



AGENDA

Town Planning Committee

Tuesday 3 November 2020 at 6.30pm

Disclaimer

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

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

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

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

Copyright

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.

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

Procedures for Deputations

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

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

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

A Deputation invited to attend a Council meeting:

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

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

Procedure for Presentations

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

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

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

Procedure for Public Question Time

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

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

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

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

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

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

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

CONTENTS

1.	DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Leave of Absence	1
4.	MEMORANDUM OF OUTSTANDING BUSINESS	1
5.	DISCLOSURES OF INTEREST	1
5.1	Financial	1
5.2	Proximity	1
5.3	Impartiality	1
6.	PUBLIC QUESTION TIME	1
6.1	Responses to previous questions from members of the public taken on notice	1
6.2	Public Question Time	1
7.	PRESENTATIONS/DEPUTATIONS	1
7.1	Presentations	1
7.2	Deputations	1
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8.1	Town Planning Committee (6 October 2020)	2
9.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
10.	REPORTS OF COMMITTEES	3
10.1	Community Design Advisory Committee	4
11.	REPORTS OF OFFICERS (COMMITTEE DELEGATION)	4
11.1	Petra Street Lot 15722 Proposed boat storage and upper deck	11
11.2	Fraser Street No 67 (Lot 1) Proposed first floor addition	18
11.3	Canning Highway No 83 (Lot 123) Proposed massage therapy service	24
11.4	Alexandra Road No 31 (Lot 44) Proposed new residence	32
11.5	Wolsely Road No 31 (Lot 20) Proposed alterations and additions	38
11.6	Clayton Street No 13 (Lot 101) Proposed alterations and additions	
11.7	George Street No 137 (as indicated on Synergy - street address No 137) (Lot 802) Proposed change of use (retrospective)	44
12.	MATTERS BEHIND CLOSED DOORS	50
13.	CLOSURE OF MEETING	50

NOTICE OF MEETING

Elected Members

An Ordinary Meeting of the Town Planning Committee will be held on Tuesday, 3 November 2020 at East Fremantle Town Hall, 135 Canning Highway, East Fremantle commencing at 6.30 pm and your attendance is requested.

GARY TUFFIN
Chief Executive Officer

28 October 2020

AGENDA

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORD OF ATTENDANCE

3.1 Attendance

3.2 Apologies

3.3 Leave of Absence

4. MEMORANDUM OF OUTSTANDING BUSINESS

5. DISCLOSURES OF INTEREST

5.1 Financial

5.2 Proximity

5.3 Impartiality

6. PUBLIC QUESTION TIME

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

6.2 Public Question Time

7. PRESENTATIONS/DEPUTATIONS

7.1 Presentations

7.2 Deputations

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Town Planning Committee (6 October 2020)

8.1 OFFICER RECOMMENDATION

That the minutes of the Town Planning Committee meeting held on Tuesday 6 October 2020 be confirmed as a true and correct record of proceedings.

9. REPORTS OF COMMITTEES

10.1 Community Design Advisory Committee

Prepared by: Andrew Malone, Executive Manager Regulatory Services

Supervised by: Gary Tuffin, Chief Executive Officer

Authority/Discretion: Town Planning Committee

Attachments: 1. Minutes of the Community Design Advisory Committee meeting held on 5 October 2020

PURPOSE

To submit the minutes of the Community Design Advisory Committee meeting held on the 5 October 2020 for receipt by the Town Planning Committee.

EXECUTIVE SUMMARY

The Committee, at its meeting held on 5 October 2020, provided comment on planning applications listed for consideration at the November 2020 Town Planning Committee meeting and other applications to be considered in the future. Comments relating to applications have been replicated and addressed in the individual reports.

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

10.1 OFFICER RECOMMENDATION

That the Minutes of the Community Design Advisory Committee meeting held on 5 October 2020 be received.

COMMUNITY DESIGN ADVISORY COMMITTEE

The following is an extract from the Policy for the Community Design Advisory Committee adopted by Council on 21 June 2016:

“Terms of Reference

1. *To provide the Town of East Fremantle with independent expert advice and expertise on urban design, architecture, landscape design, sustainability and heritage in relation to proposals referred to the Committee for consideration.*
2. *To act in an advisory capacity on specified proposals with respect to matters including, but not limited to:*
 - (a) *The overall built form merits;*
 - (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development;*
 - (c) *The relationship with and impact on the broader public realm and streetscape;*
 - (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
 - (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
 - (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places.*
 - (g) *To examine the plans of all development proposals referred to them, and provide professional and technical advice to the Town's Planning Services in relation to matters identified in the Residential Design Guidelines, Burra Charter and R-Codes etc., relating to urban design, architecture, landscape design, sustainability or heritage.”*

Minutes of a Community Design Advisory Committee Meeting, held at East Fremantle Town Hall, on Monday 5 October 2020 commencing at 6:00pm.

1. OPENING OF MEETING

Cr Tony Watkins welcomed the Committee members to the first CDAC meeting since February 2020.

Cr Tony Watkins made the following acknowledgement:

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

2. PRESENT

Cr Tony Watkins	Elected member
Mr David Tucker	
Mr Clinton Matthews	
Ms Alex Wilson	
Dr Jonathan Dalitz	
Mr Donald Whittington	
Mr Don Whittington	
Mr Michael Norris	
Mr Andrew Malone	Executive Manager Regulatory Services
Mr James Bannerman	Planning Officer

3. APOLOGIES

Cr Cliff Collinson	Elected member
David Bennett	

4. LEAVE OF ABSENCE

Nil

5. DECLARATIONS OF INTEREST

6. CONFIRMATION OF MINUTES

Moved Donald Whittington, seconded David Tucker

Minutes of the Community Design Advisory Committee meeting held on 3 February 2020 were confirmed.

CARRIED UNANIMOUSLY

7. PRESENTATION

Nil.

8. BUSINESS

- 8.1 Alexandra Road No 31 (Lot 44)**
(Application P088/20 31 August 2020)
New Residence

- (a) *The overall built form merits;*
- The Committee commented that the dwelling does not fit with the typology of the area's aesthetics, including the façade of the dwelling. Concerns were raised regarding the prominence of the double storey design of the dwelling to the front façade and streetscape, increasing the visual impact to the surrounding character of the street.
 - The Committee noted the dwelling has limited architectural design.
 - The Committee requested a Streetscape Analysis be provided.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*
- The Committee noted the dwelling has limited architectural design.
 - The Committee commented stepping/ setting back the upper floor would create a better streetscape and design/ façade outcome.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee note that the proposal detracts from the broader public realm and streetscape.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No further comment at this time. Please see above.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- The Committee note the dwelling has poor passive solar design, poor cross ventilation and poor environmental sustainability.
- (f) *The demonstration of other qualities of best practice urban design including "Crime Prevention" Through Environmental Design performance, protection of important view corridors and lively civic places;*
- The Committee note that whilst the dwelling complies with the "Crime Prevention" Through Environmental Design performance, the four rooms with view to the street are not habitable areas that are utilised constantly during the day.

8.2**Fraser Street No 67****(Application No. P090/20 –1 September 2020)**

First floor addition

- (a) *The overall built form merits;*
- The Committee commented that the first-floor addition has limited design merit based on the addition being added to an existing poorly designed building.
 - The Committee note the design would result in a poor outcome for the Fraser Street streetscape, including its integrity, built form and streetscape.
- (b) *The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.*

- The committee commented that the design should be considered to be better integrated with and contribute to the existing building and surrounding locality.
 - The Committee noted the addition should improve the existing and not further detract the built form of the area.
 - The Committee noted more of a reference should be made to the East Fremantle area regarding materiality and form.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee commented that the proposal should enhance the area, adding the proposal should be an iconic corner design for the streetscape.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- No further comment at this time. Please see above.
- (e) *The extent to which the proposal is designed to be resource efficient, climatically appropriate, responsive to climate change and a contribution to environmental sustainability;*
- The Committee noted the proposal has no environmental sustainability and limited solar and climatic responses.
- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places;*
- No further comment at this time.

8.3***Wolseley Street No 31*****(Application No. P099/20 – 16 September 2020)**

Alterations and additions

(a) The overall built form merits;

- The Committee supports the proposal.
- The Committee note the proposed additions and alterations are small and modest, with an appropriate design and suitable setbacks for the dwelling.
- The retention of the existing dwelling is also supported, it is considered good adaptive use of the dwelling.
- The Committee note the roof material integrates the old with the newer material.

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

- The committee commented that enhancing the front of the property/ building is in keeping with the existing simplistic style of the dwelling.

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

- The Committee note there is a nice rhythm to the proposal.
- The Committee request a colour palette be provided to ensure a suitable colour scheme is be utilised.

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

- No further comment at this time.

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

- No further comment at this time.

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

- No further comment at this time.

9. OTHER

9.1 Renewal of Terms of Reference

The Committee was requested to review the existing Terms of Reference and to ensure the matters being considered are relevant and can be suitably utilised by the Town Planning Committee to assist in the decision-making process. Committee Members to provide feedback to administration at the next CDAC meeting.

9.2 Update on development applications in the Town of East Fremantle

A Malone provided Committee Members with an update on the current and proposed development applications being considered by Council.

9.3 Information of Planning Legislation changes

A Malone provided Committee Members with an update on the proposed planning legislative and R-Codes changes currently being considered by the Department Planning, Lands and Heritage and the Minister.

9.4 Meeting Dates

It was agreed by Committee Members to retain the committee meeting times to a Monday at 6.00pm. It was further agreed that the meeting should be held on the first Monday of each month, where appropriate applications can be present to the CDAC.

10. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING

Nil

11. DATE & TIME OF NEXT MEETING

2 November 2020 at 6.00pm.

The meeting closed at 8.30pm.

11. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

11.1 Petra Street Lot 15722 Proposed boat storage and upper deck

Owner	Town of East Fremantle
Applicant	East Fremantle Yacht Club
File ref	R/RSC8
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 November 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Plans date stamped 8 March 20204. Community consultation

Purpose

This report considers an application for proposed boat storage and upper deck to East Fremantle Yacht Club (EFYC) located at Reserve R7800 Lot 15722 Petra Street, East Fremantle. Under the Swan and Canning Rivers Management Act, the Department of Biodiversity, Conservation and Attractions (DBCA) is the determining authority for proposed developments in areas abutting the Swan River. However, since the subject site is on land reserved for 'Parks and Recreation' and the facility operates under a lease issued by the Town of East Fremantle to the yacht club, it is necessary for Council to consider its position in respect to the application and provide a response to the referral made by DBCA.

Executive Summary

The proposed development on this site includes a new enclosed boat storage area and an unenclosed sundeck above that is located on the eastern end of the existing club building. A staircase will be located on the eastern side of the deck and 2 roller doors will be positioned over the openings on the northern and eastern side of the boat storage area. There is also an opening where bar service can be provided onto the deck, as well as concertina doors that allow the existing hall area to open onto the deck.

The matters considered as part of the assessment of the proposed development at the yacht club building include;

- Location of the proposed development,
- Scale and bulk of development,
- Design,
- Parking,
- Use and maximum occupancy capacity,
- Amenity impacts on surrounding residents including noise and parking,
- Use of the deck and associated bar area,
- Future public access between Petra Street and the foreshore adjacent to the proposed development, and
- Project funding.

It is recommended that the proposed development be supported subject to conditions provided to DBCA.

Background

Zoning: Parks and Recreation
Site area: 8027m²

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

P068/14 - solar panels – building license only required – approved 24 April 2014
P101/08 – clubhouse alterations – development application – approved 15 July 2008

Consultation

Advertising

The proposal was advertised to surrounding landowners from 4 September to 23 September 2020. Letters were hand delivered to East Fremantle Lawn Tennis Club and 8 properties located near the proposed structure located in the City of Melville. No submissions were received.

The Town also had detailed discussions with the EFYC regarding the proposal and the long-term planning associated with the site. Based on these discussions minor modifications to the proposal were submitted to the Town.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as the Town is ultimately only a referral body and due to time constraints required by the DBCA.

External Consultation

Department of Biodiversity, Conservation and Attractions

Statutory Environment

Planning and Development Act 2005
Town of East Fremantle Local Planning Scheme No. 3 (LPS No. 3)

Policy Implications

Nil

Financial Implications

The EFYC had initially indicated the possibility of a request for a financial contribution regarding this project for circa \$100000. However further discussions with EFYC has resulted in the club indicating this project will be self-funded. No Council resolution has been determined on any funding with regards the club.

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 Plan for a mix of inclusive diversified housing options.*
- 3.2 Maintaining and enhancing the Town's character.*

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

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

3.3.1 *Continue to improve asset management practices.*

3.3.2 *Optimal management of assets within resource capabilities.*

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

Natural Environment

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

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

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

4.1.2 *Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

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

4.3.1

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

Risk Implications

A risk assessment was undertaken and the risk to the Town was deemed to be low. Whilst the building is a Town asset the EFYC has a long-term lease on the property.

Site Inspection

A site inspection was undertaken by the Officer and the Executive Manager of Regulatory Services.

Comment

Statutory Assessment

This report considers an application for proposed boat storage and upper deck to EFYC located at Reserve R7800 Lot 15722 Petra Street, East Fremantle. Under the Swan and Canning Rivers Management Act, the Department of Biodiversity, Conservation and Attractions (DBCA) is the determining authority for proposed developments in areas abutting the Swan River. However, since the subject site is on land reserved for 'Parks and Recreation' and the facility operates under a lease issued by the Town of East Fremantle to the yacht club, it is necessary for Council to consider its position in respect to the application and provide a response to the referral made by DBCA. The proposal was advertised to nearby residential properties (all located within the City of Melville as well as the East Fremantle Lawn Tennis Club). No submissions were received.

The proposed development on the subject site includes a new enclosed boat storage area and an unenclosed sundeck above. The structure is located on the eastern end of the existing club building. A staircase will be located on the eastern side of the deck and 2 roller doors will be positioned over the openings on the northern and eastern side of the boat storage area.

Sporting clubs such as the EFYC are important elements of the community and the Town does not want to prevent the club from growing and increasing membership or links to the community. However, the below matters need to be discussed as part of the Town's response to the development, which is required to be submitted to DBCA by Friday 6 November 2020.

Location of Proposed Development

The proposed structure is located in one of the few places available on site able to facilitate an addition to the existing building. The location has minimal impact to vehicular access, pedestrian movements and is positioned adjoining the existing facilities. Current parking on site is limited and at a premium. There are few other options for the development to be located elsewhere because if the club is extended at the western end of the existing club building it will hinder travel into and out of the club parking areas.

Scale and Bulk of Development

The structure is smaller than if it had full height walls and roof like the existing building to the west of the proposed development. It will provide boat storage within brick walls and a sundeck area above that is surrounded by balustrading. It is 3.428m high from ground level, 8.4m wide and 15.8m deep. However, in having an unenclosed sundeck there is increased risk of noise being produced which may become an issue for neighbouring residential properties. The scale and bulk of the structure, whilst less than the existing building does add additional structures to the foreshore and does add to the overall bulk of the existing building and as experienced along the foreshore walk and from the river. Whilst there was little articulation, planting, balustrading and umbrellas has been added to the proposal, which does minimise the visual dominance of the proposed structure and the structure has improved architectural interest through the introduction of windows, bifold windows, the use of colour and the additional planting.

Design

Architecturally, the first plans submitted to Council could be seen as a basic utilitarian structure. As discussed above, the structure lacks any significant articulation or architectural interest that minimises the additional bulk along the foreshore area. However, modifications to the plans of the planting, balustrading, umbrellas, colour scheme and window/ doors have minimised visual bulk from the proposal.

Whilst there are examples of such structures along the foreshore, like the Swan Yacht Club balcony/terrace, this terrace is setback from the foreshore area, has an active area under the terrace and is articulated. In this instance, the under-croft structure is solid and acts as a storage area, the upper sundeck is not articulated and is positioned over the storage area. To soften the design, it has been agreed that vegetation will be added to the eastern edge of the storage area, the wall will be rendered in a cream mortar finish and the edge of the top storey of the clubhouse will be painted blue to tie in with the existing building, therefore integrating the proposal with the existing building and limiting the impact of the additional built form. Clear glass balustrading on the edge of the sundeck is also supported.

Parking

No additional parking is proposed as part of this development. The proposed sun deck will be an extension of the existing bar service area and utilised for private events. If increased activities and events are proposed within the club as a result of this development, then increased parking pressures will be experienced by the Club and the surrounding street parking located on Petra Street and within the parking bays that are linked to East Fremantle Lawn Tennis Club and East Fremantle Cricket Club. Parking is already problematic in the area, to the extent that the Town has engaged the services of Cardno to undertake a parking and movement assessment for the Town, with reference to this area. The Town has also previously proposed additional parking at the Tennis Club, however this proposal was rejected by the Tennis Club. These parking pressures may potentially create problems for the Town into the future, as a result of resident complaints. The Town urges the Club to continue to investigate future parking options for those using the facility.

Parking can be a significant expense for community groups when considering redevelopment of existing buildings and parking is considered the least important issue to deal with and the least valuable element of

any design proposal. It is considered prudent that future expansion of the footprint of the club's facilities should require additional parking to be provided subject to discussions with the Town and other nearby clubs.

Use

It is recognised that Clubs are facing difficulties given that operations were seriously hampered by the Covid 19 emergency and the inability of clubs to operate or operate under increased restrictions. This has obviously had an impact on club finances and activities. By increasing facilities at the club there is the potential to increase the viability of the Club by increasing the number of people that can attend the Club.

It is intended that the sundeck would be used by members, club patrons, for functions where members and their guests can enjoy an outdoor area overlooking the river. As it is elevated it separates those drinking, with the public that walk past the area. The storage area would be used for a variety of boats that members store at the club.

Amenity Impacts on Surrounding Residents

It is noted on the plans that an additional bar is to be in the room adjacent to the deck. Members and their guests may use the deck area which will produce noise. This in turn may create issues which will have to be dealt with by the Town. Given that the deck area is not enclosed it will limit the ability of the club to contain noise produced on site. It must be noted that there are residential dwellings within 25m from the existing clubhouse and that the addition of the boat storage area and sundeck will place the building within approximately 17m of residential dwellings and other club facilities. It is noted that none of these residential dwellings lie within the Town of East Fremantle, but rather are located within the City of Melville.

Unlike such premises as the Swan Yacht Club, which is not located near residential properties, the East Fremantle Yacht Club is located adjoining residential properties. As noted above, there will be parking issues, which may impact on residential properties, noise and potential for unacceptable anti-social behaviour. It is noted that 10 properties were advertised to as part of the assessment process and no responses were received.

Signage

No signage has been included with the proposal. If there are any proposals for additional signage on the building, then this will have to be considered in a separate development application.

Future Public Access Between Petra Street and Foreshore

Any development must not impact on future plans that are being investigated by the City of Melville, the Town of East Fremantle and DBCA to improve pedestrian access between the foreshore along the base of the escarpment adjacent to the East Fremantle Yacht Club clubhouse and the area at the top of the escarpment towards the northern end of Petra Street. This connects Bicton Baths with East Fremantle and the recreation areas to the north of Preston Point Road. Proposals for a pedestrian access way to connect these 2 areas must be considered when assessing any development at the Club. The proposed development does not stop any proposed link between the foreshore and the end of Petra Street.

Project Funding

The proposed development is valued at \$300000. The Town also received an application for *new or capital upgrade to a community building* to the value of \$100000. Although this report does not deal with this matter directly, no funding has been made available in the 2020/2021 budget to support this project. Later discussions has resulted in the EFYC confirming the proposal will be self-funded.

Conclusion

It is recommended that Council supports the proposed development at the East Fremantle Yacht Club in its latest form. A response to the referral from the DBCA will include matters that have been included in this report.

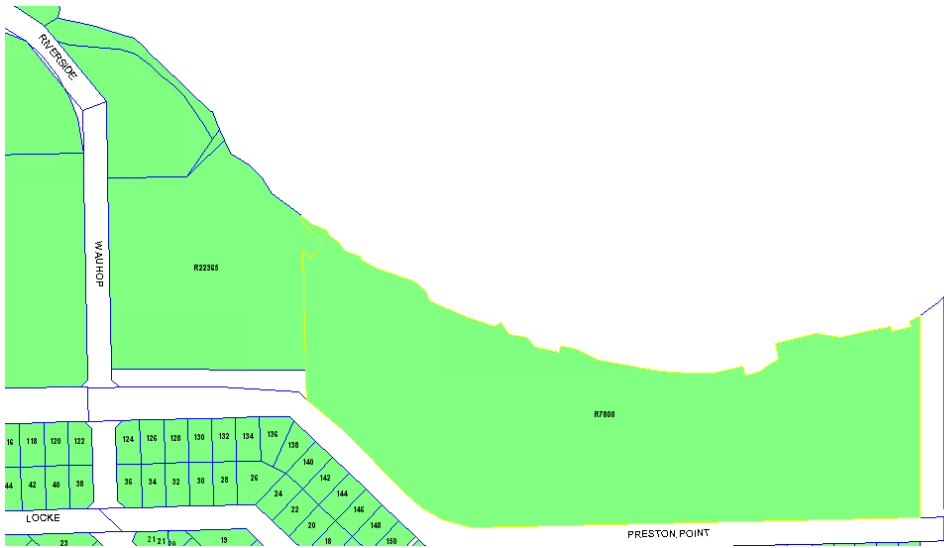
11.1 OFFICER RECOMMENDATION

That:

- (1) Council endorse this report as the basis for a submission to the Department of Biodiversity Conservation and Attractions in relation to the proposed development of boat storage and sundeck; and**
- (2) forward the endorsed Town of East Fremantle response – As referred to in (1) above, to the Department of Biodiversity Conservation and Attractions with a request for the following conditions to be included in the approval:**
 - (i) the eastern edge of the proposed development is to be planted with vegetation subject to a landscaping plan being approved by DBCA and the Town and as indicated on the plans;**
 - (ii) the walls of the building are to be rendered in a cream mortar and upper sections of the eastern edge of the existing building are to be painted in a blue colour consistent to the existing colours on the upper storey of the building;**
 - (iii) the proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council;**
 - (iv) with regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention;**
 - (v) all stormwater is to be disposed of on site and a drainage plan be submitted to the satisfaction of DBCA and the Town prior to the issue of a Building Permit;**
 - (vi) all introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle;**
 - (vii) where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority;**
 - (viii) a construction and traffic management plan, including parking plan are to be submitted for approval prior to the Building Permit being submitted. The construction and traffic management plan is to be approved by DBCA in consultation with the Town. The movement of heavy vehicles during the construction period is to be restricted;**
 - (ix) where this development requires material storage and construction works, any areas required to be fenced are to be done so to enable continuous pedestrian access along the river foreshore and should not impede movement along the foreshore;**

- (x) existing turfed areas to the east of the proposal are not to be impacted, modified or removed without the prior approved of DBCA;**
- (xi) no work is to be carried out during weekends, on public holidays or after 6pm and before 7am Monday to Friday;**
- (xii) this planning approval is to remain valid for a period of 24 months from date of this approval.**

East Fremantle Yacht Club - Map and Photo

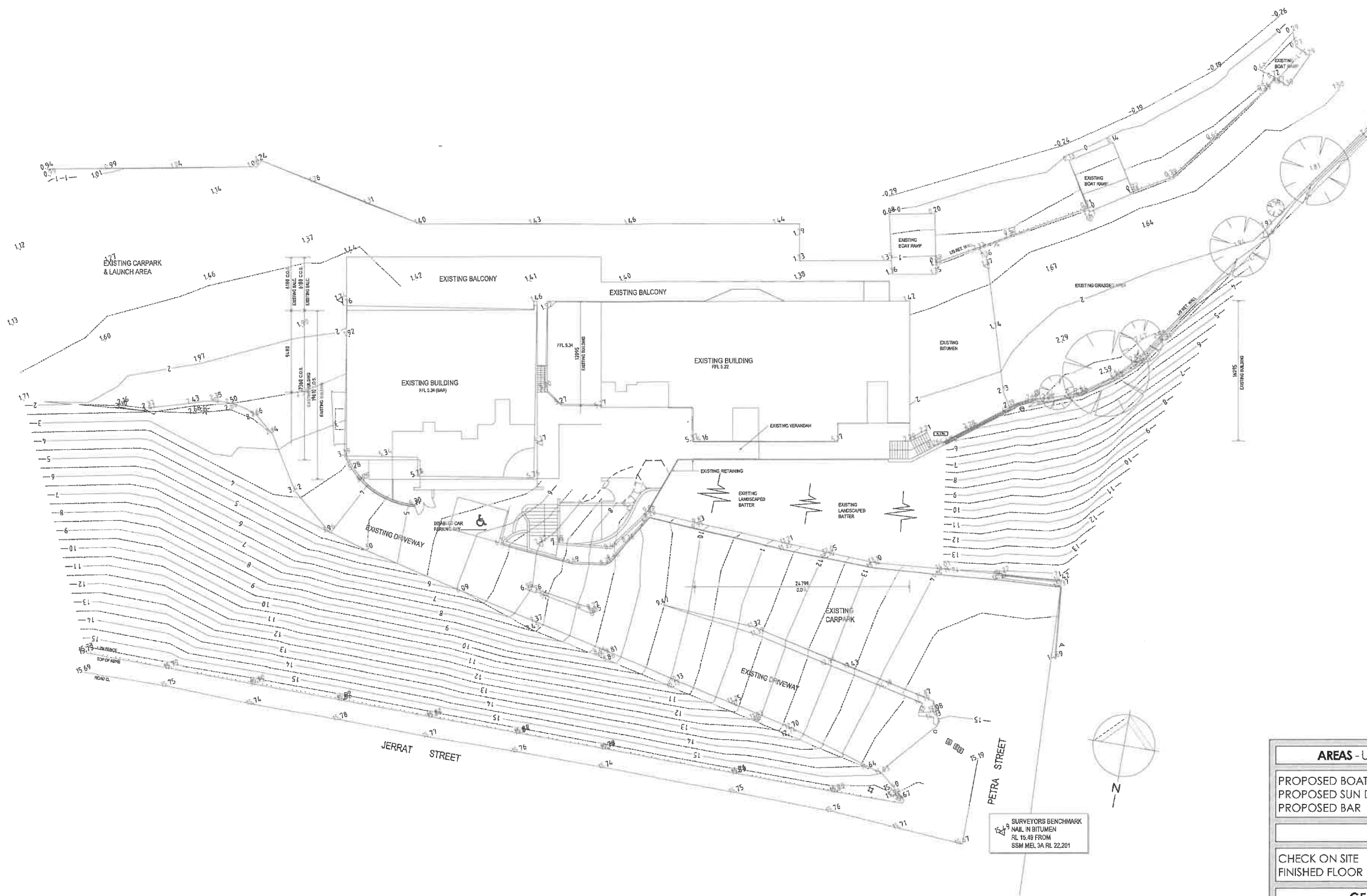


East Fremantle Yacht Club – Photos





**PROPOSED DEVELOPMENT AT
PETRA ST, EAST FREMANTLE**
— ISSUE FOR PLANNING APPROVAL —



SITE PLAN
1:500

AREAS - USE AS A GUIDE ONLY	
PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²

LEGEND	
CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL

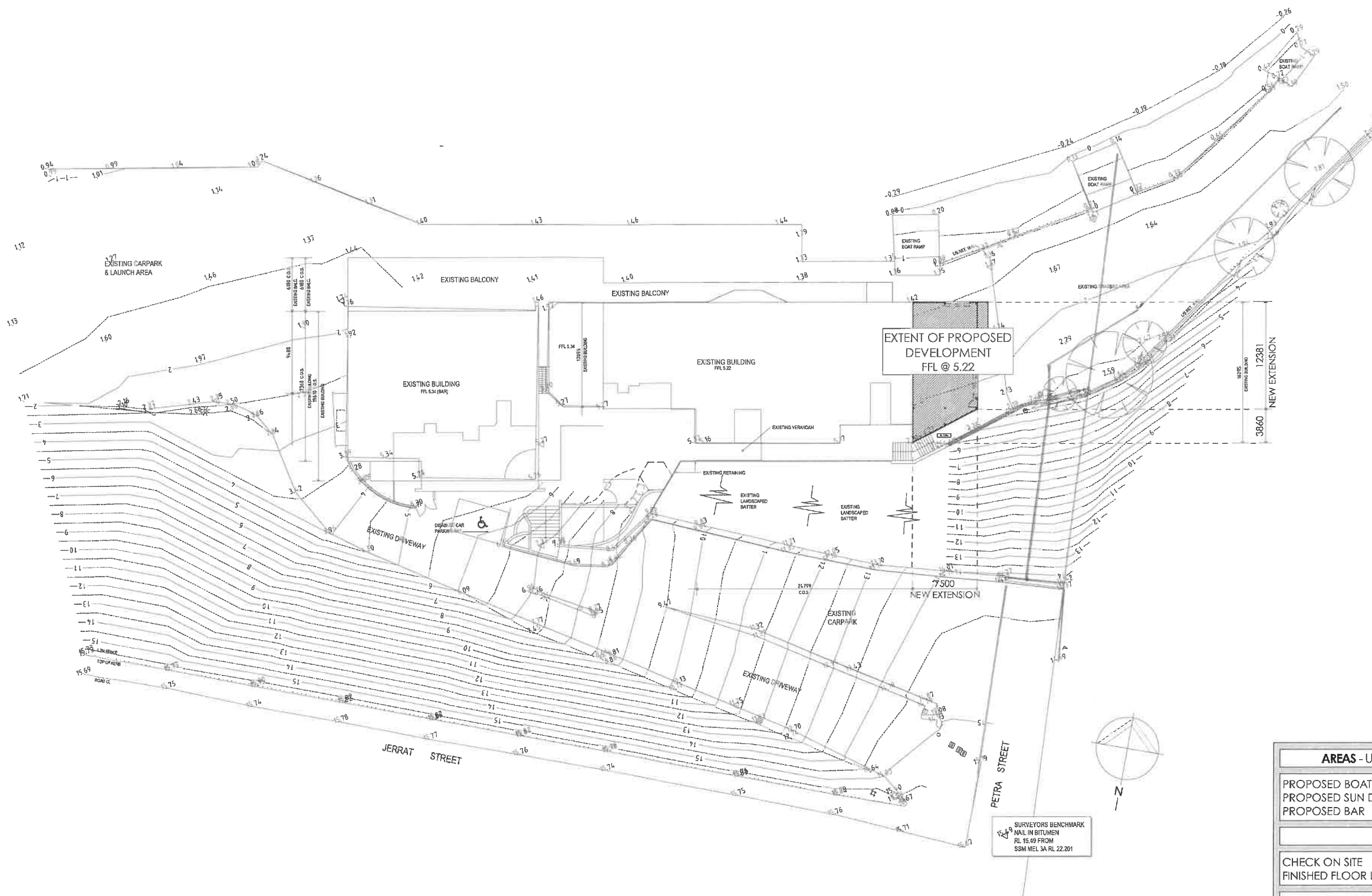
GENERAL NOTES	
ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.	
READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.	



