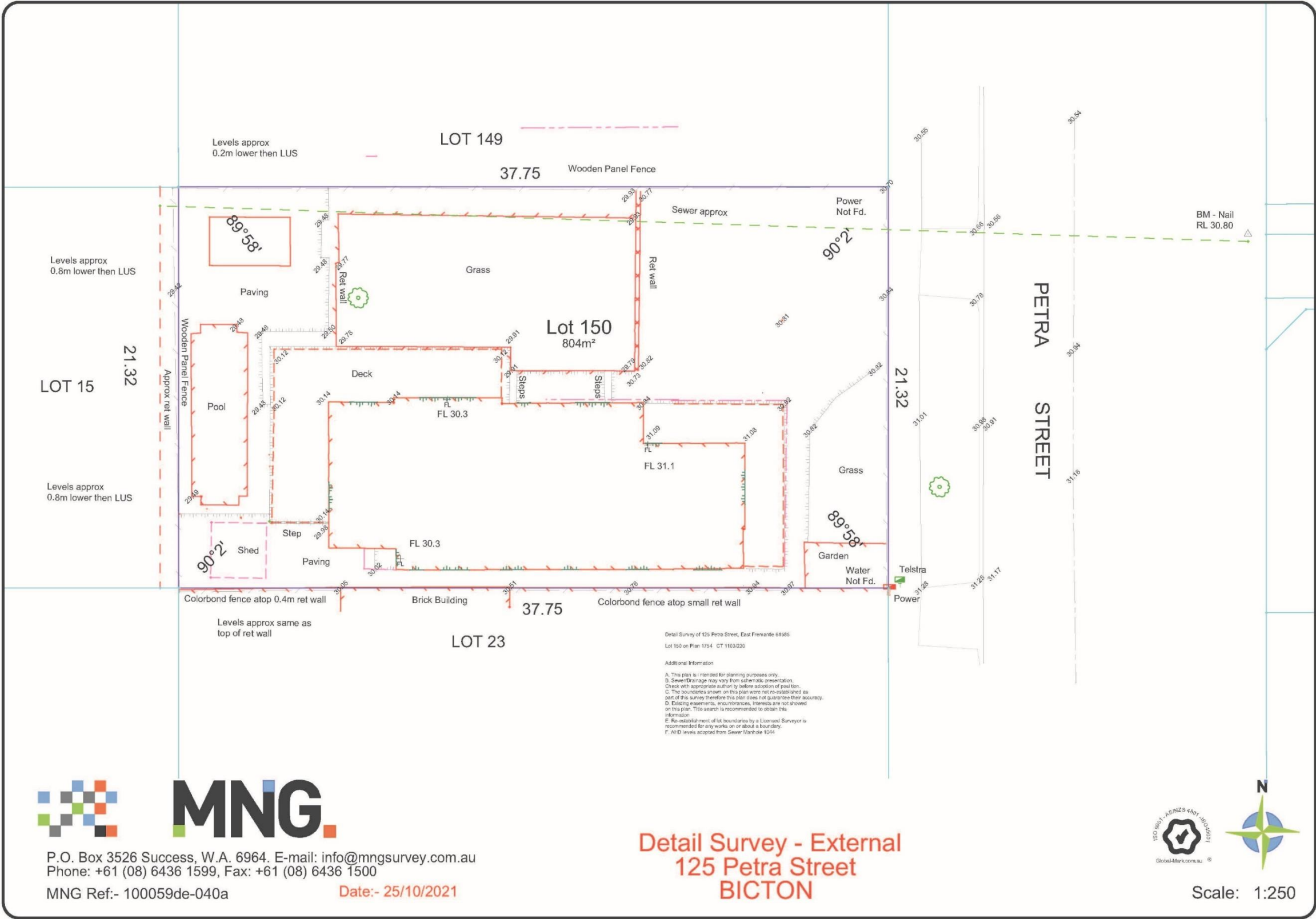
125 PETRA STREET

	<b>OX STUDIO</b> 1 GLYDE STREET, MOSMAN PARK, 6012 WESTERN AUSTRALIA. T+61 (0)487 749 335 E drew@oxstudio.com.au		WORKING DRAWINGS 125 Petra Street, East Fremantle COVER PAGE		CLIENT:	CENTA RESIDENCE	COMMENTS:
	SCALE:	JOB / DRAWING No.	REVISION		A3 SHEET		
	DRAWN: Author	21022_ A000					









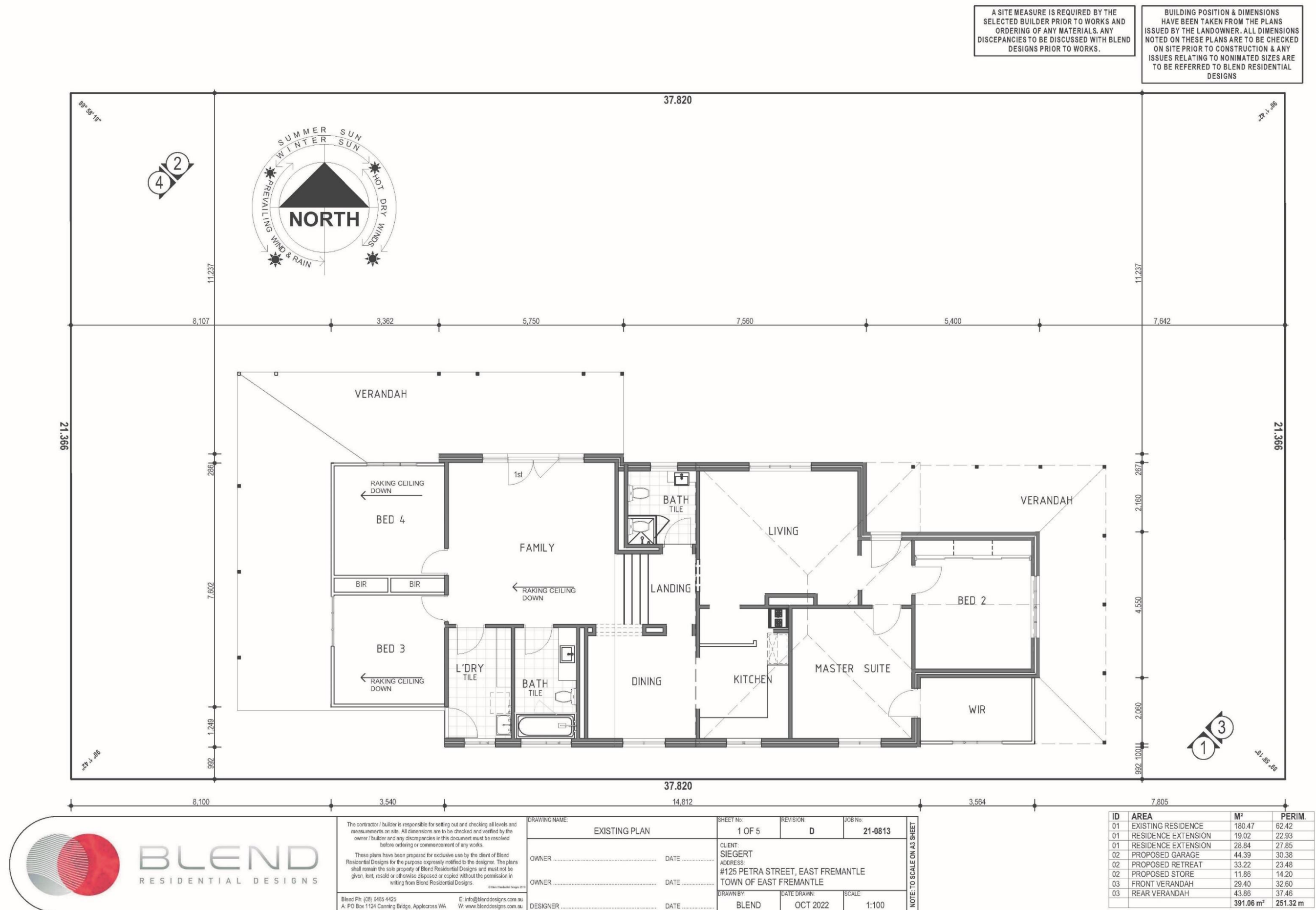
The contractor / builder is responsible for setting out and checking all levels and measurements on site. All dimensions are to be checked and verified by the owner / builder and any discrepancies in this document must be resolved before ordering or commencement of any works.

These plans have been prepared for exclusive use by the client of Blend Residential Designs for the purpose expressly notified to the designer. The plans shall remain the sole property of Blend Residential Designs and must not be given, lent, resold or otherwise disposed or copied without the permission in writing from Blend Residential Designs.

Blend Ph: (08) 6455 4425 E: info@blenddesigns.com.au  
A: PO Box 1124 Canning Bridge, Applecross WA W: www.blenddesigns.com.au

DRAWING NAME: EXISTING SITE PLAN		SHEET No: 3 OF 5	REVISION: D	JOB No: 21-0813	NOTE: TO SCALE ON ALL SHEET
OWNER .....	DATE .....	CLIENT: SIEGERT			
OWNER .....	DATE .....	ADDRESS: #125 PETRA STREET, EAST FREMANTLE			
DESIGNER .....	DATE .....	TOWN OF EAST FREMANTLE			
		DRAWN BY: BLEND	DATE DRAWN: OCT 2022	SCALE: 1:200	

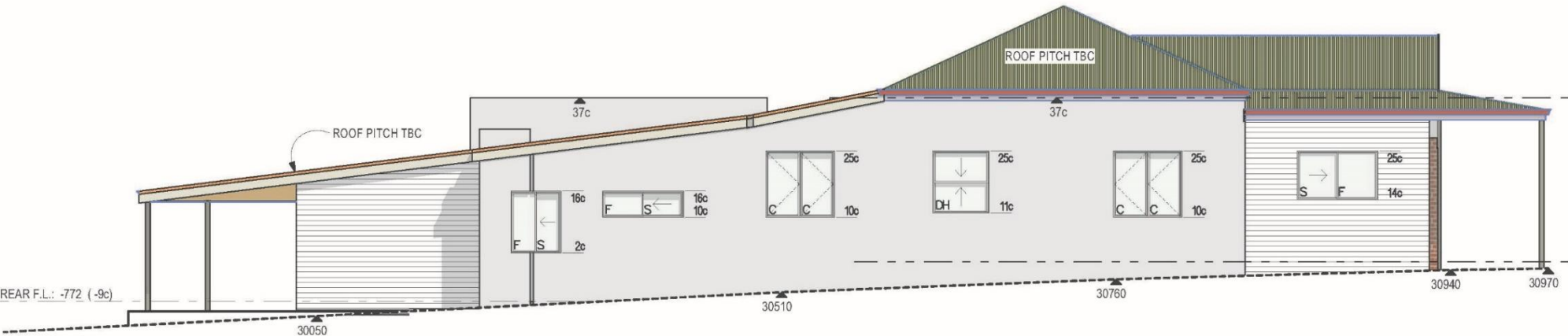




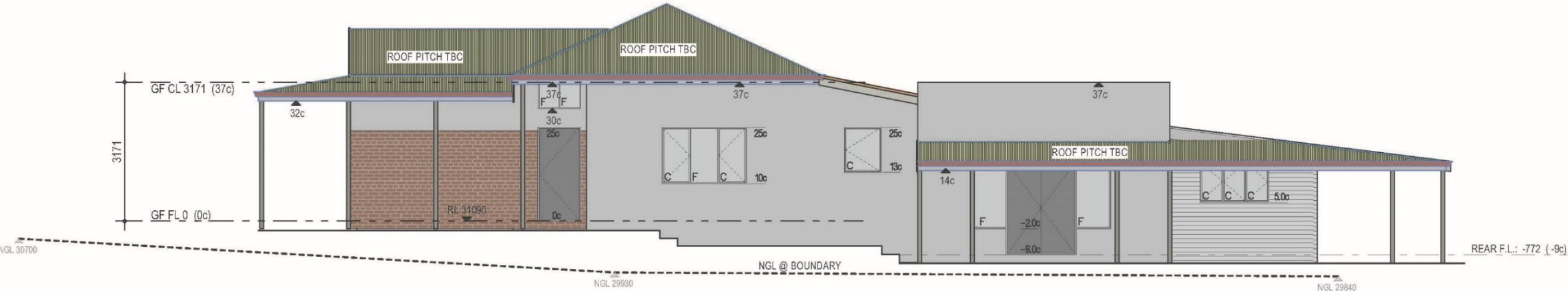
BUILDING POSITION & DIMENSIONS HAVE BEEN TAKEN FROM THE PLANS ISSUED BY THE LANDOWNER & AVAILABLE MAPS. ALL DIMENSIONS NOTED ON THESE PLANS ARE TO BE CHECKED ON SITE PRIOR TO ANY WORKS & ANY ISSUES RELATING TO NOMINATED SIZES ARE TO BE REFERRED TO BLEND RESIDENTIAL DESIGNS

ROOF PITCH AND EAVE WIDTH TBC

WINDOW TYPE AND OPENING LOCATION REPRESENTATIONAL ONLY



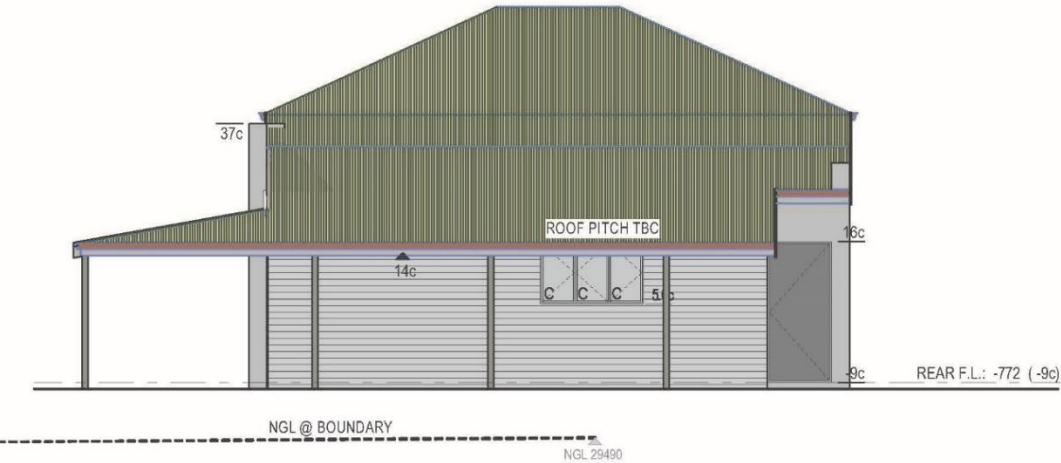
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1:100



ELEVATION 2  
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ELEVATION 3  
1:100



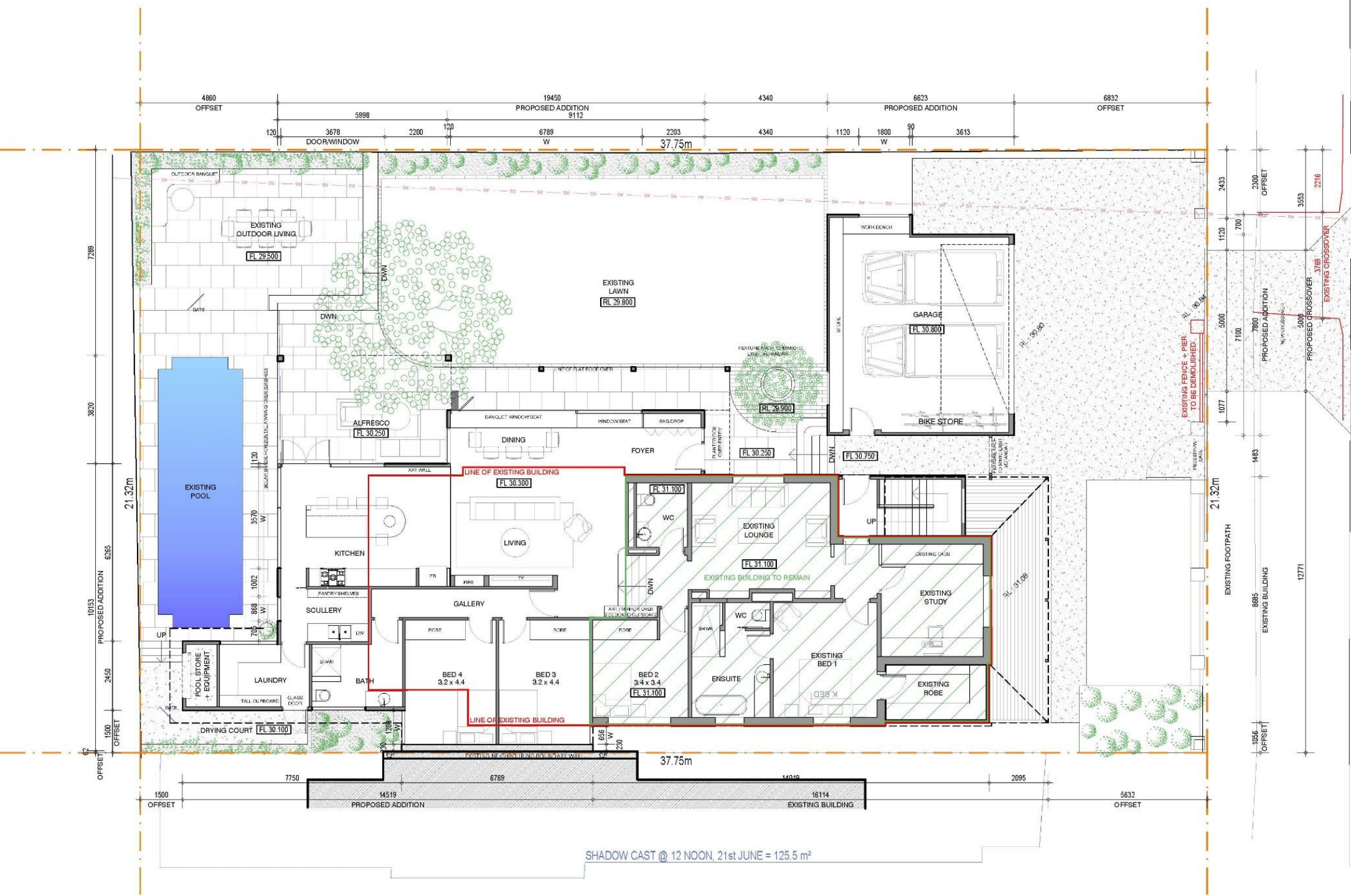
ELEVATION 4  
1:100



The contractor / builder is responsible for setting out and checking all levels and measurements on site. All dimensions are to be checked and verified by the owner / builder and any discrepancies in this document must be resolved before ordering or commencement of any works.		DRAWING NAME: EXISTING ELEVATIONS		SHEET No: 2 OF 5	REVISION: D	JOB No: 21-0813
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Blend Ph: (08) 6455 4425 A: PO Box 1124 Canning Bridge, Applecross WA		OWNER ..... DATE .....		ADDRESS: #125 PETRA STREET, EAST FREMANTLE		
E: info@blenddesigns.com.au W: www.blenddesigns.com.au		DESIGNER ..... DATE .....		TOWN OF EAST FREMANTLE		
				DRAWN BY: BLEND	DATE DRAWN: OCT 2022	SCALE: 1:100

NOTE: TO SCALE ON AS SHEET





NOTES

PLANNING	R12.5
ZONING	
AREAS	
SITE:	804m <sup>2</sup>
EXISTING BUILDING AREA:	180m <sup>2</sup>
PROPOSED BUILDING AREA:	109.5m <sup>2</sup>
TOTAL:	289.5m <sup>2</sup>
OPEN AREA:	514.5m <sup>2</sup> (64%)

KEYPLAN

PETRA STREET



REV:	BY:	CHK:	DATE:
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PROJECT  
SEIGERT RESIDENCE

TITLE:  
SITE PLAN  
125 PETRA STREET, EAST FREMANTLE

DRAWING NO:	REV:	SCALE @ A2
23024_AG_01	B	1:100
BY:	CHK:	DATE:
DO		08.08.2023

TOOLS USED IN THIS DRAWING:

INFORMATION  
OX STUDIO

1 GLYDE STREET  
MOSMAN PARK, 6012  
WESTERN AUSTRALIA  
T +61(0)87 748 535  
E draw@oxstudio.com.au

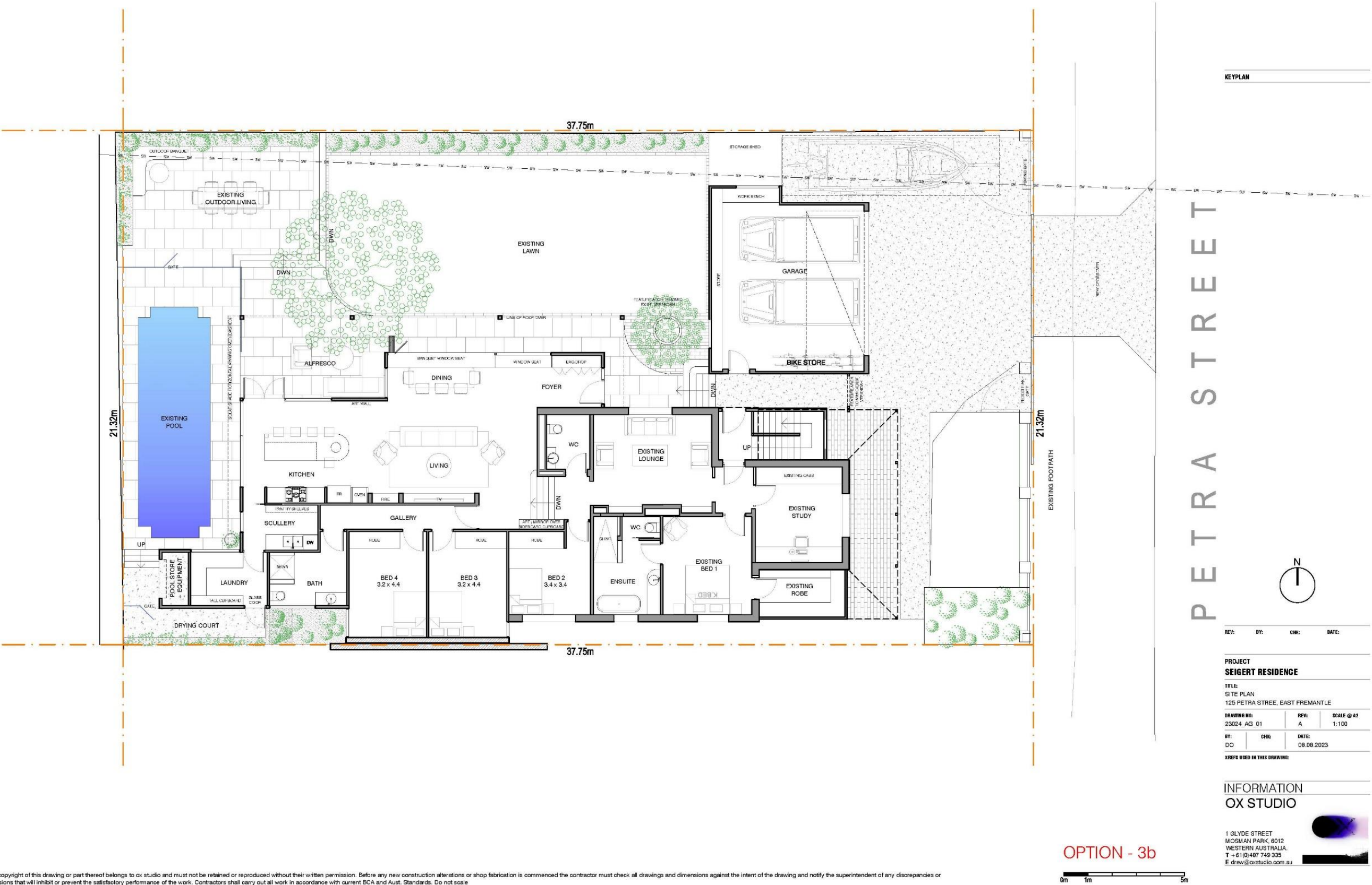
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NOTES

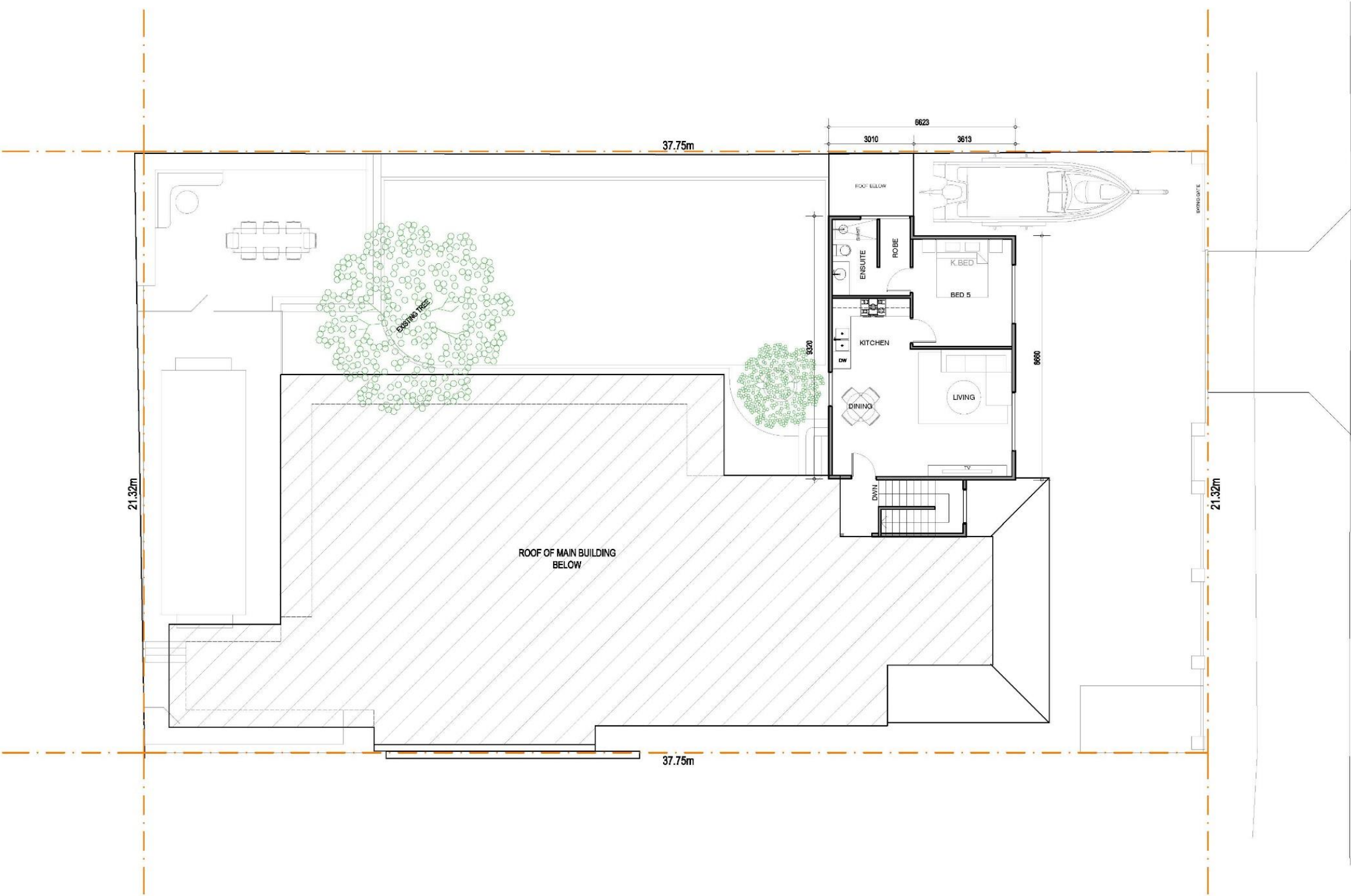
KEYPLAN



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NOTES

KEYPLAN



PETRA STREET



REV: BY: CHG: DATE:

PROJECT  
SEIGERT RESIDENCE

TITLE:  
UPPER FLOOR PLAN  
125 PETRA STREET, EAST FREMANTLE

DRAWING NO:	REV:	SCALE @ A2
23024_AG_02	A	1:100

BY:	CHG:	DATE:
DO		08.08.2023

ITEMS USED IN THIS DRAWING:

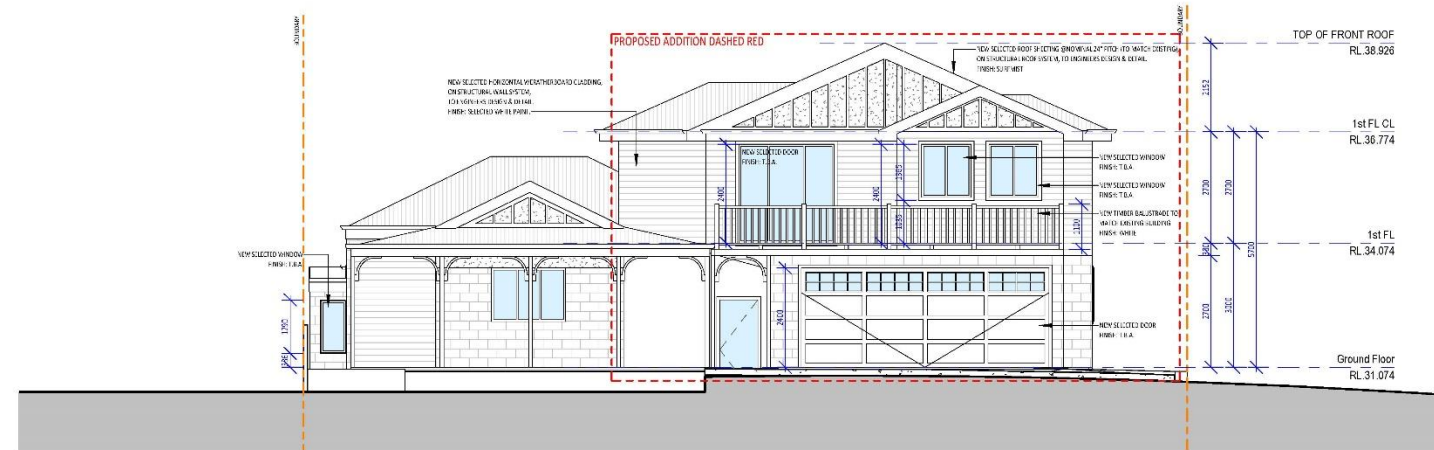
INFORMATION  
OX STUDIO

1 GLYDE STREET  
MOSMAN PARK, 6012  
WESTERN AUSTRALIA  
T +61(0)897 749 935  
E drew@oxstudio.com.au



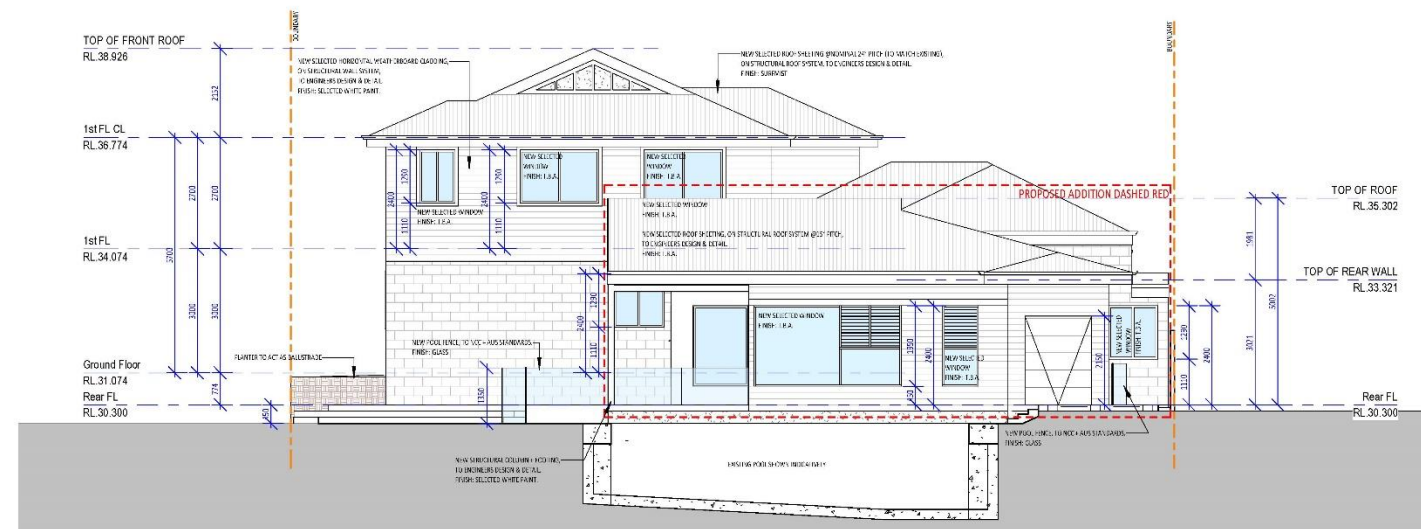
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0m 1m 5m





### EAST ELEVATION

SCALE: 1 : 100

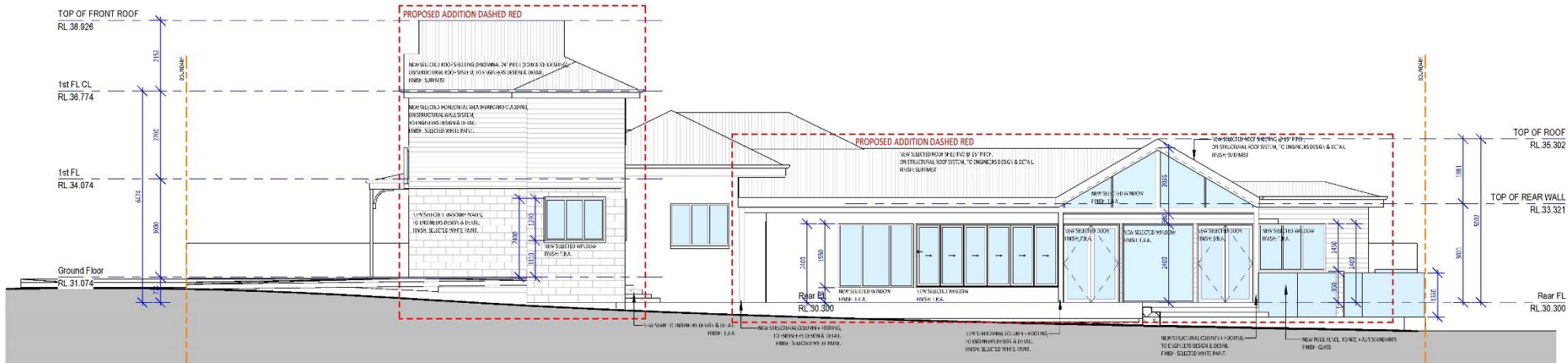


WEST ELEVATION

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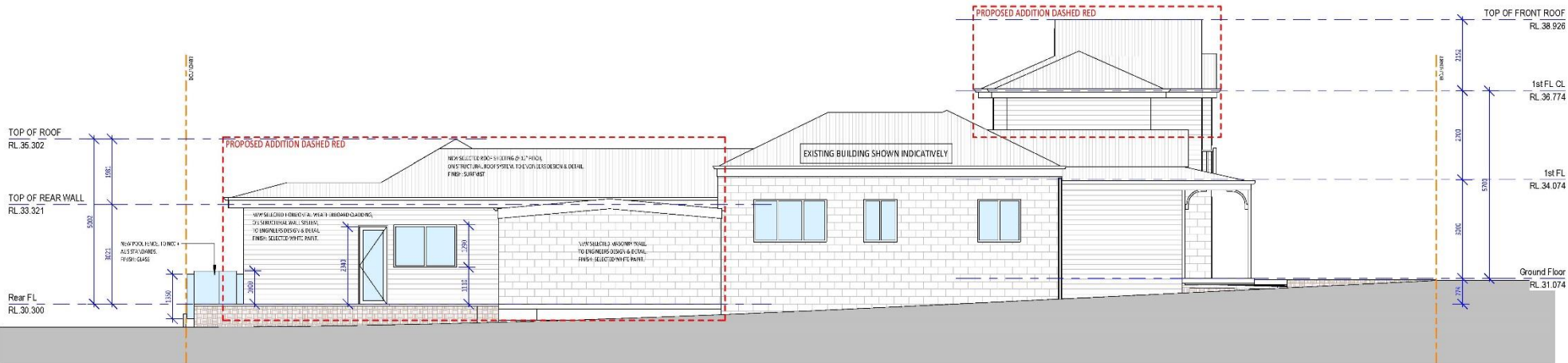
 <p><b>OX STUDIO</b> 1 GLYDE STREET, MOSMAN PARK, 6012 WESTERN AUSTRALIA. T+61 (0)487 749 335 E drew@oxstudio.com.au</p>	CLIENT:	CENTA RESIDENCE	Rev:	AMENDED	DATE:	WORKING DRAWINGS 125 Petra Street, East Fremantle ELEVATIONS
		A2 SHEET				SCALE: 1 : 100 DRAWN: Author JOB / DRAWING No. 21022-AE01 REVISION 





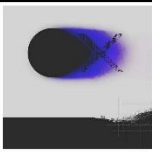
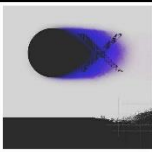
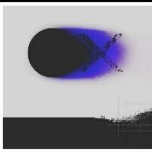
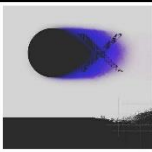
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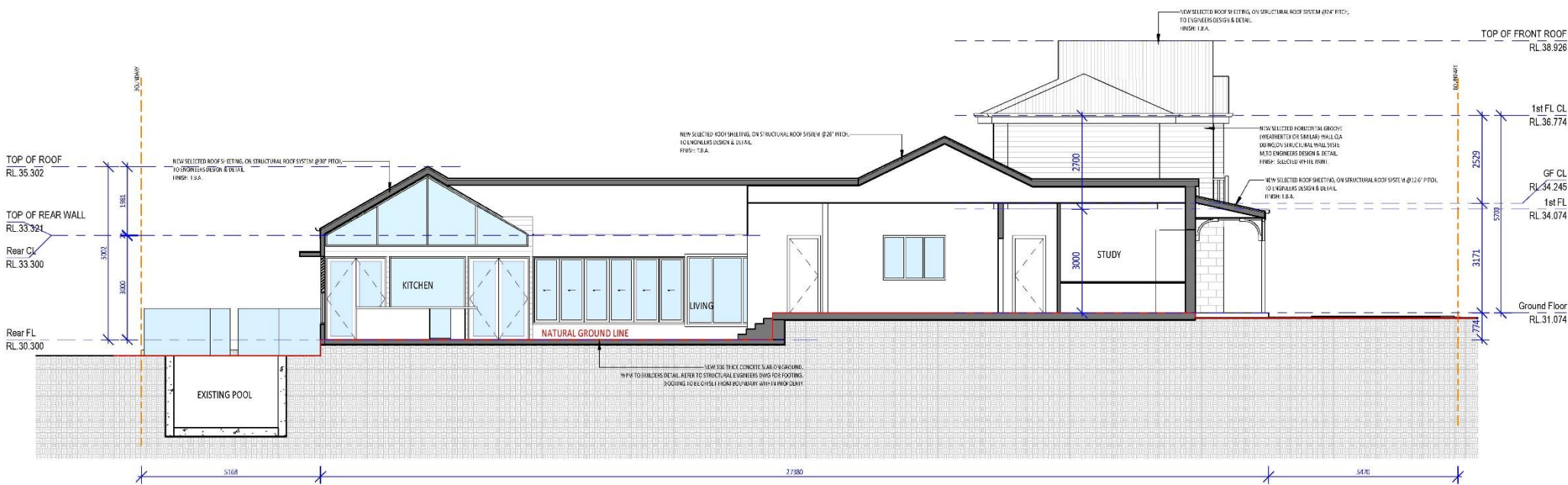
SCALE: 1:100





SOUTH ELEVATION

SCALE: 1:100

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 <div><b>OX STUDIO</b> 1 GLYDE STREET, MOSMAN PARK, 6012 WESTERN AUSTRALIA. T +61 (0)487 749 335 E drew@oxstudio.com.au</div>	CLIENT: <b>CENTA RESIDENCE</b>	Rev.	AMENDMENT	DATE	WORKING DRAWINGS 125 Petra Street, East Fremantle ELEVATIONS	SCALE: 1:100	JOB / DRAWING No. <b>21022-AE02</b>	REVISION <div></div>
 <div><b>OX STUDIO</b> 1 GLYDE STREET, MOSMAN PARK, 6012 WESTERN AUSTRALIA. T +61 (0)487 749 335 E drew@oxstudio.com.au</div>	CLIENT: <b>CENTA RESIDENCE</b>	Rev.	AMENDMENT	DATE	WORKING DRAWINGS 125 Petra Street, East Fremantle ELEVATIONS	SCALE: 1:100	JOB / DRAWING No. <b>21022-AE02</b>	REVISION <div></div>



Section 1  
SCALE: 1:100

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									SCALE: 1 : 100	JOB / DRAWING No. <b>21022-AX01</b>	REVISION 
A2 SHEET											

**PLACE RECORD FORM**

PRECINCT	Richmond
ADDRESS	125 Petra Street
PROPERTY NAME	N/A
LOT NO	Lot 150
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1935
ARCHITECTURAL STYLE	Inter-War Bungalow
USE/S	Original Use: Residence/ Current Use: Residential
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	<p>No 125 Petra Street is a single storey house constructed in brick and rendered brick with a hipped and gable corrugated iron roof. It is an expression of the Inter-War Bungalow style. The front elevation is asymmetrically planned with a full width return hip roofed verandah. The verandah is supported on timber posts with post brackets. The southern section of the return verandah has been enclosed. The front facade features a central gable over a set of casement windows. The entrance is located on the north elevation under the return verandah. The lower walls are face brick and the upper walls are rendered. The rear section of the building is rendered. The roofscape features a rendered chimney.</p>



The place retains its form and most of its details. There are additions to the rear.

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.

## HISTORICAL NOTES

In September 1883 Stephen Henry Parker and James Morrison of Perth commenced subdivision of 65 acres of land to the north of Canning Road. The subdivision occurred at Swan Locations 63, 176, 219 and the south western portion of Swan Location 306. The subdivision included Preston Point Road, Alcester Gardens, Wolsely Gardens, Victoria Road, Alexandra Road, Parry Avenue, and Salvado Avenue.

The Richmond Precinct was owned by Walter Easton and was named after the town of Richmond where Easton lived in England. In 1901 Easton's sons subdivided Windsor Estate. New streets to the subdivision of the Windsor Estate were named after various members of the Easton family; Walter, Gill, Stratford and Morgan (later Osborne Road).

Initially lot sizes were generous but sold at a slow rate. The initial development of the Richmond Precinct occurred at Canning Highway and Preston Point Road. Substantial residences were developed on these streets giving precedence to the future development of Richmond. The distinct architecture of Canning Highway and Preston Point Road distinguish Richmond from the surrounding area.

By 1913 there were approximately 40 residences in the area between Preston Point Road and Alexandra Road. Osborne Road, Windsor Road and Gill Street had several buildings apiece by 1913. By 1931 approximately half the lots were developed. In 1921 Richmond Primary School was developed between Windsor and Osborne Road and several Inter-War residences were developed in the immediate area. In the 1930s the Workers' Homes' Board developed a number of weatherboard, asbestos, brick and tiled residences. Inter-War style front porches were preferred over Federation style full width verandahs.

Redevelopments have occurred throughout the Richmond Precinct. Large lot sizes have allowed Richmond to be subject to the redevelopment of group and multiple housing. However, significant clusters of heritage dwellings remain throughout.

## OWNERS

Unknown

## HISTORIC THEME

Demographic Settlements - Residential Subdivision

## CONSTRUCTION MATERIALS

Walls – Brick and rendered brick

Roof – Corrugated iron sheeting

## PHYSICAL SETTING

The residence is situated on a flat site with brick paving and open landscaping. There is a rendered and painted brick wall and a timber picket fence on the lot boundary.

## STATEMENT OF SIGNIFICANCE

No 125 Petra Street is a single storey house constructed in brick and rendered brick with a corrugated iron roof. It has historic and aesthetic value for its contribution to Richmond's high concentration of predominantly Federation and Inter-War period houses and associated buildings. The place contributes to the local community's sense of place.

The place has some aesthetic value as an Inter-War Bungalow. The place retains a moderate degree of authenticity and a high degree of integrity.

The verandah enclosure and additions to the rear have no significance.

## AESTHETIC SIGNIFICANCE

No 125 Petra Street has some aesthetic value as an Inter-War Bungalow. It retains some of the characteristic features of a dwelling of the type and period.

Attachment -4

HISTORIC  
SIGNIFICANCE

No 125 Petra Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Walter Easton's Estate from 1901.

SCIENTIFIC  
SIGNIFICANCE

N/A

SOCIAL  
SIGNIFICANCE

No 125 Petra 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 125 Petra Street is not rare in the immediate context but Richmond has rarity value as a cohesive middle class suburb.

CONDITION

No 125 Petra Street is in good condition.

INTEGRITY

No 125 Petra Street retains a high degree of integrity.

AUTHENTICITY

No 125 Petra Street retains a moderate degree of authenticity.

MAIN SOURCES

### 12.3 50A VIEW TERRACE - ALTERATIONS & ADDITIONS

<b>Owner</b>	Robert de Boni
<b>Applicant</b>	Robert de Boni
<b>Report Reference Number</b>	TPR-1799
<b>Planning Reference Code</b>	P028/24
<b>Prepared by</b>	James Bannerman
<b>Supervised by</b>	Andrew Malone
<b>Meeting date</b>	Tuesday, 4 June 2024
<b>Voting requirements</b>	Simple majority
<b>Documents tabled</b>	Nil

#### Attachments

1. Location and advertising plan
2. Photos
3. Plans

#### PURPOSE

The purpose of this report is for Council to consider a development application for alterations and additions to a strata (grouped) dwelling located at 50A View Terrace, East Fremantle.

#### EXECUTIVE SUMMARY

This development application proposes alterations and additions to an existing double storey strata (grouped) dwelling located at 50A View Terrace, East Fremantle. This is the second development application that has been submitted for this dwelling in the past year (previous DA P111/22) and involves a simplification of the previously approved proposal.

This proposal includes a bridge from View Terrace to an entrance as well as a new three storey modification with a bedroom, living room and north facing balcony. A new visually permeable and compliant fence is also proposed around the boundary facing both View Terrace and Gordon Street. Although this dwelling has a View Terrace address it faces Gordon Street and is set well below the level of View Terrace. Strata approval was provided by the neighbouring strata property owner. The proposed development was advertised to the neighbouring property owners from 27 March to 17 April 2024. No submissions were received following advertising.

Six variations are requested to the Residential Design Codes and the Residential Design Guidelines in relation to the following:

- (i) Clause 5.1.2 – Residential Design Codes – Secondary Street Boundary Setback – Southern Wall – Level 3 – 1.5m required, 0m provided;
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Western Wall – Bed – Level 3 – 1.4m required, 1.2m provided;
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall – Bed, Staircase, Roof Terrace – Level 3– 5.2m required, 0m provided;
- (iv) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Maximum Wall Height – 5.6m required, 9.12m provided;
- (v) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Maximum Roof Height– 8.1m required, 9.12m provided; and
- (vi) Clause 5.4.1 – Residential Design Codes – Visual Privacy – Balcony – Level 3 - North – 7.5m required, <7.5m provided.



The proposed development is recommended for approval subject to the conditions included in the final recommendation.

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## BACKGROUND

<b>Zoning</b>	Residential R17.5
<b>Site Area</b>	209m2
<b>Heritage</b>	N/A
<b>Fremantle Port Buffer</b>	N/A
<b>Previous Decision of Town and/or History of Issue Onsite</b>	P111/22 – alterations and additions approved – 4 April 2023

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## CONSULTATION

### Advertising

The proposed development was advertised from 27 March to 17 April 2024. No submissions were received.

### Internal Consultation

Nil

### External Consultation

Nil

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## STATUTORY ENVIRONMENT

Planning and Development Act, 2005  
Residential Design Codes (Volume 1)  
Local Planning Scheme No. 3 (LPS 3)

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## POLICY IMPLICATIONS

Local Planning Policy 3.1.1 – Residential Design Guidelines  
Local Planning Policy 3.1.8 – Wood Encouragement - General

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## FINANCIAL IMPLICATIONS

Nil

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## STRATEGIC IMPLICATIONS

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

### Built Environment

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

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

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

*3.1.2 Plan for a mix of inclusive diversified housing options.*

*3.1.3 Plan for improved streetscapes.*

*3.2 Maintaining and enhancing the Town's character.*

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

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

*3.3.1 Continue to improve asset management within resource capabilities.*

*3.3.2 Plan and advocate for improved access and connectivity.*

## RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

## SITE INSPECTION

A site inspection was undertaken.

## COMMENT

### Statutory Assessment

This development application was assessed against the Town's Local Planning Scheme No. 3, the Residential Design Codes, and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

### Local Planning Scheme No. 3/Residential Design Guidelines/Residential Design Codes

Design Element	Required	Proposed	Status
Street front setback		No change	N/A
Garage setback		No change	N/A
Minor incursions		No change	N/A
<b>Secondary street setback</b>	<b>1.5m</b>	<b>0m</b>	<b>D</b>
Lot Boundary Setbacks			
<b>Western wall – bed – level 3</b>	<b>1.4m</b>	<b>1.2m</b>	<b>D</b>
<b>Northern wall – bed, staircase, roof terrace – level 3</b>	<b>5.2m</b>	<b>0m</b>	<b>D</b>
Car Parking	2 car bays	2 car bays	A
Open Space	50%	>50%	A
<b>Wall Height</b>	<b>5.6m</b>	<b>9.12m</b>	<b>D</b>
<b>Roof Height</b>	<b>8.1m</b>	<b>9.12m</b>	<b>D</b>
Site Works			N/A
<b>Visual Privacy</b>	<b>7.5m</b>	<b>&lt;7.5m</b>	<b>D</b>
<b>Balcony – level 3 - north</b>			
Overshadowing			N/A
Garage width		No change	N/A
Roof form and pitch	Impact of roof to be demonstrated	Impact of roof demonstrated	A
Materials and colours			A
Landscaping			A
Front fence & gate		Compliant fence	A
Sightlines			A
Footpaths and crossovers		Condition	
Drainage		Condition	
Wood Encouragement Policy		Timber cladding on exterior wall	

This development application proposes alterations and additions to an existing double storey strata (grouped) dwelling located at 50A View Terrace, East Fremantle. This is the second development application that has been submitted for this dwelling in the past year (previous DA P111/22) and involves a simplification of the previously approved proposal.

This proposal includes a bridge from View Terrace to an entrance, as well as a new three storey modification with a bedroom, living room and north facing balcony. A new visually permeable and compliant fence is also proposed around the boundary facing both View Terrace and Gordon Street. Although this dwelling has a View Terrace address it faces Gordon Street and is set well below the level of View Terrace. Strata approval was provided by the neighbouring strata property owner. The proposed development was advertised to the neighbouring property owners from 27 March to 17 April 2024. No submissions were received following advertising.

Six variations are requested to the Residential Design Codes and the Residential Design Guidelines in relation to lot boundary setbacks (three locations), wall and roof height and visual privacy. These are discussed below.

#### Secondary Street Setback

The southern wall of the proposed dwelling is built up to the boundary with a bridge proposed to be constructed from the third storey across to the southern boundary that faces View Terrace. This does not comply with the Residential Design Codes deemed to comply clause 5.1.2 C2.2 which requires a 1.5m secondary street setback. The proposed bridge will allow entry to the dwelling from View Terrace, which is currently not possible. It helps to provide a connection between the dwelling and the southern frontage. It is noted that the remaining wall of the building is setback a minimum of 4.63m, so a significant distance from a secondary street. In accordance with design principles 5.1.2 P2.1 it is considered the reduced setback can be supported because it contributes to and is consistent with the established streetscape, adequate privacy and open space is maintained, parking, landscaping and utilities are not impacted by the reduction in the setback and there are no easements affected.

#### Lot Boundary Setback - Western Wall – Bed – Level 3

The western wall of the proposed third level of the dwelling is 6.26m long and up to 9.12m high without major openings. The wall is required to be setback 1.4m in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall is located 1.2m from the boundary. It is considered the reduced lot boundary setback can be supported in accordance with design principles 5.1.3 P3.1 for the following reasons:

- Minimal impacts from building on adjoining properties,
- Provide adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties, and
- Minimal overlooking and loss of privacy on adjoining properties.

There is sufficient space between the dwelling and the boundary for sunlight to penetrate and air to circulate. The building is set well below the neighbouring property to the west and as the wall has no major openings it is considered there is a negligible impact on visual privacy. For these reasons, the reduced lot boundary setback of 0.2m can be supported.

#### Lot Boundary Setback - Northern Wall – Bed, Staircase, Roof Terrace – Level 3

The northern wall of the third storey addition adjacent to the main bedroom, staircase and roof terrace is 13.221m long and 8.1m high with major openings. It is located up to the northern boundary but in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the wall should be located 5.2m from the boundary. It is considered the reduced lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons:

- It makes more effective use of the space for enhanced privacy for the occupants,
- Minimal impacts of building bulk on adjoining properties,
- It provides adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and resultant loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and



- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

There is a considerable length of the wall (approximately 6.4m of 13.221m wall) which is setback further from the boundary. The bedroom and staircase are more than 3.1m from the boundary. As the terrace overlooks the roof of the neighbouring strata dwelling it is considered there are few visual privacy issues. It is an open roofed terrace with the balustrading to be installed 1.2m from the northern boundary. As it is to the south of the neighbouring dwelling there is no impact on access to sunlight and air can circulate around the neighbouring buildings. The adjoining northern strata owner has signed the plans in support of the proposal. The proposed development will upgrade the existing dwelling such that it contributes in appearance to the streetscape.

#### Maximum Wall Height

The proposed maximum wall height of this development is 9.12m. In accordance with the Residential Design Guidelines 3.7.17.4.1.3 A1.4 the maximum wall height is 5.6m. In this case the wall height is exacerbated by the use of a skillion roof which is 9.12m high at its peak. It is argued that the proposed height is of a compatible form, bulk, and scale to traditional and existing development in the area. Given that the building is hidden behind a limestone embankment as well as multiple trees along the verge directly to the south of the property boundary it is recommended that the proposed variation be supported. The proposed height of the dwelling is consistent with the previously approved development.

#### Maximum Roof Height

The Residential Design Guidelines acceptable development clause 3.7.17.4.1.3 A1.4 requires that the maximum roof height is 8.1m. In this case the roof height rises to 9.12m. It is argued that the proposed height is of a compatible form, bulk, and scale to traditional and existing development in the area. Given that the building is hidden behind a limestone embankment as well as multiple trees along the verge directly to the south of the property boundary it is recommended that the proposed variation be supported. Note that the overall height of the development is no higher than the previously approved development (DA P111/22).

#### Visual Privacy – Balcony – Level 3 - North

The Residential Design Codes deemed to comply clause 5.4.1 C1.1 requires that an unenclosed outdoor active habitable space such as a roof garden has a visual privacy setback of 7.5m. In this case the roof garden has less than the required setback. It is considered it can be supported in accordance with design principles 5.4.1 P1.1 through the building location and layout. Given its location on the north side of the dwelling and overlooking the roof of the northern neighbouring strata property (and the owners have provided signed support for the proposed development) it does not overlook active habitable spaces and there are limited views into the northern property. Therefore, it is considered the reduced setback for the balcony can be supported.

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## CONCLUSION

This is the second development application that has been submitted for this dwelling in the past year. The revised plans have scaled back the proposed works and as a result there are fewer variations to the Residential Design Codes and the Residential Design Guidelines. There were no submissions following advertising and strata approval was obtained. Based on the assessment, the proposed development is recommended for support subject to the conditions included in the final recommendation.