PETRA ST, EAST FREMANTLE

EXISTING SITE PLAN

Dwg N°: BL - 01 | Date: 12/3/20 | Rev: E



SITE PLAN (PROPOSED)
1:500

AREAS - USE AS A GUIDE ONLY	
PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²
LEGEND	
CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL
GENERAL NOTES	
ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.	
READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.	

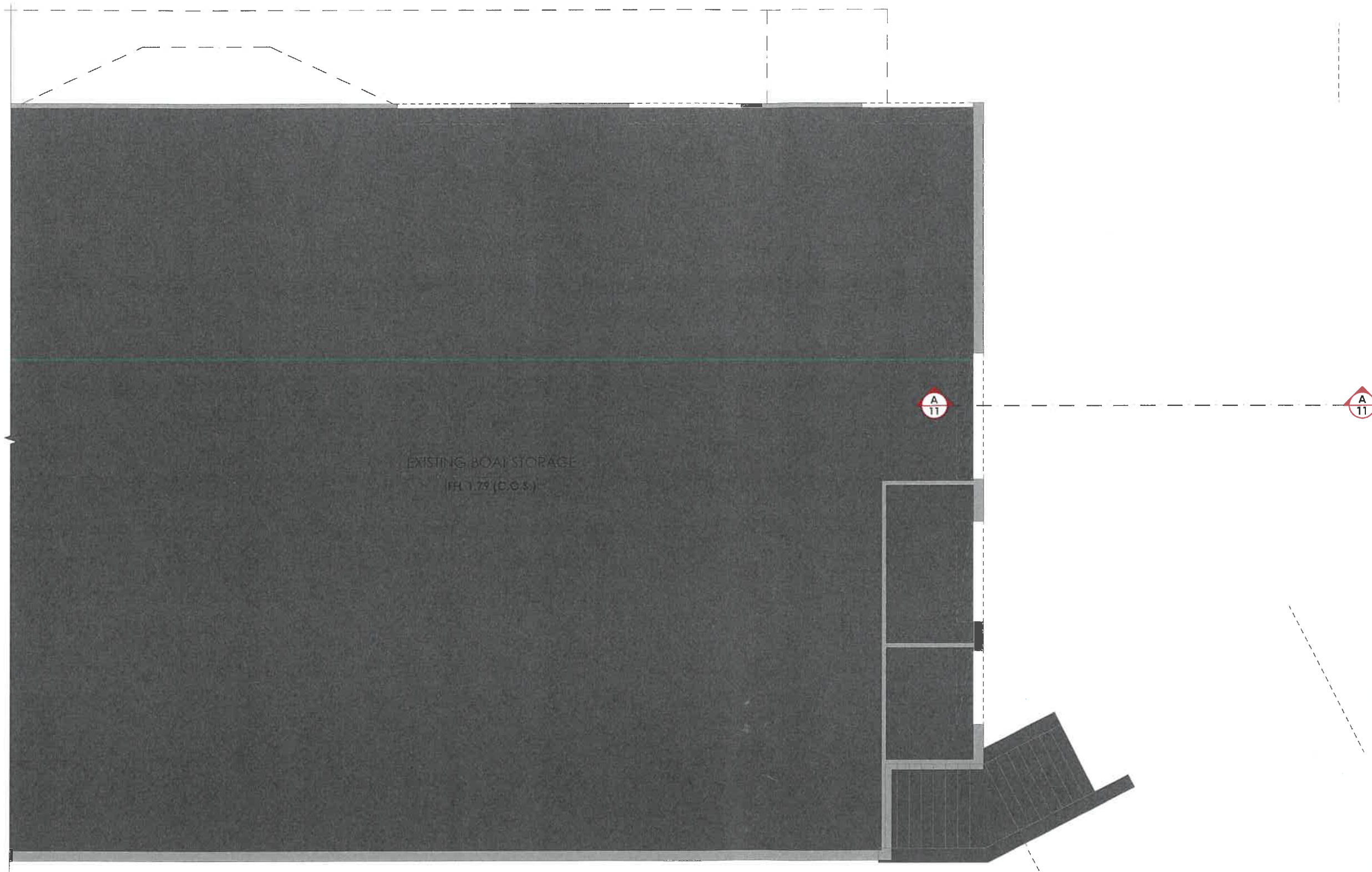
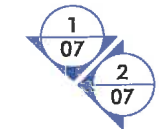


PETRA ST, EAST FREMANTLE
PROPOSED SITE PLAN

Dwg N°: BL - 02

Date: 12/3/20

Rev: E



EXISTING BOAT STORAGE
FH 1.75 (C.O.S.)

A
11

A
11

EXISTING WALL LEGEND:

EXISTING EXTERNAL WALLS

EXISTING INTERNAL WALLS

AREAS - USE AS A GUIDE ONLY

PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²

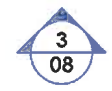
LEGEND

CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL

GENERAL NOTES

ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.

READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.



GF - EXISTING
1:100



Proposed

PETRA ST, EAST FREMANTLE

Client **EAST FREMANTLE YACHT CLUB**

Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						

COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.

Drawing

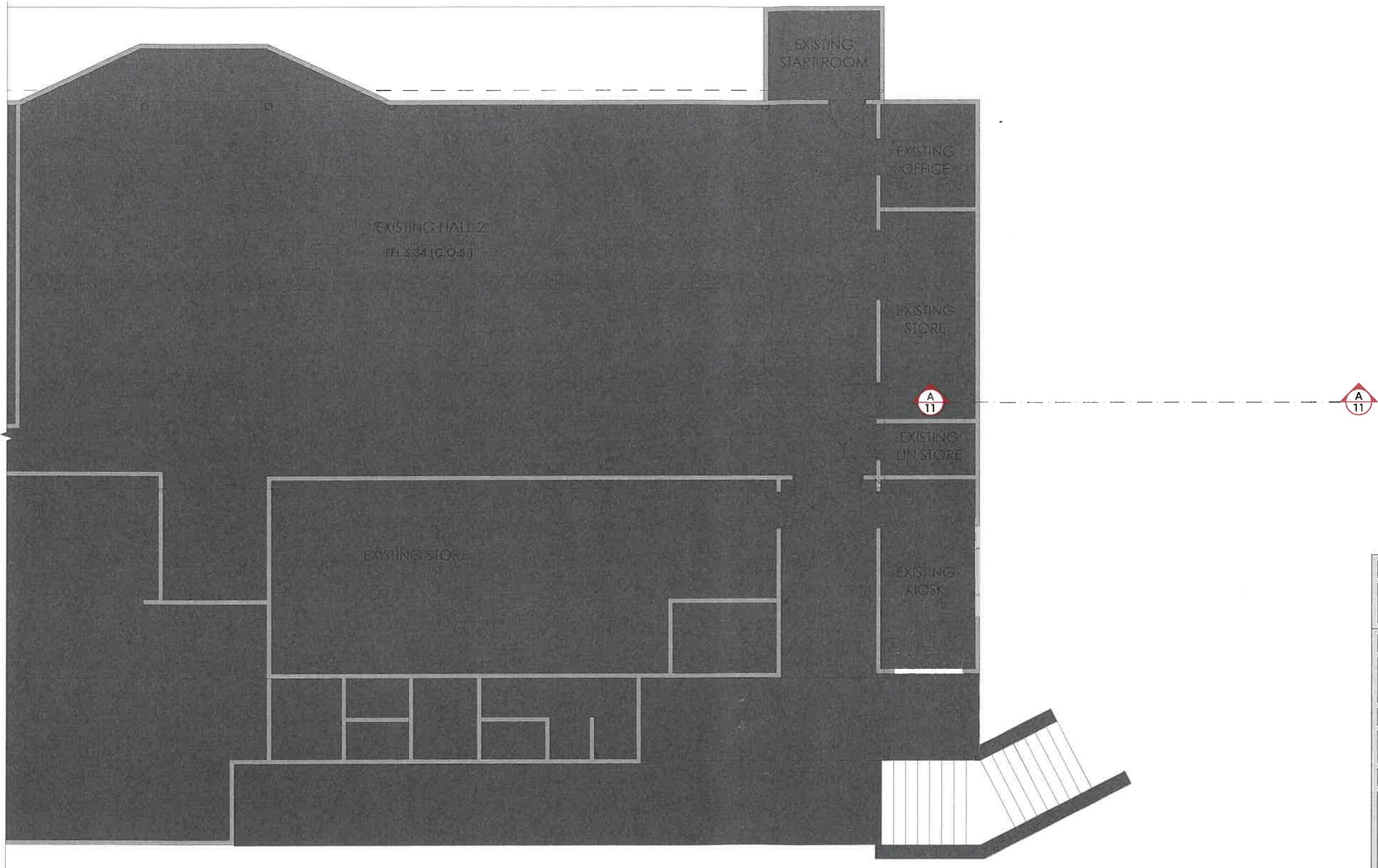
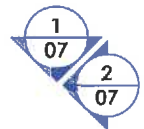
EXISTING GF PLANS

Dwg N°
BL - 03

Job N°
MRD2001

Scale
1:100 @ A3

Rev:
B



EXISTING WALL LEGEND:

	EXISTING EXTERNAL WALLS
	EXISTING INTERNAL WALLS

AREAS - USE AS A GUIDE ONLY

PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²

LEGEND

CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL

GENERAL NOTES

ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.

READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.

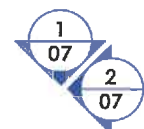
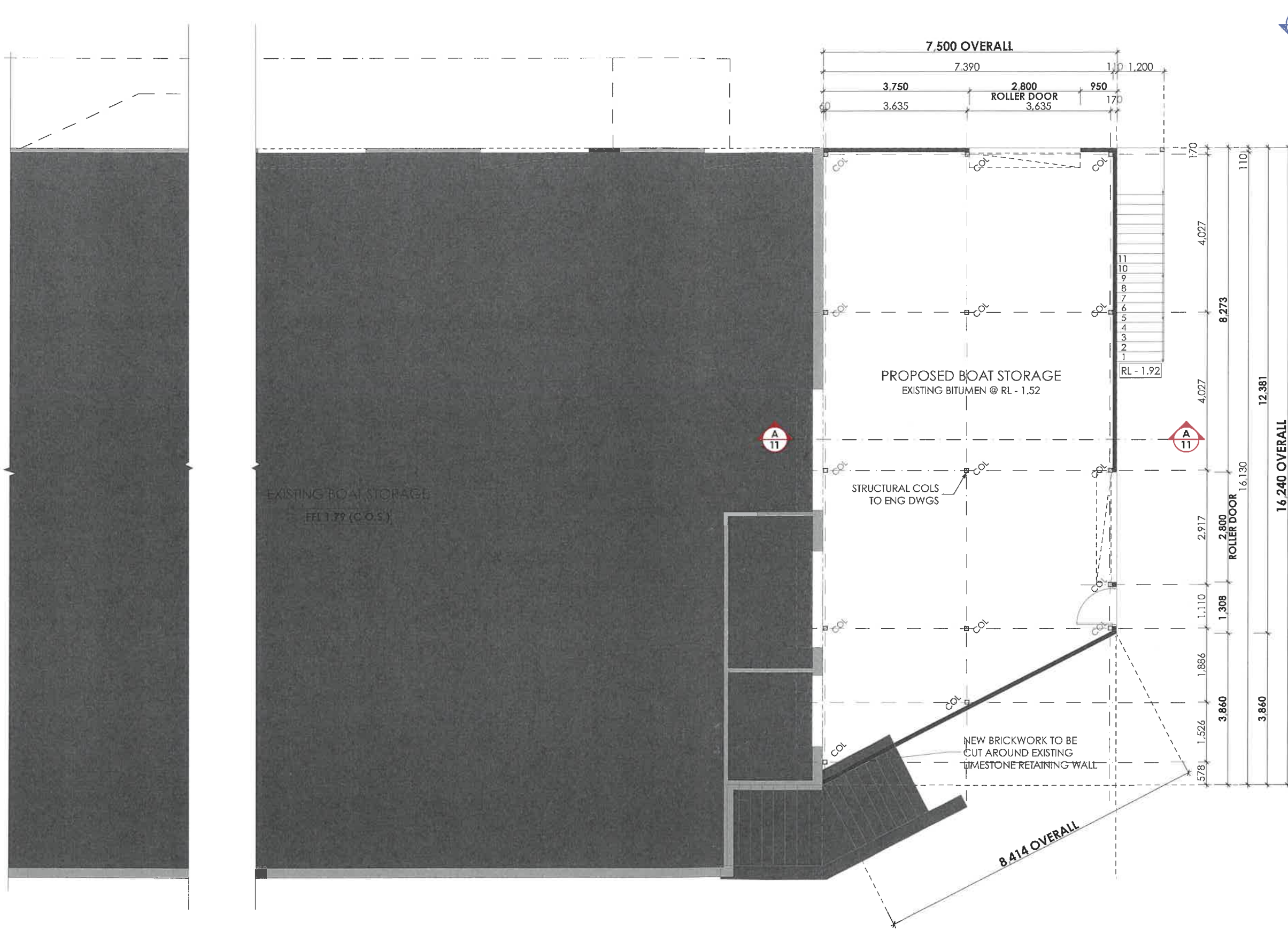


FF - EXISTING
1:100



Proposed		PETRA ST, EAST FREMANTLE							
Client		EAST FREMANTLE YACHT CLUB							
Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						
COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.									

Drawing		EXISTING FF PLANS	
Dwg N°		BL - 04	
Job N°		MRD2001	
Scale		1:100 @ A3	
Rev:		B	



WALL LEGEND:

- EXISTING EXTERNAL WALLS
- EXISTING INTERNAL WALLS
- PROPOSED 90mm BRICKWORK
- PROPOSED 90mm STUD WALL

AREAS - USE AS A GUIDE ONLY

PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²

LEGEND

CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL

GENERAL NOTES

ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.

READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.

3
08

GROUND FLOOR
1:100



Proposed **PETRA ST, EAST FREMANTLE**
Client **EAST FREMANTLE YACHT CLUB**

Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						

COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EPYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EPYC.

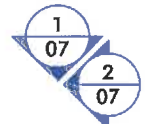
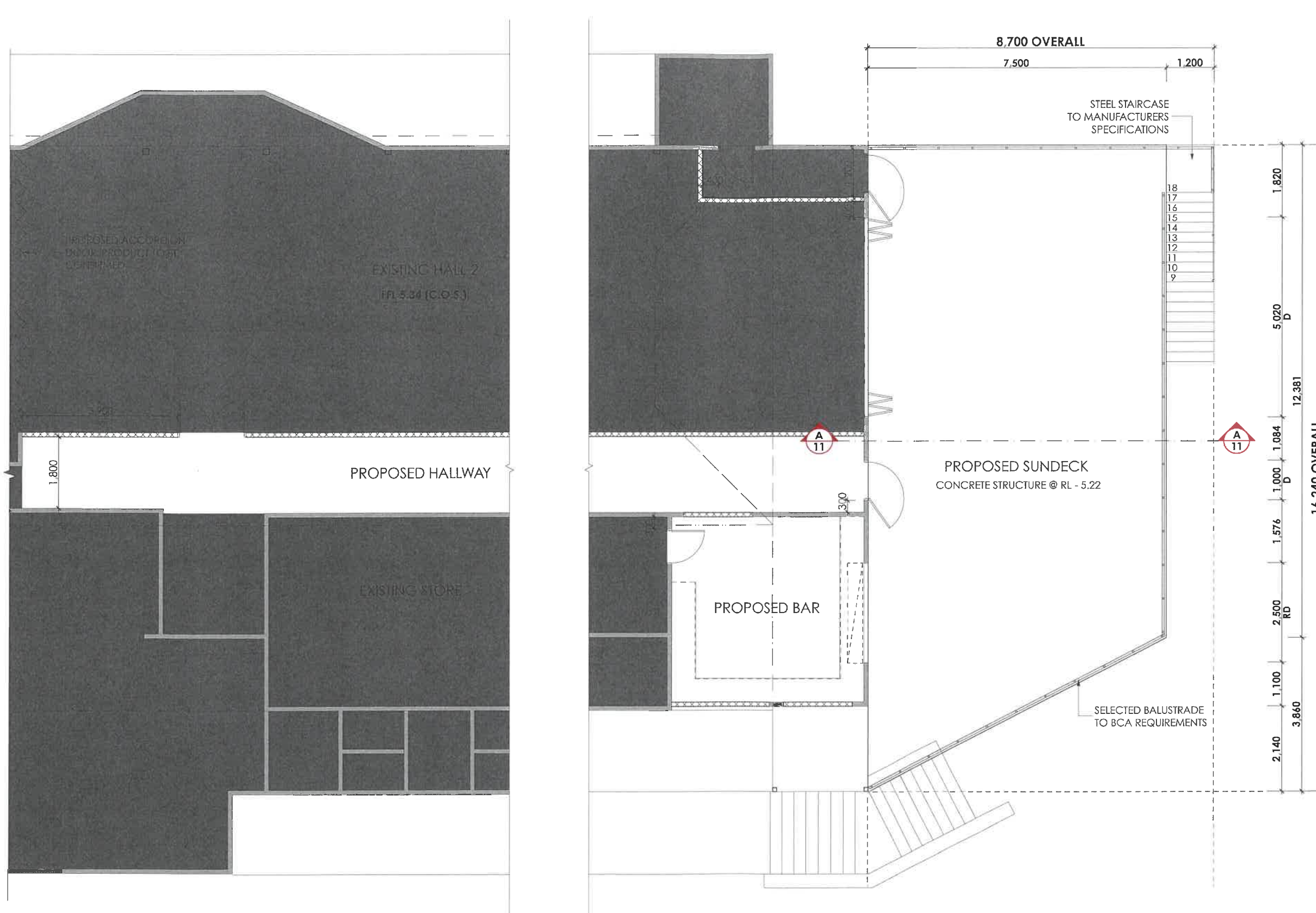
Drawing **GROUND FLOOR PLANS**

Dwg N° **BL - 05**

Job N° **MRD2001**

Scale **1:100 @ A3**

Rev: **B**



WALL LEGEND:

	EXISTING EXTERNAL WALLS
	EXISTING INTERNAL WALLS
	PROPOSED 90mm BRICKWORK
	PROPOSED 90mm STUD WALL

AREAS - USE AS A GUIDE ONLY

PROPOSED BOAT STORAGE	107.37m ²
PROPOSED SUN DECK	107.37m ²
PROPOSED BAR	23.36m ²

LEGEND

CHECK ON SITE	C.O.S
FINISHED FLOOR LEVEL	FFL

GENERAL NOTES

ALL EXISTING BUILDING STRUCTURE DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES TO BE REPORTED TO DESIGNER.

READ THIS DRAWING IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS & SPECIFICATION, STRUCTURAL ENGINEERS DRAWINGS AND HYDRAULIC ENGINEERS DRAWINGS.

3
08

FIRST FLOOR
1:100



Proposed **PETRA ST, EAST FREMANTLE**
Client **EAST FREMANTLE YACHT CLUB**

Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						

COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.

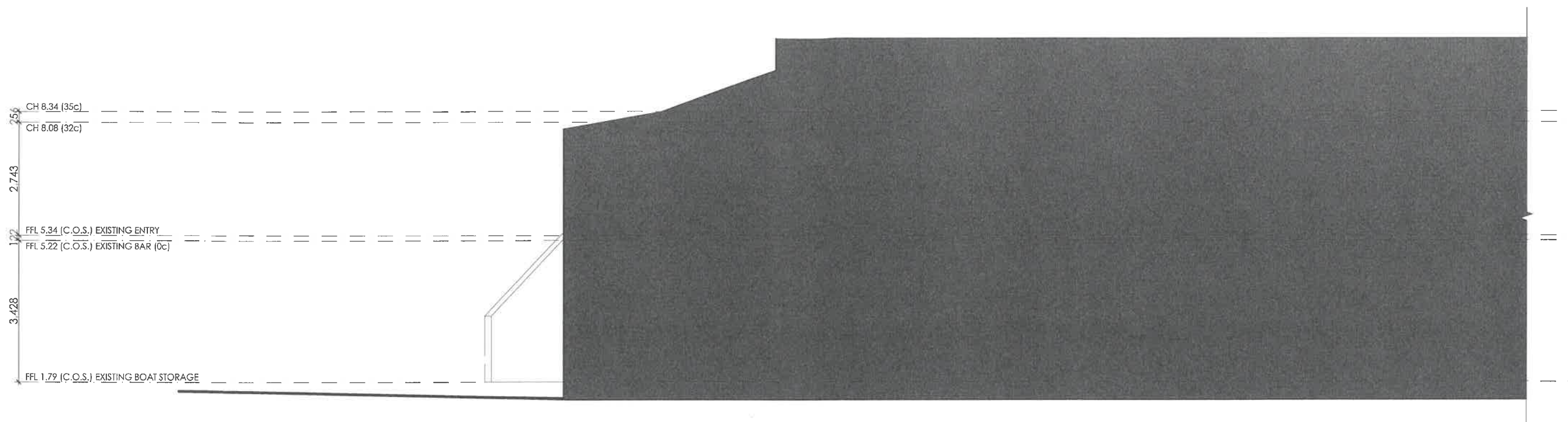
Drawing **FIRST FLOOR PLANS**

Dwg N° **BL - 06**

Job N° **MRD2001**

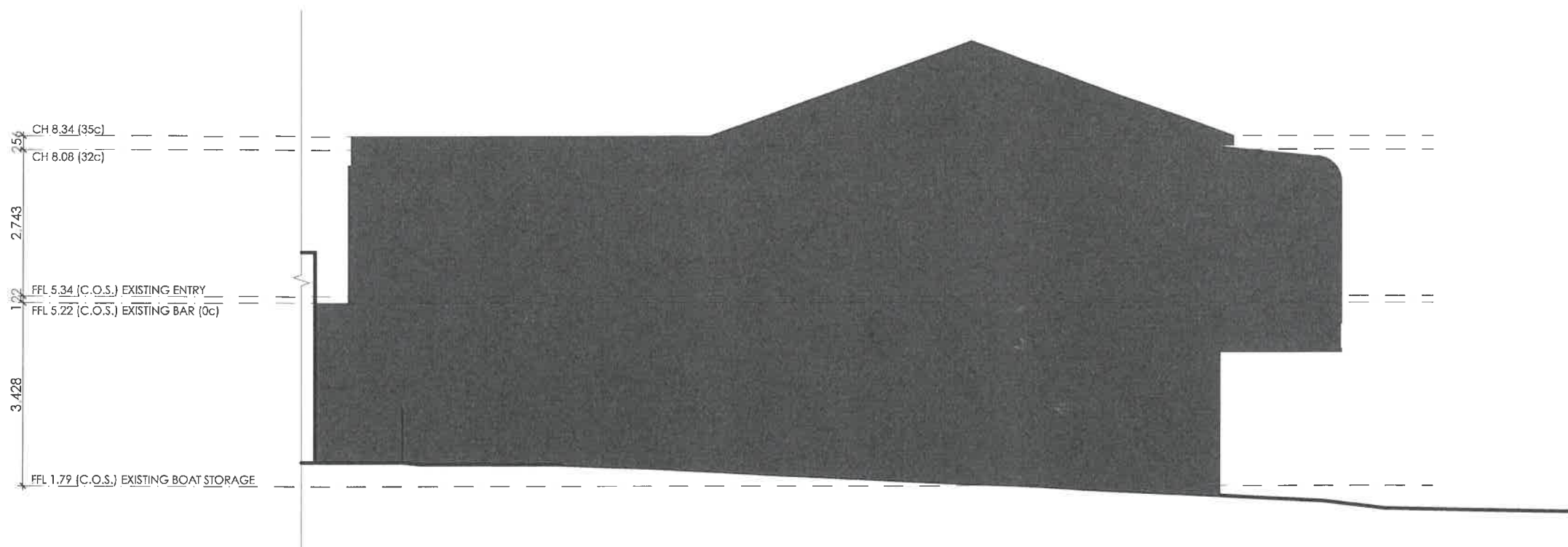
Scale **1:100 @ A3**

Rev: **B**



ELEVATION - 1

1:100



ELEVATION - 2

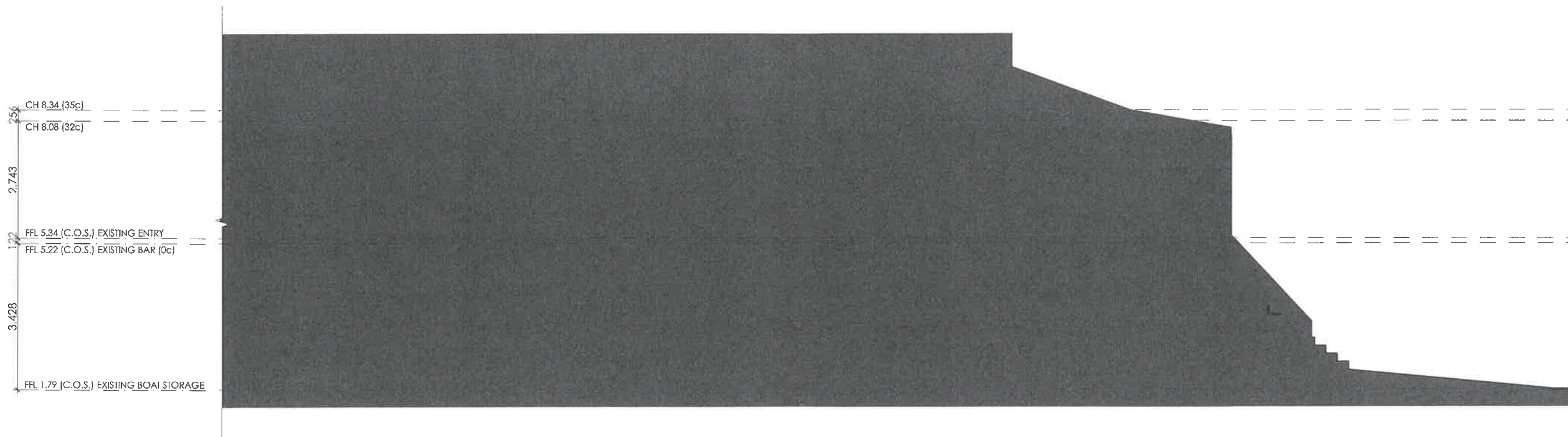
1:100



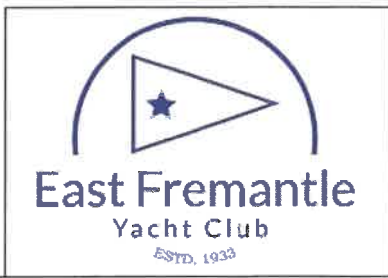
Proposed		PETRA ST, EAST FREMANTLE				Drawing		EXISTING - ELEVATIONS	
Client		EAST FREMANTLE YACHT CLUB				Dwg N°		BL - 07	
Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						
Job N°		MRD2001				Rev:		B	
Scale		1:100 @ A3				Volume		26	

COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EPYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EPYC.