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## OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

### **OFFICER RECOMMENDATION**

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

- (i) **Clause 5.1.2 – Residential Design Codes – Secondary Street Boundary Setback – Southern Wall – Level 3 – 1.5m required, 0m provided**

- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Western Wall – Bed – Level 3 – 1.4m required, 1.2m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall – Bed, Staircase, Roof Terrace – Level 3– 5.2m required, 0m provided;
- (iv) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Maximum Wall Height – 5.6m required, 9.12m provided;
- (v) Clause 3.7.17.4.1.3 – Residential Design Guidelines – Maximum Roof Height– 8.1m required, 9.12m provided; and
- (vi) Clause 5.4.1 – Residential Design Codes – Visual Privacy – Balcony – Level 3 - North – 7.5m required, <7.5m provided,

for alterations and additions to a grouped dwelling at No. 50A (Lot 2) View Terrace, East Fremantle, in accordance with the plans submitted 22 April 2024, subject to the following conditions:

- (1) All fencing within the street setback area is to comply with the front fence provisions of the Local Planning Policy 3.1.1 – Residential Design Guidelines.
- (2) Roof solar panels are to be installed as indicated on the plans submitted 22 April 2024 and are not to be installed on framing that extends above the roofline without further approval of the Council.
- (3) Existing trees located within the verge are a Town asset and as such must be retained and not pruned, shaped, or modified except where otherwise approved for removal or modification by the Town.
- (4) During construction, the verge trees are to be protected, with cages around the trunks to ensure that they are not damaged by surrounding works, vehicles, or materials.
- (5) An application is to be submitted to the Operations Department of the Town for the removal of any verge trees. Verge trees are not to be removed without written approval from the Town.
- (6) The footpath is to always remain accessible to pedestrians.
- (7) Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:
  - (a) Noise, vibration, air, and dust management;
  - (b) Contact details of essential site personnel, construction periods and construction operating hours;
  - (c) Traffic management, including footpath closures and proposed signage;
  - (d) Parking management for all trades, contractors, and visitors to site;
  - (e) Public safety and amenity (traffic control and pedestrian management);
  - (f) Site access/egress management;
  - (g) Scaffolding management plan;
  - (h) Management plan for the loading and unloading of vehicles;
  - (i) Heavy construction machinery and deliveries;
  - (j) Bulk earthwork operations;
  - (k) Stormwater and sand/sediment control;
  - (l) Street tree management and protection;
  - (m) Protection of footpath;
  - (n) Details of all concrete pours and requirements relating to piling methods or associated works;
  - (o) Temporary fencing;
  - (p) Temporary toilets;
  - (q) Dilapidation of Town infrastructure and nearby properties;
  - (r) Hoardings and gantries; and
  - (s) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

- (8) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Town's further approval.
- (9) The proposed works are not to be commenced until the Town has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by the Town.
- (10) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
- (11) 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 Town prior to the issue of a Building Permit.
- (12) If requested by the Town 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.
- (13) 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.
- (14) 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 the Town and if approved, the total cost to be borne by the applicant. The Town 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.
- (15) This development approval is to remain valid for a period of 24 months from the date of this approval.

**Footnote:**

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

- (a) ***This decision does not include acknowledgement or approval of any unauthorised development which may be on site.***
- (b) ***A copy of the approved plans as stamped by the Town are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town.***
- (c) ***It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner 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 the Town and one copy should be given to the owner of any affected property.***
- (d) ***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).***
- (e) ***Matters relating to dividing fences are subject to the Dividing Fences Act 1961.***
- (f) ***Trees on verges are the property of the Town. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town acting against the owners/builders/contractors responsible. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.***
- (g) ***Any damage to other Town assets including but not limited to the kerb, drainage, footpaths, roads, and signage will have to be repaired by the applicant/owners/contractors at their cost.***

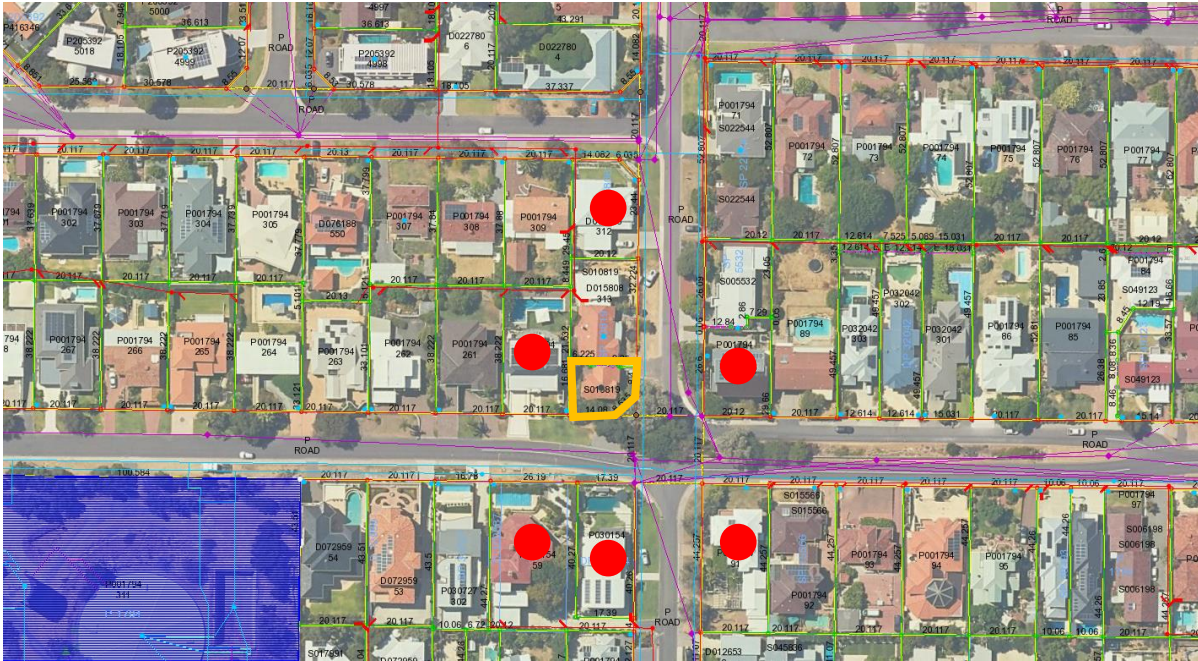


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## REPORT ATTACHMENTS

Attachments start on the next page

50A View Terrace – Location and Advertising Plan



**50A View Terrace – Photos**









# ADDITIONS & ALTERATIONS

at  
50a VIEW TCE,  
EAST FREMANTLE  
for

## DEVELOPMENT APPROVAL

DRAWING LIST	
No.	TITLE
A000	COVER SHEET
A010	EXISTING HOUSE PLANS & EAST ELEVATION PLUS DEMOLITION NOTES
A015	PERSPECTIVE
A020	ORTHOGONAL STREET PANORAMA OF VIEW TCE (SOUTH) ELEVATION
A025	ORTHOGONAL STREET PANORAMA GORDON ST (EAST) ELEVATION
A030	PROPOSED SITE & ROOF PLAN, SITE DATA, SCHEDULE OF MATERIALS & FINISHES
A035	MATERIALS AND FINISHES
A040	BOUNDARY FENCE PLAN
A045	BOUNDARY FENCE ELEVATIONS
A110	PROPOSED NEW LEVEL 02 (VIEW TCE)
A115	LEVEL 01
A120	LEVEL 00 (GORDON ST)
A150	PROPOSED SHADOW DIAGRAM
A200	PROPOSED NORTH (REAR) ELEVATION
A210	PROPOSED SOUTH (FRONT) ELEVATION ON VIEW TCE
A220	PROPOSED EAST (SIDE) ELEVATION ON GORDON ST
A230	PROPOSED WEST (SIDE) ELEVATION
A240	LONG SECTION
TOTAL DRAWINGS: 18	

I / We the Owner(s) of 50 View Terrace (adjoining survey strata property) support the development of 50A View Terrace, East Fremantle as indicated in this set of planning drawings.

NAME

SIGNATURE

DATE

SIGNATURE

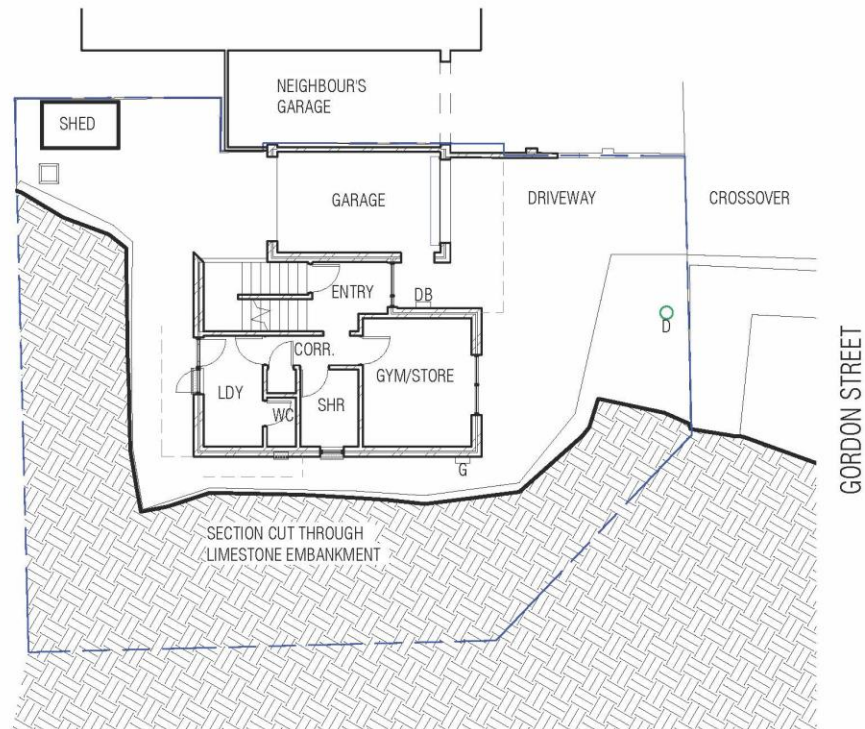
21.04.24

MARTIN PARKINSONARCHITECT  
+61 422 904 094 parkinson@inet.net.au

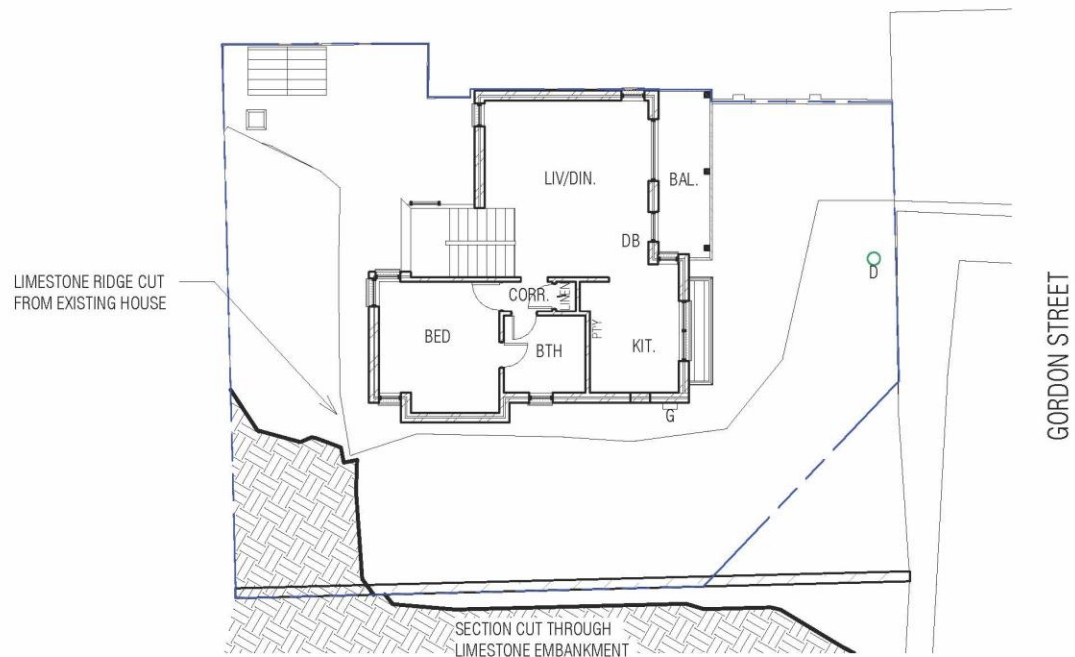
Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED



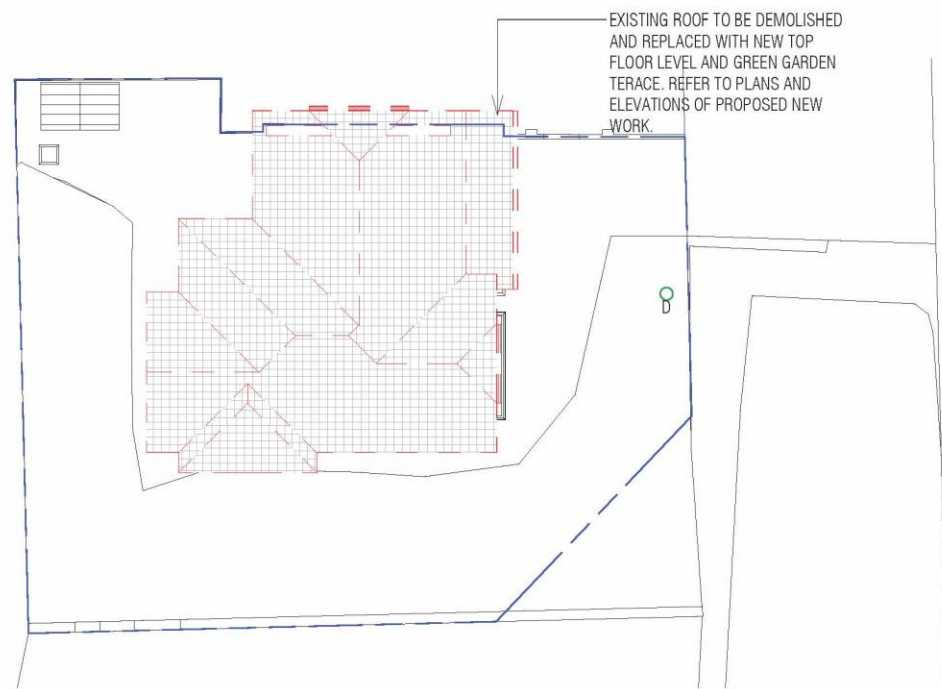
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1 EXISTING FLOOR LEVEL ON GORDON ST  
A010 1 : 200



2 EXISTING FLOOR LEVEL ABOVE GORDON ST  
A010 1 : 200



3 EXISTING ROOF PLAN  
A010 1 : 200



4 EAST ELEVATION EXISTING  
A010 1 : 200

GEN. NOTES

1. ALL LEVELS ARE AHD.
2. EXISTING GROUND LEVELS TO REMAIN.
3. NGL = NATURAL GROUND LEVEL

SERVICES LEGEND

- EXIST. POWERDOME
- EXIST. ELECTRICAL DISTRIBUTION BOARD & METRE
- EXIST. GAS METRE

Initials of owners of 50 View Terrace, East Fremantle:

MARTIN PARKINSON ARCHITECT  
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Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
EXISTING HOUSE PLANS & EAST  
ELEVATION PLUS DEMOLITION NOTES

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

DRN.: MP  
DRWG.:

CKD: MP  
SCALE: As indicated @ A3  
REV:

APP.:  
REV:

A010

C

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SOUTH EAST VIEW FROM VIEW TCE - PROPOSED

Initials of owners of 50 View Terrace, East Fremantle:

**MARTIN PARKINSON ARCHITECT**  
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Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**PERSPECTIVE**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ. 2209

DRN.: MP  
DRWG.:

CK'D: MP  
SCALE: @A3

APP.:  
REV:

**A015**

**C**

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Initials of owners of 50 View Terrace, East Fremantle:

MARTIN PARKINSON ARCHITECT  
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A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
ORTHOGONAL STREET PANORAMA OF  
VIEW TCE (SOUTH) ELEVATION

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP  
DATE:21.04.24  
PROJ.2209

DRN.:MP  
DRWG.:

CK'D: MP  
SCALE:As indicated

APP.:  
REV:

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A020

C

21/04/2024 19:52:46

GEN. NOTES

1. ALL LEVELS ARE **AHD**.
2. EXISTING GROUND LEVELS TO REMAIN.
3. **NGL** = NATURAL GROUND LEVEL



1 STREET MONTAGE OF EAST (FRONT) ELEVATION ALONG GORDON ST  
1 : 200

Initials of owners of 50 View Terrace, East Fremantle:

**MARTIN PARKINSON ARCHITECT**  
+61 422 904 094 parkinson@inet.net.au

Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
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C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**ORTHOGONAL STREET PANORAMA  
GORDON ST (EAST) ELEVATION**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

DRN.: MP  
DRWG.:

CK'D: MP  
SCALE: As indicated @ A3  
REV:

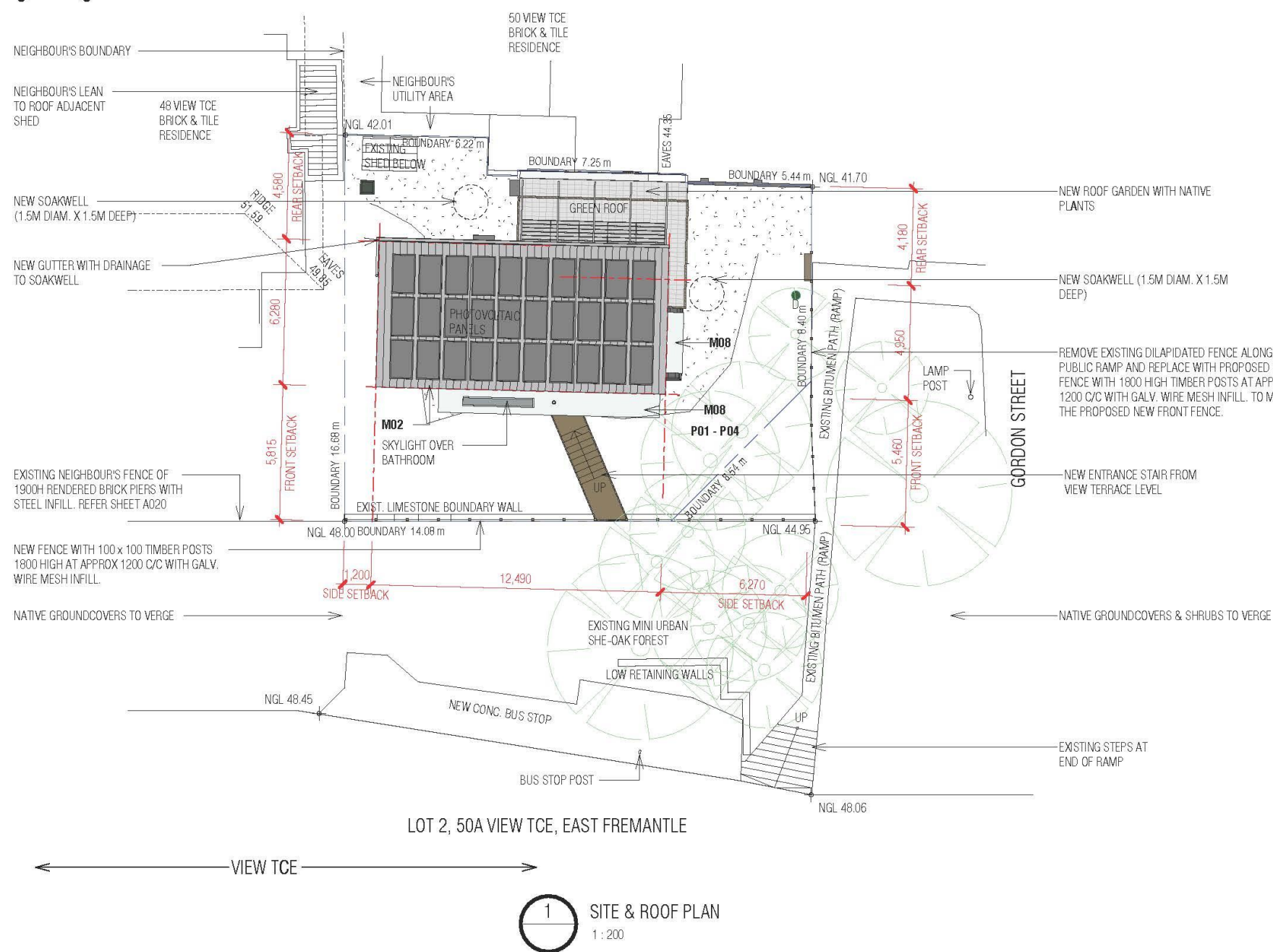
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**A025**

**C**

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+61 422 904 094    parkinson@inet.net.au

Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

DES.: MP      DRN.:MP      CK'D: MP      APP.:  
DATE:21.04.24      SCALE:As indicated@A3  
PROJ.2209      DRWG.:      REV:

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	90.90 m <sup>2</sup>
TOTAL FLOOR AREA	207.70 m <sup>2</sup>

**TOTAL PROPOSED  
OPEN SPACE (%) = 74%**

NEW PLANT SPECIES - EAST  
FREMANTLE ENDEMIC GROUND  
COVERS & SHRUBS FROM  
APACE, INC. THE BELOW

No.	PLANT SPECIES	IMAGE
P01	<i>Solanum symonii</i> (Kangaroo Apple)	
P02	<i>Scaevola nitida</i> (Shining Fan Flower)	
P03	<i>Scaevola crassifolia</i> (Thick-leaved fan-flower)	
P04	<i>Rhagodia baccata</i> (Berry Saltbush)	

## A030

C



21/04/2024 19:52:55



M01



M02



M03



M04



NEW MATERIALS & FINISHES

- No. MATERIAL / FINISH
- M01 VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH
- M02 COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)
- M03 COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)
- M04 BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
- M05 DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS
- M06 100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
- M07 COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH
- M08 COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS
- M09 NEW BULKHEAD TO MATCH EXISTING WALL COLOUR
- M10 TIMBER TREADS TO STAIR
- M11 NEW STONE PAVERS
- M12 NEW LIMESTONE WALL WITH LETTERBOX INSET
- M13 EXISTING OFF WHITE RENDER



M05



M06



VISUAL KEY TO MATERIALS AND FINISHES



M07



M10



M11



M12

Initials of owners of 50 View Terrace, East Fremantle:

MARTIN PARKINSON ARCHITECT  
+61 422 904 094 parkinson@inet.net.au

Rev.	DATE	DESCRIPTION
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
MATERIALS AND FINISHES

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP DRN.:MP CK'D: MP APP.:  
DATE:21.04.24 SCALE: 1 : 1@A3  
PROJ.2209 DRWG.: REV:

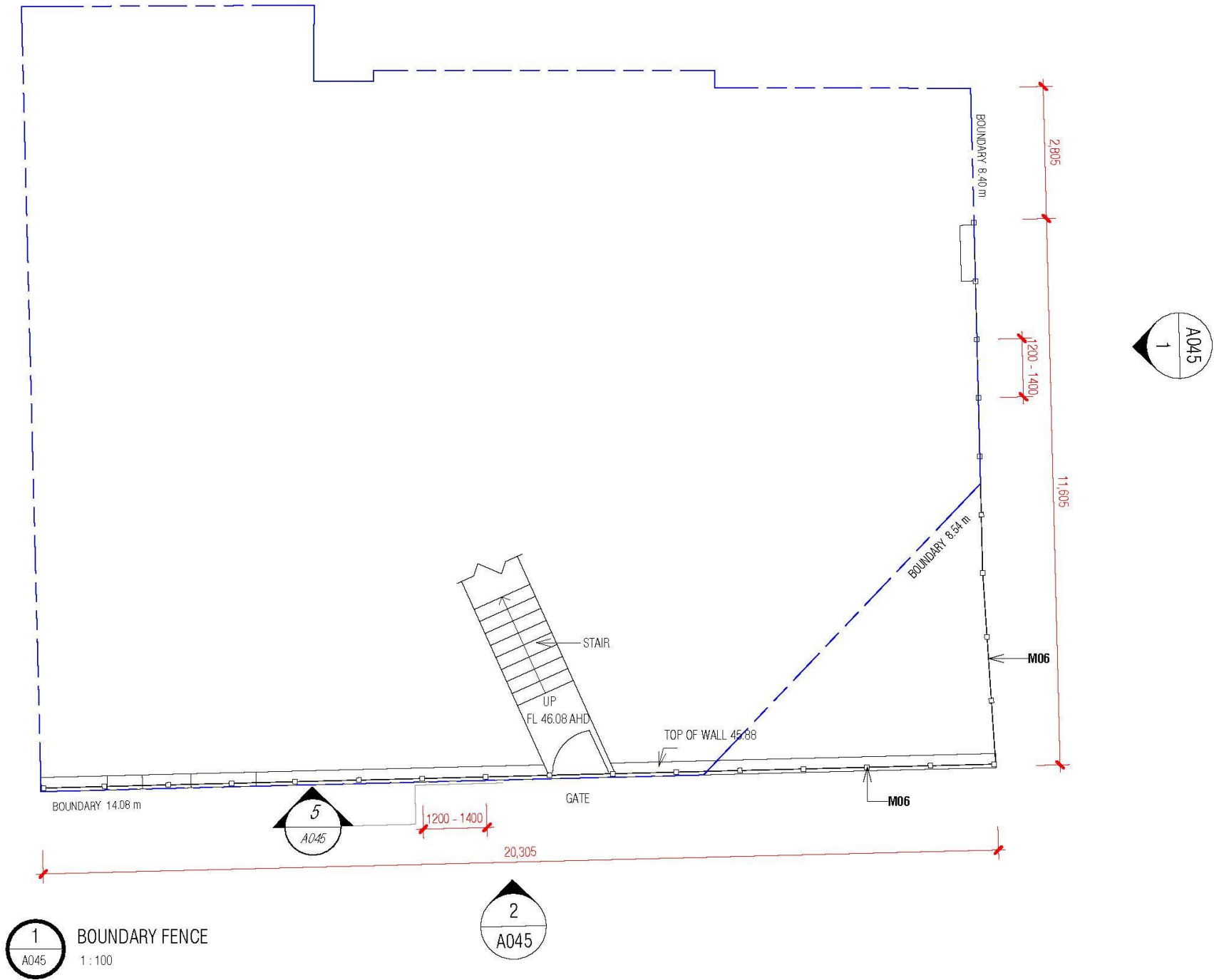
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NEW MATERIALS & FINISHES

No.	MATERIAL / FINISH
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M10	TIMBER TREADS TO STAIR
M12	NEW LIMESTONE WALL WITH LETTERBOX INSET



Initials of owners of 50 View Terrace, East Fremantle:

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CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
BOUNDARY FENCE PLAN

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

DRN.: MP  
DRWG.:

CKD: MP  
SCALE: 1 : 100@A3  
REV:

APP.:

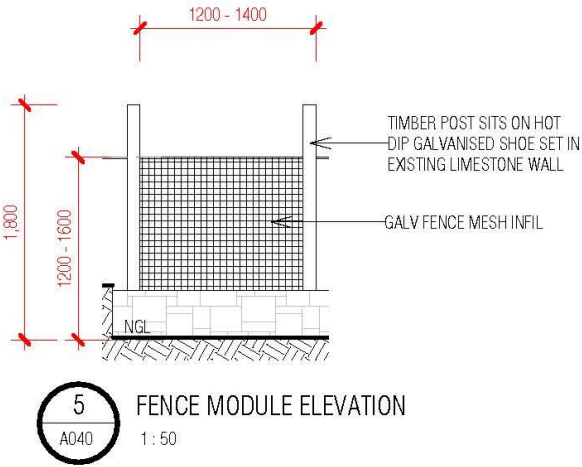
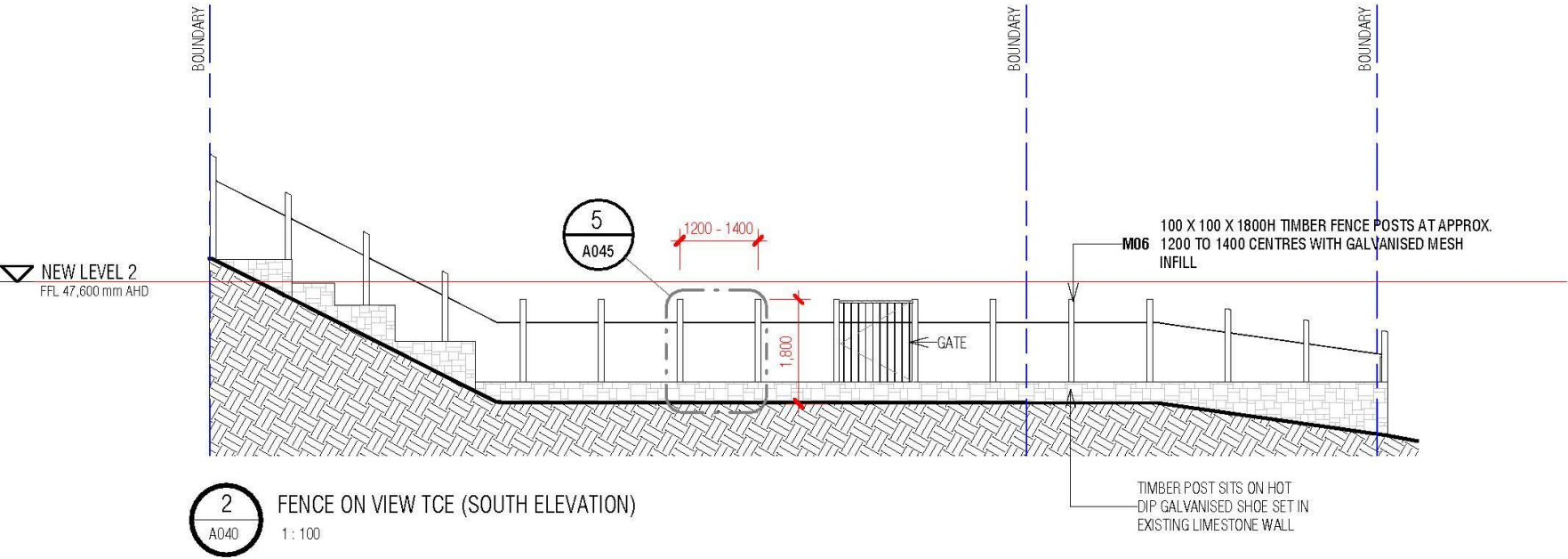
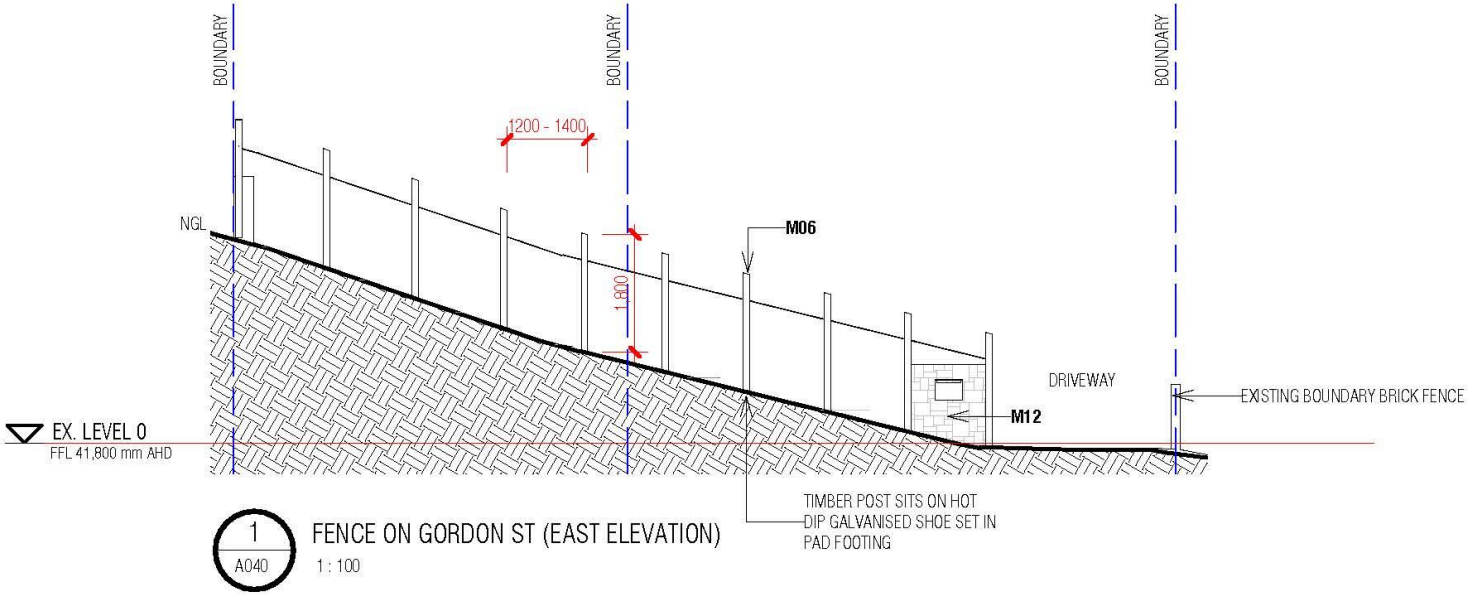
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A040

C





NEW MATERIALS & FINISHES

No.	MATERIAL / FINISH
M04	BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M10	TIMBER TREADS TO STAIR
M12	NEW LIMESTONE WALL WITH LETTERBOX INSET

Initials of owners of 50 View Terrace, East Fremantle:

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Rev.	DATE	DESCRIPTION
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C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
BOUNDARY FENCE ELEVATIONS

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

DRN.: MP  
DRWG.:

CKD: MP  
SCALE: As indicated @ A3  
REV:

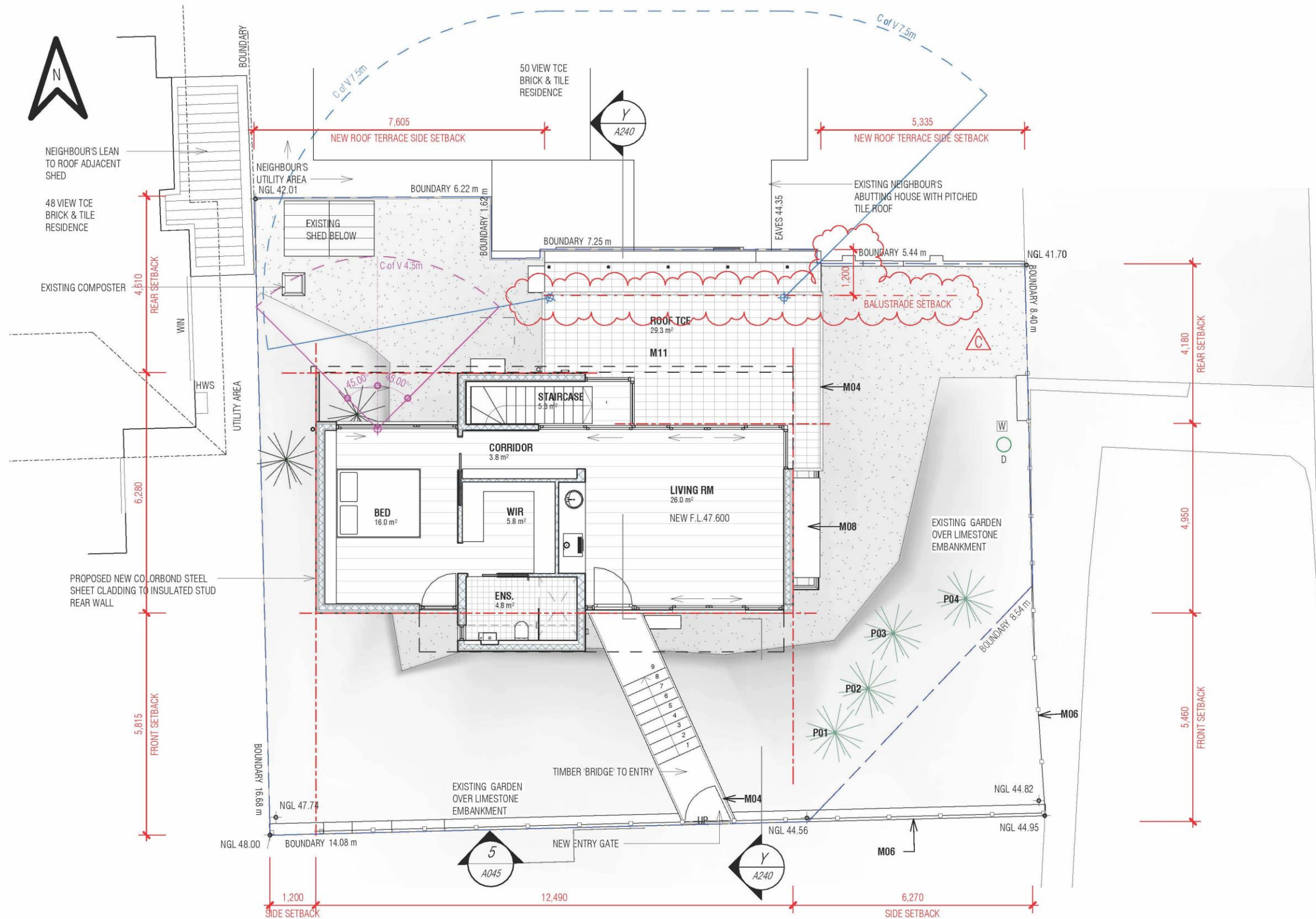
APP.:  
REV:

50 40 30 20 10 0

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A045

C



GEN. NOTES

- ALL LEVELS ARE AHD.
- EXISTING GROUND LEVELS TO REMAIN.
- NGL = NATURAL GROUND LEVEL

SERVICES LEGEND

- EXIST. POWERDOME
- EXIST. ELECTRICAL DISTRIBUTION BOARD & METRE
- EXIST. GAS METRE
- EXIST. WATER METRE

NEW MATERIALS & FINISHES

- | No. | MATERIAL / FINISH  |
|-----|--|
| M01 | VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH   |
| M02 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)                              |
| M03 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)                        |
| M04 | BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C                |
| M05 | DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS   |
| M06 | 100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL |
| M07 | COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH                             |
| M08 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS                                     |
| M09 | NEW BULKHEAD TO MATCH EXISTING WALL COLOUR   |
| M10 | TIMBER TREADS TO STAIR   |
| M11 | NEW STONE PAVERS   |
| M12 | NEW LIMESTONE WALL WITH LETTERBOX INSET  |
| M13 | EXISTING OFF WHITE RENDER  |

NEW PLANT SPECIES - EAST FREMANTLE ENDEMIC GROUND COVERS & SHRUBS FROM APACE, INC. THE BELOW

- | No. | PLANT SPECIES                                  | IMAGE |
|-----|--|-------|
| P01 | Solanum symonii (Kangaroo Apple)               |       |
| P02 | Scaevola nitida (Shining Fan Flower)           |       |
| P03 | Scaevola crassifolia (Thick-leaved fan-flower) |       |
| P04 | Rhogodia baccata (Berry Saltbush)              |       |

Initials of owners of 50 View Terrace, East Fremantle:

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CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
PROPOSED NEW LEVEL 02 (VIEW TCE)

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

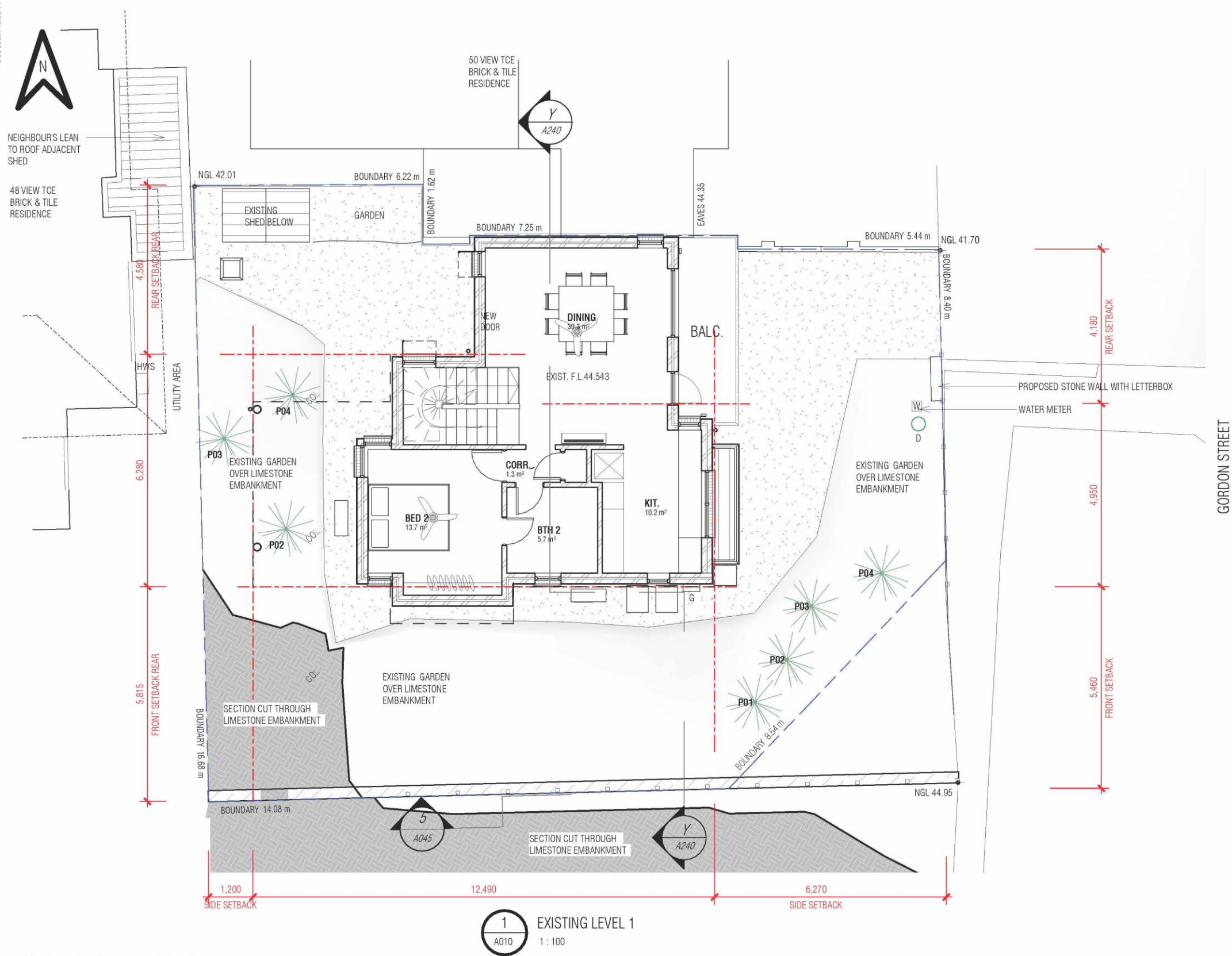
DRN.: MP  
DRWG.: A110

CKD.: MP  
SCALE: 1:100@A3  
APP.:  
REV: C

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21/04/2024 19:53:14



GEN. NOTES

1. ALL LEVELS ARE **AHD**.
2. EXISTING GROUND LEVELS TO REMAIN.
3. **NGL** = NATURAL GROUND LEVEL

SERVICES LEGEND

- EXIST. POWERDOME
- EXIST. ELECTRICAL DISTRIBUTION BOARD & METRE
- EXIST. GAS METRE
- EXIST. WATER METRE

NEW MATERIALS & FINISHES

- | No. | MATERIAL / FINISH  |
|-----|--|
| M01 | VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH   |
| M03 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)                        |
| M04 | BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C                |
| M06 | 100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL |
| M12 | NEW LIMESTONE WALL WITH LETTERBOX INSET  |
| M13 | EXISTING OFF WHITE RENDER  |

NEW PLANT SPECIES - EAST FREMANTLE ENDEMIC GROUND COVERS & SHRUBS FROM APACE, INC. THE BELOW

No.	PLANT SPECIES	IMAGE
P01	Solanum symonii (Kangaroo Apple)	
P02	Scaevola nitida (Shining Fan Flower)	
P03	Scaevola crassifolia (Thick-leaved fan-flower)	
P04	Rhagodia baccata (Berry Saltbush)	

Initials of owners of 50 View Terrace, East Fremantle:

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CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**LEVEL 01**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

DRN.: MP  
SCALE: 1:100 @ A3  
REV:

CKD: MP  
SCALE: 1:100 @ A3  
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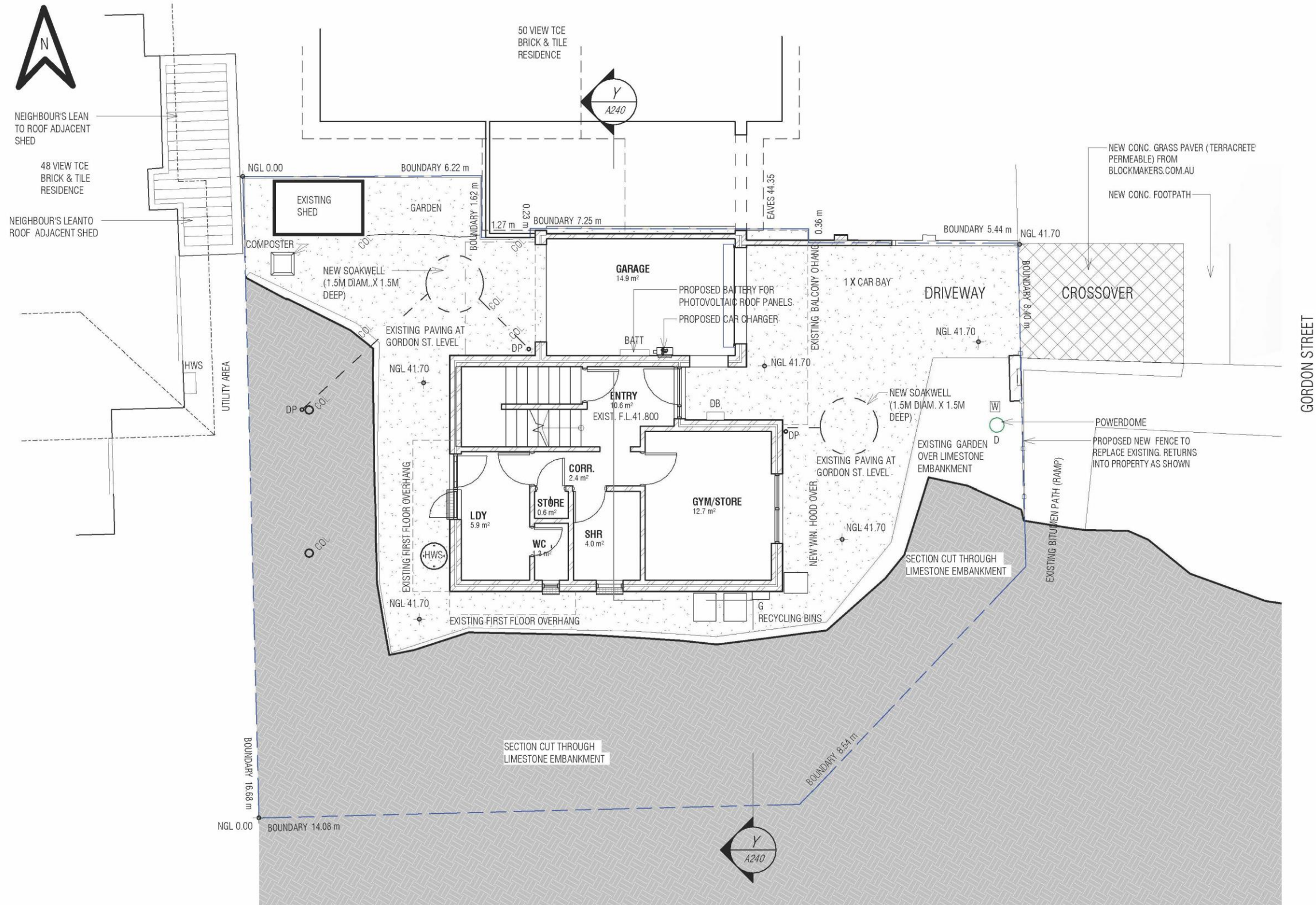
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**A115**

**C**

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GEN. NOTES

1. ALL LEVELS ARE **AHD**.
2. EXISTING GROUND LEVELS TO REMAIN.
3. **NGL** = NATURAL GROUND LEVEL

SERVICES LEGEND

- EXIST. POWERDOME
- EXIST. ELECTRICAL DISTRIBUTION BOARD & METRE
- EXIST. GAS METRE
- EXIST. WATER METRE

NEW MATERIALS & FINISHES

- |     |  |
|-----|--|
| No. | MATERIAL / FINISH  |
| M06 | 100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL |
| M12 | NEW LIMESTONE WALL WITH LETTERBOX INSET  |
| M13 | EXISTING OFF WHITE RENDER  |

Initials of owners of 50 View Terrace, East Fremantle:

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C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**LEVEL 00 (GORDON ST)**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP	DRN.:MP	CKD: MP	APP.:
DATE:21.04.24	SCALE: 1 : 100@A3	REV:	
PROJ.2209	DRWG.:		

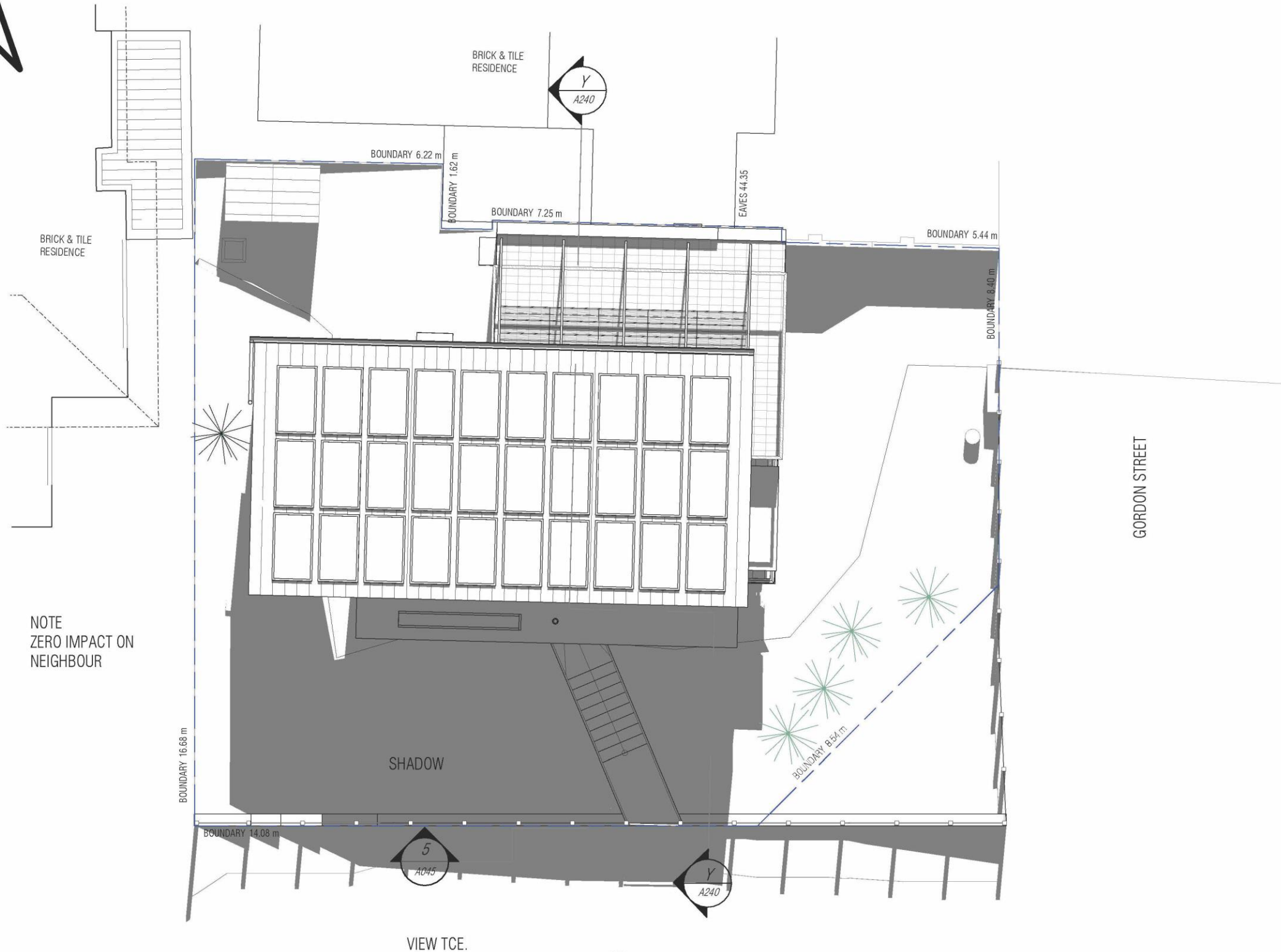
**A120**

**C**

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21/04/2024 19:53:34



GEN. NOTES

1. ALL LEVELS ARE **AHD**.
2. EXISTING GROUND LEVELS TO REMAIN.
3. **NGL** = NATURAL GROUND LEVEL

SERVICES LEGEND

- EXIST. POWERDOME
- EXIST. ELECTRICAL DISTRIBUTION BOARD & METRE
- EXIST. GAS METRE
- EXIST. WATER METRE

NEW MATERIALS & FINISHES

- | No. | MATERIAL / FINISH  |
|-----|--|
| M01 | VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH   |
| M02 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)                              |
| M03 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)                        |
| M04 | BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C                |
| M05 | DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS   |
| M06 | 100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL |
| M07 | COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH                             |
| M08 | COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS                                     |
| M09 | NEW BULKHEAD TO MATCH EXISTING WALL COLOUR   |
| M10 | TIMBER TREADS TO STAIR   |
| M11 | NEW STONE PAVERS   |
| M12 | NEW LIMESTONE WALL WITH LETTERBOX INSET  |
| M13 | EXISTING OFF WHITE RENDER  |

SHADOW STUDY

1. SHADOW IS CAST ON **21st JUNE AT MIDDAY**.
2. RESULTS SHOW SHADOW HAS ZERO IMPACT ON NEIGHBOURING PROPERTIES.

Initials of owners of 50 View Terrace, East Fremantle:

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CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**PROPOSED SHADOW DIAGRAM**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP	DRN.:MP	CKD.: MP	APP.:
DATE:21.04.24	SCALE: 1 : 100@A3		
PROJ.2209	DRWG.:	REV:	

**A150** **C**

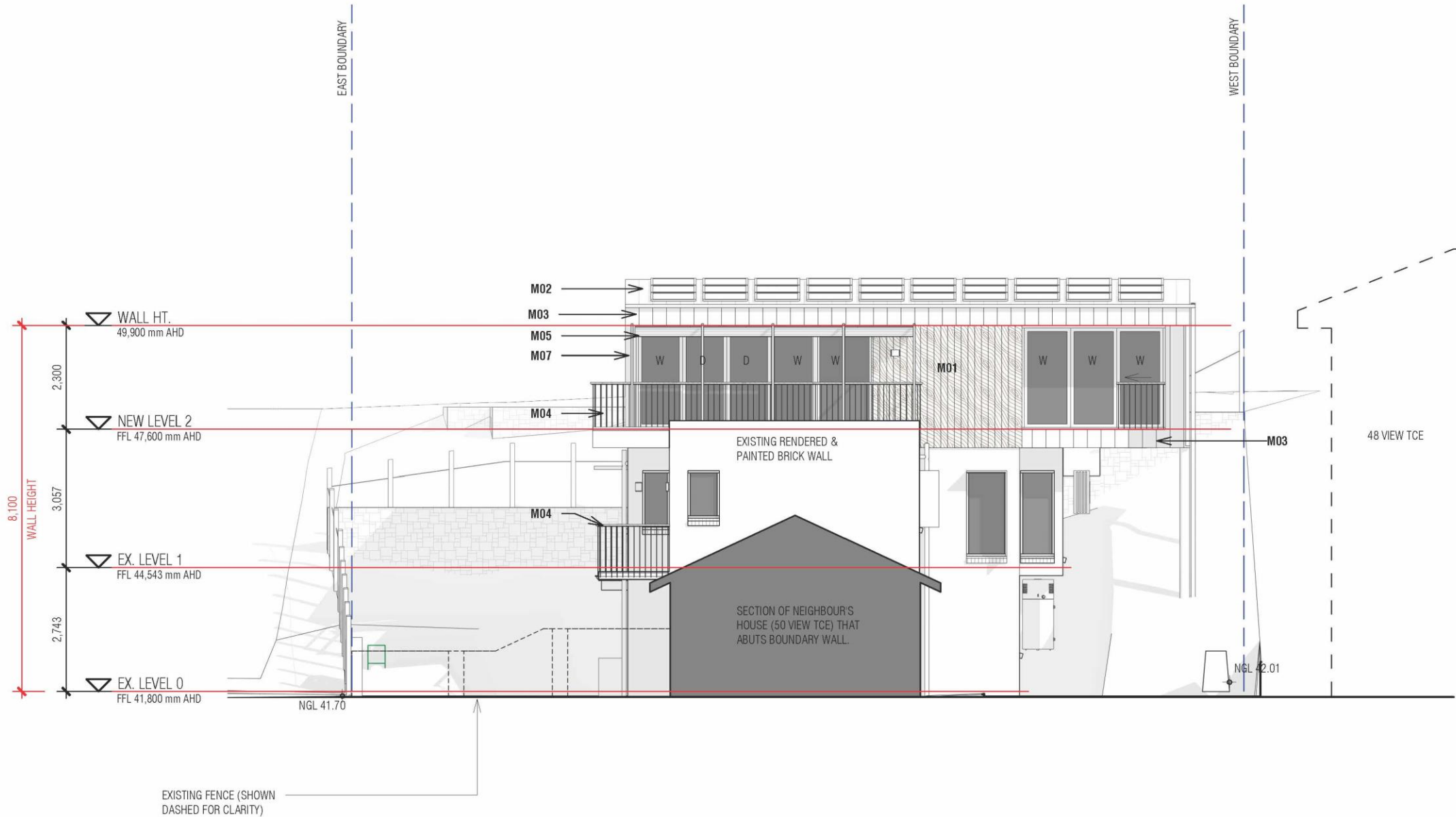
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GEN. NOTES

1. ALL LEVELS ARE **AHD**.
2. EXISTING GROUND LEVELS TO REMAIN.
3. **NGL** = NATURAL GROUND LEVEL

NEW MATERIALS & FINISHES

No.	MATERIAL / FINISH
M01	VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH
M02	COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)
M03	COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)
M04	BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
M05	DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M07	COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH
M08	COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS
M09	NEW BULKHEAD TO MATCH EXISTING WALL COLOUR
M10	TIMBER TREADS TO STAIR
M11	NEW STONE PAVERS
M12	NEW LIMESTONE WALL WITH LETTERBOX INSET
M13	EXISTING OFF WHITE RENDER



Initials of owners of 50 View Terrace, East Fremantle:

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C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**PROPOSED NORTH (REAR) ELEVATION**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ. 2209

DRN.: MP  
DRWG.:

CKD.: MP  
SCALE: 1:100 @ A3  
REV:

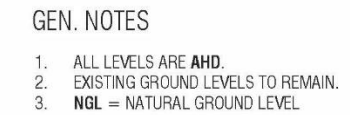
APP.:  
REV:

**A200**

**C**

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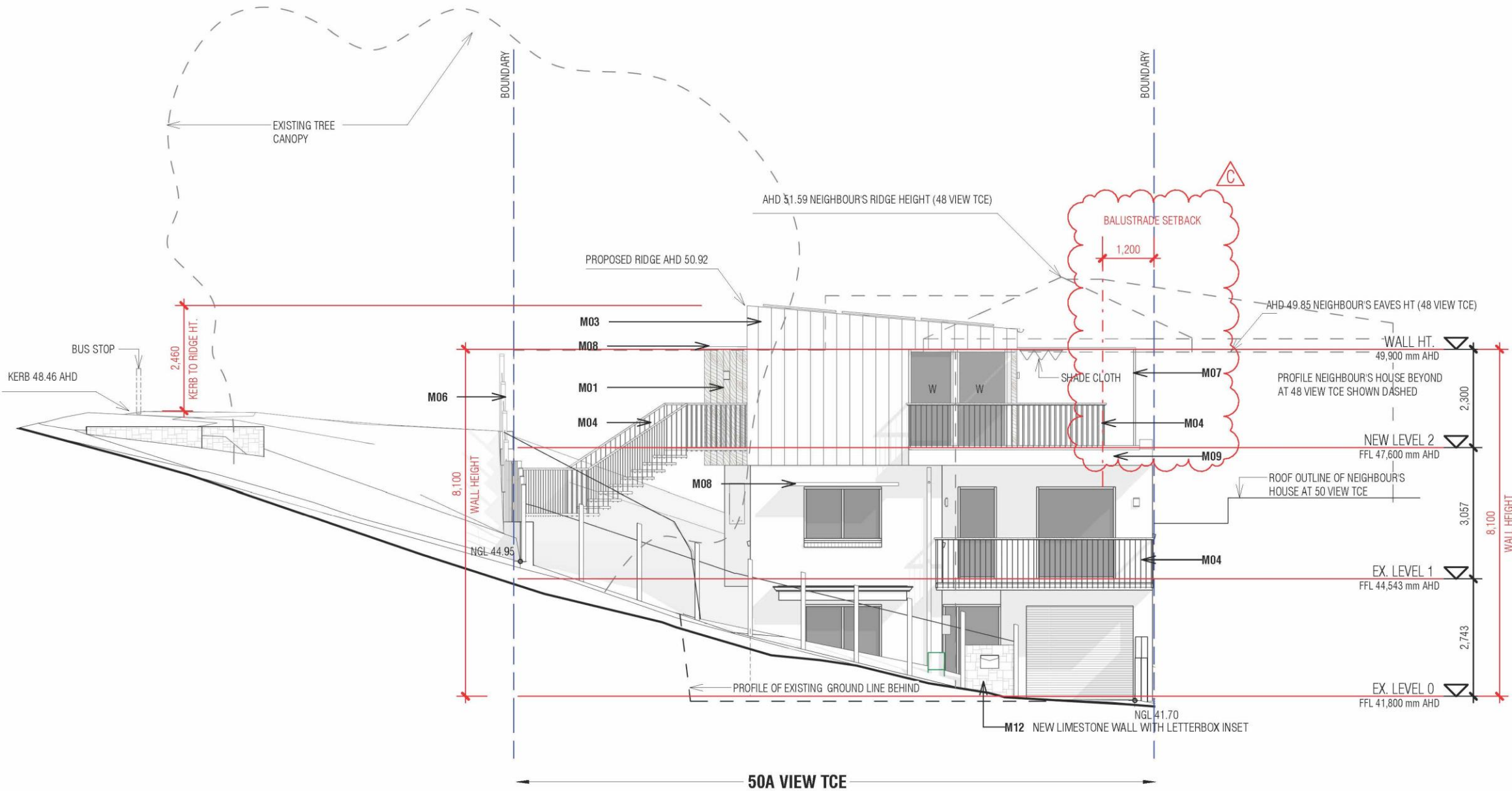
No.	MATERIAL / FINISH
M01	VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH
M02	COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)
M03	COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)
M04	BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
M05	DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M07	COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH
M08	COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS
M09	NEW BULKHEAD TO MATCH EXISTING WALL COLOUR
M10	TIMBER TREADS TO STAIR
M11	NEW STONE PAVERS
M12	NEW LIMESTONE WALL WITH LETTERBOX INSET
M13	EXISTING OFF WHITE RENDER

**MARTIN PARKINSON ARCHITECT**  
+61 422 904 094 parkinson@iinet.net.au

DES.: MP      DRN.:MP      CK'D: MP      APP.:  
DATE:21.04.24      SCALE: 1 : 100@A3  
PROJ.2209      DRWG.:      REV:

A210 C

21/04/2024 19:54:10



GEN. NOTES

1. ALL LEVELS ARE AHD.
2. EXISTING GROUND LEVELS TO REMAIN.
3. NGL = NATURAL GROUND LEVEL

NEW MATERIALS & FINISHES

No.	MATERIAL / FINISH
M01	VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH
M02	COLORBOND 'SURFMIST' OR SIM. SHEET METAL ROOFING (INSULATION UNDER)
M03	COLORBOND 'SURFMIST' OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)
M04	BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
M05	DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M07	COLORBOND 'SURFMIST' OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH
M08	COLORBOND 'SURFMIST' OR SIM. SHEET METAL CANOPY OVER WINDOWS
M09	NEW BULKHEAD TO MATCH EXISTING WALL COLOUR
M10	TIMBER TREADS TO STAIR
M11	NEW STONE PAVERS
M12	NEW LIMESTONE WALL WITH LETTERBOX INSET
M13	EXISTING OFF WHITE RENDER

Initials of owners of 50 View Terrace, East Fremantle:

**MARTIN PARKINSON ARCHITECT**  
+61 422 904 094 parkinson@inet.net.au

Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**PROPOSED EAST (SIDE) ELEVATION ON  
GORDON ST**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ: 2209

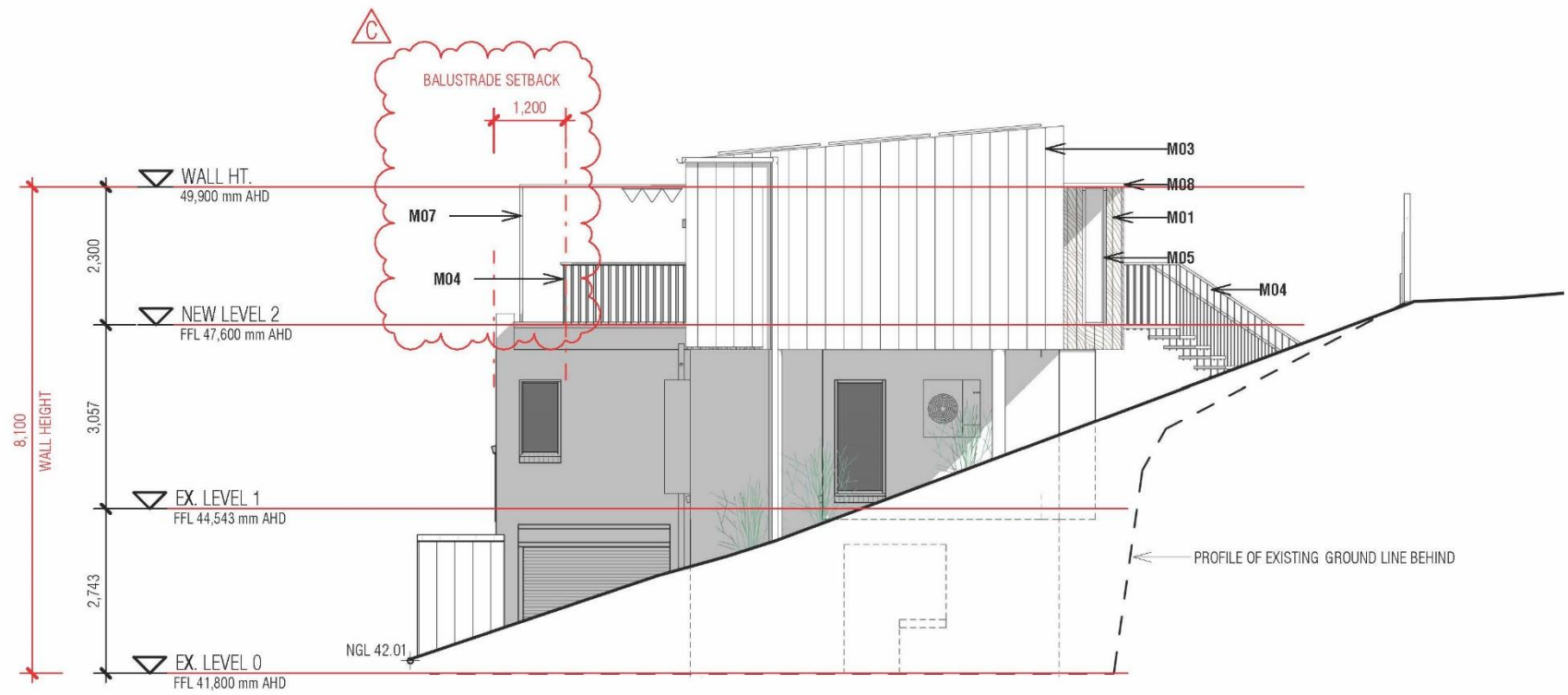
DRN.: MP  
DRWG.:

CK'D: MP  
SCALE: 1 : 100 @ A3  
REV:

**A220 C**

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21/04/2024 19:54:16



GEN. NOTES

1. ALL LEVELS ARE AHD.
2. EXISTING GROUND LEVELS TO REMAIN.
3. NGL = NATURAL GROUND LEVEL

NEW MATERIALS & FINISHES

No.	MATERIAL / FINISH
M01	VERTICAL TIMBER CLADDING WITH CLEAR OIL FINISH
M02	COLORBOND SURFMIST OR SIM. SHEET METAL ROOFING (INSULATION UNDER)
M03	COLORBOND SURFMIST OR SIM. SHEET METAL WALL CLADDING (INSULATION UNDER)
M04	BALUSTRADE WITH TIMBER TOP RAIL AND GALVANISED 10mm SOLID ROD BALUSTERS @ 120 C/C
M05	DOUBLE GLAZED WHITE FRAMED DOORS AND WINDOWS
M06	100 X 100 X 1800H TIMBER FENCE POSTS AT APPROX. 1200 TO 1400 CENTRES WITH GALVANISED MESH INFILL
M07	COLORBOND SURFMIST OR SIM. LIGHT FRAMING TO SUPPORT SUNSHADE CLOTH
M08	COLORBOND SURFMIST OR SIM. SHEET METAL CANOPY OVER WINDOWS
M09	NEW BULKHEAD TO MATCH EXISTING WALL COLOUR
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M13	EXISTING OFF WHITE RENDER

Initials of owners of 50 View Terrace, East Fremantle:

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Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
ROBERT DE BONI

PROJECT ADDRESS:  
50a VIEW TCE,  
EAST FREMANTLE

PROJECT NAME:  
ADDITIONS & ALTERATIONS

DRAWING TITLE:  
PROPOSED WEST (SIDE) ELEVATION

STAGE:  
DEVELOPMENT APPROVAL

DES.: MP DRN.:MP CKD.: MP APP.:  
DATE:21.04.24 SCALE: 1 : 100@A3  
PROJ.2209 DRWG.: REV:

50 40 30 20 10 0

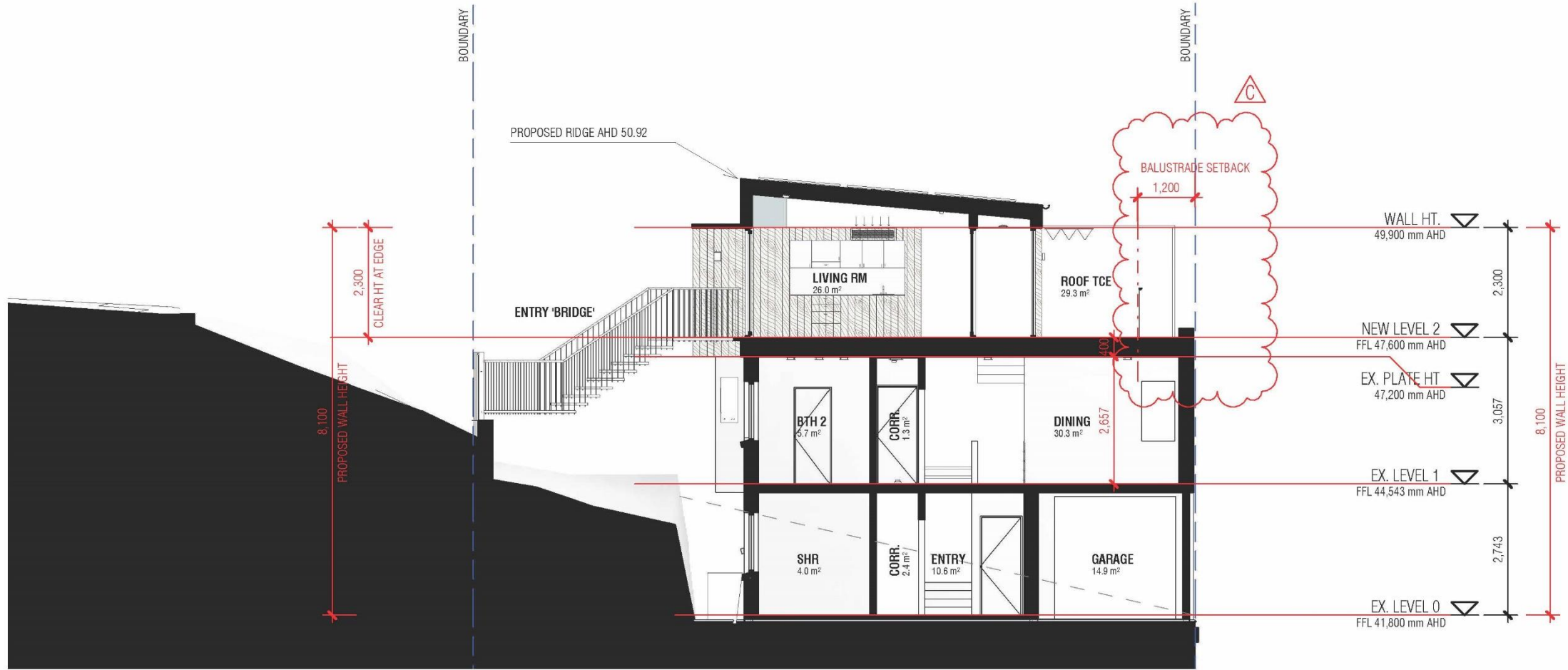
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A230

C



21/04/2024 19:54:20



Initials of owners of 50 View Terrace, East Fremantle:

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Rev.	DATE	DESCRIPTION
A	19.03.2024	ISSUE FOR DA
B	21.03.2024	COSTING
C	22.04.2024	ISSUE FOR DA WITH ROOF TCE BALUSTRADE AMENDED

CLIENT:  
**ROBERT DE BONI**

PROJECT ADDRESS:  
**50a VIEW TCE,  
EAST FREMANTLE**

PROJECT NAME:  
**ADDITIONS & ALTERATIONS**

DRAWING TITLE:  
**LONG SECTION**

STAGE:  
**DEVELOPMENT APPROVAL**

DES.: MP  
DATE: 21.04.24  
PROJ. 2209

DRN.: MP  
DRWG.:

CKD: MP  
SCALE: 1:100 @ A3  
REV:

APP.:  
REV:

50 40 30 20 10 0

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**A240**

**C**

## 12.4 73 AND 75 SEWELL STREET - ALTERATIONS AND ADDITIONS & DEVELOPMENT APPROVAL SUBSEQUENT TO COMMENCEMENT OF DEVELOPMENT

<b>Owner</b>	Dan Machin & Carolyn Edmiston
<b>Applicant</b>	Dan Machin
<b>Report Reference Number</b>	TPR-1853
<b>Planning Reference Code</b>	P033/24
<b>Prepared by</b>	James Bannerman
<b>Supervised by</b>	Andrew Malone
<b>Meeting date</b>	Tuesday, 4 June 2024
<b>Voting requirements</b>	Simple majority
<b>Documents tabled</b>	Nil

### Attachments

1. Location plan
2. Photos
3. Plans
4. Place Record

### PURPOSE

The purpose of this report is for Council to consider a development application seeking development approval subsequent to the demolition of elements of 73 (Lot 253) Sewell Street and additions and alterations at 73 and 75 (Lot 253) Sewell Street, East Fremantle (front verandah and firewall).

### EXECUTIVE SUMMARY

This development application is seeking development approval subsequent to the demolition of elements of 73 (Lot 253) Sewell Street and proposed new additions at 73 and 75 (Lot 253) Sewell Street, East Fremantle (front verandah and firewall). The two dwellings which are located on a single purple title, and are in the same ownership, are listed as Category B heritage properties.

This application has been submitted after works have been commenced and the Town became aware of demolition of the front verandah in contravention of Local Planning Scheme No. 3 which requires that all works (including demolition and alterations and additions on heritage listed properties) obtain development approval.

Following further discussions with the owner/applicant a development application was submitted to ensure the Town had a full understanding of the proposed development at both properties (73 & 75 Sewell Street) and to ensure the integrity of the heritage properties was retained.

This application deals with the demolition of existing structures including a verandah, bathroom, kitchen and dining room and the addition of a new bull nose verandah, removal of render, exposure of quoining around the front window and the installation of a new kitchen, laundry, bathroom and walk in robe at 73 (Lot 253) Sewell Street. There will be additional works at 75 (lot 253) Sewell Street as a result of the construction of a firewall to ensure compliance with National Construction Code requirements and a skylight.

There is one variation to the Residential Design Codes Volume 1 Part B to be considered:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Northern Wall – No. 75 (Lot 253) Sewell Street – 2m required, 0m provided.

It is recommended that Council support the development application for alterations and additions and grant approval subsequent to development subject to the conditions included in the final recommendation.

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## BACKGROUND

<b>Zoning</b>	Residential R20
<b>Site Area</b>	253m2 each (73 & 75 Sewell Street)
<b>Heritage</b>	Category B
<b>Fremantle Port Buffer</b>	N/A
<b>Previous Decision of Town and/or History of Issue Onsite</b>	N/A

---

## CONSULTATION

### Advertising

The proposed development was not advertised. The development would have no amenity impacts on the neighbouring properties.

### Internal Consultation

Nil

### External Consultation

Nil

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## STATUTORY ENVIRONMENT

Planning and Development Act, 2005  
Residential Design Codes (Volume 1)  
Local Planning Scheme No. 3 (LPS 3)

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## POLICY IMPLICATIONS

Local Planning Policy 3.1.1 – Residential Design Guidelines  
Local Planning Policy 3.1.8 – Wood Encouragement - General

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## FINANCIAL IMPLICATIONS

Nil

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## STRATEGIC IMPLICATIONS

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

### Built Environment

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

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

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

*3.1.2 Plan for a mix of inclusive diversified housing options.*

*3.1.3 Plan for improved streetscapes.*

*3.2 Maintaining and enhancing the Town's character.*

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

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

*3.3.1 Continue to improve asset management within resource capabilities.*

*3.3.2 Plan and advocate for improved access and connectivity.*



## RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

## SITE INSPECTION

A site inspection was undertaken.

## COMMENT

### Statutory Assessment

This development application was assessed against the Town's Local Planning Scheme No. 3, the Residential Design Codes, and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

### Local Planning Scheme No. 3/Residential Design Guidelines/Residential Design Codes

Design Element	Required	Proposed	Status
Street front setback			N/A
Garage setback			N/A
Minor incursions			N/A
Secondary street setback			N/A
Lot Boundary Setbacks			
Northern wall - No 73		Reduction in wall length	N/A
<b>Northern wall – No 75</b>	<b>2m</b>	<b>0m</b>	<b>D</b>
Western wall - No 73	0m	>1m	A
Southern wall – No 75		No change	N/A
Western wall – No 75		No change	N/A
Car Parking			N/A
Open Space	50%	>50%	A
Wall Height	7m	4.53m	A
Roof Height	10m	6m	A
Site Works			N/A
Visual Privacy			N/A
Overshadowing	25%	<25%	A
Garage width			N/A
Roof form and pitch		No change	N/A
Materials and colours			A
Landscaping		No change	A
Front fence & gate		Compliant fence	A
Sightlines			N/A
Footpaths and crossovers		Condition	
Drainage		Condition	
Wood Encouragement Policy		Timber to be used on front verandah	

This development application is seeking development approval subsequent to works commenced (i.e., the demolition of elements of 73 (Lot 253) Sewell Street and proposed new development at 73 and 75 (Lot 253) Sewell Street, East Fremantle (front verandah and firewall). The two dwellings which are located on a single purple title are in the same ownership and are listed as Category B heritage properties.

This application has been submitted after works had been commenced and the Town became aware of the demolition of the front verandah in contravention of Local Planning Scheme No. 3 which requires that all works (including demolition and alterations and additions on heritage listed properties) have development approval.

Following further discussions with the owner/applicant a development application was submitted to ensure the Town had a full understanding of the proposed development at both properties and to ensure the integrity of the heritage properties was retained.

This application deals with the demolition of existing structures including a verandah, bathroom, kitchen and dining room and the addition of a new bull nose verandah, removal of render, exposure of quoining around the front window and the installation of a new kitchen, laundry, bathroom and walk in robe at 73 Sewell Street. There will be additional works at 75 (Lot 253) Sewell Street as a result of the construction of a firewall and a skylight.

In detail the development includes the following works.

#### 73 Sewell Street

- Removal of a side access gate,
- Removal of a skillion roof verandah,
- Removal of render on the original cottage's northern facing exterior wall,
- Removal of render on the original cottage's east facing exterior wall to match that of neighbouring cottage at 75 Sewell Street,
- Removal of the front window (originally installed in the 1950s),
- Removal of the rear additions and unauthorised building,
- Addition of a bullnose verandah and associated roof and roof plumbing to match the verandah roof of neighbouring dwelling,
- Installation of timber Federation style double sash window and concrete sub-window sill and brick work to match 75 Sewell Street,
- Installation of two jarrah timber posts on the verandah similar to neighbouring dwellings,
- Tuck pointing of the limestone work on the original cottage's northern wall,
- Tuck pointing of the brickwork on the original cottage's eastern wall to match 75 Sewell Street,
- Reinstall the plaster face on the top of the eastern facing firewall,
- Painting: Dulux Titanium White on timber surfaces; and Dulux Flintstone on the gable rendered brick; and front garden walls, and
- Installation of 1700mm x 970mm picket gate at the side of the dwelling.

#### 75 Sewell Street

- Installation of a fire separation wall between each dwelling in accordance with the relevant requirements of the National Construction Code and the construction of a 450mm separation wall above the roof covering, and
- Installation of a Velux skylight to ensure adequate natural light.

The works that have been carried out (without development approval) or are proposed to be undertaken on 73 Sewell Street will reinstate missing/removed/altered heritage elements and restore the dwelling closer to its original design.

With regards to 75 Sewell Street a firewall is to be constructed between the 73 and 75 Sewell Street to ensure that the development is compliant with the National Construction Code fire safety requirements and in order to comply with the conditional approval of the survey strata subdivision (Application 749-22) that was granted by the WAPC on 6 January 2023.

A heritage impact assessment was submitted. This assessment was supportive of the changes.

No advertising was undertaken as the development proposes no increase in the footprint or scale and bulk of development on the site that is likely to have an impact on neighbouring properties.

The information that has been provided demonstrates a willingness from the applicant/owner to restore 73 Sewell Street such that it is similar in street presentation to its neighbouring duplex half at 75 Sewell Street which is closer to the original format and design of the dwelling when first constructed.

The Town is supportive of the works if it results in heritage dwellings being restored and renovated closer to their original state, improves the fire safety of the dwellings, and ensures that the dwellings remain habitable.

There is one variation to the Residential Design Codes in relation to the lot boundary setback for the northern wall of 75 Sewell Street which also forms the southern wall of 73 Sewell Street.

#### Lot Boundary Setback - Northern wall – 75 Sewell Street

For survey strata subdivision to be approved in accordance with the previous conditional approval that was granted by the WAPC, 73 and 75 Sewell Street must be fireproofed in accordance with the National Construction Code. In this case the northern wall of 75 Sewell Street is being modified such that it is increased in height for the length of the common building wall. This triggers a variation in the R-Codes in relation to lot boundary setbacks. In this case the wall between the properties is 25.2m long and 4.53m high without major openings.

In accordance with the Residential Design Codes Volume 1 Part B deemed to comply clause 5.1.3 C3.1 such a wall should be located 2m from the boundary. In this case the wall is built up to the boundary. Most of the wall has been in this location since the dwelling was originally constructed. In accordance with design principles 5.1.3 P3.2 it is considered the reduced lot boundary can be supported for the following reasons:

- It makes more effective use of the space for the enhanced privacy of the occupants and outdoor living areas,
- There are minimal impacts of building bulk on the adjoining properties,
- Adequate sunlight and ventilation will be provided on the site and the adjoining properties,
- Minimal overlooking and loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- There is no restriction on sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties,
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

It is a wall without major openings so ensures privacy is maintained between 73 and 75 Sewell Street and forms the parapet wall of the properties. 75 Sewell Street is to the south of 73 Sewell Street so there is no loss of sunlight from the wall. Ventilation is still possible between the dwellings as it is open on the northern side. It is considered there will be negligible amenity impacts from the construction of the higher wall between the properties and a benefit of improved fire safety. For these reasons the proposed reduction in lot boundary setback is recommended to be supported.