Volume: MRD2001 - Job: MRD2001 - East Fremantle Yacht Club - 201_02_00_12/02 - 122.ppt

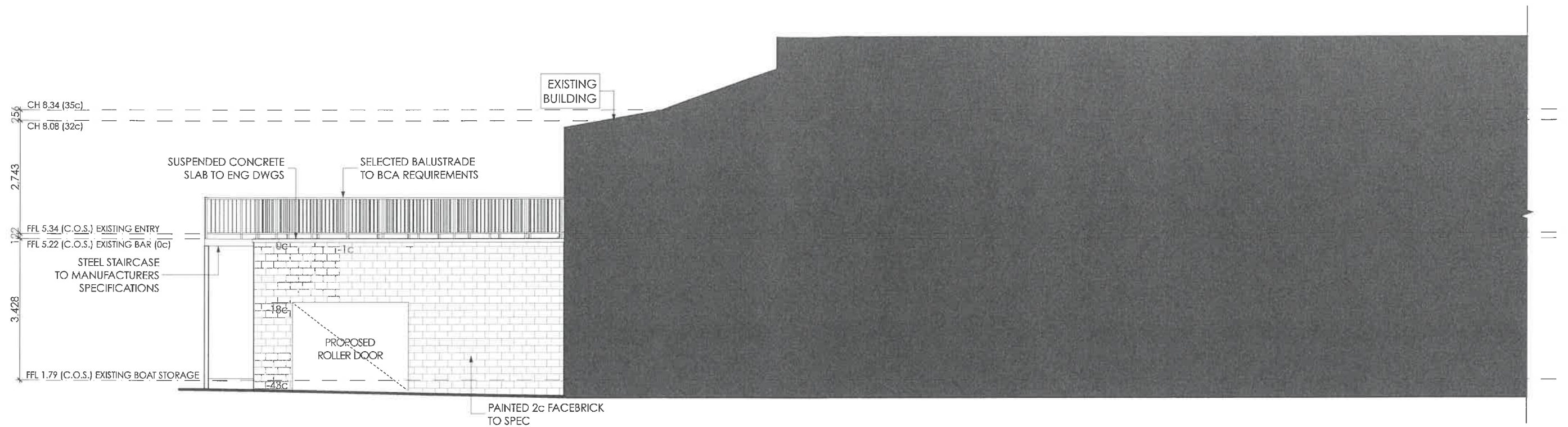


ELEVATION - 3
1:100

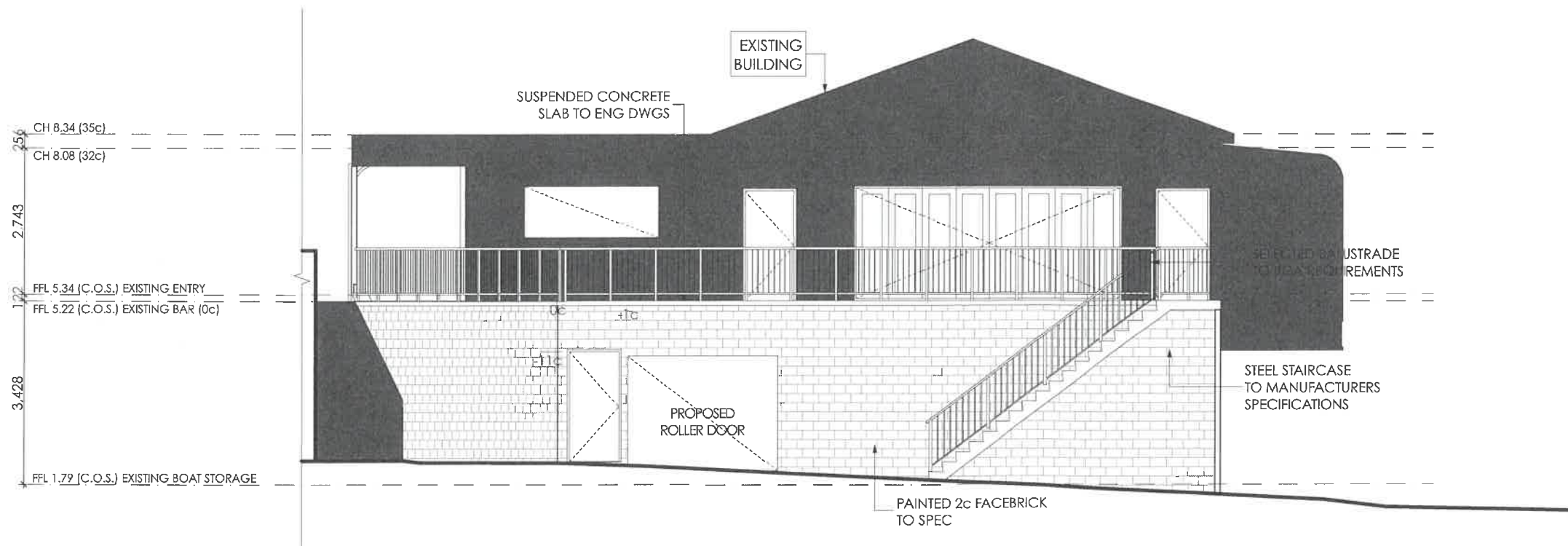


Proposed		PETRA ST, EAST FREMANTLE				Drawing	
Client		EAST FREMANTLE YACHT CLUB				EXISTING - ELEVATIONS	
Rev	Date	Description	Dr	Ch	Rev	Date	Description
A	13/01/20	DESIGN DEVELOPMENT	MR				
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR				
COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.							

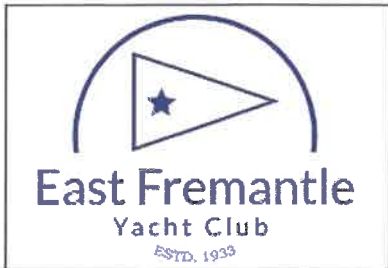
Dwg N°	BL - 08
Job N°	MRD2001
Scale	1:100 @ A3
Rev:	B



ELEVATION - 1
1:100

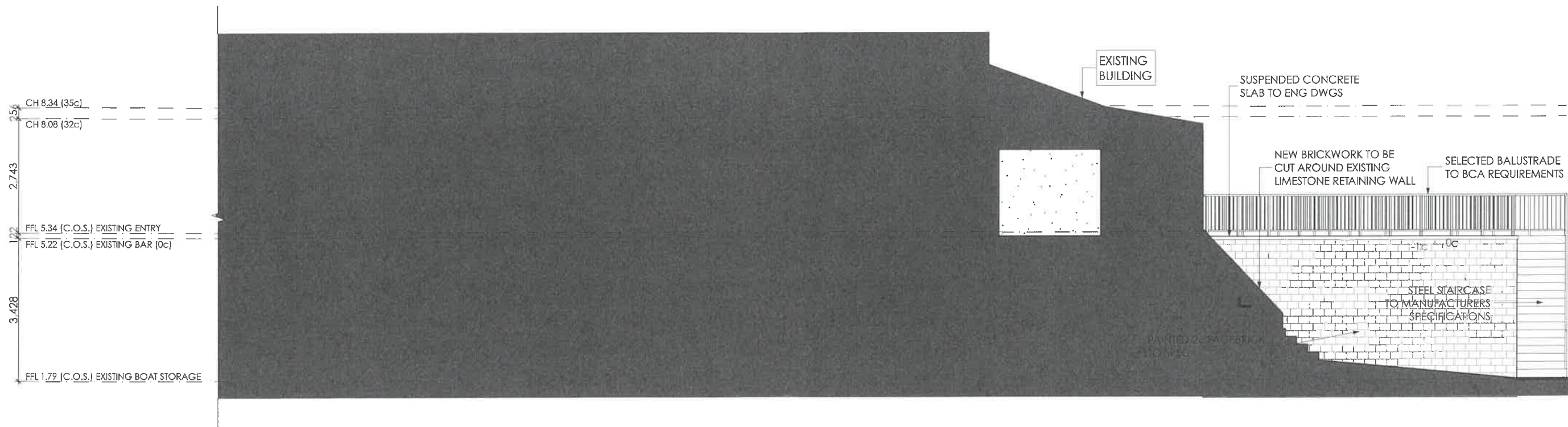


ELEVATION - 2
1:100

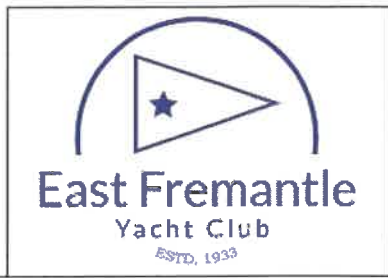


Proposed		PETRA ST, EAST FREMANTLE		Drawing	
Client		EAST FREMANTLE YACHT CLUB		PROPOSED - ELEVATIONS	
Rev	Date	Description	Dr	Ch	Rev
A	13/01/20	DESIGN DEVELOPMENT	MR		
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR		
COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.					

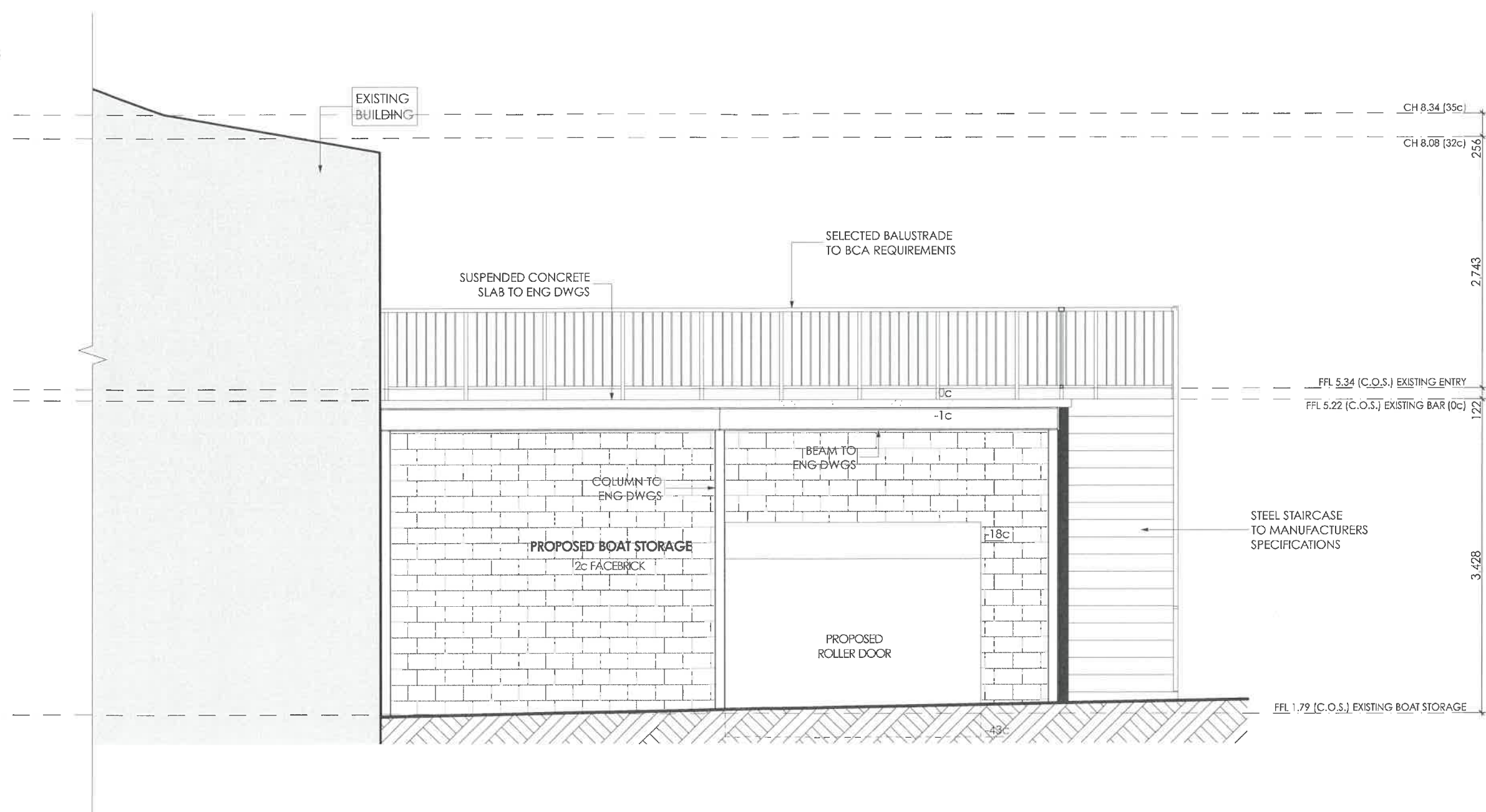
Dwg N°	BL - 09
Job N°	MRD2001
Scale	1:100 @ A3
Rev:	B



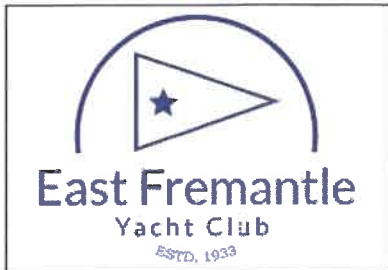
ELEVATION - 3
1:100



Proposed		PETRA ST, EAST FREMANTLE				Drawing		PROPOSED - ELEVATIONS	
Client		EAST FREMANTLE YACHT CLUB				Dwg N°		BL - 10	
Rev	Date	Description	Dr	Ch	Rev	Date	Description	Dr	Ch
A	13/01/20	DESIGN DEVELOPMENT	MR						
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR						
COPYRIGHT		THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EYFC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EYFC.							
Job N°		MRD2001				Rev:		B	
Scale		1:100 @ A3				Job N°		MRD2001	

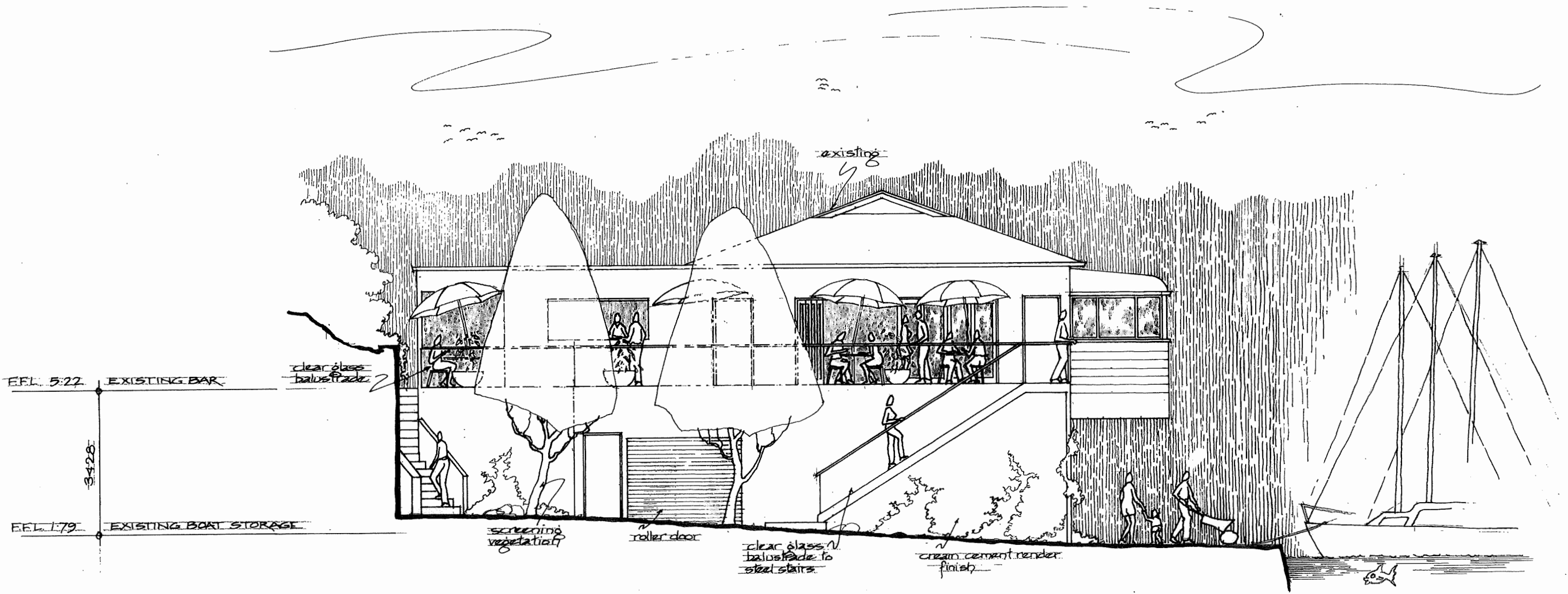


SECTION A-A
1:50



Proposed		PETRA ST, EAST FREMANTLE	
Client		EAST FREMANTLE YACHT CLUB	
Rev	Date	Description	Dr
A	13/01/20	DESIGN DEVELOPMENT	MR
B	12/03/20	ISSUE FOR PLANNING APPROVAL	MR
COPYRIGHT THIS DESIGN & DRAWING REMAIN THE SOLE PROPERTY OF EFYC AND SHALL NOT BE COPIED, SOLD OR CIRCULATED IN ANY FORMAT WITHOUT EXPRESS WRITTEN CONSENT FROM EFYC.			

Drawing		PROPOSED - SECTION	
Dwg N°		BL - 11	
Job N°		MRD2001	
Scale		1:50 @ A3	
Rev:		B	



EAST ELEVATION 1:100

EAST FREMANTLE YACHT CLUB

PROPOSED ADDITIONS



Community Engagement Checklist

Referral from Biodiversity, Conservation and Attractions East Fremantle Yacht Club

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	9/09/2020	Outcomes By: 23/09/2020
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	23/09/2020	<input checked="" type="checkbox"/> Advertised to 10 surrounding properties
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>

	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		23/09/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

11.2 Fraser Street No 67 (Lot 1) Proposed first floor addition

Owner	Albert & Leanne Paull
Applicant	Nuchange Building
File ref	P090/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 November 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan 2. Site photos 3. Plans date stamped 1 September 2020

Purpose

The purpose of this report is for Council to consider a planning application for a proposed first floor addition at No 67 (Lot 1) Fraser Street, East Fremantle.

Executive Summary

This development application proposes a first-floor addition to an existing dwelling at 67 Fraser Street. The property is a survey strata development. It is not heritage listed. The dwelling is one half of a survey strata development.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 6m required, 5.185m provided
- (ii) Clause 5.1.2 – Residential Design Codes – Street Setback – 7.5m required, 6.418m provided
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees provided

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

Background

Zoning: Residential R12.5

Site area: 111m²

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

Nil

Consultation

Advertising

The applicant provided signed plans demonstrating support for the proposal from the neighbouring strata property owners as well as neighbouring property owners.

Community Design Advisory Committee (CDAC)

The application was referred to CDAC at the 5 October meeting. The following comments were made;

(a) *The overall built form merits;*

- The Committee commented that the first-floor addition has limited design merit based on the addition being added to an existing poorly designed building.
- The Committee note the design would result in a poor outcome for the Fraser Street streetscape, including its integrity, built form and streetscape.

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

- The committee commented that the design should be better integrated with and contribute to the existing building and surrounding locality.
- The Committee noted the addition should improve the existing and not further detract the built form of the area.
- The Committee noted more of a reference should be made to the East Fremantle area regarding materiality and form.

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

- The Committee commented that the proposal should enhance the area, adding the proposal should be an iconic corner design for the streetscape.

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

- No further comment currently. Please see above.

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

- The Committee noted the proposal has no environmental sustainability and limited solar and climatic responses.

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

- At this time, no further comment.

Applicant Response

I would also like to make the following comments on the Community Design Advisory Committee's minutes, to be added to the brief with regard to my property:

- The existing building is a well maintained 1970's dwelling of brick and tile construction. It was built to a good standard and the design and construction was typical and in keeping with many properties built in this period.
- The proposed first floor addition has been designed to blend with the existing structure and will be built using quality materials and neutral colours and we feel that it will add value and amenity to the existing streetscape to not detract from it as suggested by this committee.
- The building and surrounding gardens and lawns and verges will also continue to be well maintained and in our opinion will enhance the street appeal.
- We intend to have a home that will look good from both the outside and the inside.

- I advise that the plans have been viewed by all our closest neighbours in each direction and they have commented that the plans look good to them both in design and functionality and would also add to the value of existing properties. In fact, all were happy to sign off on the plans presented to them and commented to us that they saw no detriment to their own properties, with regard to the design, or any loss of privacy or enjoyment to their own properties.

Officer Response

All comments have been noted.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

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

Policy Implications

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

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

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

- 4.1 *Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 *Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*

4.1.2 Plan for improved streetscapes parks and reserves.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices.

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	6.418m	D
Secondary Street Setback	2m	7.52m	A
Lot Boundary Setbacks			
Western boundary	6m	5.185m	D
Northern boundary	1.2m	3.15m	A
Open Space			N/A
Wall height	6m	5.4m	A
Roof Height	9m	6.796m	A
Setback of Garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy			N/A
Overshadowing			N/A
Drainage			To be conditioned

Local Planning Policies Assessment

LPP Residential Design Guidelines Provision	Status
3.7.2 Additions and Alterations to Existing Buildings	A
3.7.3 Development of Existing Buildings	A
3.7.4 Site Works	N/A
3.7.5 Demolition	N/A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	D

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

This development application proposes a first-floor addition to an existing dwelling at 67 Fraser Street. The property is a survey strata development. It is not heritage listed. The applicant consulted with the neighbouring property owners and received signed support from the other strata property owners to the north. Two variations are requested to the requirements of the Residential Design Codes and one variation is requested to the Residential Design Guidelines relating to lot boundary setbacks and roof pitch respectively.

Street Setback – Eastern Boundary

The front street setback is required to be 7.5m in accordance with deemed to comply clause 5.1.2 C2.1 i. In this case the proposed upper storey addition is located 6.418m from the front boundary which is further back than the ground floor. It can be supported under design principles clause 5.1.2 P2.1 for the following reasons;

- It is consistent with the established streetscape;
- There is adequate privacy and open space provided as part of the development;
- Parking landscape and utilities can be adequately provided for on-site; and
- No impact on easements for essential services.

For these reasons the reduced street setback can be supported.

Lot Boundary Setback – Western Boundary

The required rear boundary setback for this lot is 6m in accordance with deemed to comply clause 5.1.3 C3.1 i and Table 1. In this case the rear boundary setback is 5.185m. The dwelling is an existing duplex built in the late 1970s and before the creation of Local Planning Scheme No 3 which permits subdivision of corner lots with a density coding of R12.5 into 2 R20 lots. Although this lot was not subdivided in this manner it does achieve R20 density requirements but not R12.5 density requirements.

In this case the reduced boundary setback can be supported based on design principles clause 5.1.3 P3.1 for the following reasons;

- It reduces the impact of building bulk on adjoining properties;
- It provides adequate sunlight and ventilation to the building and open spaces on site and the adjoining properties; and
- There is minimal overlooking or loss of privacy on adjoining properties.