---

## CONCLUSION

The changes that are considered in this report restore 73 Sewell Street closer to its original dwelling form, improve fire safety between 73 and 75 Sewell Street and allow the proponent to complete the survey strata subdivision of the existing purple title lot. It is considered the development will improve the streetscape presence of 73 Sewell Street and there will be minimal changes to 75 Sewell Street.



It is recommended that Council support development approval subsequent to development and the proposed alterations and additions works that are proposed in the development application.

## OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

### OFFICER RECOMMENDATION

That development approval subsequent to development and alterations and additions is granted and Council exercises its discretion regarding the following:

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback – Northern Wall – No. 75 (Lot 253) Sewell Street – 2m required, 0m provided,

for development approval subsequent to development (73 Sewell Street) and alterations and additions (73 and 75 Sewell Street), East Fremantle, in accordance with the plans submitted 3 May 2024, subject to the following conditions:

- (1) All fencing within the street setback area is to be in accordance with the front fence provisions of the Local Planning Policy 3.1.1 – Residential Design Guidelines.
- (2) Existing trees located within the verge are a Town asset and as such must be retained and not pruned, shaped, or modified except where otherwise approved for removal or modification by the Town.
- (3) During construction the verge trees are to be protected with cages around the trunks to ensure that they are not damaged by surrounding works, vehicles, or materials.
- (4) The footpath is to always remain accessible to pedestrians.
- (5) Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:
  - (a) Noise, vibration, air, and dust management;
  - (b) Contact details of essential site personnel, construction periods and construction operating hours;
  - (c) Traffic management, including footpath closures and proposed signage;
  - (d) Parking management for all trades, contractors, and visitors to site;
  - (e) Public safety and amenity (traffic control and pedestrian management);
  - (f) Site access/egress management;
  - (g) Scaffolding management plan;
  - (h) Management plan for the loading and unloading of vehicles;
  - (i) Heavy construction machinery and deliveries;
  - (j) Bulk earthwork operations;
  - (k) Stormwater and sand/sediment control;
  - (l) Street tree management and protection;
  - (m) Protection of footpath;
  - (n) Details of all concrete pours and requirements relating to piling methods or associated works;
  - (o) Temporary fencing;
  - (p) Temporary toilets;
  - (q) Dilapidation of Town infrastructure and nearby properties;
  - (r) Hoardings and gantries; and
  - (s) Any other relevant matters.

The requirements of this plan are to be observed at all times during the construction process.

- (6) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Town's further approval.

- (7) The proposed works are not to be commenced until the Town has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by the Town.
- (8) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
- (9) 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 Town prior to the issue of a Building Permit.
- (10) If requested by the Town 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.
- (11) 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.
- (12) 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 the Town and if approved, the total cost to be borne by the applicant. The Town 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.
- (13) This development approval is to remain valid for a period of 24 months from the date of this approval.

**Footnote:**

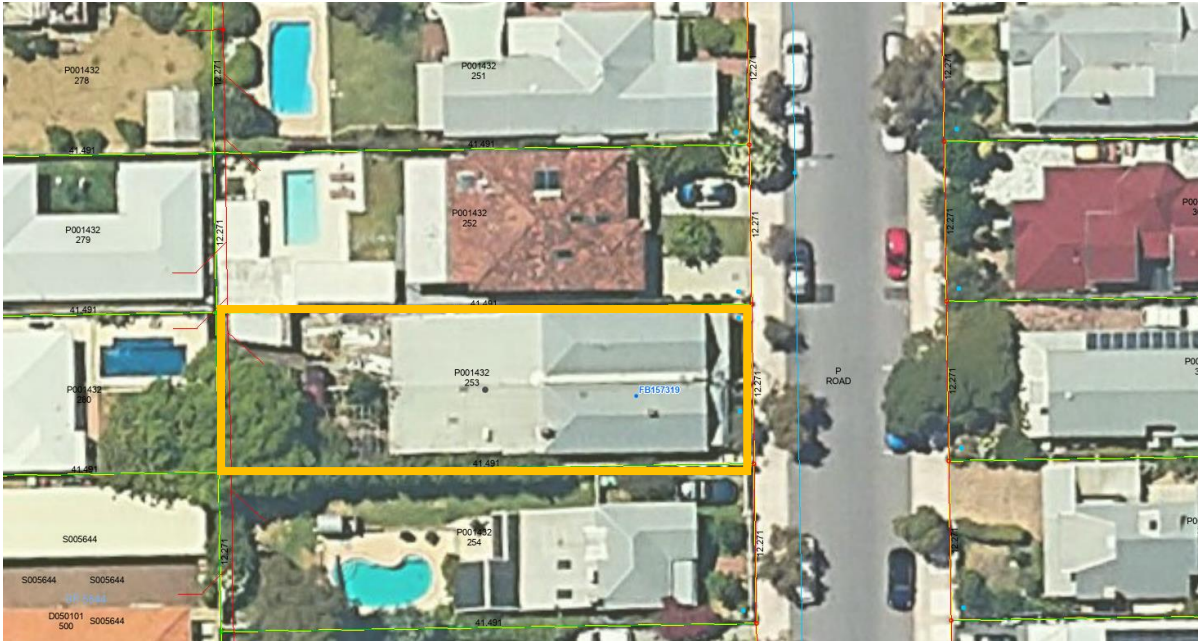
*The following are not conditions but notes of advice to the applicant/owner:*

- (a) *This decision does not include acknowledgement or approval of any unauthorised development which may be on site.*
- (b) *A copy of the approved plans as stamped by the Town are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town.*
- (c) *It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner 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 the Town and one copy should be given to the owner of any affected property.*
- (d) *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).*
- (e) *Matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (f) *Trees on verges are the property of the Town. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town acting against the owners/builders/contractors responsible. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.*
- (g) *Any damage to other Town assets including, but not limited to, the kerb, drainage, footpaths, roads, and signage will have to be repaired by the applicant/owners/contractors at their cost.*

## REPORT ATTACHMENTS

Attachments start on the next page

**73 and 75 Sewell Street – Location Plan**





**73 & 75 Sewell Street – Photos**

**73 Sewell Street**

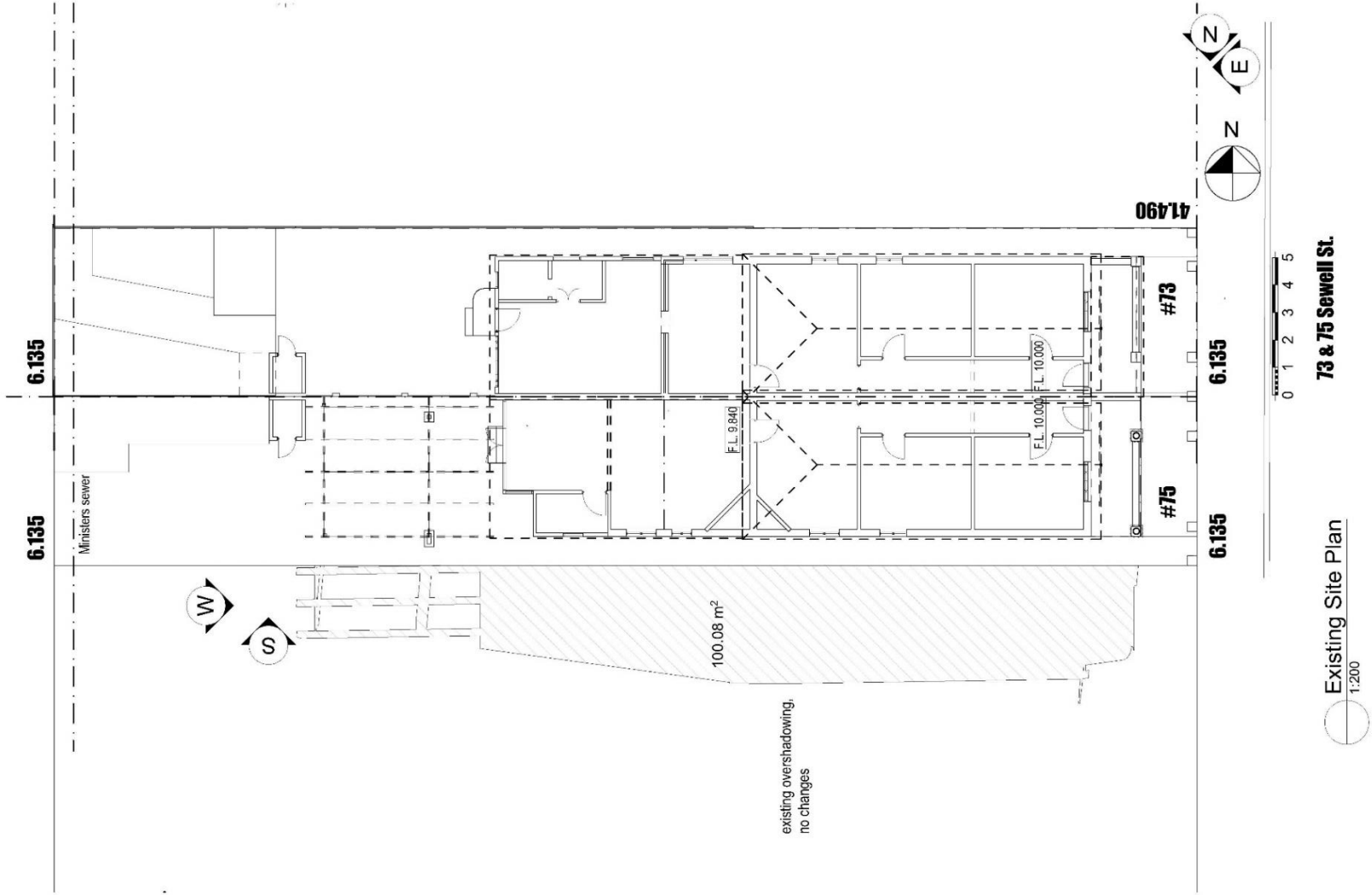


Attachment -2



75 Sewell Street





John  
**Chisholm design**  
environmental 0468 833 399  
jc@jpcchisholm.com

heritage contemporary  
jc@jpcchisholm.com jpcchisholm.com

**Design Matters**  
The peak body for the  
New Zealand design profession  
Member

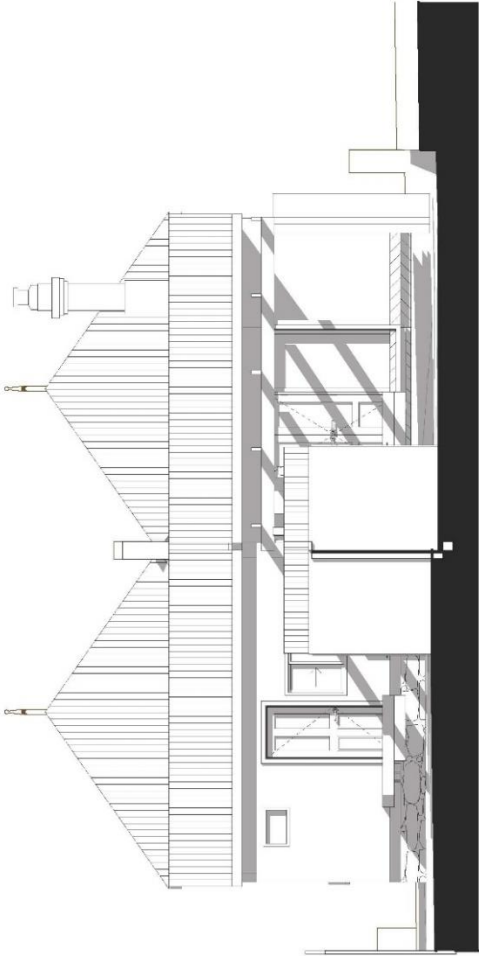
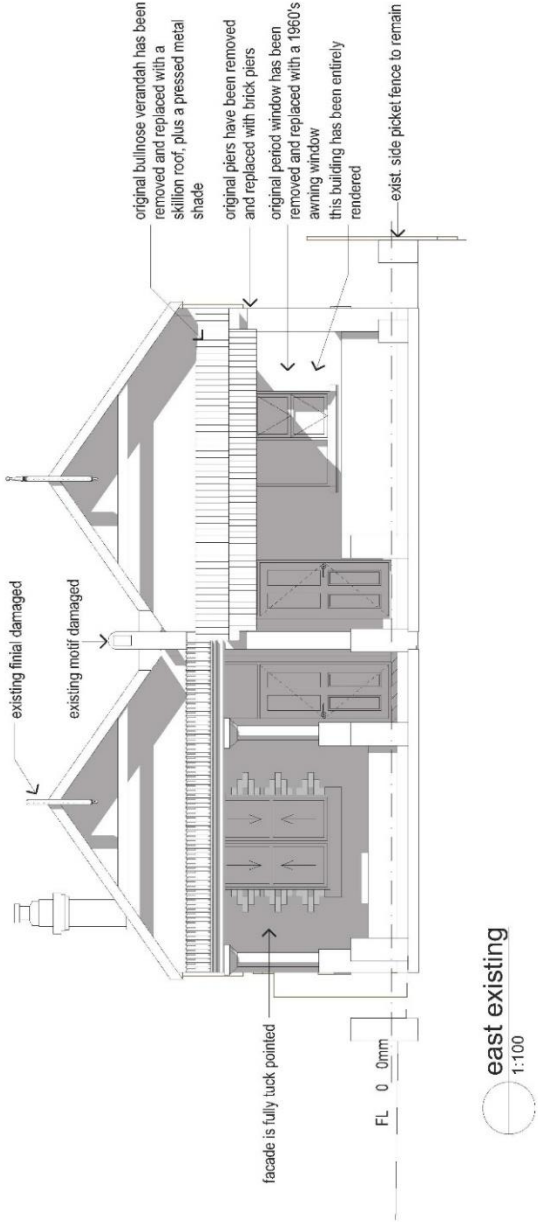
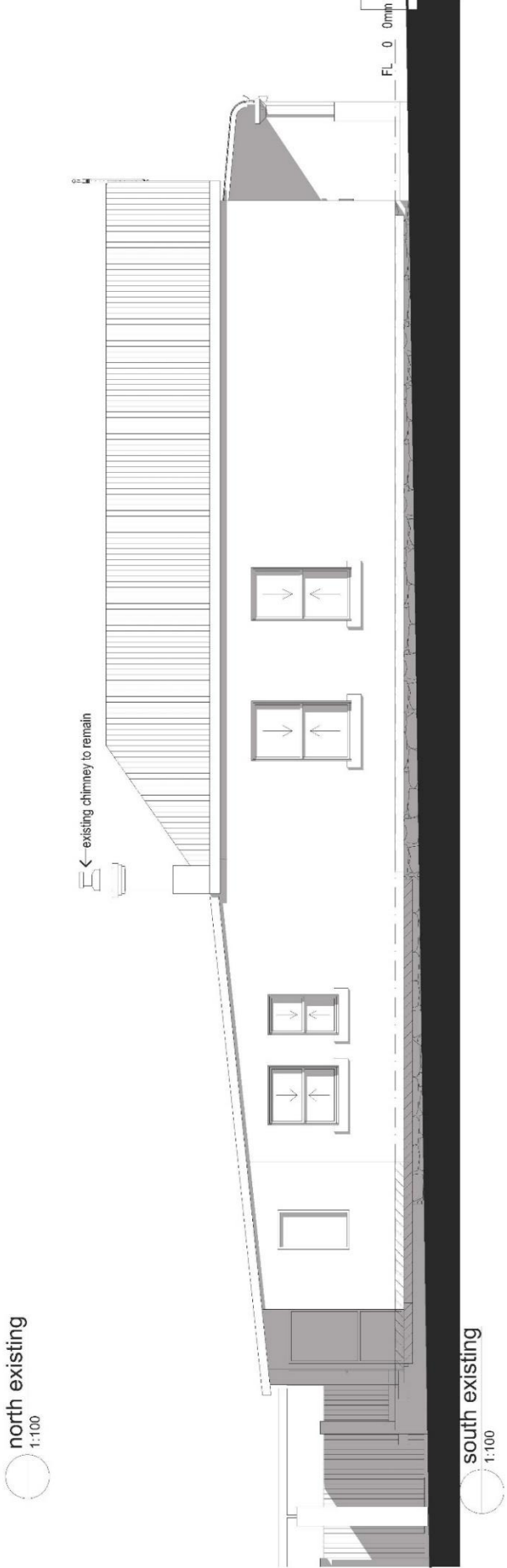
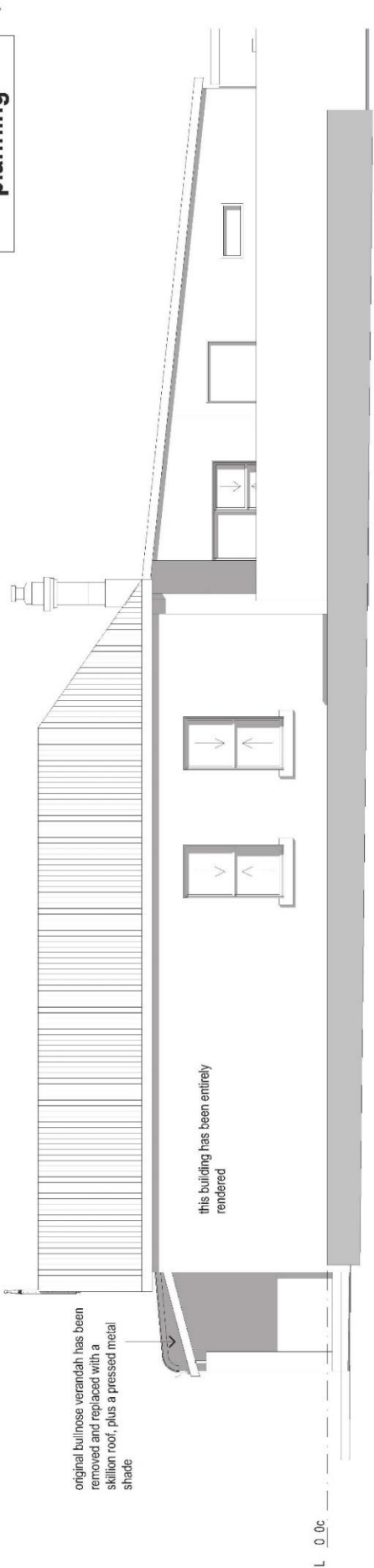
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Proposed Works to  
73 & 75 Sewell St.  
East Fremantle

Drawing:  
**Existing Site Plan**

Date:	3/05/2024	Dwn:	JC		
Job No:	2351	Dwg No.:	<b>EX100</b>		
		Rev	<b>1</b>		
1 planning 19/4/2024					
REV.	AMENDMENT	DATE	REV.	AMENDMENT	DATE

Page 94 of 124





john  
**Chisholm design**  
environmental 0438 833 359  
jc@jondchisholm.com  
jondchisholm.com

heritage contemporary  
jc@jondchisholm.com  
jondchisholm.com

Project:

Proposed Works to  
73 & 75 Sewell St.  
East Fremantle

Design Matters National

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Member

Copyright

Drawing:

Existing Elevations

Date:

3/05/2024

Dwn:

JC

Job No:

2351

Dwg No:

EX301

Rev

1

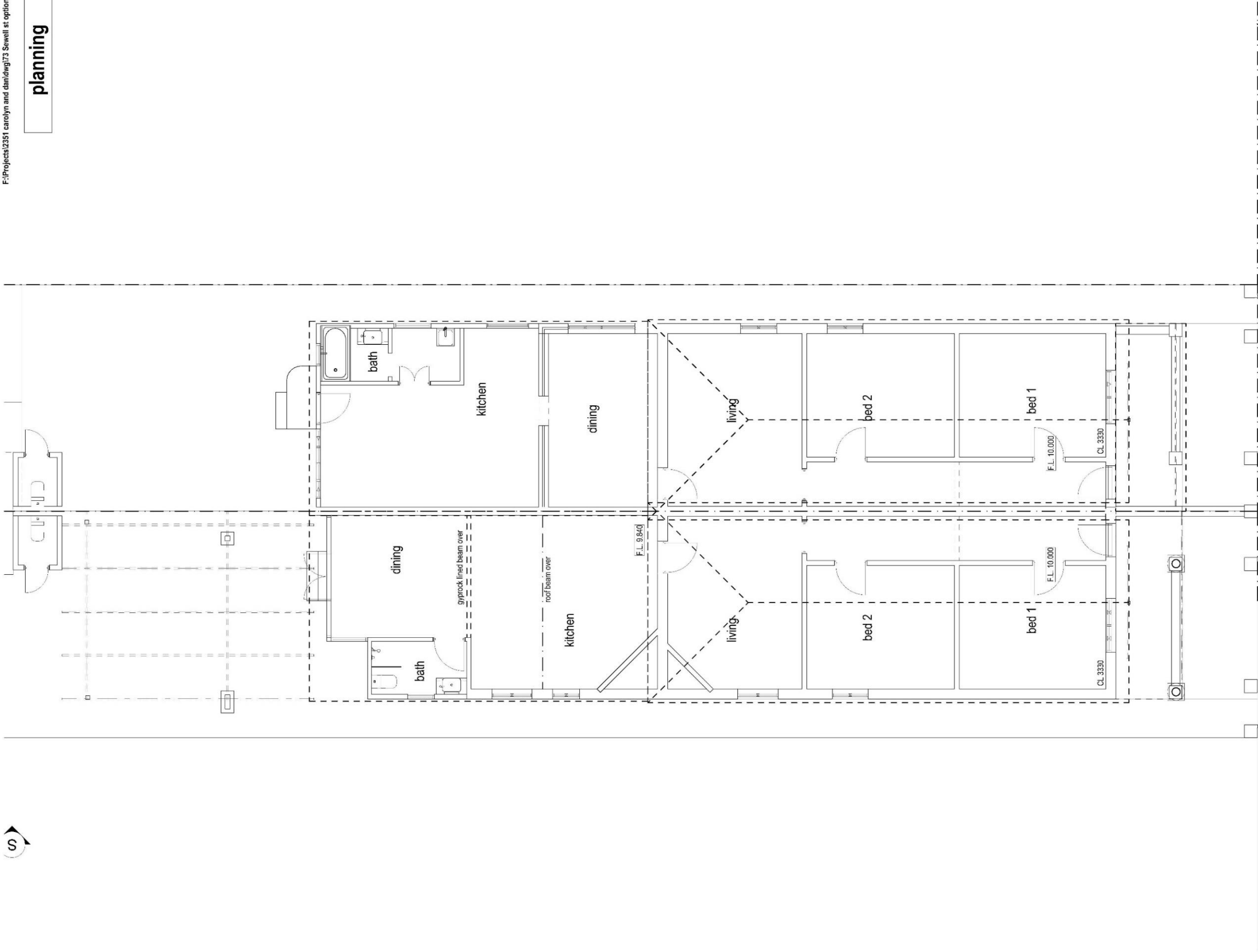
1 planning 19/4/2024

REV. AMENDMENT DATE

REV. AMENDMENT DATE

The builder must verify all dimensions on site before commencing any work or shop dwgs.

Page 95 of 124



john

Chisholm design

environmental

0408 833 399

heritage

pe@johnchisholm.com

contemporary

johnchisholm.com

Design Matters

National

Design Award for the Environment

Member

Project:

Proposed Works to 73 & 75 Sewell St. East Fremantle

1

planning

19/4/2024

REV.

AMENDMENT

DATE

Date:

3/05/2024

Job No:

2351

Dwg No:

EX201

Rev:

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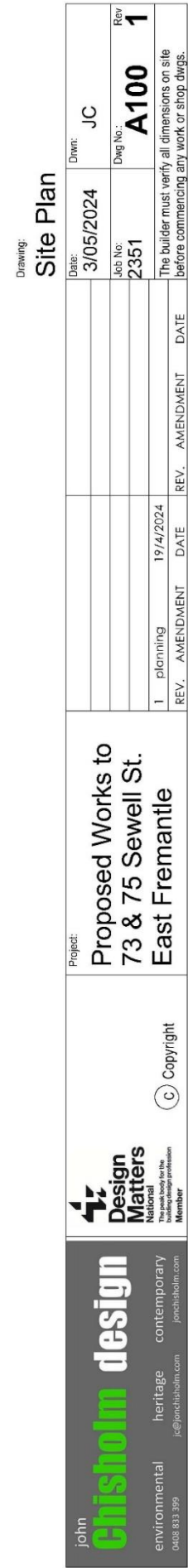
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The builder must verify all dimensions on site before commencing any work or shop dwgs.

Drawing:

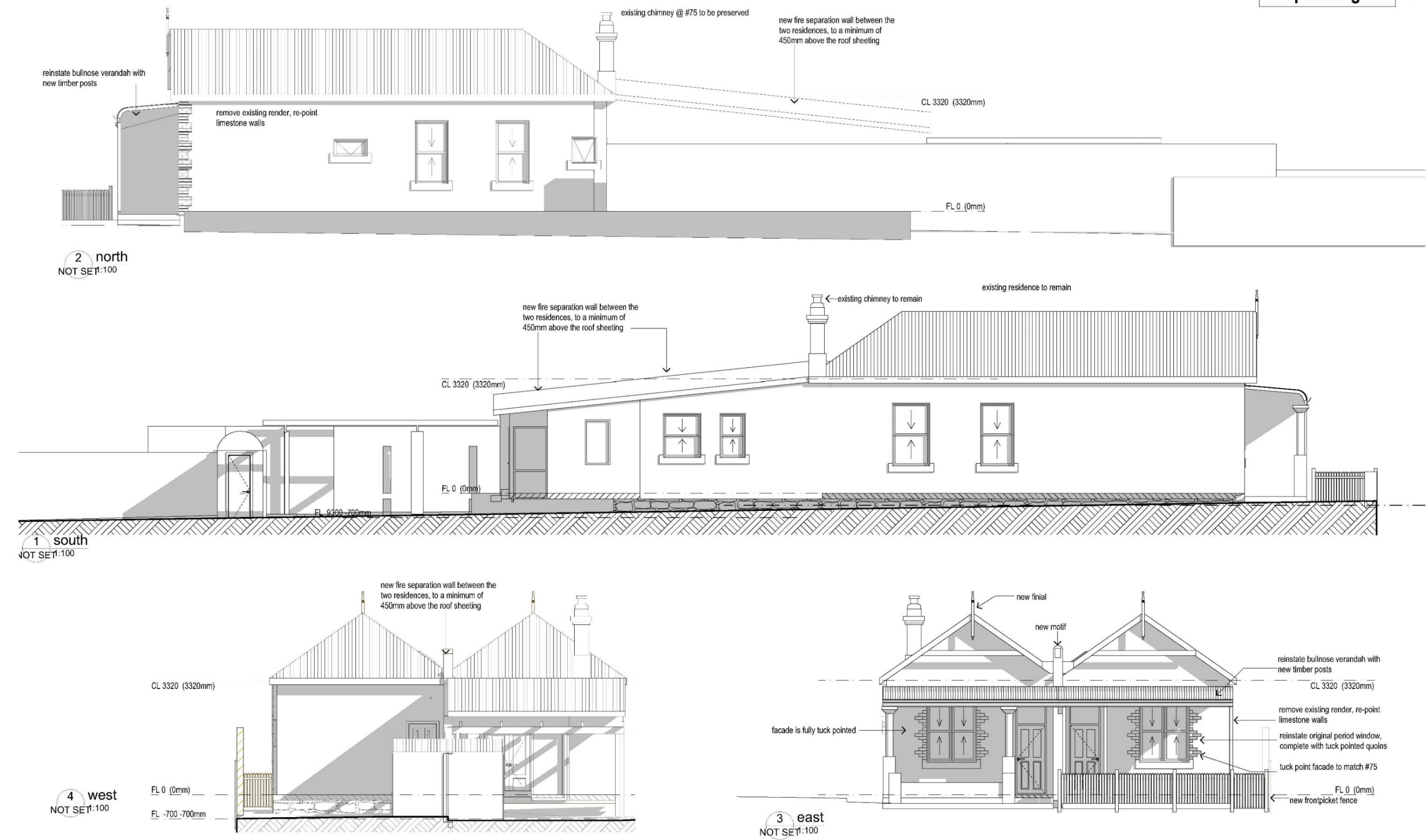
Existing Floor Plan





planning

1/05/2024



john

**Chisholm design**

environmental   heritage   contemporary

0408 833 399   jc@jonchisholm.com   jonchisholm.com

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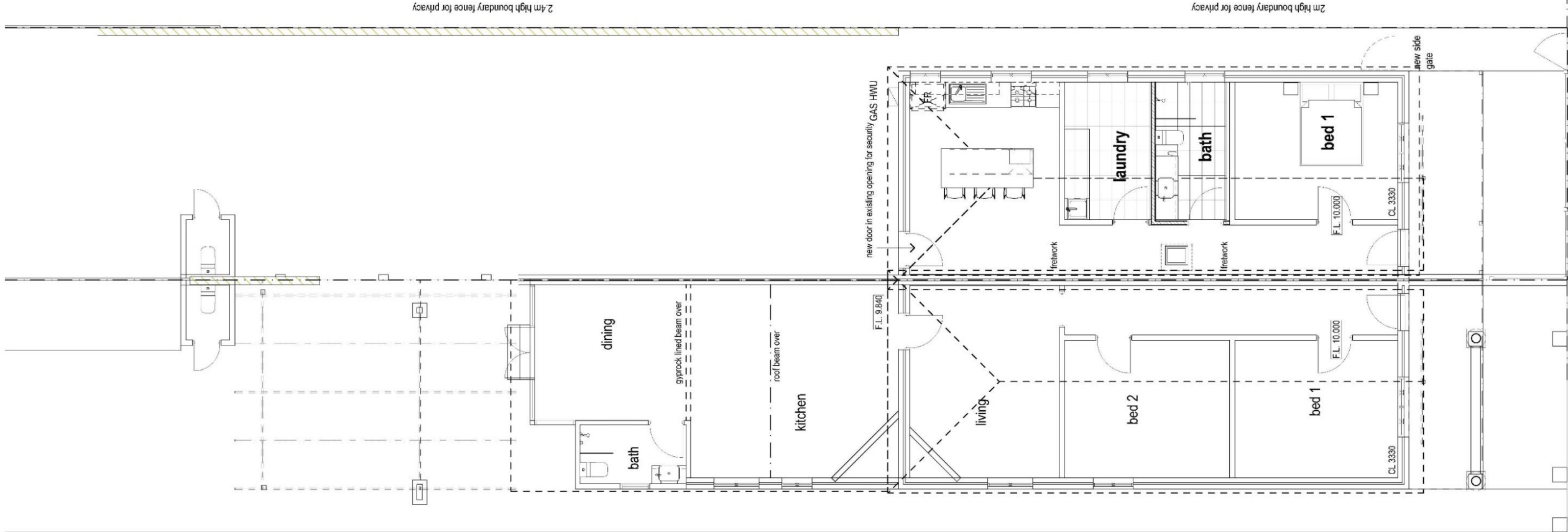
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Project:  
Proposed Works to  
73 & 75 Sewell St.  
East Fremantle

Drawing:  
ELEVATIONS

1	issued for planning	19/4/2024
REV.	AMENDMENT	1:100   DATE

Date:	3/05/2024	Drwn:	JC
Job No:	2351	Dwg No.:	<b>A301</b>
		Rev	<b>1</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.			