Roof Pitch

In accordance with clause 3.7.8.3 A4.1 of the Residential Design Guidelines the roof pitch should be between 28 and 36 degrees. In this case the roof pitch is 25 degrees. This achieves performance criteria clause 3.7.8.3 P4 which states “that roof forms of new buildings should complement the traditional form of surrounding development in the immediate locality”. For this reason, the proposed roof pitch can be supported.

Conclusion

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

11.2 OFFICER RECOMMENDATION:

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

- (i) Clause 5.1.2 – Residential Design Codes – Street Setback – 7.5m required, 6.418m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – 6m required, 5.185m provided**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees provided**

for first floor additions at No. 67 (Lot 1) Fraser Street, East Fremantle, in accordance with the plans date stamped received 1 September 2020, subject to the following conditions:

- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council’s further approval.**
- (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (3) The verge trees on Fraser or Penshurst Street are to be protected during construction works to the satisfaction of the Chief Executive Officer and no pruning or removal of branches of the tree is to be undertaken during or at the completion of construction works.**
- (4) All fencing within the street setback area is to be compliant with the front fence provisions of the Residential Design Guidelines. Any proposed new fencing or walls in the front setback area will require the submission of a development application for the consideration of the Town.**
- (5) With regard to the plans submitted regarding the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council’s attention.**
- (6) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.**
- (7) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.**
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without**

limitation any works associated with the proposal) which are required by another statutory or public authority.

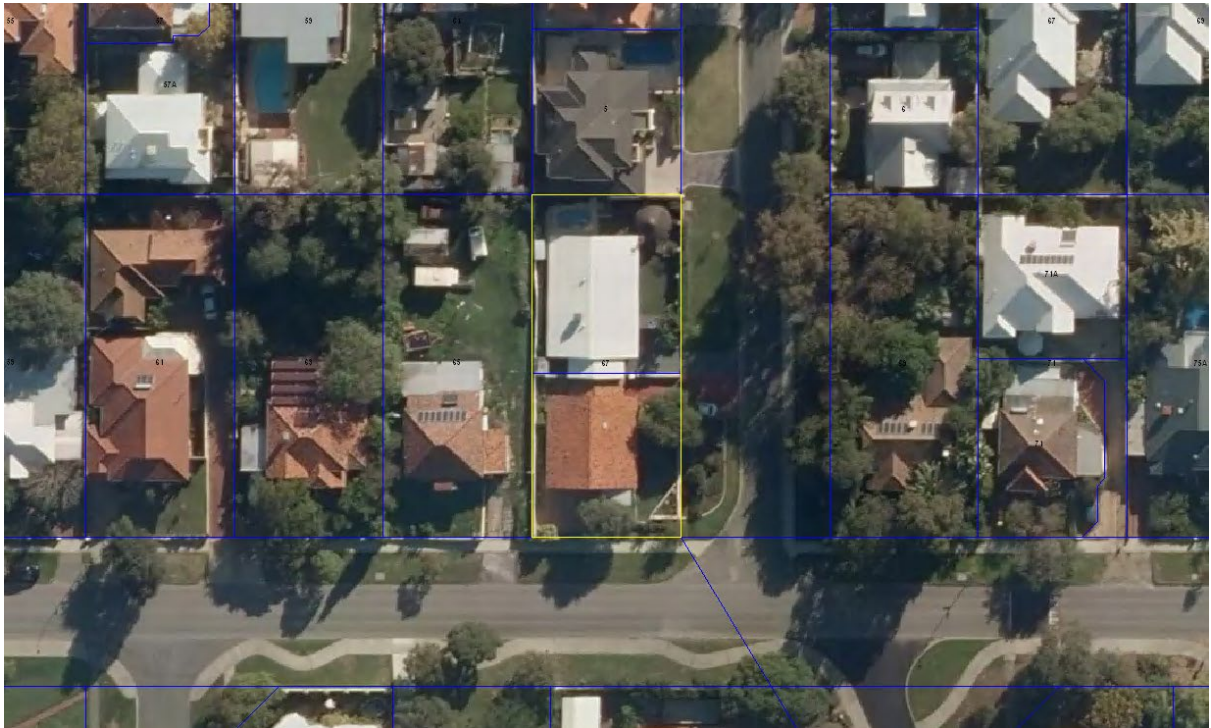
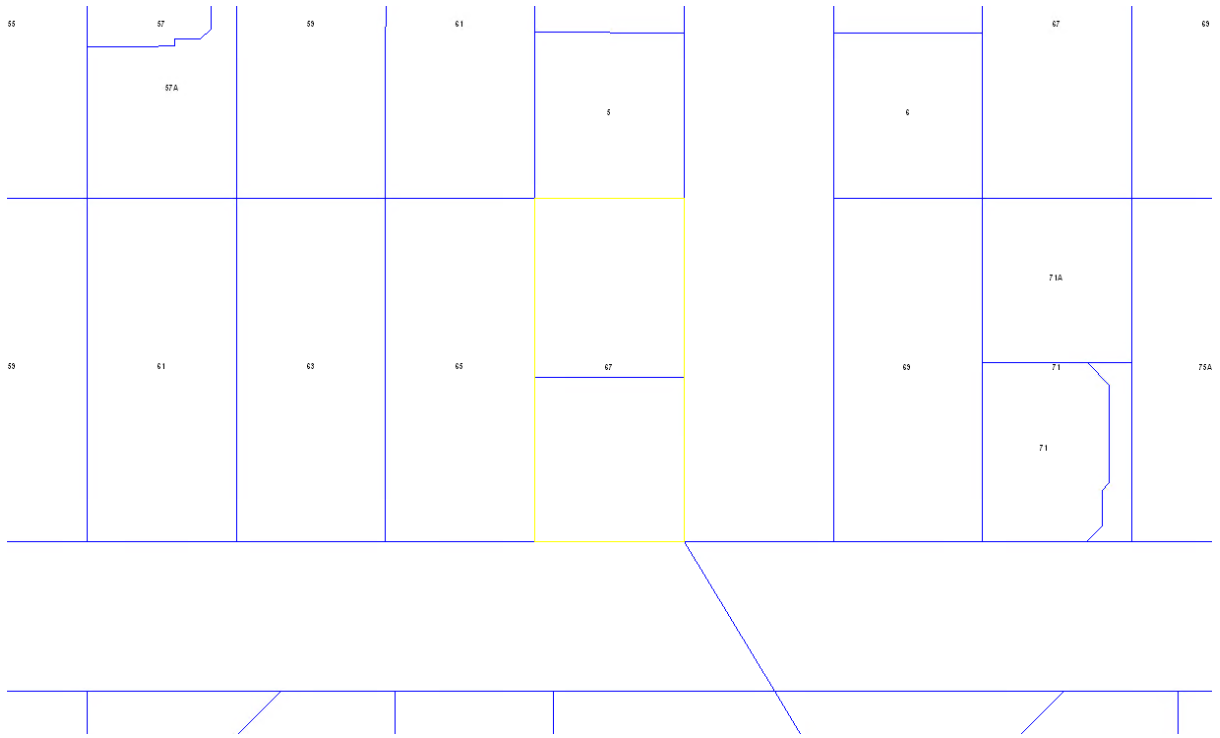
- (9) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

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

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

67 Fraser Street – Map and Photo



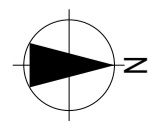
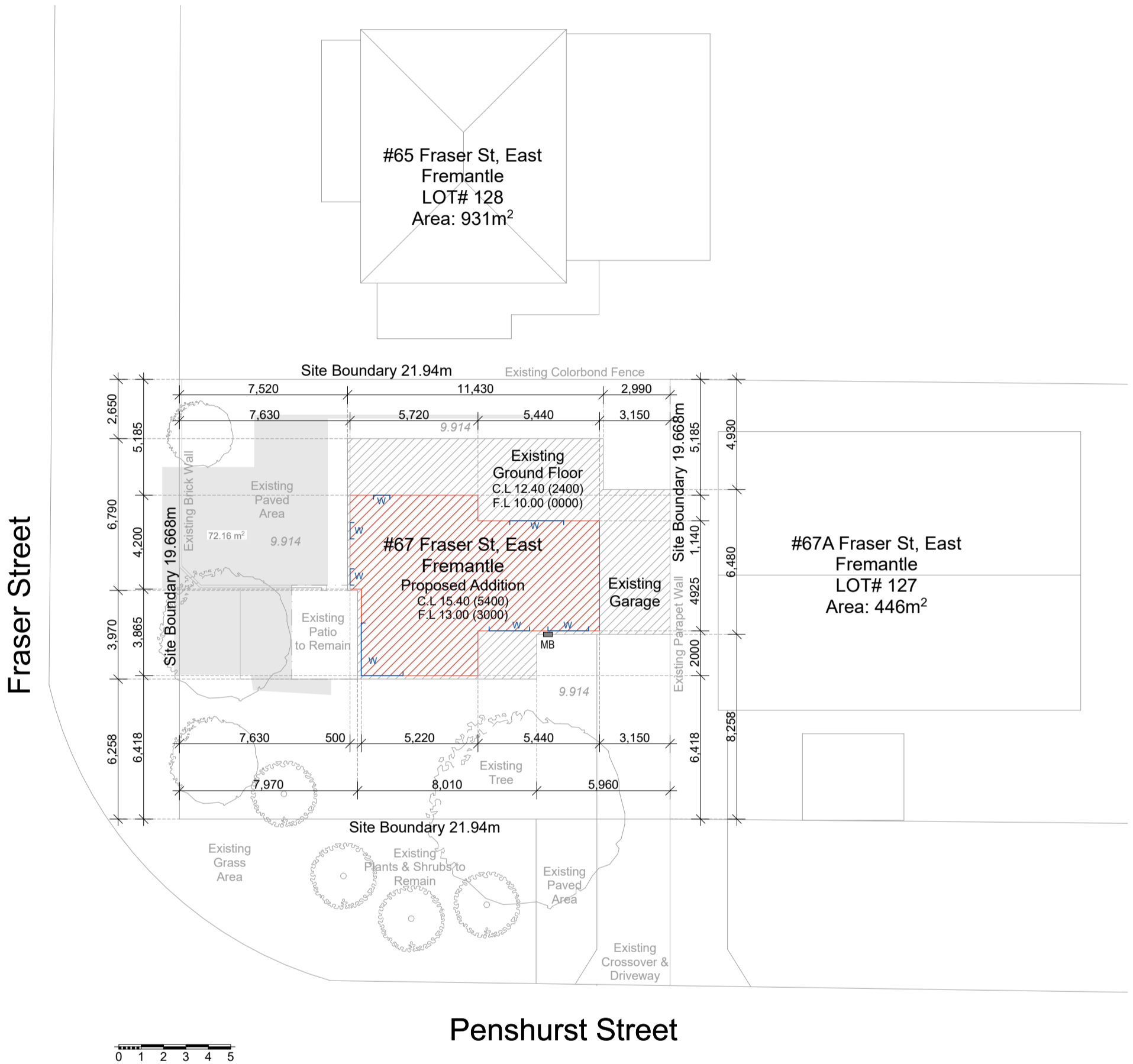
67 Fraser Street – Photos



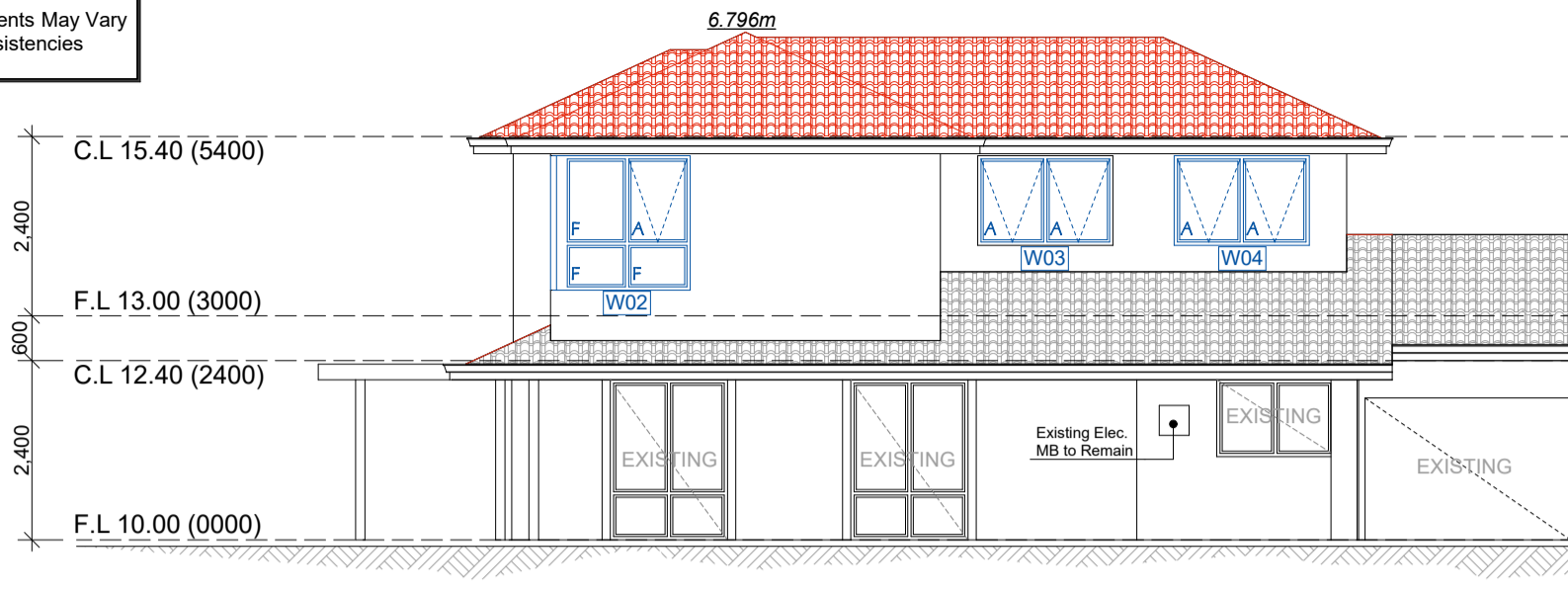
LEGEND

- Existing House:
- Proposed building:

LOT AREA: 446m²
 LOT NO: 127



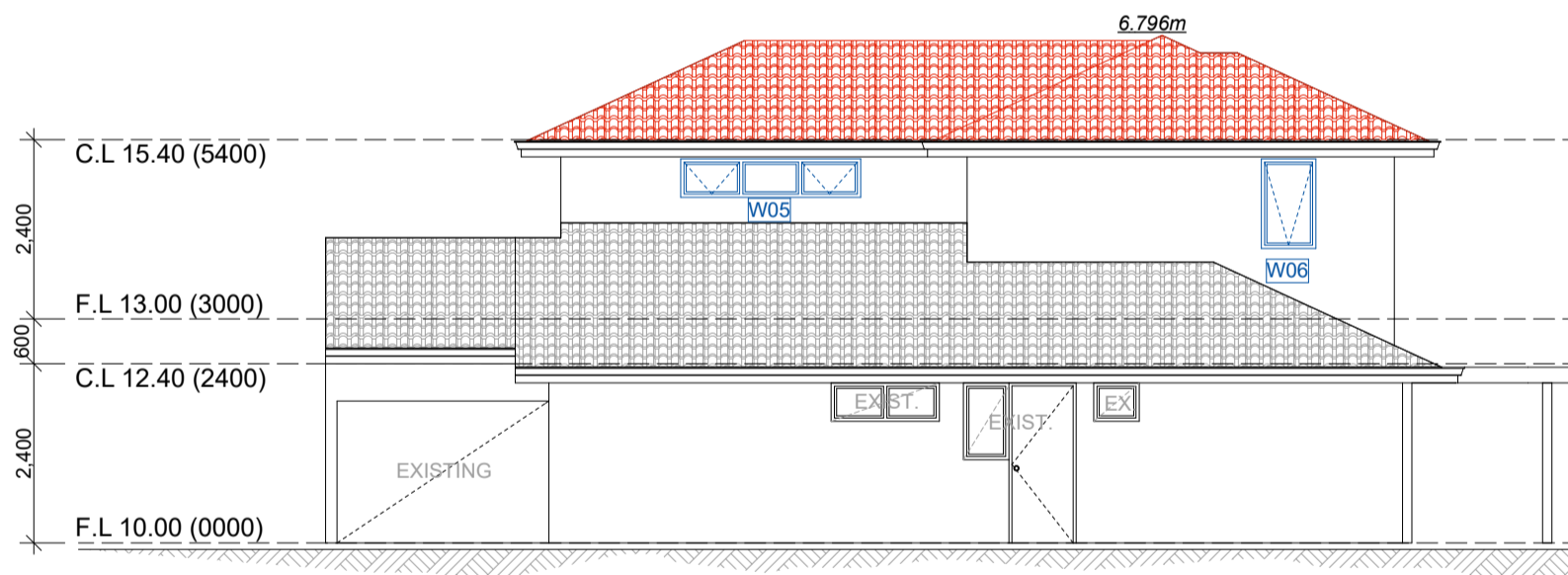
NOTES:
 - These Plans are Subject to Shire Approval
 - Proposed Measurements May Vary Due to Site Inconsistencies



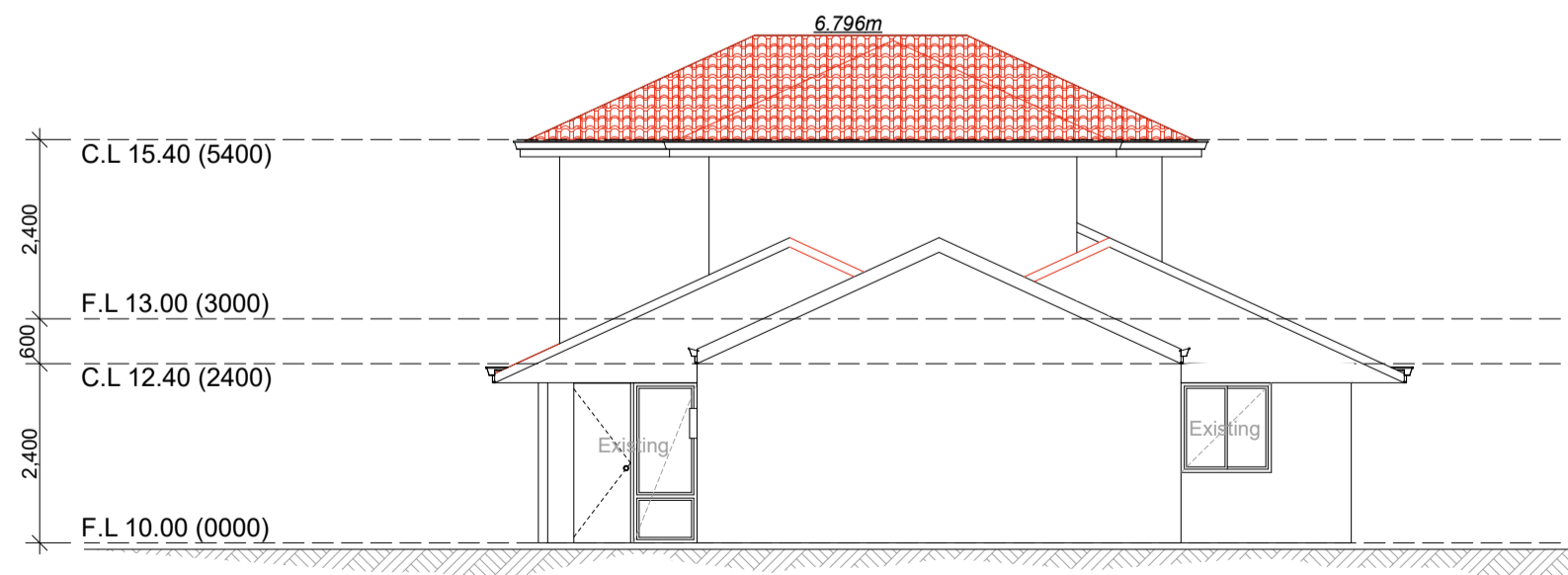
ELEVATION 1



ELEVATION 2



ELEVATION 3



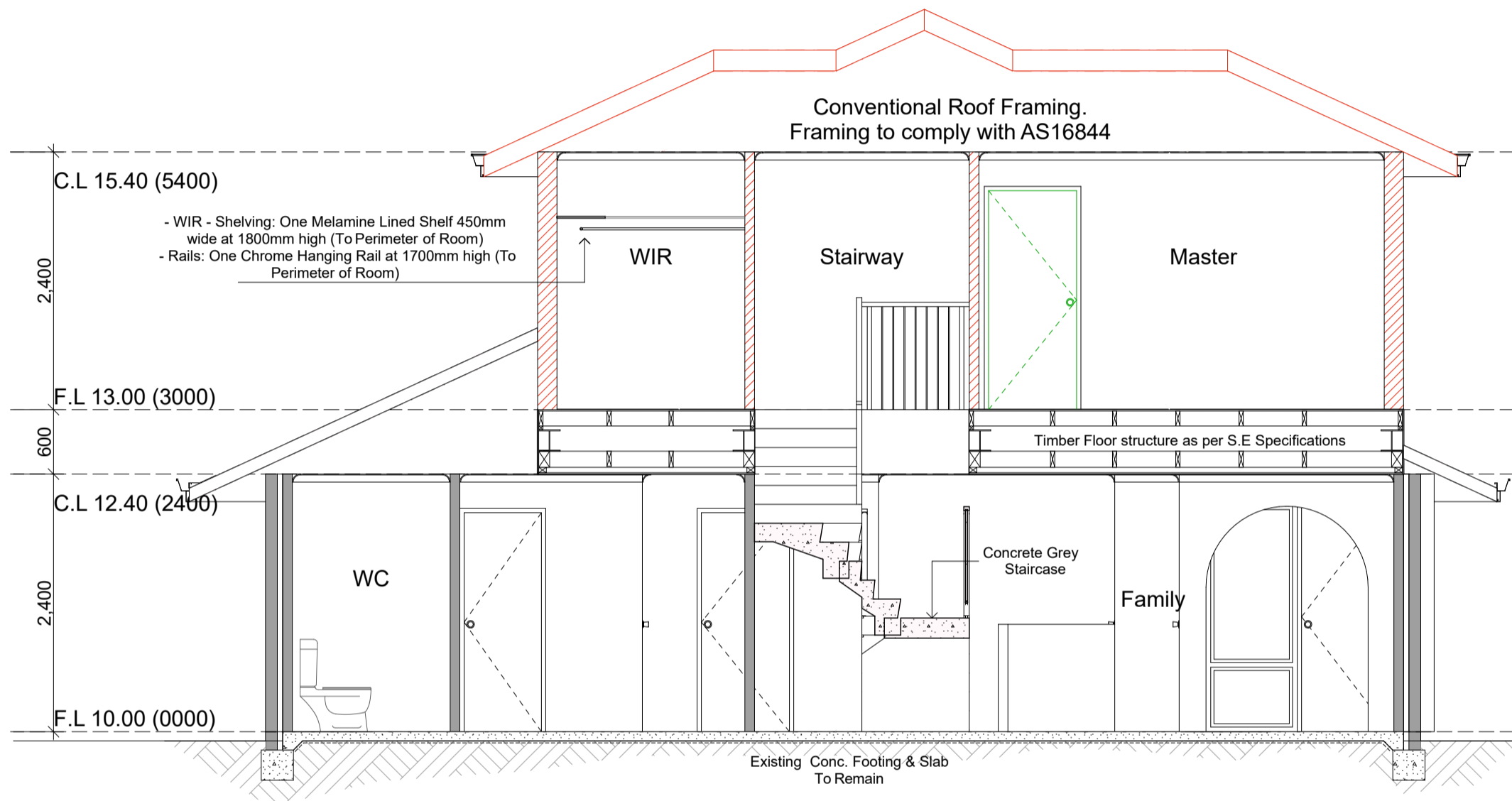
ELEVATION 4

NOTES:

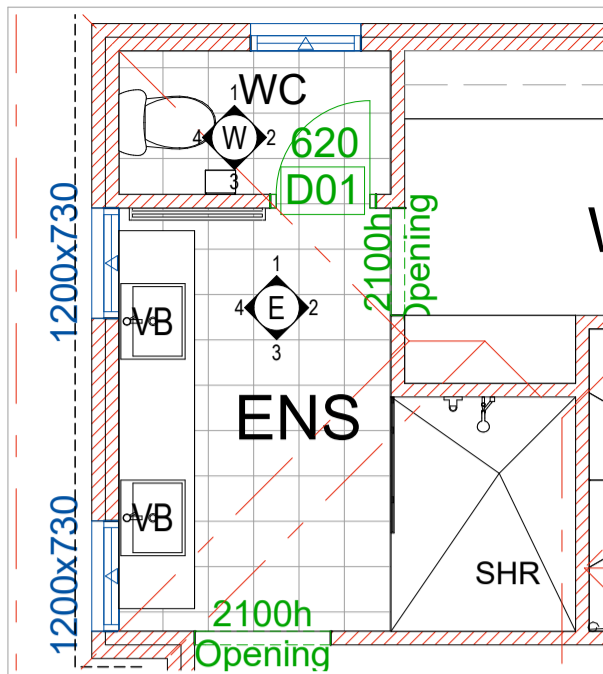
- Upper floor bedroom windows to be protected in accordance with BCA part 3.9.2.5
- Stair construction to comply with BCA part 3.9.1
- Balustrade & handrails to comply with BCA part 3.9.2
- Smoke alarms to comply with BCA part 3.7.2
- Termite Treatment in accordance with AS3660.1:2014

NOTES:

- Top of Handrails Fitted @ 1050 A.F.L

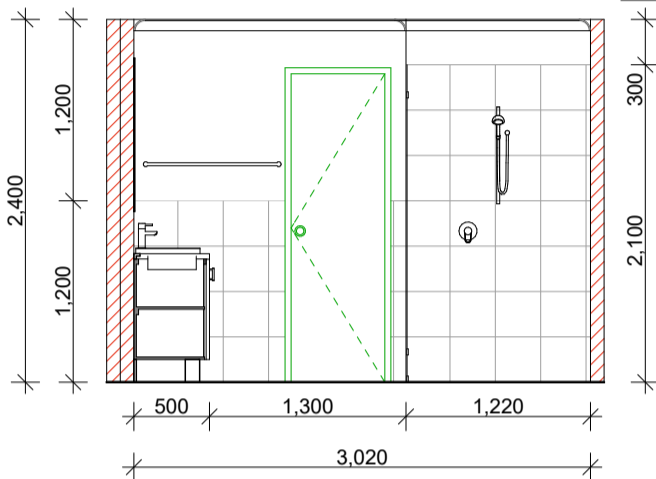


NOTES:
 - Plumbing fixtures & vanity are representative only
 - Tile size and laying patterns are representative only

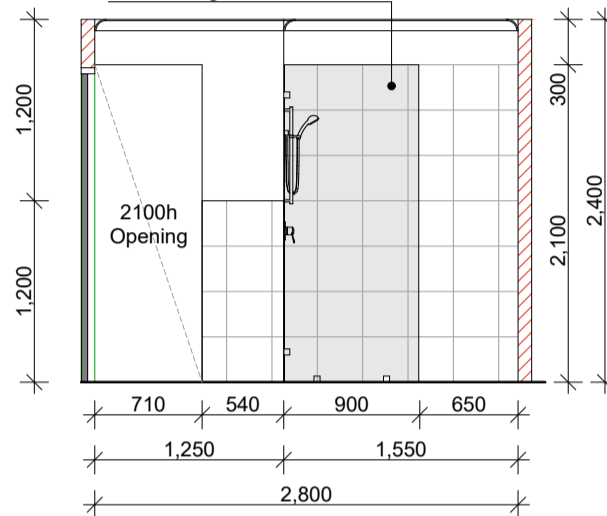


Int.Ensuite.Layout

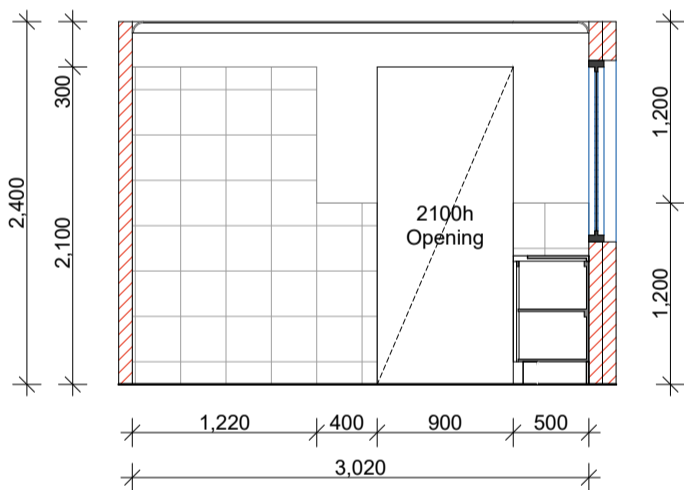
10mm Frameless Panel
 Brackets: Aluminium Bright Chrome
 Glass: Toughened Clear



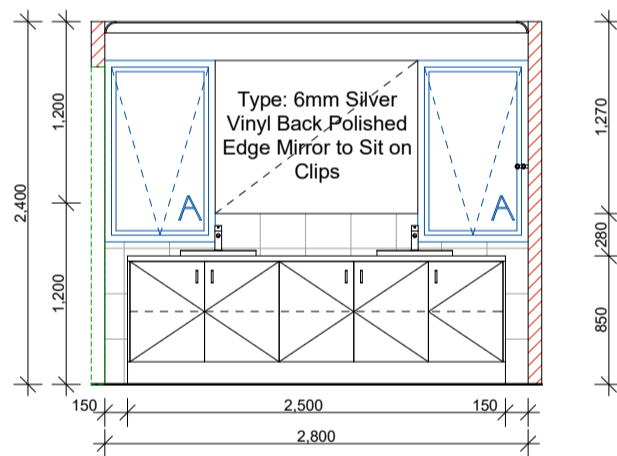
E1



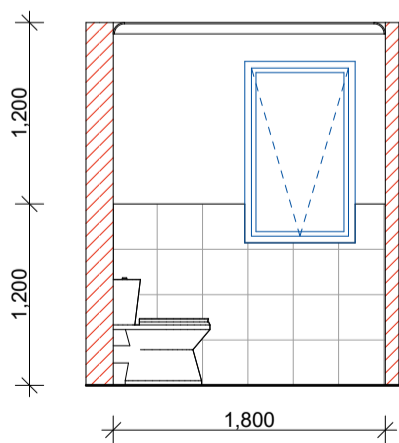
E2



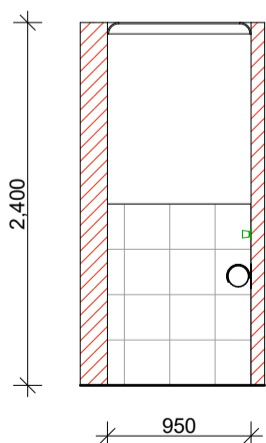
E3



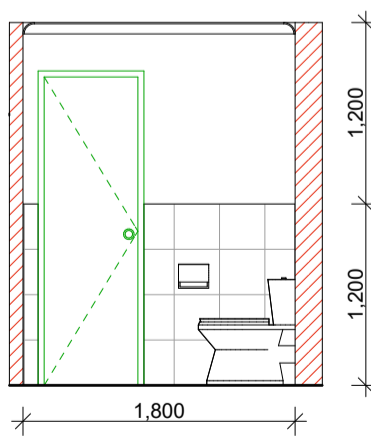
E4



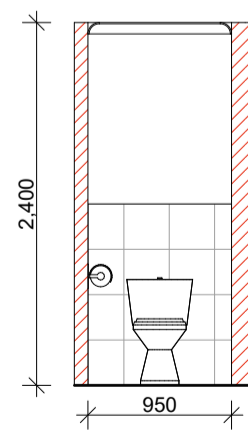
W1



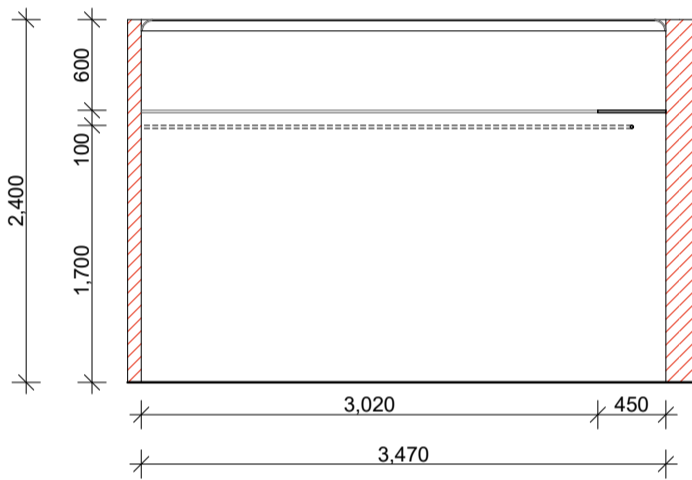
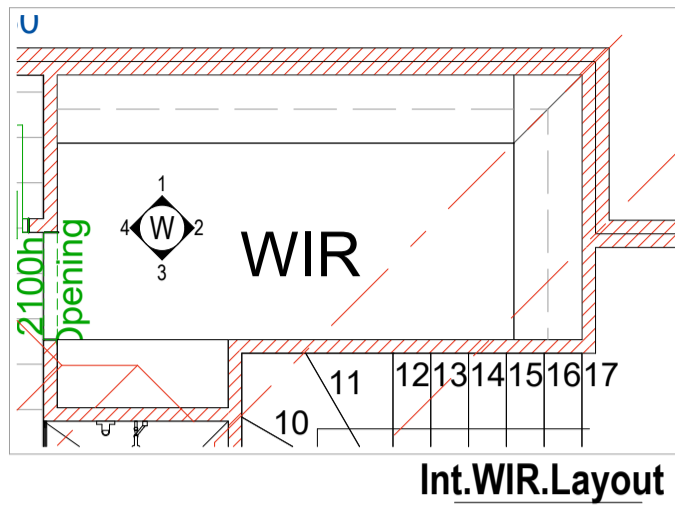
W2



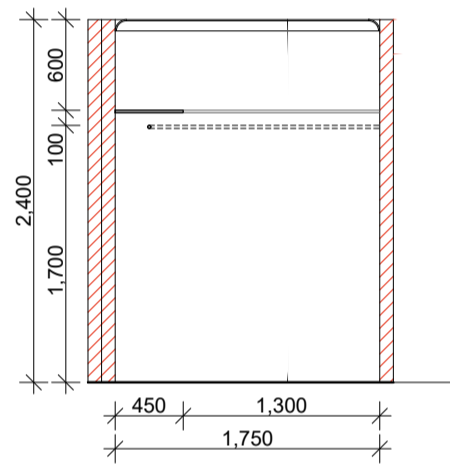
W3



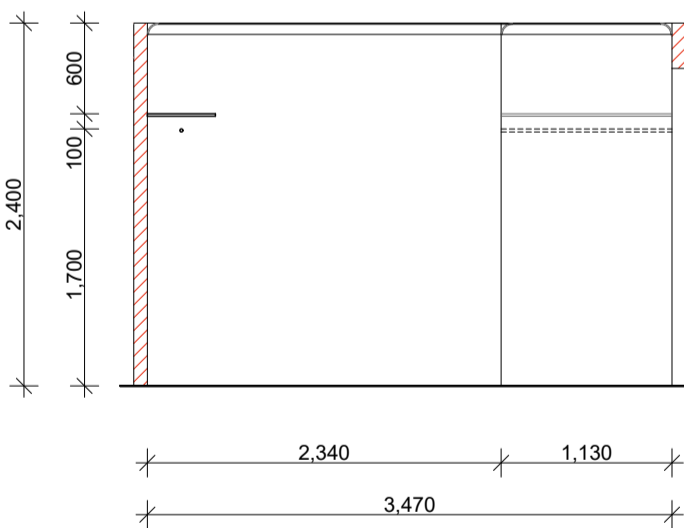
W4



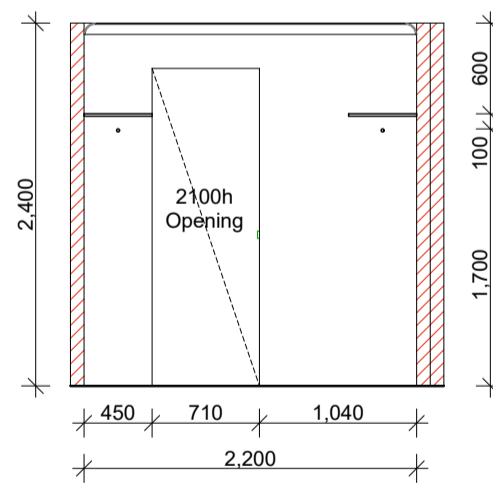
W1



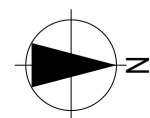
W2



W3



W4



11.3 Canning Highway No 83 (Lot 123) Proposed massage therapy service

Owner	Ringthane Pty Ltd
Applicant	Nikki McDonald-King – ANMK Australia Pty Ltd
File ref	P100/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	1 December 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place record form4. Plans date stamped 1 December 20205. Community consultation

Purpose

The purpose of this report is for Council to consider a planning application for proposed change of use from a shop to a massage therapy service at No 83 (Lot 123) Canning Highway, East Fremantle. An application for new signage is also being proposed in the same development application.

Executive Summary

The applicant is seeking Council approval to operate a massage therapy service (the business is called Wat Pho) within a commercial space that is currently zoned for mixed use but is not listed as a use class within the zoning table in Local Planning Scheme No 3. The development application has also included a proposal for signage on the front windows of the premises. The proposal was advertised widely to residential properties surrounding the proposed business. As the proposal for massage services is an unlisted use in the Town's Local Planning Scheme No 3, it must be referred to Town Planning Committee for approval. Issues relating to parking and amenity need to be addressed as part of the development application.

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

Background

Zoning: Mixed use
Site area: 554m²

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

P098/07 – mixed use development comprising 3 shops – approved 15 April 2008
P195/10 – change of use – personal training studio and flower shop – withdrawn 15 April 2011

Consultation

Advertising

The application was advertised to surrounding landowners 29 September to 14 October 2020. The following submission was received.

Submission	Applicant Response	Officer Response
<p>I have no objection to the concept of a massage parlour operating in close proximity to my residence; however, my concerns surround its operation are as follows: The main concerns are:</p> <p>Parking If parking is not provided at the rear of the building, perhaps clients should be directed to the car park close to Silas St. near 'Foodworks'. parking is often at a premium on our local streets.</p> <p>Cientele It may be beneficial for the operators to inform clients that loiterers after 9pm closing will be viewed negatively. The Tradewinds next door has a lively atmosphere and is a welcome asset to the area; any misadventure associated with the presence of the new business will reflect badly on The Tradewinds and jeopardise the neighbourhood's peace of mind. I trust these comments are received in the spirit with which they are intended; as positive and a sincere hope that my neighbourhood will continue to enjoy its ambience.</p>	<p>In relation to submission one. Absolutely agree and would be happy to minimise the effect of parking in the local area and to direct clients to the car parking as advised. We work on an appointment system for 90% of our clients with our online based appointments so I can advise them of parking as required.</p> <p>In relation to Clientele, I absolutely agree our marketing and focus for the business would be to offer locals and future tourists of Tradewinds and Fremantle. It is an authentic therapeutic experience only, along with our plans for fit out to be open and inviting for couples and families. Unfortunately, a massage business has a stigma attached to it, but to further eliminate this issue, we would not be staying open past 9:00pm.</p> <p>In fact, our plans at this stage, would be to close around 6:00pm. We are focusing mainly on booking clients via our online website and social media marketing. Rest assured our strict standards and professionalism are of the utmost importance.</p> <p>To us, our business relies heavily with support from repeat local business and with a great reputation within the community.</p>	<p>Noted. Parking will be able to be supplied from on street parking along the surrounding streets to the proposed massage parlour.</p> <p>The proposed massage therapy service is in a commercial unit with the same owners as the Tradewinds Hotel and they have supported the proposed change of use.</p>

Community Design Advisory Committee (CDAC)

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

External Consultation

The proposal was referred to Main Roads Western Australia for their comment.

Statutory Environment

Planning and Development Act 2005

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 *Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3 and the Town's Local Planning Policies, including the Signage Design Guidelines.

The applicant is seeking Council approval to operate a massage therapy service. The development application also includes proposed signage for the business on the front windows of the commercial space that is proposed to be utilised. The proposal was advertised widely to 10 properties surrounding the proposed business. The shopfront is currently vacant and has been for some time. It adjoins the Tradewinds Hotel and is seen as complementary to the hotel operations. The proposal for massage services is an unlisted use in the Town's Local Planning Scheme No 3 and as such must be referred to Town Planning Committee for approval. Issues relating to parking and amenity need to be discussed as part of the development application.

Clause 4.2 of Local Planning Scheme No 3 lists the objectives of the mixed-use zone as;

1. To provide for a limited range of commercial, civic and community facilities to meet the day to day needs of the community, but which will not prejudice the amenities of the neighbourhood;
2. To ensure future development within each of the Mixed-Use Zones is sympathetic with the desired future character of each area, and that a significant residential component is retained as part of any new development;
3. To promote the coordination of development within each of the Mixed-Use zones and to facilitate the safe and convenient movement of pedestrians to and within the area;
4. To ensure the location and design of vehicular access and parking facilities do not detract from the amenities of the area or the integrity of the streetscape.

The objectives of the mixed-use zoning are achieved from the proposed use of a massage therapy service. The proposed business is small and produces negligible amenity impacts. The proposed premises are currently a vacant shop. There is no impact on the ability of pedestrians to move through the area. The proposal does not include any additional car parking and on street parking is proposed to be used as has occurred previously with businesses located in this commercial space. There is also car parking in an area to the rear of the liquor shop and proposed massage use. There is minimal impact on the amenity or integrity of the streetscape from the proposed change of use.

The proposed use is intended to occupy an existing shop in a building directly adjacent and to the east of the Tradewinds Hotel. The property fronts Canning Highway. On the eastern side of the shopfront is the 'Cellarbrations' Liquor Store. The owner of the Tradewinds Hotel has provided signed support for the proposal. The shopfront has been vacant for some time and was previously occupied by a media company.

The massage therapy service would operate 7 days per week from 9am to 9pm. Two full time staff would be employed with 4 massage beds and 2 massage chairs provided in the available space.

Parking

There is no formal parking provided onsite, although there is on street parking on both sides of Sewell Street in close proximity to the subject site and the applicants cover letter proposes use of these car bays. There is vacant land at the rear of the mixed-use shopfronts which are sometimes used for temporary parking, but these are not formally paved or marked out. The Town has typically adopted the stance that small businesses located in the Plympton precinct can utilise street parking. As the proposed business fronts onto Canning Highway there is easy access to the bus services that operate along Canning Highway, as well as a bus stop located just outside the entrance to the premises.

It is noted that on-street parking is not reserved parking and operates on a first come first served basis. Plympton Precinct was originally developed in the pre-car era and the construction of carports and garages is discouraged for residential development. On street parking is acceptable for residential uses. It is a highly walkable urban environment that has high quality footpaths that allows residents to walk between destinations. The characteristics that attract people to Plympton, including the pedestrian friendly environment with minimal parking, means that parking will be at a premium and other travel modes will have to be utilised when travelling to the precinct. Parking is nonetheless available along the surrounding streets for use by customers as street parking is not reserved for any specific address.

Amenity

The proposed business has a location that provides separation from the nearest residential dwellings and therefore is not likely to present any amenity issues. The front of the premises faces Canning Highway opposite a reserve (W H Kitson Park) that overlooks the Swan River. The business is located directly adjacent

to the Tradewinds Hotel and a liquor store on the corner of Sewell Street and Canning Highway. It is thus surrounded by non-residential uses. Noise and disturbances to the surrounding residential properties are expected to be negligible.

Signage

Signage is proposed for the front windows of the proposed business. It is intended to install acrylic mesh signage that covers 4 out of 8 panels of glass that comprise the front of the premises. The signage is proposed to be approximately 2.5m high and 1.2m wide and is coloured cream, brown and gold. This signage achieves the maximum permissible signage according to the alternative performance criteria of Local Planning Policy 3.1.2 window signs which states that signs are required to occupy no more than 50% of the surface area of a window.

The signage is able to be looked through when the viewer is in close proximity to the surface, however, it also provides some privacy as it is not possible to look through the signage if you are positioned further away. Curtains will be installed in the sections of window that have no signage for privacy reasons.

Conclusion

Based on the assessment that has been completed and the explanation provided in this report, the proposed change of use and signage are considered acceptable. As such, it is recommended that the proposed development be supported subject to planning conditions.

11.3 OFFICER RECOMMENDATION:

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

- (i) Signage Design Guidelines - Local Planning Policy 3.1.2– Attachment 1 – 10% of window surface area permitted for signage, 50% of window surface area provided for signage**

for a change of use to a massage therapy service and associated signage at No. 83 (Lot 123) Canning Highway, East Fremantle, in accordance with the plans date stamped received 17 September and 2 October 2020, subject to the following conditions:

- (1) Signage is not to exceed 50% coverage of the surface area of the windows and in accordance with the plans and information received 2 October 2020.**
- (2) The business is not to exceed two full time staff on the premises at any one time with a maximum of only 4 massage beds and 2 massage chairs permissible to be utilised.**
- (3) The hours of operation are only approved between the hours of 9.00am and 9.00pm seven days a week. Should the hours of operation be modified for additional operating hours, Council approval is required to be sought prior to extending the operating hours.**
- (4) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.**
- (5) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
- (6) With regard to the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.**
- (7) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal,**

modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

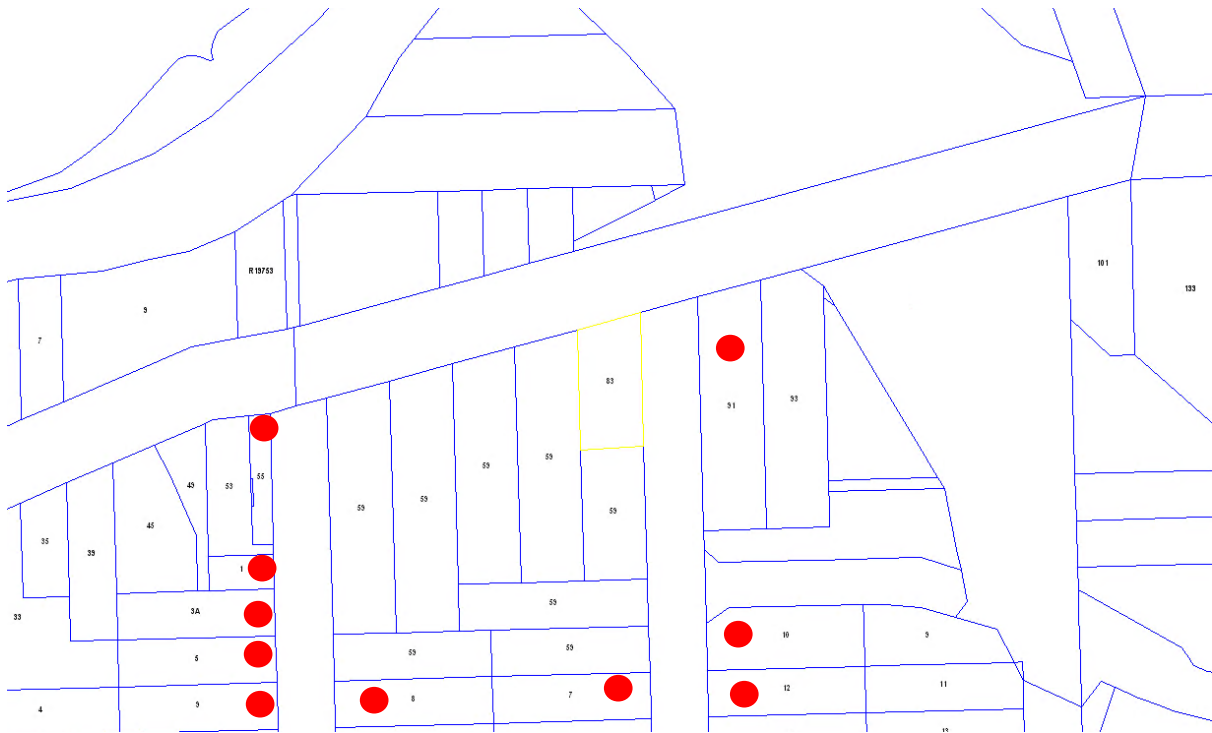
(8) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

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

- (i) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*
- (iii) 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).*
- (iv) the owner/operator of the massage therapy service is to ensure that are fully compliant with all requirements established by both the Western Australian Department of Health and local government and queries should be directed to the Town's Environmental Health Officer and Building Surveyor.*

83 Canning Highway – Map and Photo



83 Canning Highway - Photos



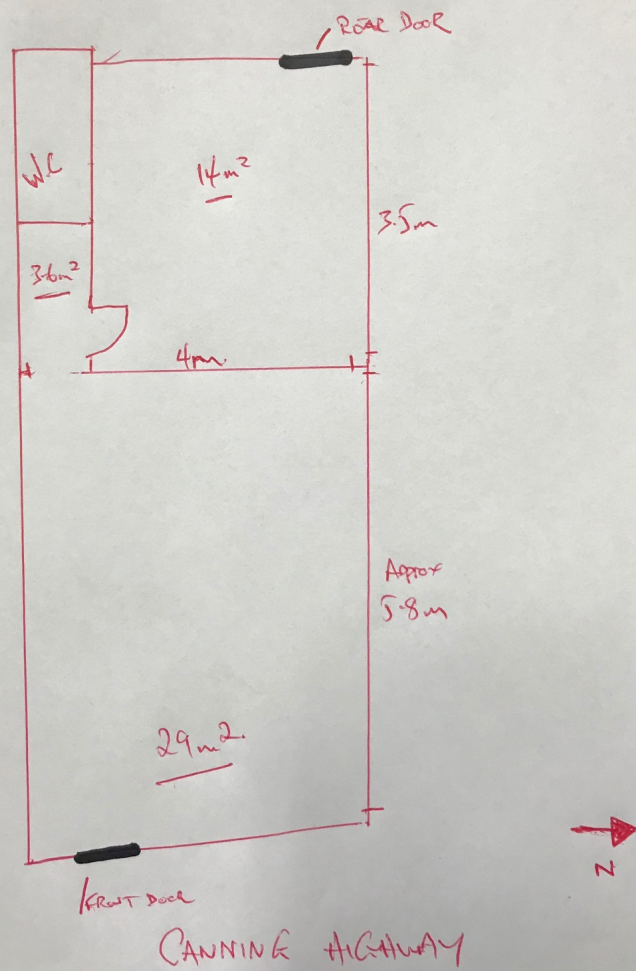
PLACE RECORD FORM



PRECINCT	Plympton
ADDRESS	79-83 Canning Highway
PROPERTY NAME	N/A
LOT NO	Lot 123
PLACE TYPE	Commercial
CONSTRUCTION DATE	C 1900
ARCHITECTURAL STYLE	Federation Free Classical
USE/S	Original Use: Shops and residences/ Current Use: Commercial
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 79-83 Canning Highway is a single-storey rendered brick building. Low-pitched corrugated iron roofs are concealed by parapets. It is a remnant expression of the Federation period shops with houses to the rear. The street elevations are arranged to accommodate three shopfronts. The original shopfronts and much of the classical detailing has been removed. Only the rhythm of the shops and their roofscape can be read externally. A recently constructed verandah is built out over the pavement.</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</p>

	suburb.
HISTORICAL NOTES	<p>Plympton is a cohesive precinct where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick and stone cottages.</p> <p>Commercial premises were established on Canning Highway and George Street. The George Street commercial strip developed within a decade of the residential development in surrounding streets.</p>
OWNERS	Unknown
HISTORIC THEME	Demographic Settlements - Occupations
CONSTRUCTION MATERIALS	<p>Walls – Rendered masonry</p> <p>Roof - Corrugated roof sheeting</p>
PHYSICAL SETTING	The building is built up to the lot boundaries and a verandah extends out over the pavement.
STATEMENT OF SIGNIFICANCE	<p>No 79-83 Canning Highway is a single storey set of shops with residences behind them. The place is constructed in rendered masonry with an 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 Federation Free Classical commercial premises and it has a low degree of authenticity and a high degree of integrity.</p> <p>The shopfronts and verandahs have no significance.</p>
AESTHETIC SIGNIFICANCE	No 79-83 Canning Highway has considerable aesthetic value as a fine Federation Free Classical commercial building. It retains some of the characteristic features of combined commercial and residential premises of the type and period.
HISTORIC SIGNIFICANCE	No 79-83 Canning Highway 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 79-83 Canning Highway 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 79-83 Canning Highway is not rare in the immediate context but Plympton has rarity value as a working class suburb.
CONDITION	No 79-83 Canning Highway is in fair condition.
INTEGRITY	No 79-83 Canning Highway retains a high degree of integrity.
AUTHENTICITY	No 79-83 Canning Highway retains a low degree of authenticity.
MAIN SOURCES	

REAR ACCESS APPROX 8.8m x 0.95m = 8.36m²
WAY
(NOT SHOWN)







Community Engagement Checklist

Development Application P100/20 - 83 Canning Highway

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	30/09/2020	Outcomes By: 14/10/2020
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	8/05/2020	<input checked="" type="checkbox"/> Advertised to 11 surrounding property
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		14/10/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

11.4 Alexandra Road No 31 (Lot 44) Proposed new residence

Owner	Yalena Pty Ltd
Applicant	Summit Homes
File ref	P088/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 November 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Plans date stamped4. Map and photo5. Community consultation

Purpose

The purpose of this report is for Council to consider a planning application for a proposed new residence at No 31 (Lot 44) Alexandra Street, East Fremantle.

Executive Summary

This development application proposes a new dwelling on a proposed vacant strata lot at the rear of 31 Alexandra Road East Fremantle. The dwelling will front onto Staton Road.