Proposed Floor Plan  
1:100

Drawing: Proposed Floor Plan

 john environmental 0428 833 399 je@jondisholm.com heritage jsh@jondisholm.com contemporary jondisholm.com	 Project: Proposed Works to 73 & 75 Sewell St. East Fremantle	Date: 3/05/2024 Dwnr: JC			
		Job No: 2351 Dwg No: A202 Rev 1			
		1 planning 19/4/2024 REV. AMENDMENT DATE REV. AMENDMENT DATE The builder must verify all dimensions on site before commencing any work on shop dwgs.			

**PLACE RECORD FORM**

PRECINCT	Plympton
ADDRESS	73-75 Sewell Street
PROPERTY NAME	N/A
LOT NO	Lot 253
PLACE TYPE	Residences
CONSTRUCTION DATE	C 1890
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residences/ Current Use: Residences
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 73-75 Sewell Street is a pair of single storey cottages constructed in rendered and painted masonry with a pair of gabled corrugated iron roofs. The gables have decorative treatment. It is a good expression of a duplex in the Federation Bungalow style. The pair is symmetrically planned with entry doors equally offset from the party wall. The doors are flanked by windows. No 73 has a full width canvas awning. No 75 has a full width bull-nosed verandah. The brickwork to No 75 was painted in the twenty-first century.</p> <p>There are additions to the rear.</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.
HISTORICAL NOTES	Plympton is a cohesive precinct, where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick and stone cottages.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls - Rendered and painted masonry Roof - Corrugated roof sheeting
PHYSICAL SETTING	The duplex is situated on a gently sloping site. Each residence has a rendered masonry fence on the lot boundary.
STATEMENT OF SIGNIFICANCE	<p>No 73-75 Sewell Street is a single storey duplex constructed in rendered and painted masonry with a corrugated iron 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 considerable heritage value for its intrinsic aesthetic value as a pair of Federation Bungalows. They retain a moderate degree of authenticity and a high degree of integrity.</p> <p>The render to the brickwork of No 73 is intrusive. The paint to the brickwork of No 75 is intrusive.</p> <p>The rear additions have no significance.</p>
AESTHETIC SIGNIFICANCE	Nos 73-75 Sewell Street have considerable aesthetic value as a pair of Federation Bungalows. They retain all the characteristics of the period with some loss of detail.
HISTORIC SIGNIFICANCE	Nos 73-75 Sewell Street have some historic value. They were part of the suburban residential development associated with the expansion of East Fremantle during the Goldrush period of the 1880s and 1890s.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	Nos 73-75 Sewell Street have some social value. They are associated with a significant area of worker's cottages which contribute to the community's sense of place.
RARITY	Nos 73-75 Sewell Street are not rare in the immediate context but Plympton has rarity value as a working class suburb.
CONDITION	Nos 73-75 Sewell Street are in fair condition.
INTEGRITY	Nos 73-75 Sewell Street retain a high degree of integrity.
AUTHENTICITY	Nos 73-75 Sewell Street retain a moderate degree of authenticity.
MAIN SOURCES	

## 12.5 80 SEWELL STREET - ALTERATIONS AND ADDITIONS

<b>Owner</b>	Morrell Hill Pty Ltd
<b>Applicant</b>	Post Architecture T/A Nic Brunsdon
<b>Report Reference Number</b>	TPR-1848
<b>Planning Reference Code</b>	P035/24
<b>Prepared by</b>	James Bannerman
<b>Supervised by</b>	Andrew Malone
<b>Meeting date</b>	Tuesday, 4 June 2024
<b>Voting requirements</b>	Simple majority
<b>Documents tabled</b>	Nil

**Attachments**

1. Location and advertising plan
2. Photos
3. Plans
4. Place Record Form

**PURPOSE**

The purpose of this report is for Council to consider a development application for alterations and additions at 80 (Lot 298) Sewell Street, East Fremantle.

**EXECUTIVE SUMMARY**

This development application proposes alterations and additions to a Category C heritage dwelling located at 80 (Lot 298) Sewell Street, East Fremantle. The development includes the demolition of the rear section of the existing dwelling, a detached studio, and the addition of a new separate wing with a garage, kitchen, living room, laundry, bedroom and ensuite. A pool is also proposed, however, this has no planning implications. The front of the dwelling will have a bedroom, reading room, studio, and bathroom and will be returned closer to the original dwelling format without the later additions at the rear. The following variations to the Residential Design Codes and Residential Design Guidelines are requested and listed below.

- Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall – Main Bed, WIR, Ensuite – 1.1m required, 0m provided;
- Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Eastern Wall - Ensuite – 1.1m required, 0m provided;
- Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Southern Wall – Laundry, Pantry, Kitchen, Dining, Powder, Garage – 1.7m required, 0m provided;
- Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 11.6 degrees and 2 degrees provided;
- Clause 5.3.5 – Residential Design Guidelines – Driveway Access – driveway 15m or less from road required, driveway more than 15m from road provided; and
- Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 29.78% provided.

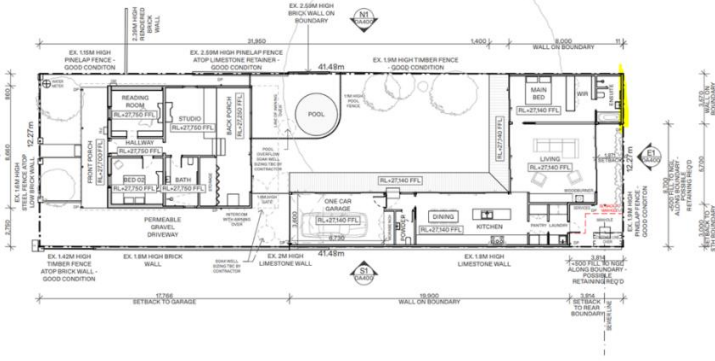
It is recommended that the proposed variations are supported subject to the conditions included in the final recommendation.

## BACKGROUND

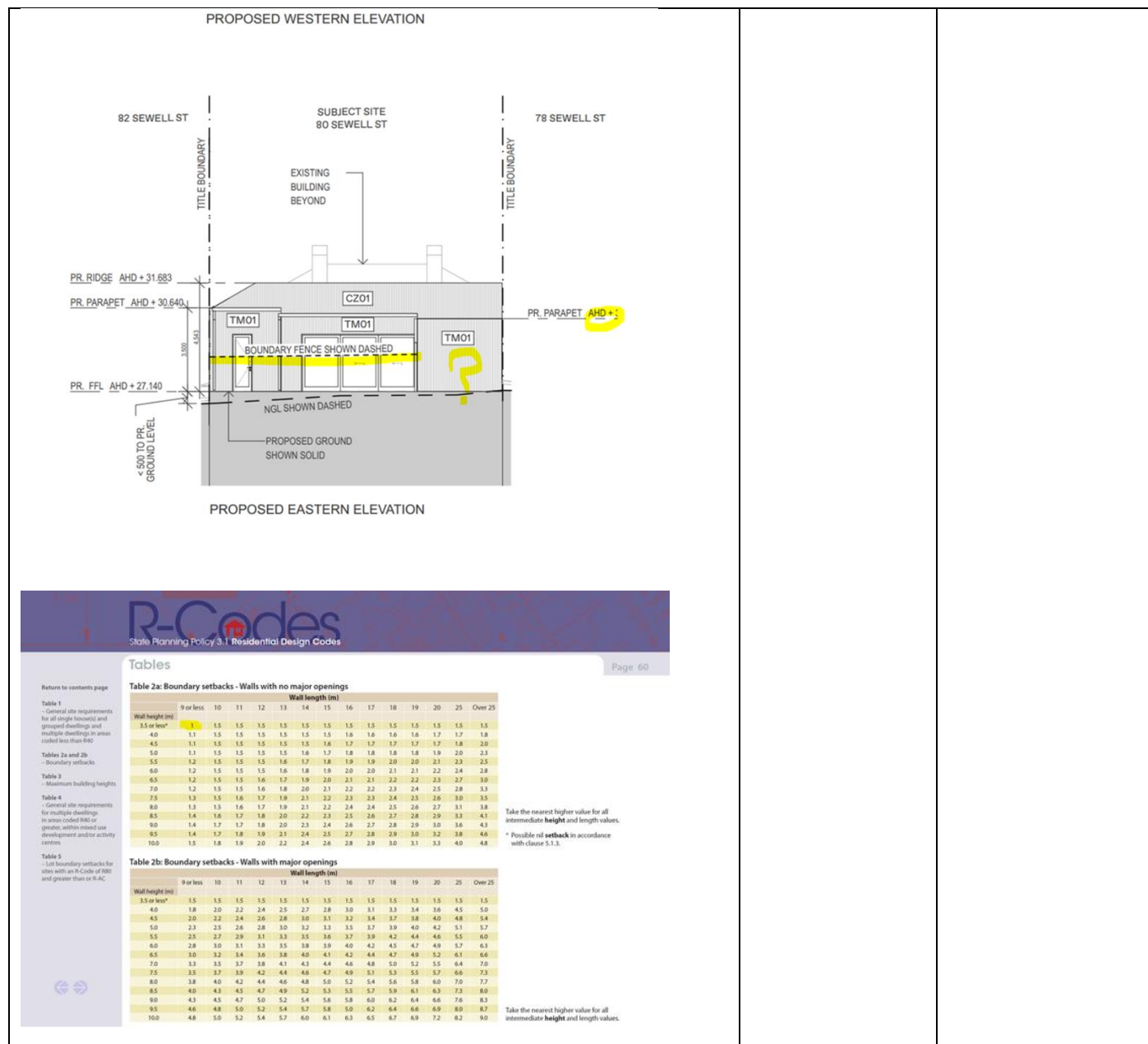
<b>Zoning</b>	Residential R20
<b>Site Area</b>	508m <sup>2</sup>
<b>Heritage</b>	Category C
<b>Fremantle Port Buffer</b>	Area 2
<b>Previous Decision of Town and/or History of Issue Onsite</b>	Nil

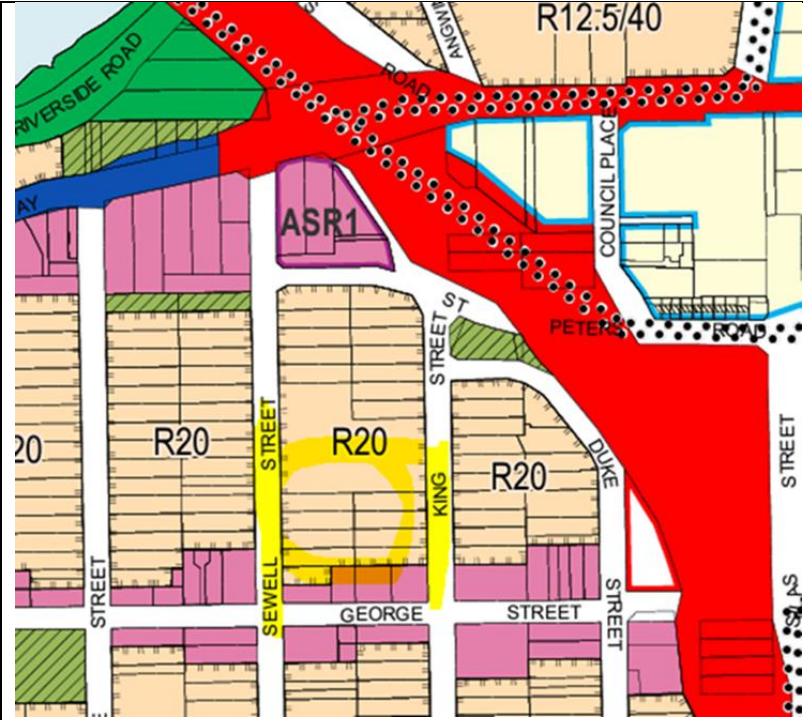
## CONSULTATION

The proposed development was advertised from 17 April to 3 May 2024. Two submissions were received.

Submission	Applicant Response	Town Response
<p><b>Submission 1</b></p> <p>I live at 85 King Street, the property to the rear of 80 Sewell Street, and have the below queries/concerns which I would like addressed:</p> <ul style="list-style-type: none"> <li>Both our property and 80 Sewell St are R20 (Residential Codes), please see the screenshot below. Based on the R-Codes the wall to the proposed ensuite at 80 Sewell Street should be set back by 1 metre (refer to table below, Table 2a_Boundary setback – Walls with no major openings). This doesn't appear to be the case in the drawings provided.</li> <li>Also, the wall (which appears to be built on the boundary and is highlighted in the image below) should be fire-rated, the finish is shown as timber in the drawings.</li> <li>In regard to the fence between the two properties, the plans and elevation don't show the fence height, this is an issue. Please refer to the elevation drawing below.</li> </ul> 	<p>This setback has been dealt with in our original submission as a variation under the R-Codes, based on the design principles and detailed therein. Matters relating to the NCC, such as fire-ratings, will be dealt with in any subsequent submission for a building permit. As per the documentation, the parapet wall is located adjacent to the boundary, and any subsequent discussions relating to boundary fences with neighbours will be dealt with in accordance with the Dividing Fences Act.</p>	<p>It is noted in this report that the property is located in an area with a density code of R20. The screen shot of required setbacks is from a previous version of the R-Codes and not the current version. The proposed wall of the ensuite on the eastern edge of the lot does not meet the deemed to comply requirements of the Residential Design Codes, however, consideration can be given under the design principles of the R-Codes for variations to the deemed to comply requirements and hence the reason for the development application. This item is discussed later in the Comment section of this report.</p> <p>Building matters such as fire ratings are dealt with at the building permit stage of the approvals process. Dividing fences are not a matter for this development application and are dealt with under the Dividing Fences Act.</p>





		
<p><u>Submission 2</u></p> <p>Response to proposed plans for development at 80 Sewell street:</p> <p>Given the over shadowing that the proposed development will have to my property and what effectively will be a 4m wall that will be being built on our boundary fence along close to 50% of the length of the block. I would like to bring up the potential changes that may help slightly.</p> <ul style="list-style-type: none"> <li>• adhere to the by-law setback of 1.7m</li> <li>• consider a lower roof pitch and/or skillion roof design.</li> </ul> <p>Consideration is appreciated.</p>	<p>The proposed additions southern wall on boundary is 3.5m in height and its length has been dealt with in our original submission as a variation under the R-Codes, based on the design principles and detailed therein.</p> <p>At 30 degrees pitch, the proposed roof structure does not add any additional overshadowing above and beyond the parapet wall on boundary.</p>	<p>Noted.</p> <p>The proposed variations are considered in the subsequent comments section in this report.</p>

#### Internal Consultation

Nil

#### External Consultation

Referred to the Water Corporation. The following advice was received.

*Building Approval is required by our Building Services Department prior to construction taking place. We do not require the approval to be completed at the planning stage. To also confirm, the note has been placed on the property account so, the design requirements will be flagged at Building Approval stage. There is nothing further for Water Corporation at this stage.*

A condition has been included in the final recommendation requiring written approval from the Water Corporation with the submission of the building permit application to the Town.

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#### STATUTORY ENVIRONMENT

Planning and Development, Act 2005  
Residential Design Codes (Volume 1)  
Local Planning Scheme No. 3 (LPS 3)

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#### POLICY IMPLICATIONS

Local Planning Policy 3.1.1 – Residential Design Guidelines  
Local Planning Policy 3.1.8 – Wood Encouragement - General

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#### FINANCIAL IMPLICATIONS

Nil

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#### STRATEGIC IMPLICATIONS

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

##### Built Environment

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

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

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

*3.1.2 Plan for a mix of inclusive diversified housing options.*

*3.1.3 Plan for improved streetscapes.*

*3.2 Maintaining and enhancing the Town's character.*

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

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

*3.3.1 Continue to improve asset management within resource capabilities.*

*3.3.2 Plan and advocate for improved access and connectivity.*

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#### RISK IMPLICATIONS

A risk assessment was undertaken and the risk to the Town in determining this application was deemed to be negligible.

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#### SITE INSPECTION

A site inspection was undertaken.



## COMMENT

### Statutory Assessment

This development application was assessed against the Town's Local Planning Scheme No. 3, the Residential Design Codes, and the Residential Design Guidelines.

A summary of the assessment is included in the following tables.

Legend	
A	Acceptable
D	Discretionary
N/A	Not applicable

### Local Planning Scheme No. 3/Residential Design Guidelines/Residential Design Codes

Design Element	Required	Proposed	Status
Street front setback		No change	N/A
Garage setback	1.2m behind building line	>1.2m behind building line	A
Minor incursions		No change	N/A
Lot Boundary Setbacks			
Northern wall – main bed, WIR, ensuite	1.1m	0m	D
Eastern wall - ensuite	1.1m	0m	D
Eastern wall – living, laundry	1.8m	1.871m	A
Southern wall – laundry, pantry, kitchen, dining, powder, garage	1.7m	0m	D
Car Parking	2 car bays	>2 car bays	A
Open Space	50%	55.45%	A
Wall Height	7m	3.5m	A
Roof Height	10m	>10m	A
Site Works		No change	N/A
Visual Privacy			N/A
Overshadowing	25% maximum	29.78%	D
Garage width	30% maximum	22.4%	A
Roof form and pitch	28 to 36 degrees	11.6 degrees 2 degrees	D
Materials and colours			A
Driveway access	15m or less	>15m	D
Landscaping			A
Front fence & gate		No change	N/A
Sightlines		No change	N/A
Footpaths and crossovers		Condition	
Drainage		Condition	
Wood Encouragement Policy		Timber façade on new rear addition	

This development application proposes alterations and additions to a Category C heritage dwelling located at 80 (Lot 298) Sewell Street, East Fremantle. The development includes the demolition of the rear section of the existing dwelling, a detached studio, and the addition of a new separate wing with a garage, kitchen, living room, laundry, bedroom and ensuite. A pool is also proposed, however, this has no planning implications. The front dwelling will have a bedroom, reading room, studio, and bathroom and will be returned closer to the original dwelling format without the later additions at the rear. Six variations are requested to the Residential Design Codes and the Residential Design Guidelines in relation to lot boundary setbacks (3 locations), roof pitch, driveway access and overshadowing. These variations are discussed below.

#### Lot Boundary Setback - Northern Wall – Main Bed, WIR, Ensuite

The northern wall of the of the rear addition adjacent to the main bedroom, walk in robe and the ensuite is 8m long and 4.5m high without major openings. It is located up to the northern boundary but in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the wall should be located 1.1m from the boundary. It

is considered the reduced lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons:

- It makes more effective use of the space for enhanced privacy for the occupants,
- Minimal impacts of building bulk on adjoining properties,
- It provides adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and resultant loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

There is no loss of privacy to the neighbouring property to the north. The development is single storey so it is considered there is minimal impact from building bulk. There is no overshadowing as it is to the south of the neighbouring property. The development maximises use of the land for the benefit of the residents. It represents an improvement in the Category C heritage dwelling with minimal impacts on the existing streetscape and without the owners resorting to demolition of the property. For these reasons it is recommended the reduced lot boundary setback is supported.

#### Lot Boundary Setback - Eastern Wall - Ensuite

The eastern wall of the of the rear addition adjacent to the ensuite is 3.57m long and 4m high without major openings. It is located up to the eastern boundary but in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the wall should be located 1.1m from the boundary. The reduced lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons;

- It makes more effective use of the space for enhanced privacy for the occupants,
- Minimal impacts of building bulk on adjoining properties,
- It provides adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and resultant loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

It is considered there is no loss of privacy to the neighbouring property to the east. The development is single storey so it is considered there is minimal impact from building bulk. There is no overshadowing as it is to the west of the neighbouring property. The development maximises use of the land for the benefit of the residents. It represents an improvement in the Category C heritage dwelling with minimal impacts on the existing streetscape and the dwelling is being retained. For these reasons the reduced lot boundary setback is recommended for support.

#### Lot Boundary Setback - Southern Wall – Laundry, Pantry, Kitchen, Dining, Powder, Garage

The southern wall of the of the rear addition adjacent to the laundry, pantry, kitchen, dining, powder, and garage is 19.9m long and 4m high without major openings. It is located up to the southern boundary but in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 the wall should be located 1.7m from the boundary. It is considered the reduced lot boundary setback can be supported in accordance with design principles 5.1.3 P3.2 for the following reasons:

- It makes more effective use of the space for enhanced privacy for the occupants,
- Minimal impacts of building bulk on adjoining properties,

- It provides adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and resultant loss of privacy on adjoining properties,
- Does not have an adverse impact on the amenity of the adjoining property,
- Ensures direct sunlight to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted, and
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

There is no loss of privacy to the neighbouring property to the south. The development is single storey so it is considered there is minimal impact from building bulk. While there is overshadowing to the southern neighbouring property, it is considered not significantly greater than the maximum amount permissible. It is a relatively narrow, long site and because a single storey development is proposed overshadowing is minimised in relation to a two storey development. The development maximises use of the land for the benefit of the residents. It represents an improvement and retention of the Category C heritage dwelling with minimal impacts on the existing streetscape. For these reasons the reduced lot boundary setback is recommended for support.

#### Roof Pitch

The proposed addition to the existing front dwelling has roof sections with roof pitch that is less than 28 to 36 degrees (11.6 degrees and 2 degrees) which is required by the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1. In accordance with performance criteria clause 3.7.8.3 P4 roof forms that complement the traditional form of the surrounding development in the immediate area can be supported. In this case the reduced roof pitch does not conflict with the existing dwelling or the surrounding dwellings in the immediate area. It is considered relatively benign and is considered to not impact on the streetscape or the existing dwelling. For these reasons, the reduced roof pitch can be supported.

#### Driveway Access and Length

The Residential Design Codes deemed to comply clause 5.3.5 C5.4 requires that the car parking space is no more than 15m from the street if there is no two way access. In this case there are many properties in the Plympton precinct which have lengthy driveways that do not meet contemporary requirements. A garage or similar also cannot be located closer to the front boundary without potentially impacting on the heritage value of the dwelling. Locating the garage to the rear and more than 15m from the road provides for separation of the old and new elements of the building and lessens the impact of vehicle parking on the street.

In accordance with design principles 5.3.5 P5.1 the vehicle access provided has to be safe, have limited impacts on the streetscape, legible, keep pedestrians safe, be the only crossover and there should be accompanying landscaping on site. The proposed driveway to the garage achieves all these elements of the design principles despite being more than 15m from the road and as such can be supported.

#### Overshadowing

The Residential Design Codes deemed to comply clause 5.4.2 C2.1 requires that overshadowing is no more than 25% in areas with a density code of R20. Given that many lots are long and narrow within the Plympton precinct means that any development on a northern property will likely overshadow the southern property. In this case the increase in overshadowing to 29.78% is considered marginal. There is still a section of the outdoor space that is open to the sun and will not be impacted from the overshadowing. In accordance with design principles 5.4.2 P2.1 there is effective solar access for the proposed development and reasonable protection of the solar access for the adjoining property.



## CONCLUSION

The proposed development is considered a relatively simple design with a separate addition being proposed at the rear of the existing Category C heritage dwelling. Although the original heritage cottage could have been demolished the owners have chosen to retain this and restore the dwelling. The proposed new structure at the rear is single storey and as it is built up to the boundary on three sides it does not present any visual privacy issues. Based on the preceding assessment the proposed development is recommended for support by Council subject to the conditions included in the final recommendation.

## OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

### OFFICER RECOMMENDATION

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Northern Wall – Main Bed, WIR, Ensuite – 1.1m required, 0m provided,
  - (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Eastern Wall - Ensuite – 1.1m required, 0m provided,
  - (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback - Southern Wall – Laundry, Pantry, Kitchen, Dining, Powder, Garage – 1.7m required, 0m provided,
  - (iv) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 11.6 degrees and 2 degrees provided,
  - (v) Clause 5.3.5 – Residential Design Guidelines – Driveway Access – driveway 15m or less from road required, driveway more than 15m from road provided; and
  - (vi) Clause 5.4.2 – Residential Design Codes – Overshadowing – 25% required, 29.78% provided,
- for alterations and additions to a single dwelling at No. 80 (Lot 298) Sewell Street, East Fremantle, in accordance with the plans submitted 12 April 2024, subject to the following conditions:
- (1) Written approval from the Water Corporation for the proposed development is to be provided with the building permit application.
  - (2) The finish of the parapet walls irrespective of materials near the northern, southern, and western lot boundaries is to be a uniform colour and fair finish to the satisfaction of the Town.
  - (3) Existing trees located within the verge are a Town asset and as such must be retained and not pruned, shaped, or modified except where otherwise approved for removal or modification by the Town.
  - (4) During construction the verge trees are to be protected with cages around the trunks to ensure that they are not damaged by surrounding works, vehicles, or materials.
  - (5) An application is to be submitted to the Operations Department of the Town for the removal of any verge trees. Verge trees are not to be removed without written approval from the Town.
  - (6) The footpath is to always remain accessible to pedestrians.
  - (7) Prior to the submission of a building permit application, a Construction Management Plan shall be prepared to the satisfaction of the Town. This plan is to address the following matters during the construction/development period:
    - (a) Noise, vibration, air, and dust management;
    - (b) Contact details of essential site personnel, construction periods and construction operating hours;
    - (c) Traffic management, including footpath closures and proposed signage;
    - (d) Parking management for all trades, contractors, and visitors to site;
    - (e) Public safety and amenity (traffic control and pedestrian management);
    - (f) Site access/egress management;
    - (g) Scaffolding management plan;
    - (h) Management plan for the loading and unloading of vehicles;
    - (i) Heavy construction machinery and deliveries;

- (j) Bulk earthwork operations;
  - (k) Stormwater and sand/sediment control;
  - (l) Street tree management and protection;
  - (m) Protection of footpath;
  - (n) Details of all concrete pours and requirements relating to piling methods or associated works;
  - (o) Temporary fencing;
  - (p) Temporary toilets;
  - (q) Dilapidation of Town infrastructure and nearby properties;
  - (r) Hoardings and gantries; and
  - (s) Any other relevant matters.
- The requirements of this plan are to be observed at all times during the construction process.
- (8) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with the Town's further approval.
  - (9) The proposed works are not to be commenced until the Town has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by the Town.
  - (10) With regards to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for the Town's attention.
  - (11) 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 Town prior to the issue of a Building Permit.
  - (12) If requested by the Town 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.
  - (13) 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.
  - (14) 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 the Town and if approved, the total cost to be borne by the applicant. The Town 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.
  - (15) This development approval is to remain valid for a period of 24 months from the date of this approval.