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

- (i) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees 38 minutes provided

This application is being considered by Council because the value of the proposal exceeds the amount able to be determined under delegated authority. The application was also considered by the CDAC and included comments regarding the proposed design. It is considered that the above variations can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R12.5

Site area: 2023m²

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

Nil

Consultation

Advertising

The application was advertised to surrounding landowners from 8 to 22 September 2020. No submissions were received from advertising.

Community Design Advisory Committee (CDAC)

The application was referred to CDAC for the 5 October 2020 meeting;

(a) *The overall built form merits;*

- The Committee commented that the dwelling does not fit with the typology of the area's aesthetics, including the façade of the dwelling. Concerns were raised regarding the prominence of the double storey design of the dwelling to the front façade and streetscape, increasing the visual impact to the surrounding character of the street.
- The Committee noted the dwelling has limited architectural design.
- The Committee requested a Streetscape Analysis be provided.

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

- The Committee noted the dwelling has limited architectural design.
- The Committee commented stepping/ setting back the upper floor would create a better streetscape and design/ façade outcome.

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

- The Committee note that the proposal detracts from the broader public realm and streetscape.

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

- No further comment at this time. Please see above.

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

- The Committee note the dwelling has poor passive solar design, poor cross ventilation and poor environmental sustainability.

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

- The Committee note that whilst the dwelling complies with the "Crime Prevention" Through Environmental Design performance, the four rooms with view to the street are not habitable areas that are utilised constantly during the day.

Applicant Response

(a) *The overall built form merits;*

- *The Committee commented that the dwelling does not fit with the typology of the area's aesthetics, including the façade of the dwelling. Concerns were raised regarding the prominence of the double storey design of the dwelling to the front façade and streetscape, increasing the visual impact to the surrounding character of the street.*
- *The Committee noted the dwelling has limited architectural design.*
- *The Committee requested a Streetscape Analysis be provided.*

The streetscape of Alexandra Road is comprised of a significant cross slope (hill) along its entire length, with the majority of its existing street front dwellings being traditional in form and construction methods, comprising of significant sub floor build-ups, (in limestone, brick & timber), significantly raised finished floor levels (in response to the topography), typically highly elevated and raised brick front walls (with traditional high ceilings internally) and traditional high pitched roofs, all presenting façades of increased / raised dominance to the streetscape. A new two storey dwelling with its modernised construction methodology such as slab on ground, will have reduced 'additional prominence' in a streetscape with such significant cross slope and traditionally elevated dwellings, and can be considered completely suitable to this location.

The dwelling proposal is a culmination of the desires of the owner / client and their personal vision for their new proposed residence.

A streetscape can be provided as requested, (allowing for the necessary time period to produce of course), with some clarification on the direction of the development proposal from council.

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

- The Committee noted the dwelling has limited architectural design.
- The Committee commented stepping/ setting back the upper floor would create a better streetscape and design/ façade outcome.

The dwelling proposal is a culmination of the desires of the owner / client and their personal vision of their new proposed residence.

However, the owner / client is not unsympathetic to valid critique and suggestion on how the proposed dwelling can be further refined to be in greater harmony with its public interface.

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

The Committee note that the proposal detracts from the broader public realm and streetscape.

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

No further comment at this time. Please see above.

Again, the dwelling proposal is a culmination of the desires of the owner / client and their personal vision of their new proposed residence. But the owner is not unsympathetic to valid critique and suggestion on how the proposed dwelling can be further refined to be in greater harmony with its public interface.

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

- The Committee note the dwelling has poor passive solar design, poor cross ventilation and poor environmental sustainability.

The design proposal has been orientated and formulated in response to passive solar design principles and will be constructed to all current national requirements with regards to energy efficiency.

- (f) *The demonstration of other qualities of best practice urban design including “Crime Prevention” Through Environmental Design performance, protection of important view corridors and lively civic places;*
- *The Committee note that whilst the dwelling complies with the “Crime Prevention” Through Environmental Design performance, the four rooms with view to the street are not habitable areas that are utilised constantly during the day.*

Given the general floor plan layout configurations to all the traditional existing residences in the street, with similar formal lounge / master bedroom, room configurations to the front, with very limited street surveillance opportunities through traditionally shaped window configurations, this critique is more applicable to every existing house in Alexandra Road and less applicable to the proposed dwelling, which, with its two storey street interface, creates greater implied passive surveillance to the public realm, and with its larger windows proposed from elevated positions, presents significantly further passive security opportunities than any other dwelling currently in Alexandra Road.

Officer Response

All comments have been noted.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

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

Policy Implications

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

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town’s character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town’s existing built form.*
- 3.3 *Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*

- 3.3.2 Optimal management of assets within resource capabilities.
- 3.3.3 Plan and advocate for improved access and connectivity.

Natural Environment

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	7.5m	7.926m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Northern wall – ground floor	1.5m	2.56m	A
Eastern wall – ground floor	6m	>6m	A
Southern wall – ground floor	1.5m	6.01m	A
Northern wall – upper floor	1.5m	2.56m	A
Eastern wall – upper floor	6m	>6m	A
Southern wall – upper floor	3.9m	6.01m	A
Open Space	55%	74%	A
Wall height	6m	5.8m	A
Roof height	9m	8.25m	A
Garage	6m turning space	6m turning space	A
Car Parking	2 car bays	2 car bays	A

Site Works			N/A
Visual Privacy			
Bedroom 3	4.5m	5.445m	A
Bedroom 1	4.5m	6.01m	A
Balcony	7.5m	>7.5m	A
Overshadowing	<25%	<25%	A
Drainage			To be conditioned

Local Planning Policies Assessment

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

This development application proposes a new dwelling on a proposed vacant strata lot at the rear of 31 Alexandra Road East Fremantle. One variation is requested to the requirements of the Residential Design Guidelines relating to roof pitch. The dwelling will front onto Staton Road and will have a driveway which is existing located on the southern side of the lot that services both the new dwelling and the existing dwelling that fronts onto Alexandra Road. There is already a front fence and gate across the driveway that fronts onto Staton Road.

The comments of the CDAC are noted above, however for the purposes of assessment, the applicant is significantly compliant and therefore has been recommended for approval subject to conditions.

Roof Pitch

The Residential Design Guidelines acceptable development provision 3.7.8.3 A4.1 requires that roof pitch is between 28 and 36 degrees. In this case the roof pitch is less than 28 degrees (25 degrees 38 minutes). However, in accordance with performance criteria 3.7.8.3 P4 roof buildings should complement the traditional form of surrounding development in the immediate locality. The roof pitch is marginally less than required but does not look out of place with the surrounding development with various roof pitches.

For this reason, the proposed roof pitch can be supported.

Conclusion

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

11.4 OFFICER RECOMMENDATION:

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

- (i) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, 25 degrees 38 minutes provided

for a new residence on the proposed rear strata lot at No. 31 (Lot 44) Alexandra Road, East Fremantle, in accordance with the plans date stamped received 31 August 2020, subject to the following conditions:

- (1) The crossover widths are not to exceed the width of the crossovers indicated on the plans date stamped received 31 August 2020 and to be in accordance with Council's crossover policy and the Residential Design Guidelines.
- (2) All fencing and gates are to be in compliance with the front fence provisions of the Residential Design Guidelines. Any proposed new fencing or walls in the front setback area will require the submission of a development application for the consideration of the Town.
- (3) Retaining walls in excess of 0.5m above natural ground level will require the submission of a development application for the consideration of the Town.
- (4) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
- (5) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
- (6) With 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 planning approval, without those changes being specifically marked for Council's attention.
- (7) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
- (8) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
- (9) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
- (10) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable



proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

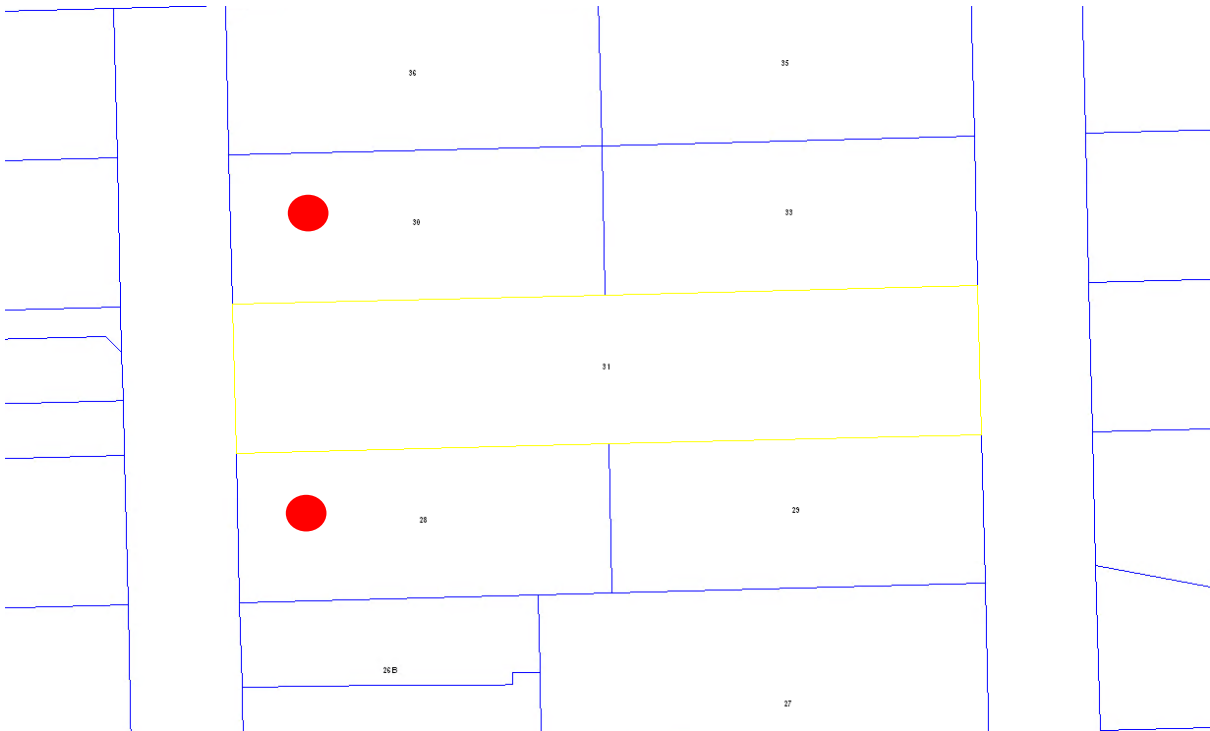
- (11) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

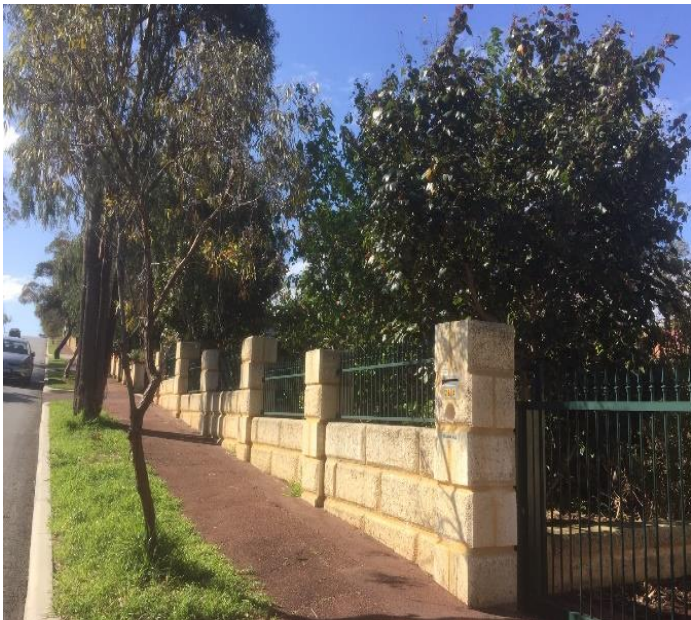
The following are not conditions but notes of advice to the applicant/owner:

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

31 Alexandra Street – Map and Photo



31 Alexandra Road - Photos



PLACE RECORD FORM



PRECINCT	Richmond
ADDRESS	31 Alexandra Road
PROPERTY NAME	N/A
LOT NO	Lot 44
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1903
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	No 31 Alexandra Road is a single storey house constructed in limestone and brick with a hipped and gable corrugated iron roof. It is a fine expression of the Federation Bungalow style. It is asymmetrically composed with a full width return hip roofed verandah. The verandah is supported on turned timber posts with post brackets. At the southern end of the verandah there is a set of steps and a gabled entry. The gable features timber fretwork including what appears to be the initials D L. A new front door has been constructed to the eastern end of the return verandah. The front facade features bay windows with French double hung sashes. The roofscape features tall tuck pointed chimneys.

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, Wolseley 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

Leopold Hirsohn
Harry Cohney

HISTORIC THEME

Demographic Settlements - Residential Subdivision

CONSTRUCTION MATERIALS

Walls – Limestone and brick
Roof – Corrugated iron sheeting

PHYSICAL SETTING

The residence is situated on a sloping site with a limestone wall on the lot boundary.

STATEMENT OF SIGNIFICANCE

No 31 Alexandra Road is a single storey house constructed in limestone and 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 considerable aesthetic value as a Federation Bungalow. The place retains a moderate to high degree of authenticity and a high degree of integrity.

The additions have no significance.

AESTHETIC SIGNIFICANCE	No 31 Alexandra Road has considerable aesthetic value as a Federation Bungalow. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 31 Alexandra Road has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle and the subdivision of Stephen Henry Parker and James Morrison's and then Walter Easton's Estate from 1901.
SCIENTIFIC SIGNIFICANCE	N/A
SOCIAL SIGNIFICANCE	No 31 Alexandra Road 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 31 Alexandra Road is not rare in the immediate context but Richmond has rarity value as a cohesive middle class suburb.
CONDITION	No 31 Alexandra Road is in good condition.
INTEGRITY	No 31 Alexandra Road retains a high degree of integrity.
AUTHENTICITY	No 31 Alexandra Road retains a moderate to high degree of authenticity.
MAIN SOURCES	

PROPOSED DEVELOPMENT FOR

COHNEY

JOB DESCRIPTION

LOT 44 (#31) ALEXANRA ROAD,
EAST FREMANTLE
159250



ARTIST IMPRESSION ONLY



Back-to-Back Winners!
Summit Homes Group



(Project/Volume Builder)
Summit Homes Group

BUILT AROUND PEOPLE.

Copyright ©2019

NEW HOMES

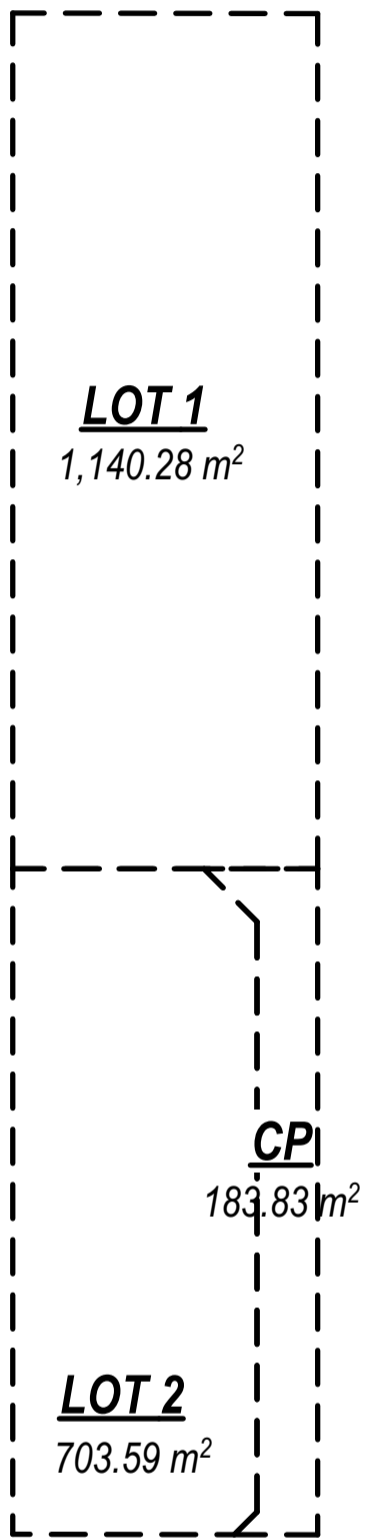
RENOVATIONS

GRANNY FLATS

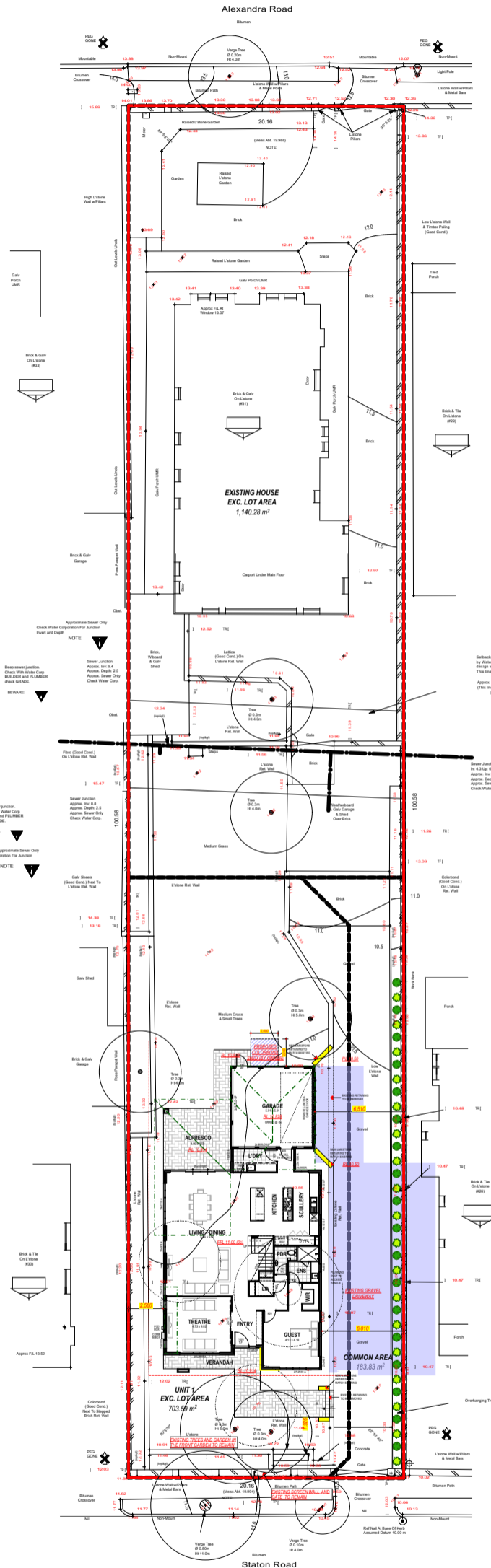
DEVELOPMENTS



SITE PLAN



STRATA PLAN



EXISTING RESIDENCE

FLOOR PLAN
A: 263.98 m²
P: 75.94 m

GARAGE
A: 41.53 m²

SHED
A: 42.58 m²

TOTAL AREA
A: 348.09 m²

EXCLUSIVE LOT AREA 1,140.00 m²
CPA 91.50 m²
TOTAL SITE AREA 1,231.50 m²
BUILDING AREA 348.00 m²
OPEN SPACE 71.74 %

PROPOSED RESIDENCE

GROUND FLOOR

FLOOR PLAN **ROOF**
A: 169.92 m² A: 102.27 m²
P: 56.72 m P: 48.28 m

GARAGE **ROOF**
A: 37.27 m² A: 4.98 m²

VERANDAH **ROOF**
A: 8.13 m² P: 11.96 m

ALFRESCO
A: 22.05 m²

TOTAL AREA
A: 236.37 m²

FIRST FLOOR

FLOOR PLAN **ROOF**
A: 128.23 m² A: 164.39 m²
P: 52.52 m P: 56.32 m

GARAGE
A: 13.42 m²

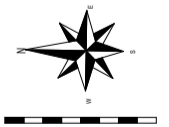
TOTAL AREA
A: 141.69 m²

EXCLUSIVE LOT AREA 703.00 m²
CPA 91.50 m²
TOTAL SITE AREA 794.50 m²
BUILDING AREA 206.19 m²
OPEN SPACE 74.05 %

ZONING R12.5
TOTAL SITE AREA 2027 m²

SUN SHADOW AT NOON 21 JUNE

LANDSCAPING LEGEND / PLANT SCHEDULE		
SYMBOL	PLANT NAME	SIZE
VO	Viburnum Odoratissimum	5 Litre
LLT	Lomandra Lime Tuff	5 Litre
DTR	Dianella Tasmanian Red	5 Litre
DCB	Dianella Cassa Blue	5 Litre
DW	Dianella Wyeena	5 Litre
DM	Dracaena Marginata	5 Litre



BUILDER: _____

CLIENT(S): _____

WITNESS: _____

PROPOSED RESIDENCE FOR: COHNEY

ADDRESS: LOT 44 (#31) ALEXANRA ROAD, EAST FREMANTLE

DRAWN: #Drawn SCALE: 1:400 Issue Name Drawn Date Issue Name Drawn Date

DESIGNED: ALI SHEET: 2 OF 6

CHECKED: #Checked SIZE: A3

DATE: #Date #Division

MODEL: #Model Type JOB N°

159250 FEAS_DA SITE PLAN (A3 V) (1)

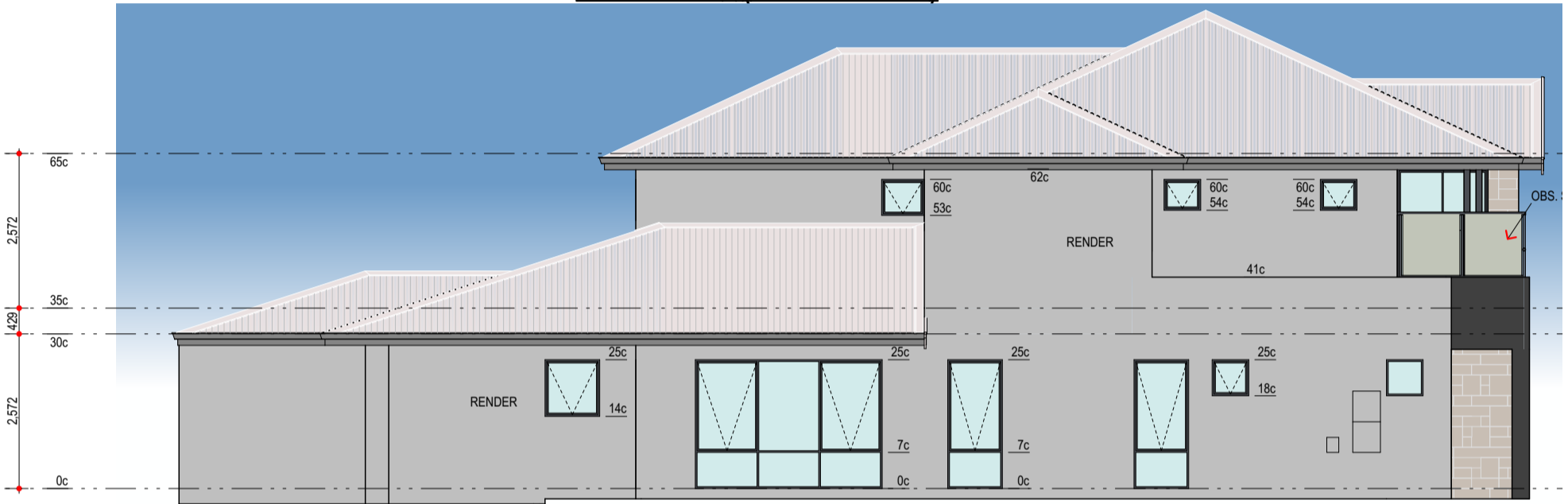




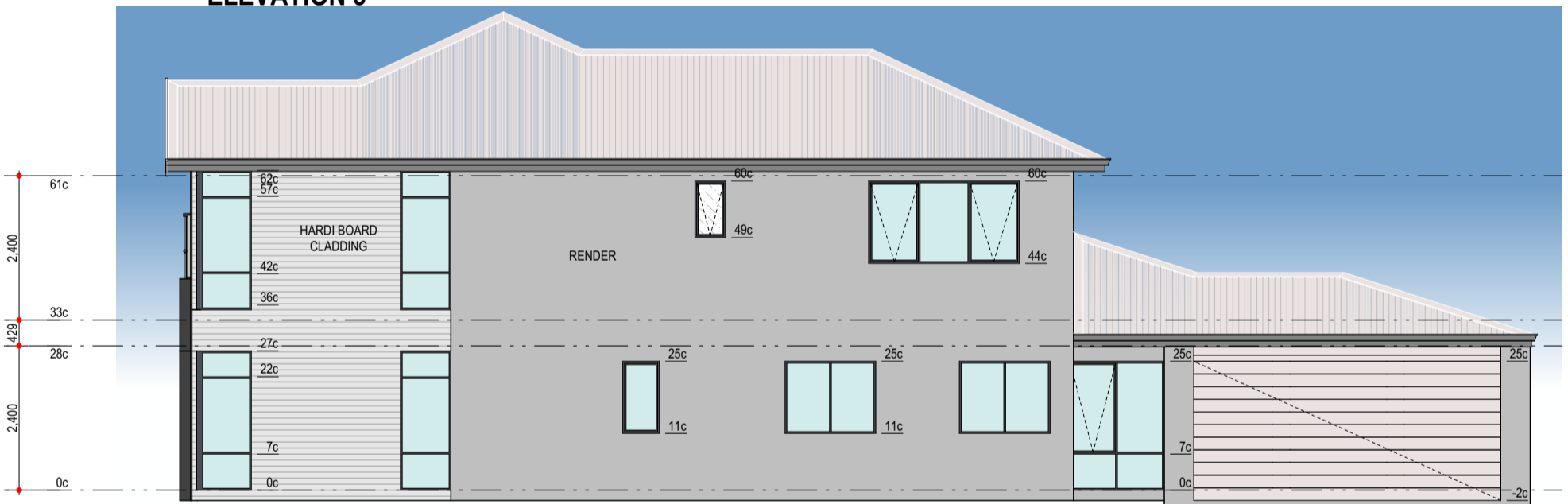
ELEVATIONS



ELEVATION 1 (STATON ROAD)



ELEVATION 3



ELEVATION 4



ELEVATION 2

COLOURS FOR ILLUSTRATIVE PURPOSES ONLY

WITNESS: _____
 CLIENT(S): _____
 BUILDER: _____

PROPOSED RESIDENCE FOR:
COHNEY

ADDRESS:
LOT 44 (#31) ALEXANRA ROAD,
EAST FREMANTLE

DRAWN:	#Drawn	SCALE:	1:100	Issue Name	Drawn	Date	Issue Name	Drawn	Date
DESIGNED:	ALI	SHEET:	6 OF 6						
CHECKED:	#Checked	SIZE:	A3						
DATE:	#Date	#Division							
MODEL:	#Model Type	JOB N°	159250						
				FEAS_DA ELEVATIONS (A3 V) (1)					





Community Engagement Checklist

Development Application P088/20 - 31 Alexandra Road

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	8/09/2020	Outcomes By: 22/09/2020
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	22/09/2020	<input checked="" type="checkbox"/> Advertised to 6 surrounding properties
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		22/09/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

11.5 Wolsely Road No 31 (Lot 20) Proposed alterations and additions

Owner	Jacob & Serena Ricciardone
Applicant	Nexus Home Improvements
File ref	P099/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	1 December 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan 2. Site photos 3. Plans date stamped 4. Community consultation

Purpose

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 31 (Lot 20) Wolsely Road, East Fremantle.

Executive Summary

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

- (i) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided

This application is being considered by Council because the value of the proposal exceeds the amount able to be determined under delegated authority. It is considered that the above variation can be supported subject to conditions of planning approval being imposed.

Background

Zoning: Residential R17.5
Site area: 979m²

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

Development application P116/09 – swimming pool – approved 20 September 2009

Consultation

Advertising

The application was advertised to surrounding landowners from 24 September to 9 October 2020.

Community Design Advisory Committee (CDAC)

The application was referred to 5 October 2020 CDAC. The following comments were made;

(a) The overall built form merits;

- The Committee supports the proposal.
- The Committee note the proposed additions and alterations are small and modest, with an appropriate design and suitable setbacks for the dwelling.

- The retention of the existing dwelling is also supported. It is considered good adaptive use of the dwelling.
- The Committee note the roof material integrates the old with the newer material.

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

- The committee commented that enhancing the front of the property/ building is in keeping with the existing simplistic style of the dwelling.

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

- The Committee note there is a nice rhythm to the proposal.
- The Committee request a colour palette be provided to ensure a suitable colour scheme is be utilised.

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

- No further comment at this time.

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

- No further comment at this time.

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

- No further comment at this time.

Applicant Response

A colour and materials schedule has been provided. No further comments were received.

Officer Response

All comments have been noted.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

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

Policy Implications

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

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town’s character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town’s existing built form.*
- 3.3 *Plan and maintain the Town’s assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 *Continue to improve asset management practices.*
 - 3.3.2 *Optimal management of assets within resource capabilities.*
 - 3.3.3 *Plan and advocate for improved access and connectivity.*

Natural Environment

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	6m	18.345m (Upper storey addition)	A
Secondary Street Setback			
Lot Boundary Setbacks			
Western boundary ground floor alfresco	1.5m	1.6m	A
Northern boundary ground floor alfresco	1.5m	>1.5m	A
Eastern boundary ground floor alfresco	1.5m	7.826m	A
Western boundary upper storey	3.3m	3.794m	A
Northern boundary upper storey	3.3m	>3.3m	A
Eastern boundary upper storey	3.3m	7.826m	A
Open Space	50%	73%	A
Wall/roof height (concealed roof)	7m	6.71m	A
Setback of Garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy		All habitable rooms compliant	A
Overshadowing		Overshadows same lot	A
Drainage			To be conditioned

Local Planning Policies Assessment

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

This development application proposes alterations and additions which include internal modifications to the existing dwelling as well as the addition of an alfresco area to the rear of the dwelling and an upper storey which comprises a master suite, retreat and ensuite. One variation is requested to the requirements of the Residential Design Guidelines relating to roof pitch.

The comments of the CDAC are noted above, however for the purposes of assessment, the applicant is significantly compliant and therefore has been recommended for approval subject to conditions.

Roof Pitch

In accordance with the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1 the roof pitch is supposed to be between 28 and 36 degrees. In this case the roof has a pitch less than this. The roof is concealed on the upper storey addition, but it complements the traditional form of surrounding development in the immediate locality in accordance with performance criteria clause 3.7.8.3 P4. For this reason, the roof pitch can be supported.

Conclusion

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

11.5 OFFICER RECOMMENDATION:

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

- (i) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided**

for proposed alterations and additions at No. 31 (Lot 20) Wolsely Road, East Fremantle, in accordance with the plans date stamped received 16 September 2020, subject to the following conditions:

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

for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

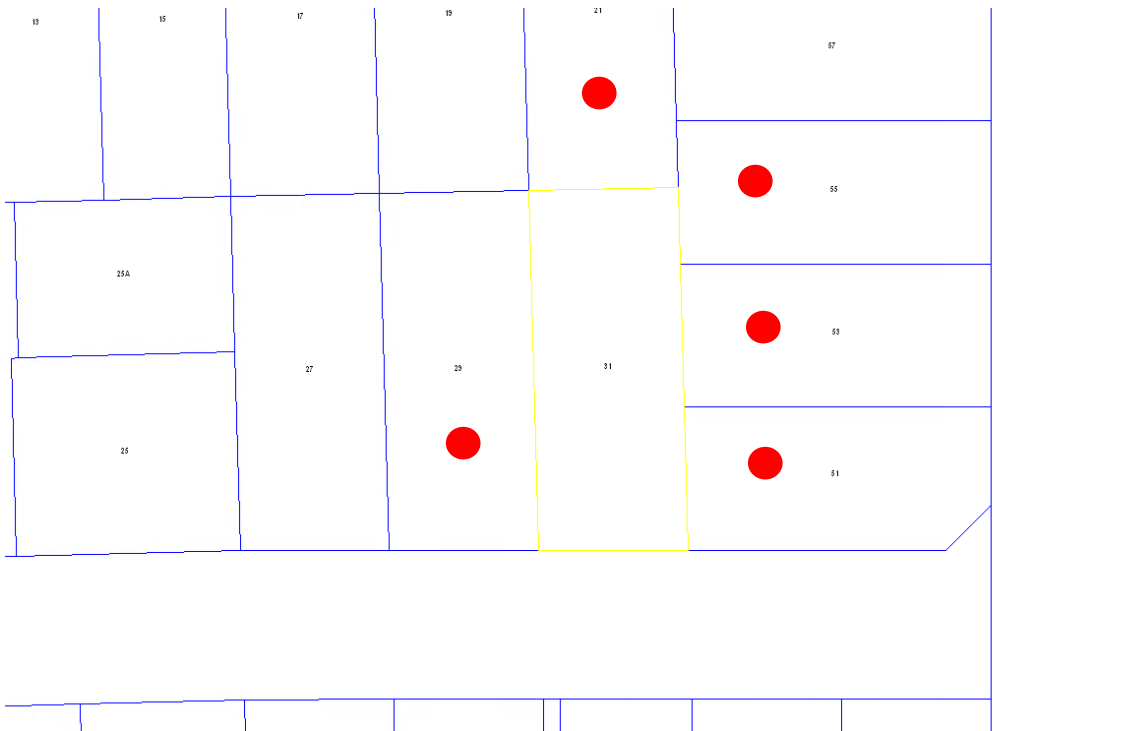
- (8) This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

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

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

31 Wolsely Road – Map and Photo







NEXUS

HOME IMPROVEMENTS



STAGE:
PLANNING

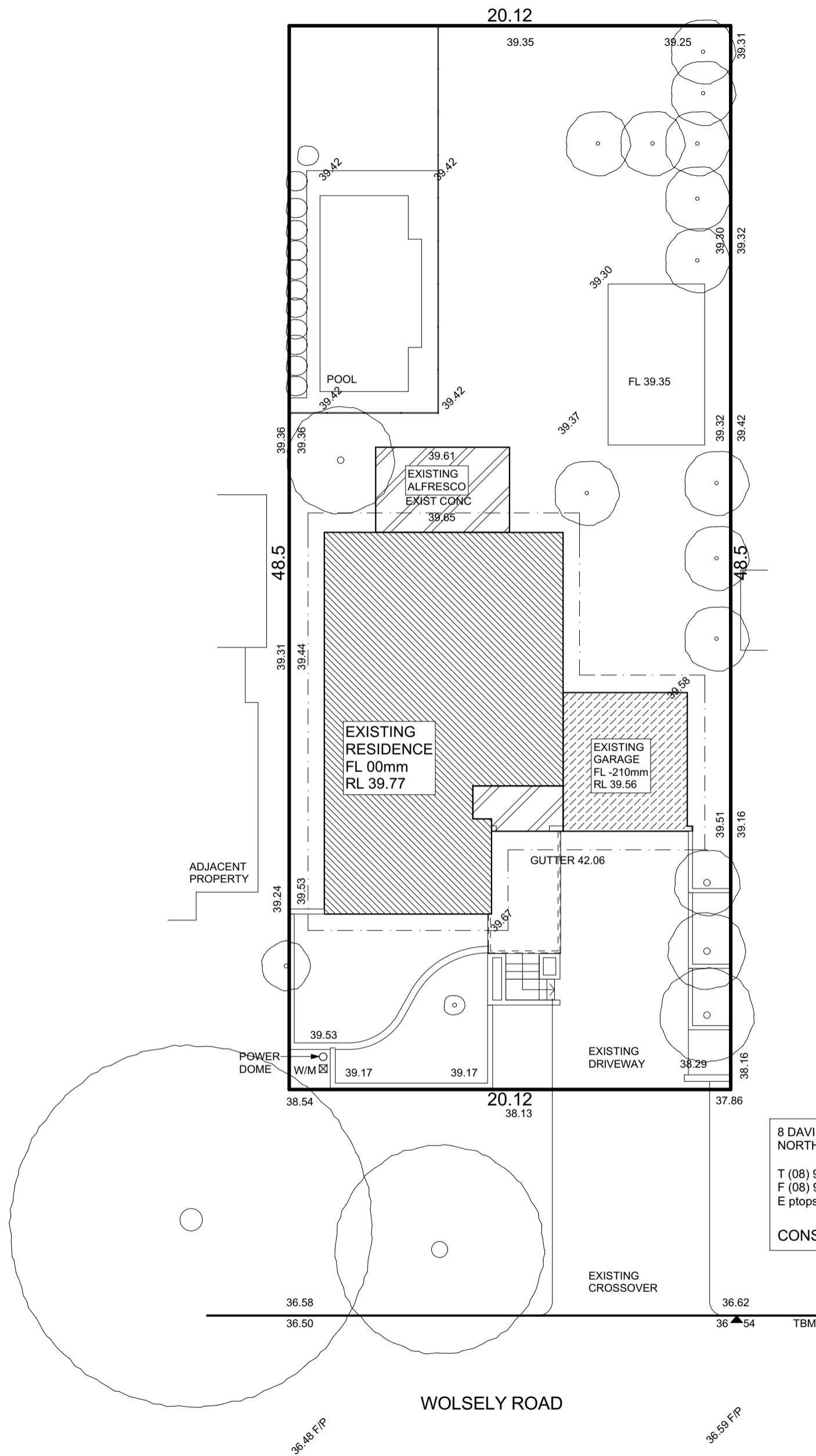
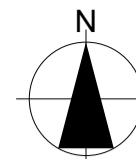
CLIENT:
**RICCIARDONE
SERENA & JACOB**

PROPOSED RESIDENCE AT:
**31 WOLSELY ROAD
EAST FREMANTLE**

SHEET:
COVER PAGE

SHEET NO:
1 OF 11

DATE:	REV:	DESCRIPTION:	BY:
05-08-20	A	CONTRACT	ST
11-08-20	B	RETREAT WIN. STACKING DR. BLIND RECESS. ALF CEILING	CM
20-08-20	C	CONTRACT UPDATES. CLADDING, M/SUITE WINDOW, AWNINGS	ST
15-09-20	D	PLANNING	ST



ADJACENT PROPERTY

ADJACENT PROPERTY

8 DAVIES STREET
NORTHBRIDGE WA 6003

T (08) 9328 1111
F (08) 9227 5206
E ptopsveys@bigpond.com

**PATERSON
TUDOR OWEN
& PARKER**

CONSULTING SURVEYORS

ADJACENT PROPERTY

FEATURE SURVEY PLAN
1:200



STAGE:
PLANNING

CLIENT:
**RICCIARDONE
SERENA & JACOB**

PROPOSED RESIDENCE AT:
**31 WOLSELY ROAD
EAST FREMANTLE**

SHEET:		FEATURE SURVEY PLAN		BY:
DATE:	REV:	DESCRIPTION:	ST	CM
05-08-20	A	CONTRACT	ST	
11-08-20	B	RETREAT WIN. STACKING DR. BLIND RECESS. ALF CEILING	ST	
20-08-20	C	CONTRACT UPDATES. CLADDING, M/SUITE WINDOW, AWNINGS	ST	
15-09-20	D	PLANNING	ST	

DATE PRINTED: 15/09/2020 Y:\PROJECT FOLDER\Ricciardone (Serena & Jacob) 31 Wolsely Road East Fremantle\Plans\CAD plans\REV D\20 Road\© COPYRIGHT

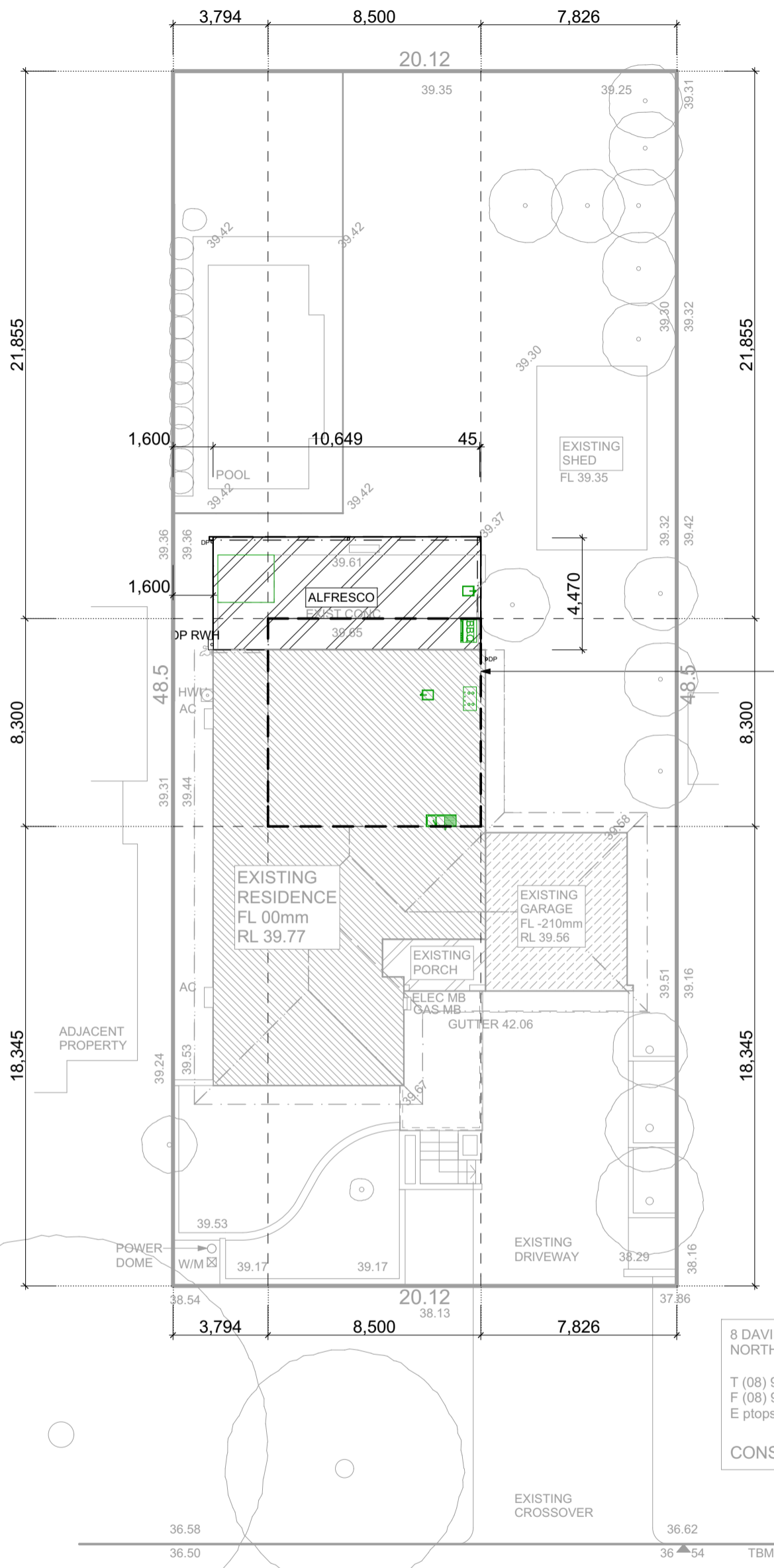
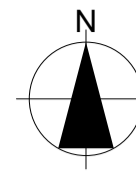
NEXUS HOME IMPROVEMENTS:
P: 21 HAMMOND ROAD
COCKBURN CENTRAL
WA 6164
T: 08 9414 1789
ABN: 72152669326
W: www.nexushomesgroup.com.au

SHEET N°:
2 OF 11

JOB N°:
2019

SCALE: A3 SHEET

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



ADJACENT PROPERTY

PROPOSED UPPER FLOOR
FL 3120mm
RL 13.12

ADJACENT PROPERTY

8 DAVIES STREET
NORTHBRIDGE WA 6003

T (08) 9328 1111
F (08) 9227 5206
E ptopsveys@bigpond.com

**PATERSON
TUDOR OWEN
& PARKER**

CONSULTING SURVEYORS

SITE INFO	
LOT AREA	979m ²
ZONING (RICHMOND)	R12.5
OPEN SPACE	717m ² / 73%
TOTAL OVERSHADOWING AS SHOWN SHADED	N/A

SITE FEATURE SURVEY PLAN
1:200



STAGE:
PLANNING

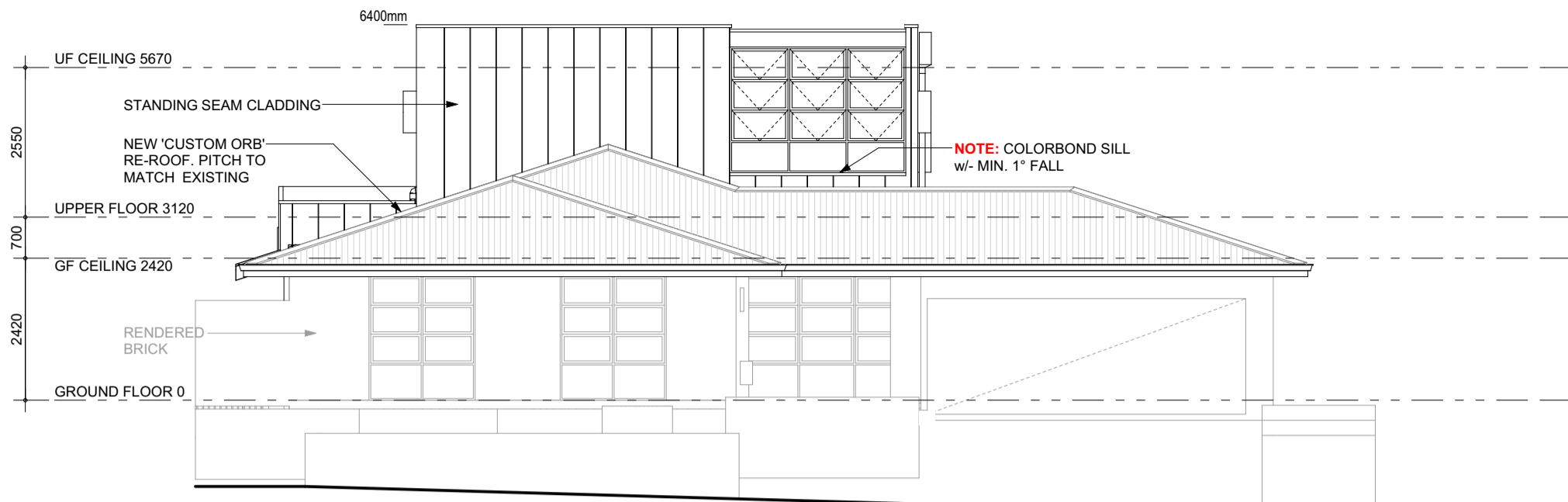
CLIENT:
**RICCIARDONE
SERENA & JACOB**

PROPOSED RESIDENCE AT:
**31 WOLSELY ROAD
EAST FREMANTLE**

SHEET: SITE FEATURE SURVEY PLAN			
DATE:	REV:	DESCRIPTION:	BY:
05-08-20	A	CONTRACT	ST
11-08-20	B	RETREAT WIN. STACKING DR. BLIND RECESS. ALF CEILING	CM
20-08-20	C	CONTRACT UPDATES. CLADDING, M/SUITE WINDOW, AWNINGS	ST
15-09-20	D	PLANNING	ST

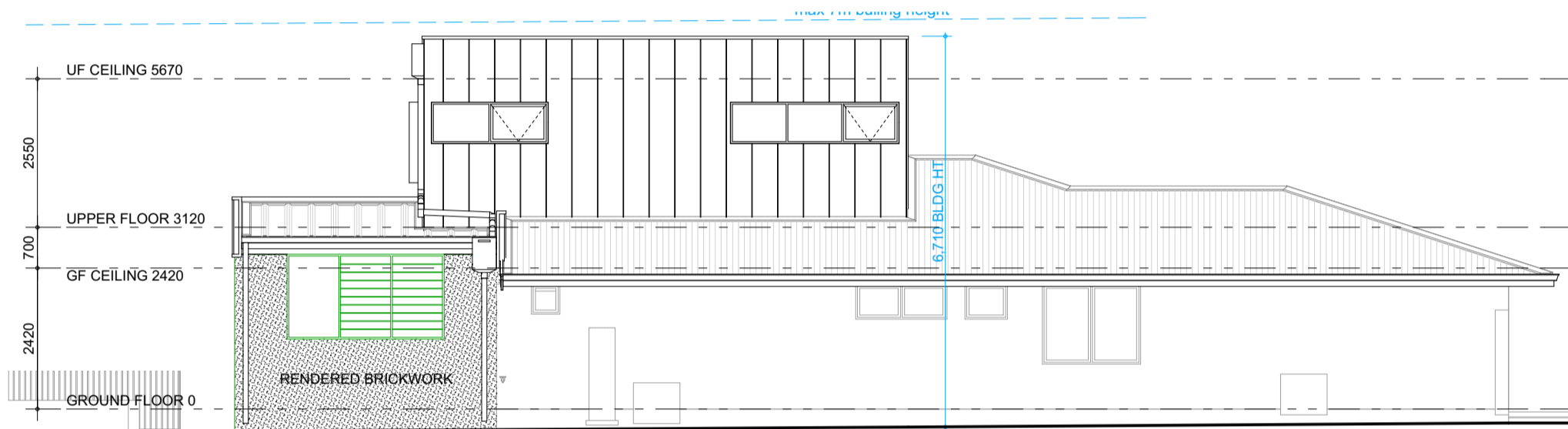
DATE PRINTED: 15/09/2020

NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164 T: 08 9414 1789 ABN: 72152669326 W: www.nexushomesgroup.com.au	SHEET N ^o : 3 OF 11 JOB N ^o : 2019 SCALE: A3 SHEET
NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY	



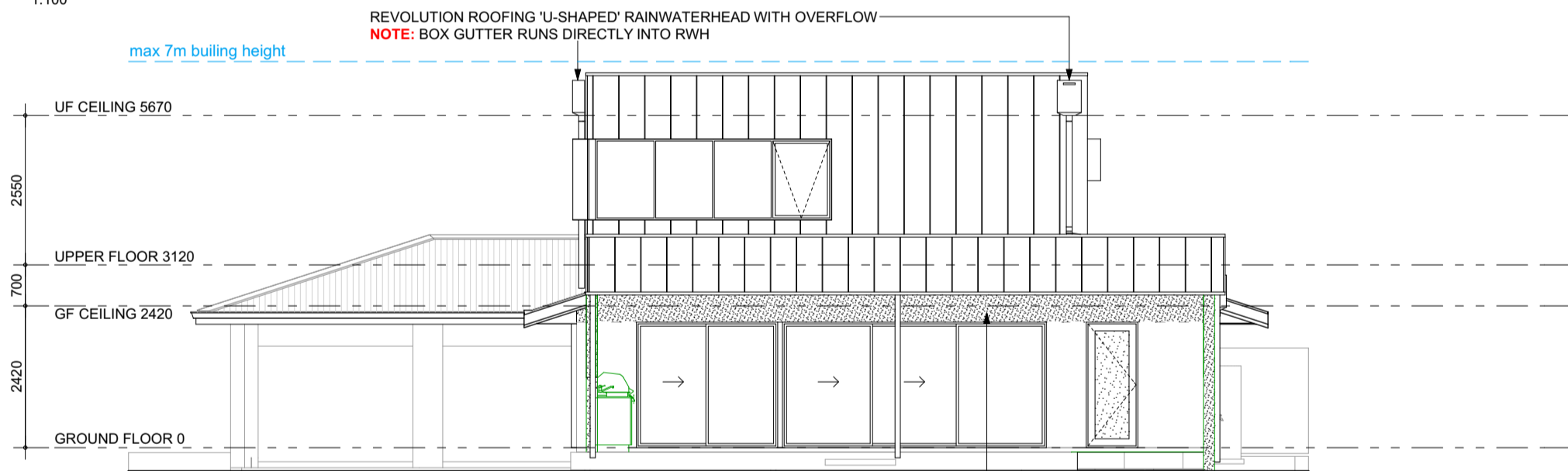
E1 ELEVATION (SOUTH)

1:100



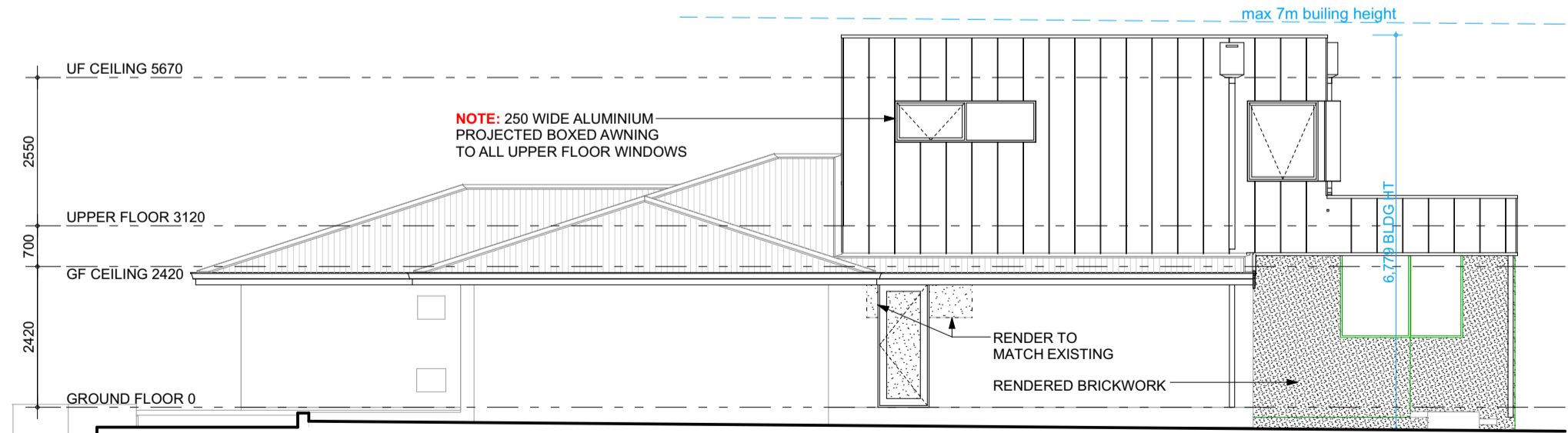
E2 ELEVATION (WEST)