**Footnote:**

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

- (a) ***This decision does not include acknowledgement or approval of any unauthorised development which may be on site.***
- (b) ***A copy of the approved plans as stamped by the Town are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by the Town.***
- (c) ***It is recommended that the applicant provides a structural engineer's dilapidation report, at the applicant/owner 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 the Town and one copy should be given to the owner of any affected property.***

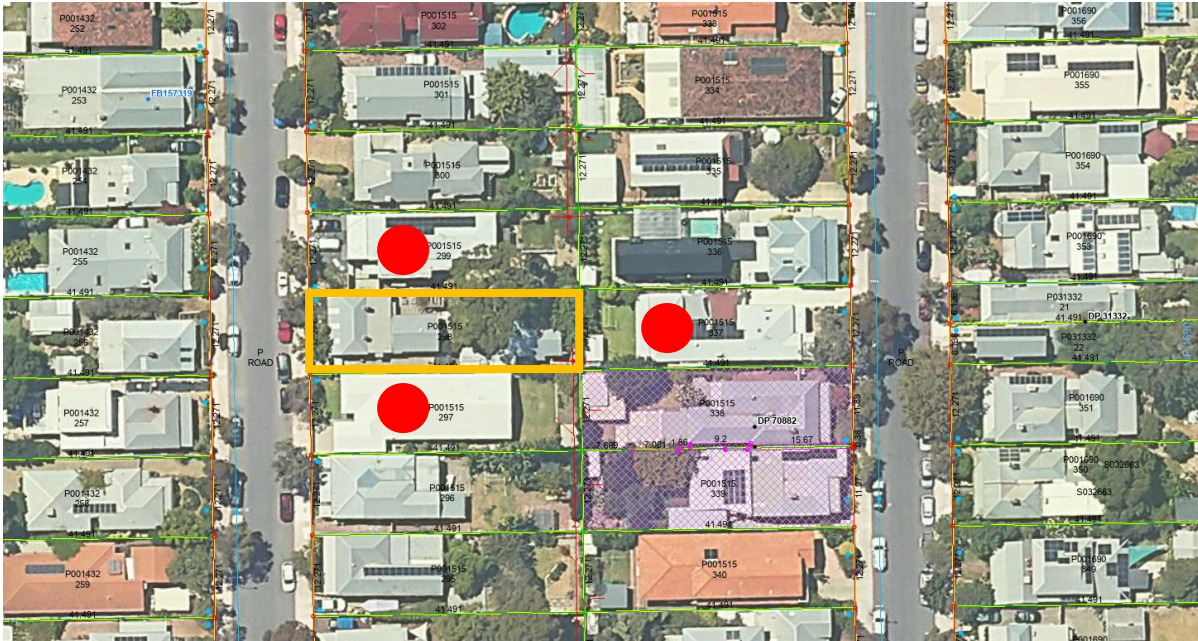
- (d) All noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).**
- (e) Matters relating to dividing fences are subject to the Dividing Fences Act 1961.**
- (f) Trees on verges are the property of the Town. They are not to be damaged, pruned or removed. Any actions which harm verge trees will result in the Town acting against the owners/builders/contractors responsible. If there are concerns regarding trees owners/builders/contractors are asked to contact the Town to seek further advice.**
- (g) Any damage to other Town assets, including but not limited to, the kerb, drainage, footpaths, roads, and signage will have to be repaired by the applicant/owners/contractors at their cost.**

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#### REPORT ATTACHMENTS

Attachments start on the next page





**80 Sewell Street – Photos**







80 SEWELL STREET, EAST FREMANTLE WA

DEVELOPMENT APPLICATION

DRAWING No.	DESCRIPTION	REV
DA000	COVER SHEET	
DA001	SITE & DEMOLITION PLAN	
DA100	PROPOSED GROUND FLOOR PLAN	
DA101	PROPOSED ROOF & SITE PLAN	
DA400	ELEVATIONS	
DA600	SHADOW DIAGRAM	



NIC BRUNSDON

80 SEWELL STREET  
East Fremantle WA

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- VERIFY ALL DIMENSIONS ON SITE AND NOTIFY THIS OFFICE IMMEDIATELY OF ANY DISCREPANCIES.
- SHOP DRAWINGS MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL PRIOR TO MANUFACTURE
- CONTRACTOR TO ENSURE THAT DRAWING IS CURRENT ISSUE BEFORE COMMENCEMENT OF WORK

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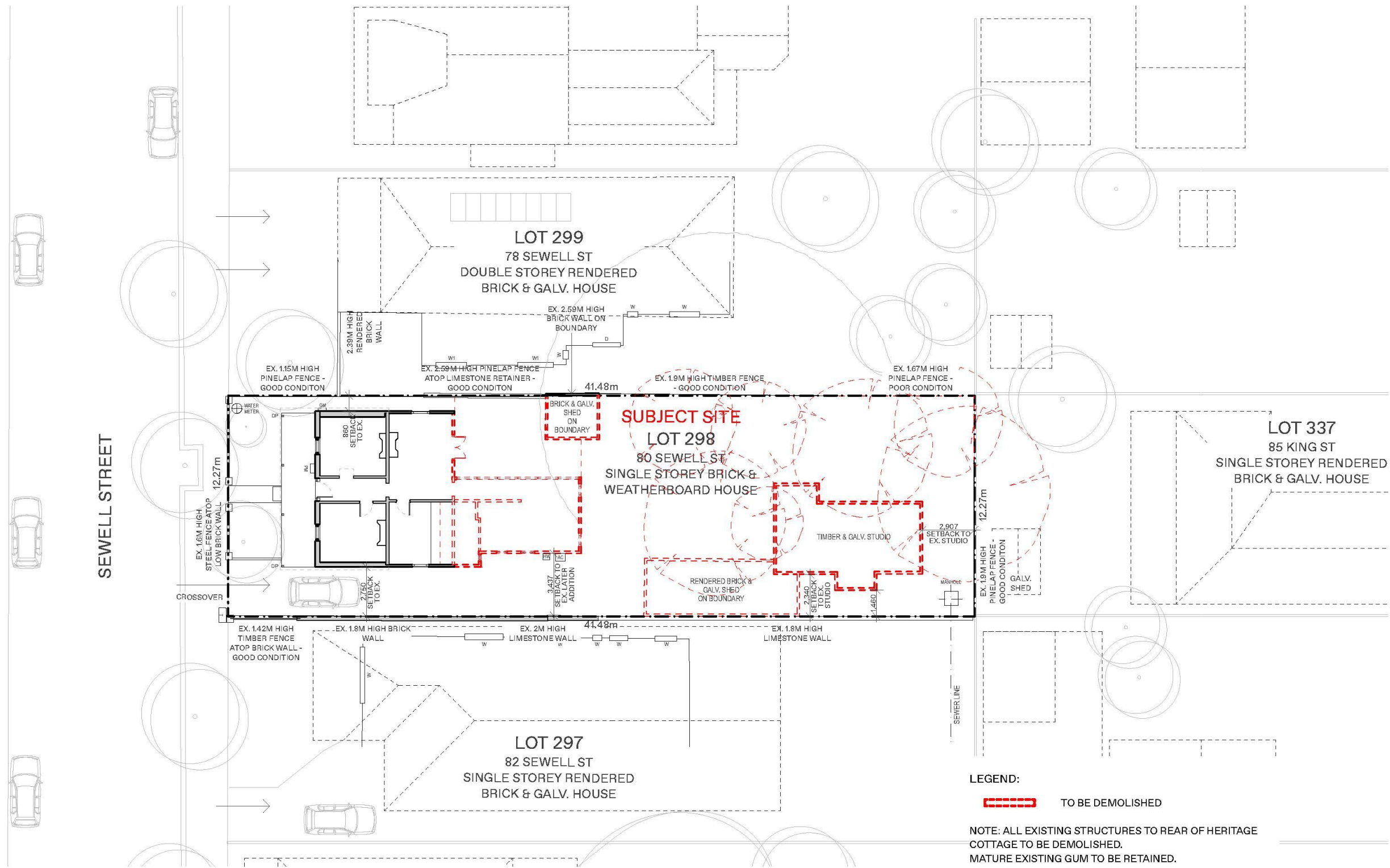
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COVER SHEET

DRAWING ISSUE  
DEVELOPMENT APPLICATION

PROJECT # 223

DRAWING #  
DA000

SCALE 1:1  
PAGE A3  
DRAWN MM  
DATE 08.04.24



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East Fremantle WA

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DRAWING TITLE  
SITE & DEMOLITION PLAN

DRAWING ISSUE  
DEVELOPMENT APPLICATION

PROJECT # 223

DRAWING #  
DA001

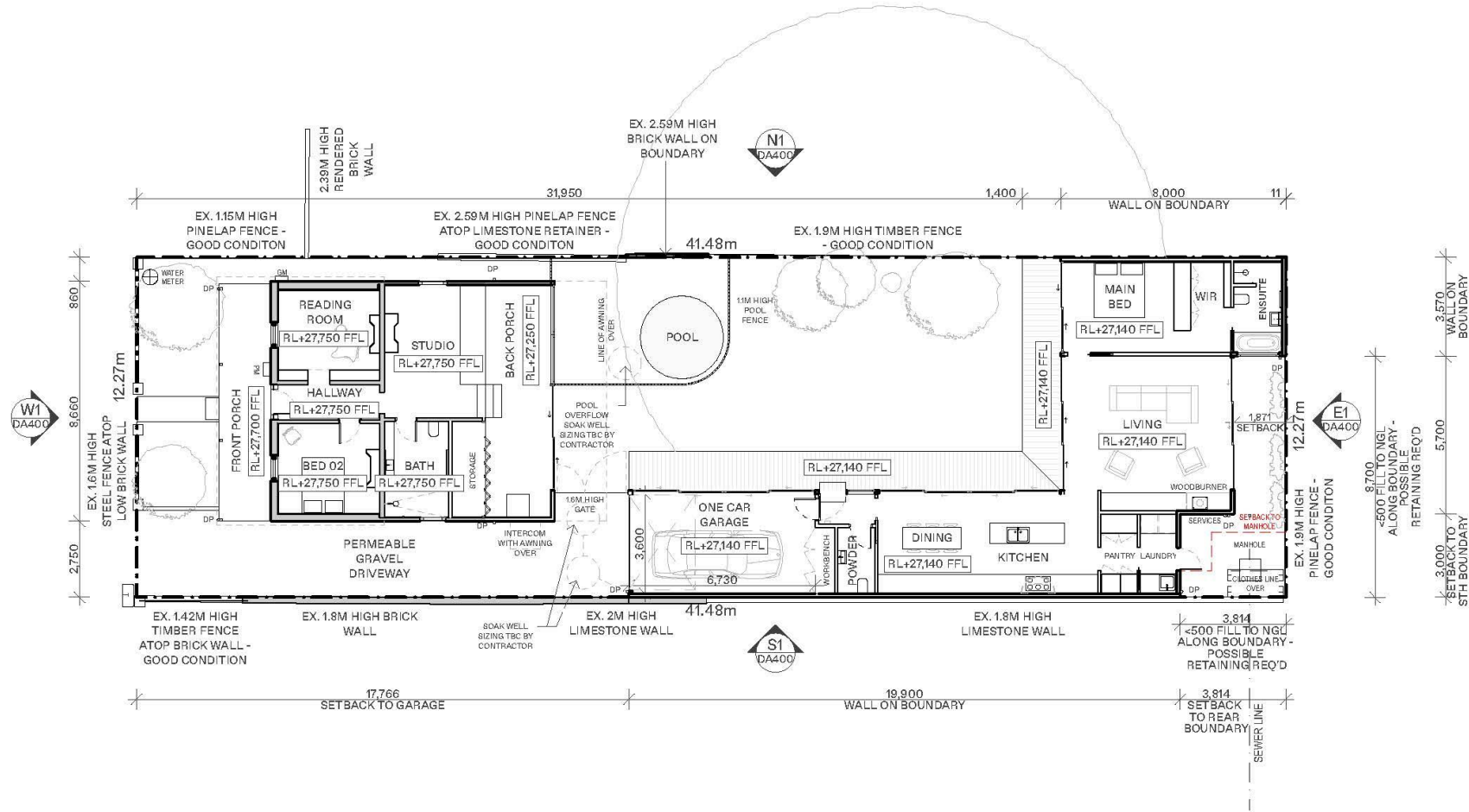
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A3  
MM  
08.04.24





TOTAL BUILDING AREAS:

	AREA	% OF SITE
EXISTING COTTAGE	67.03m <sup>2</sup>	
PR. ADDITION	21.65m <sup>2</sup>	
PR. NEW BUILD	137.62m <sup>2</sup>	
<b>TOTAL</b>	<b>226.30m<sup>2</sup></b>	<b>44.55%</b>
<b>TOTAL OPEN SPACE</b>	<b>281.70m<sup>2</sup></b>	<b>55.45%</b>



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DRAWING TITLE  
**PROPOSED GROUND FLOOR PLAN**

DRAWING #  
**DA100**

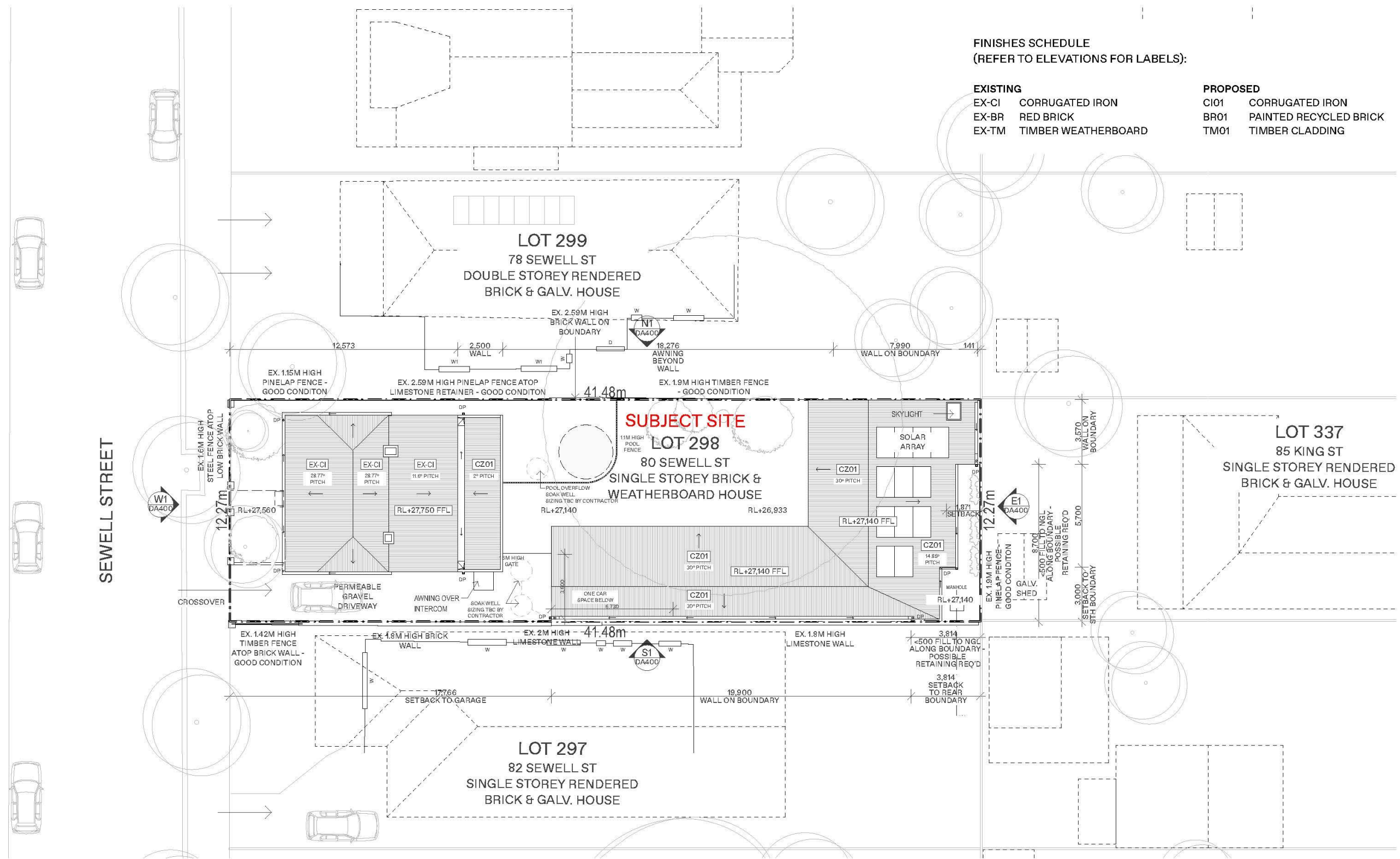
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**DEVELOPMENT APPLICATION**

PROJECT # 223

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MM  
08.04.24





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East Fremantle WA

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DRAWING TITLE  
**PROPOSED ROOF & SITE PLAN**

DRAWING #  
**DA101**

DRAWING ISSUE  
**DEVELOPMENT APPLICATION**

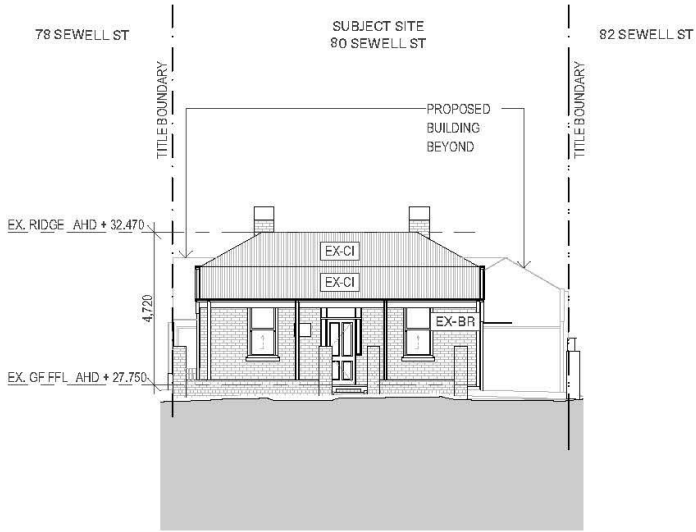
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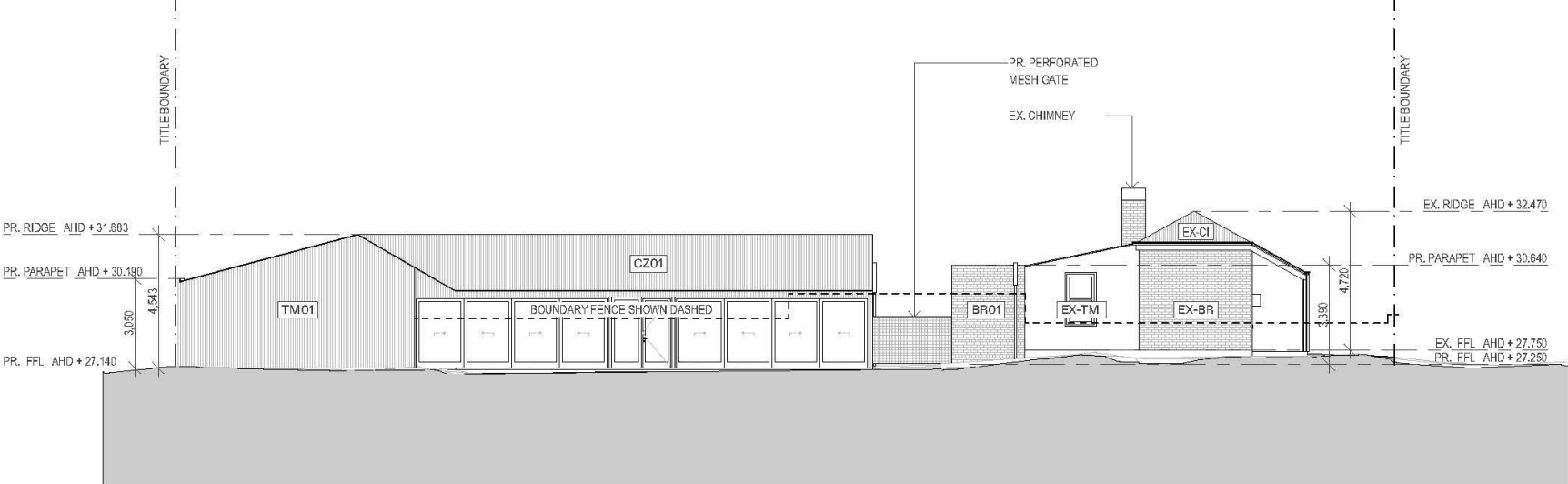
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08.04.24

FINISHES SCHEDULE:

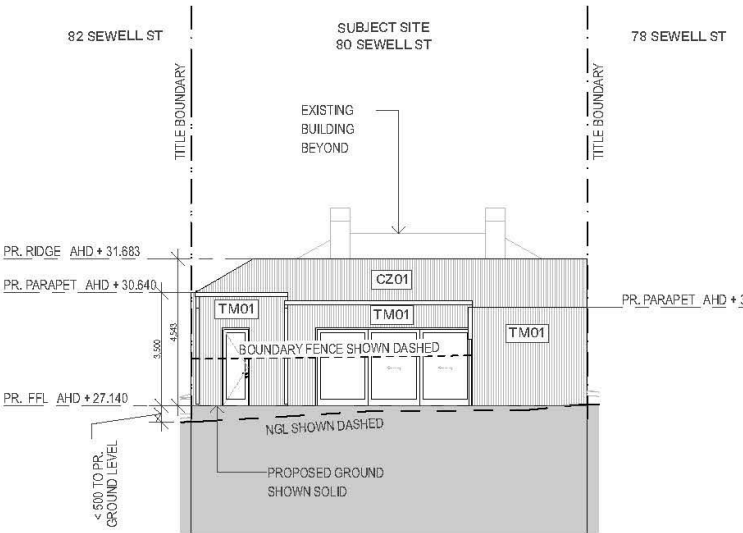
EXISTING		PROPOSED	
EX-CI	CORRUGATED IRON	CI01	CORRUGATED IRON
EX-BR	RED BRICK	BR01	PAINTED RECYCLED BRICK
EX-TM	TIMBER WEATHERBOARD	TM01	TIMBER CLADDING



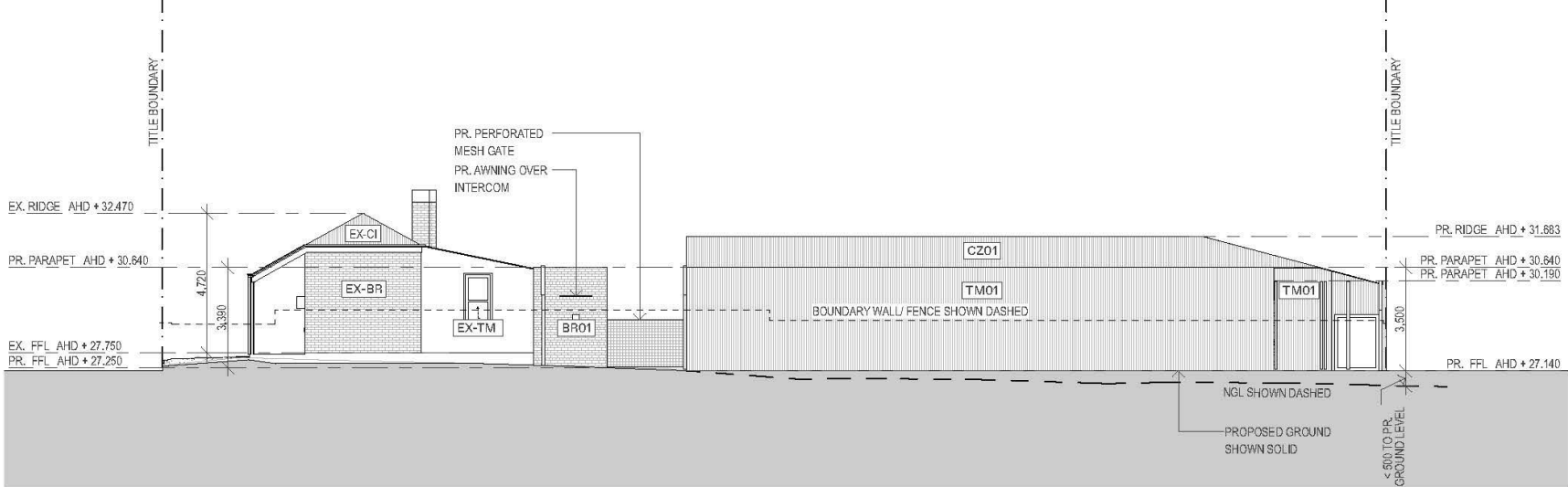
PROPOSED WESTERN ELEVATION



PROPOSED NORTHERN ELEVATION



PROPOSED EASTERN ELEVATION



PROPOSED SOUTHERN ELEVATION

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80 SEWELL STREET  
East Fremantle WA

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DRAWING TITLE  
ELEVATIONS

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DEVELOPMENT APPLICATION  
PROJECT # 223

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08.04.24

**NIC**                      **BRUNSDON**

80 SEWELL STREET  
East Fremantle WA

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**SHADOW DIAGRAM**

DRAWING ISSUE  
DEVELOPMENT APPLICATION

PROJECT # 223

DRAWING #      REV  
**DA600**

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DRAWN MM  
DATE 08.04.24





**PLACE RECORD FORM**

PRECINCT	Plympton
ADDRESS	80 Sewell Street
PROPERTY NAME	N/A
LOT NO	Lot 298
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1900
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	<p>No 80 Sewell Street is a single storey cottage constructed in brickwork with a hipped corrugated iron roof cottage. It is a simple expression of the Federation Bungalow style. The front elevation is symmetrically planned with a central door flanked by double hung sash windows. The facade features a full width broken back roofed verandah supported on timber posts.</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	Plympton is a cohesive precinct, where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick, and stone cottages.
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Residential Subdivision
CONSTRUCTION MATERIALS	Walls – Brick Roof - Corrugated roof sheeting
PHYSICAL SETTING	The residence is located on a sloping site with a brick and steel palisade fence on the lot boundary.
STATEMENT OF SIGNIFICANCE	<p>No 80 Sewell Street is a single storey house constructed in brickwork with a corrugated iron roofed. 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 Federation Bungalow and it retains a moderate degree of authenticity and a high degree of integrity.</p> <p>The additions to the rear have no significance.</p>
AESTHETIC SIGNIFICANCE	No 80 Sewell Street has some aesthetic value as a Federation Bungalow. It retains all the characteristics of the period with some loss of detail.
HISTORIC SIGNIFICANCE	No 80 Sewell Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle during the Goldrush period of the 1880s and 1890s.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 80 Sewell Street has some social value. It is associated with a significant area of worker's cottages which contributes to the community's sense of place.
RARITY	No 80 Sewell Street is not rare in the immediate context, but Plympton has rarity value as a working class suburb.
CONDITION	No 80 Sewell Street is in good condition.
INTEGRITY	No 80 Sewell Street retains a high degree of integrity.
AUTHENTICITY	No 80 Sewell Street retains a moderate degree of authenticity.
MAIN SOURCES	

13 MATTERS BEHIND CLOSED DOORS

Nil

14 CLOSURE OF MEETING.

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