1:100



E3 ELEVATION (NORTH)

1:100



E4 ELEVATION (EAST)

1:100



STAGE:
PLANNING

CLIENT:
**RICCIARDONE
SERENA & JACOB**

PROPOSED RESIDENCE AT:
**31 WOLSELY ROAD
EAST FREMANTLE**

SHEET:		ELEVATIONS		BY:
DATE:	REV:	DESCRIPTION:	ST	CM
05-08-20	A	CONTRACT	ST	ST
11-08-20	B	RETREAT WIN. STACKING DR. BLIND RECESS. ALF CEILING		
20-08-20	C	CONTRACT UPDATES. CLADDING, M/SUITE WINDOW, AWNINGS		
15-09-20	D	PLANNING		

DATE PRINTED: 15/09/2020 \PROJECT FOLDER\Ricciardone (Serena & Jacob 31 Wolseley Road East Fremantle)\Plans\CAD plans\REV D\20 Rev\© COPYRIGHT

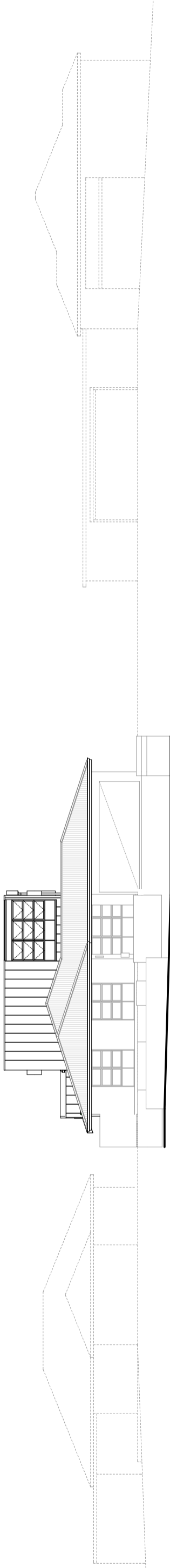
NEXUS HOME IMPROVEMENTS:
P: 21 HAMMOND ROAD
COCKBURN CENTRAL
WA 6164
T: 08 9414 1789
ABN: 72152669326
W: www.nexushomesgroup.com.au

SHEET N°:
7 OF 11

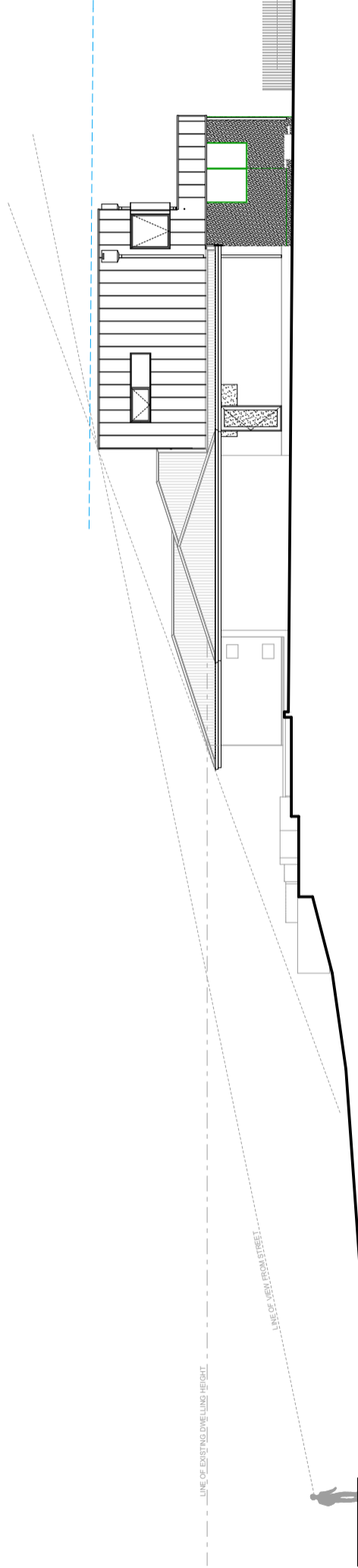
JOB N°:
2019

SCALE: A3 SHEET


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



E1 ELEVATION (STREETSCAPE)
1:200



E4 ELEVATION (COMPATIBLE VIEW)
1:200

 <p>NEXUS HOME IMPROVEMENTS</p>	<p>STAGE: PLANNING</p> <p>CLIENT: RICCIARDONE SERENA & JACOB</p> <p>PROPOSED RESIDENCE AT: 31 WOLSELY ROAD EAST FREMANTLE</p>	<p>SHEET: STREETSCAPE</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>REV</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>05-08-20</td> <td>A</td> <td>CONTRACT</td> </tr> <tr> <td>11-08-20</td> <td>B</td> <td>RETREAT WIN, STACKING DR, BLIND RECESS, ALF CEILING</td> </tr> <tr> <td>20-08-20</td> <td>C</td> <td>CONTRACT UPDATES, CLADDING, MISUITE WINDOW, AWNINGS</td> </tr> <tr> <td>15-09-20</td> <td>D</td> <td>PLANNING</td> </tr> </tbody> </table> <p>DATE PRINTED: 15/09/2020</p>	DATE	REV	DESCRIPTION	05-08-20	A	CONTRACT	11-08-20	B	RETREAT WIN, STACKING DR, BLIND RECESS, ALF CEILING	20-08-20	C	CONTRACT UPDATES, CLADDING, MISUITE WINDOW, AWNINGS	15-09-20	D	PLANNING	<p>NEXUS HOME IMPROVEMENTS: P: 21 HAMMOND ROAD COCKBURN CENTRAL WA 6164 T: 08 9414 1789 ABN: 72152668326 W: www.nexushomegroup.com.au</p> <p>SCALE: A3 SHEET</p>	<p>SHEET N°: 8 OF 11</p> <p>JOB N°: 2019</p>
	DATE	REV	DESCRIPTION																
05-08-20	A	CONTRACT																	
11-08-20	B	RETREAT WIN, STACKING DR, BLIND RECESS, ALF CEILING																	
20-08-20	C	CONTRACT UPDATES, CLADDING, MISUITE WINDOW, AWNINGS																	
15-09-20	D	PLANNING																	
<p>NOTE: DO NOT SCALE FROM THESE DRAWINGS. ALL CONTRACTORS TO CHECK MEASURE ON SITE PRIOR TO FABRICATION. ANY DISCREPANCIES TO BE REPORTED TO SUPERVISOR IMMEDIATELY.</p>		<p>BY: ST CM ST ST</p> <p>©COPYRIGHT</p>																	



Community Engagement Checklist

Development Application P099/20 - 31 Wolsely Road

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	24/09/2020	Outcomes By: 9/10/2020
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	9/10/2020	<input checked="" type="checkbox"/> Advertised to 5 surrounding properties
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		9/10/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input checked="" type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input checked="" type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input checked="" type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

11.6 Clayton Street No 13 (Lot 101) Proposed alterations and additions

Owner	Frederik & Riet Vanrenterghem
Applicant	David Barr Architects
File ref	P092/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 November 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Location plan2. Site photos3. Place Record Form4. Plans date stamped5. Community consultation

Purpose

The purpose of this report is for Council to consider a planning application for proposed alterations and additions at No 13 (Lot 101) Clayton Street, East Fremantle.

Executive Summary

This development application proposes alterations and additions at 13 Clayton Street East Fremantle. The property is Category C heritage, but the proposed changes retain the front half of the dwelling which includes heritage characteristics of the building and see the demolition of later additions. Three new bedrooms, 2 bathrooms, a laundry and a new kitchen, dining and living area are being added to the dwelling.

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Northern Boundary – 1.5m required, 0m provided
- (ii) Clause 5.1.6 – Residential Design Code – Roof Height – 7m required, 7.44m provided
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – Match existing pitch required; reduced roof pitch provided
- (iv) Clause 5.4.1 – Residential Design Codes – Privacy Setbacks – 4.5m required, 4m provided

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

Background

Zoning: Residential R17.5

Site area: 911m²

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

P046/08 – swimming pool – approval granted 11 March 2008

Consultation

Advertising

The application was advertised to surrounding landowners from 8 to 22 September 2020. No submissions were received.

Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as there were minimal streetscape impacts.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

Residential Design Codes of WA

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

Policy Implications

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

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 Plan for a mix of inclusive diversified housing options.*
- 3.2 Maintaining and enhancing the Town's character.*
 - 3.2.1 Ensure appropriate planning policies to protect the Town's existing built form.*
- 3.3 Plan and maintain the Town's assets to ensure they are accessible, inviting and well connected.*
 - 3.3.1 Continue to improve asset management practices.*
 - 3.3.2 Optimal management of assets within resource capabilities.*
 - 3.3.3 Plan and advocate for improved access and connectivity.*

Natural Environment

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

- 4.1 Conserve, maintain and enhance the Town's open spaces.*
 - 4.1.1 Partner with Stakeholders to actively protect, conserve and maintain the Swan River foreshore.*
 - 4.1.2 Plan for improved streetscapes parks and reserves.*
 - 4.2 Enhance environmental values and sustainable natural resource use.*
-

- 4.2.1 Reduce waste through sustainable waste management practices.
- 4.3 Acknowledge the change in our climate and understand the impact of those changes.
- 4.3.1 Improve systems and infrastructure standards to assist with mitigating climate change impacts.

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Northern boundary – ground floor	1.5m	0m	D
Western boundary – ground floor	2.2m	14.075m	A
Southern boundary – ground floor	1.5m	6.367m	A
Northern boundary – upper storey	3.5m	3.815m	A
Western boundary – upper storey	3.9m	13.425m	A
Southern boundary – upper storey	3.5m	6.3m	A
Open Space	50%	68%	A
Maximum roof height (concealed roof)	7m	7.44m	D
Setback of Garage			N/A
Car Parking			N/A
Site Works			N/A
Visual Privacy	4.5m	4m	D
Overshadowing	<25%	<25%	A
Drainage			To be conditioned

Local Planning Policies Assessment

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

This development application proposes alterations and additions at 13 Clayton Street East Fremantle. The property is Category C heritage, but the proposed changes retain the front half of the dwelling which includes heritage characteristics of the building and see the demolition of later additions. Three new bedrooms, 2 bathrooms, a laundry and a new kitchen, dining and living area are being added to the dwelling. Three variations are requested to the requirements of the Residential Design Codes and one variation is requested to the Residential Design Guidelines relating to lot boundary setbacks, maximum roof height, roof pitch and privacy setbacks.

Lot Boundary Setbacks

It is proposed to have a 11.2m long wall that is 2.7m high located close to the northern boundary where it is required to be setback 1.5m in accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1. In this case the wall includes the full length of the existing and new wall from the extension. The wall does achieve the design principles clause 5.1.3 P3.1 for the following reasons;

- Makes effective use of the space for enhanced privacy for the occupants;
- Reduces the impact of building bulk on adjoining properties;
- Provides adequate sunlight and ventilation to the building and the open spaces on the site and 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 and future development context and streetscape as outlined in the local planning framework.

The wall is located south of the neighbouring property and adequate windows are provided for the rooms such that privacy is maintained, and light can still enter the rooms. The wall is adjacent to the access lane for the neighbouring strata development so there is significant separation between dwellings on both sites.

For these reasons the proposed reduced lot boundary setback can be supported.

Roof Height

The proposed development has a concealed roof with a shallow pitch. Views are not considered a planning consideration, so deemed to comply clause 5.1.6 C6 and Table 3 Category B of the Residential Design Codes

is referred to for the allowable heights. In this case up to 7m height is permitted. However, the maximum height of the building on site is proposed to be 7.44m. Although the building is over height it achieves the design principles clause 5.1.6 P6 because it has minimal impact on sunlight to neighbouring properties, does not impact on daylight into major openings of habitable rooms and does not impact on views of significance. As such, the proposed increased height above 7m can be supported. It is noted that the proposed development is lower than the existing double storey at the rear of the dwelling.

Roof Pitch

In accordance with the Residential Design Guidelines acceptable development clause 3.7.8.3 A4.1 roof forms of additions and alterations should match the existing roof pitch of the existing dwelling. In this case the alterations and additions include a concealed roof with a shallow pitch which meets performance criteria clause 3.7.8.3 P1; the roof forms of additions and alterations should positively contribute to the existing dwelling. For this reason, the proposed roof pitch can be supported.

Privacy Setbacks

The upper storey bedroom has a privacy setback of 4m where it is required to achieve a privacy setback of 4.5m in accordance with the Residential design Codes deemed to comply clause 5.4.1 C1.1 i. The proposed design does not overlook the active habitable spaces and outdoor living areas of the northern neighbouring properties as the bedroom overlooks the access lane of the northern strata development. There is a separation of at least 7m from the neighbouring property from the bedroom window. There is no visual privacy amenity impacts for adjoining owners. For this reason, the reduced privacy setback can be supported.

Conclusion

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

11.6 OFFICER RECOMMENDATION:

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

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Northern Boundary – 1.5m required, 0m provided**
- (ii) Clause 5.1.6 – Residential Design Code – Roof Height – 7m required, 7.44m provided**
- (iii) Clause 3.7.8 – Residential Design Guidelines – Roof Pitch – Match existing pitch, reduced roof pitch provided**
- (iv) Clause 5.4.1 – Residential Design Codes – Privacy Setbacks – 4.5m required, 4m provided**

for alterations and additions at No. 13 (Lot 101) Clayton Street, East Fremantle, in accordance with the plans date stamped received 3 September 2020, subject to the following conditions:

- (1) The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.**
- (2) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**

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

Footnote:

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

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

13 Clayton Street – Map and Photo

		17B		18	123
	22A	17A		16	
	20	15A	● ●	14A	121
	18 ●	13		14	119
	16	11 ●		12	117
	14	9		10B	115
				8	113



13 Clayton Street – Photos



PLACE RECORD FORM



PRECINCT	Richmond
ADDRESS	13 Clayton Street
PROPERTY NAME	N/A
LOT NO	Lot 101
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1935
ARCHITECTURAL STYLE	Inter-War Porch
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category C
PHYSICAL DESCRIPTION	No 13 Clayton Street is a single storey house constructed in brick and rendered brick with a hipped and gable tiled roof. It is a fine expression of the Inter-War Porch style with elements in the Arts and Craft style. It is asymmetrically composed with a thrust gable bay and a gable roofed porch. The porch is supported on fluted columns set on piers. A masonry balustrade spans between the posts. The half-timbered gable bay is the dominant feature of the house. The gable bay features a set of casement windows under a sunhood and a corner suite. The door is located under the porch in an arched entryway. Lower walls are brick and the upper walls are rendered. The roofscape features rendered chimneys and

finials.

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

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 – Tiled

PHYSICAL SETTING

The residence is on a sloping site with a lawned garden and a low limestone fence on the lot boundary.

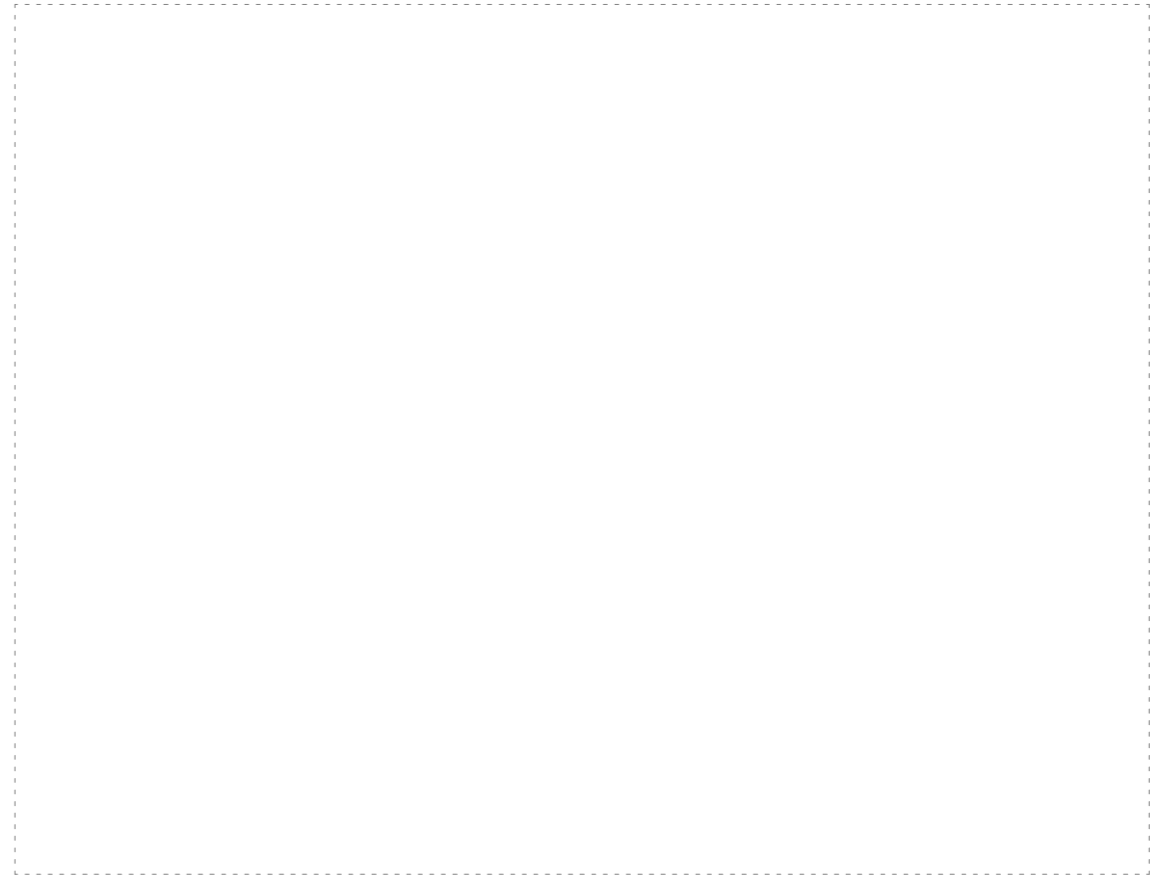
STATEMENT OF SIGNIFICANCE

No 13 Clayton Street is a single storey house constructed in brick and rendered brick with a tiled 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 considerable aesthetic value as an Inter-War Porch style house. The place retains a moderate to high degree of authenticity and a high degree of integrity.

The garage and additions have no significance.

AESTHETIC SIGNIFICANCE	No 13 Clayton Street has considerable aesthetic value as an Inter-War Porch style house. It retains most of the characteristic features of a dwelling of the type and period.
HISTORIC SIGNIFICANCE	No 13 Clayton 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 13 Clayton 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 13 Clayton Street is not rare in the immediate context but Richmond has rarity value as a cohesive middle class suburb.
CONDITION	No 13 Clayton Street is in good condition.
INTEGRITY	No 13 Clayton Street retains a high degree of integrity.
AUTHENTICITY	No 13 Clayton Street retains a moderate to high degree of authenticity.
MAIN SOURCES	



13 CLAYTON STREET, EAST FREMANTLE

DEVELOPMENT APPLICATION

28.08.2020

DAVID BARR ARCHITECTS

11 CLAYTON



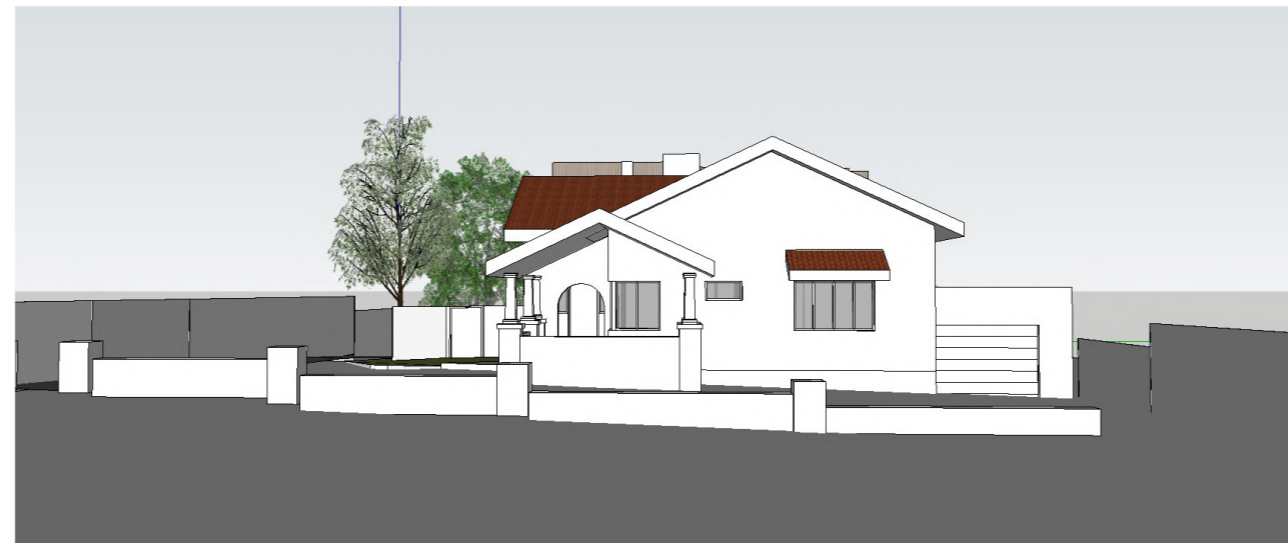
13 CLAYTON



15 CLAYTON



PHOTO MONTAGE OF EXISTING STREETScape

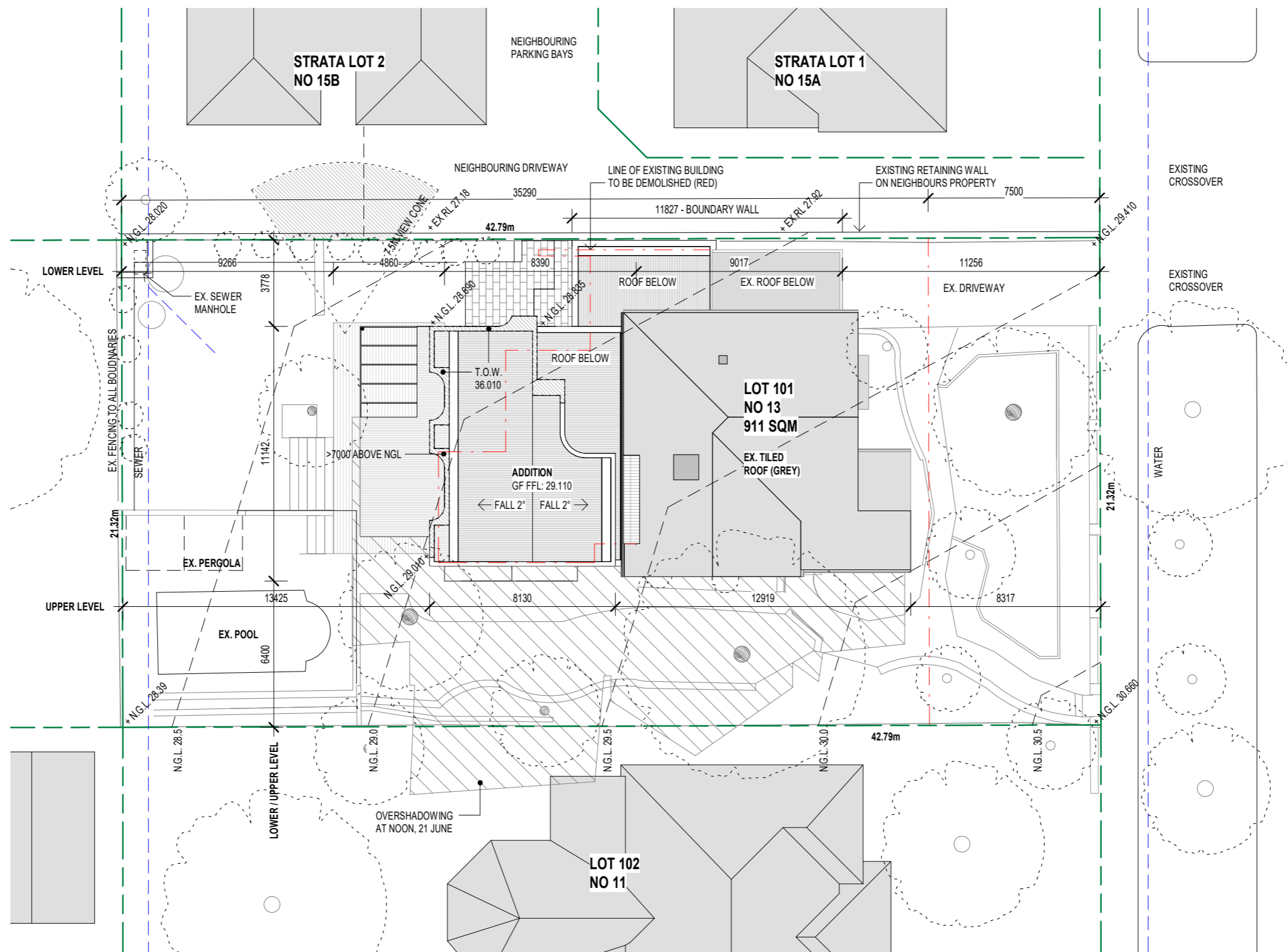


PERSPECTIVE VIEW OF 13 CLAYTON STREET WITH PROPOSED ADDITION TO THE REAR
(STANDING ON FOOTPATH ACROSS CLAYTON STREET)
(FRONT TREES REMOVED FOR CLARITY)

NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

A		28/08/2020	DEVELOPMENT APPLICATION	
ISSUE	DATE	REVISION		
PROJECT	13 CLAYTON STREET, EAST FREMANTLE			PROJECT #: A20016
CLIENT	RIET D'HAUWE			DWG #: _DA100
DWG	STREETSCAPE SURVEY			DB REVISION A
		CHKD	119	



1 SITE PLAN
1 : 200

GENERAL NOTES

SITE AREA = 911m²
 DENSITY = R12.5
 OPEN SPACE (MIN 55%) = 501m²
 OPEN SPACE ACTUAL = 618m² (68%)

INTERNAL AREAS

EX. GARAGE INTERNAL = 18m²
 EX. GROUND FLOOR INTERNAL = 72m²
 GROUND FLOOR INTERNAL = 96m²
 UPPER LEVEL INTERNAL = 52m²
TOTAL = 238m²

LANDSCAPE NOTE:

ALL TREES, GARDENS AND LAWNS ARE EXISTING AND ARE TO REMAIN

STORMWATER TREATMENT:

ALL STORMWATER TO BE CONTAINED ON SITE WITH SOAKWELLS. REFER TO THE ROOF PLAN FOR DETAIL

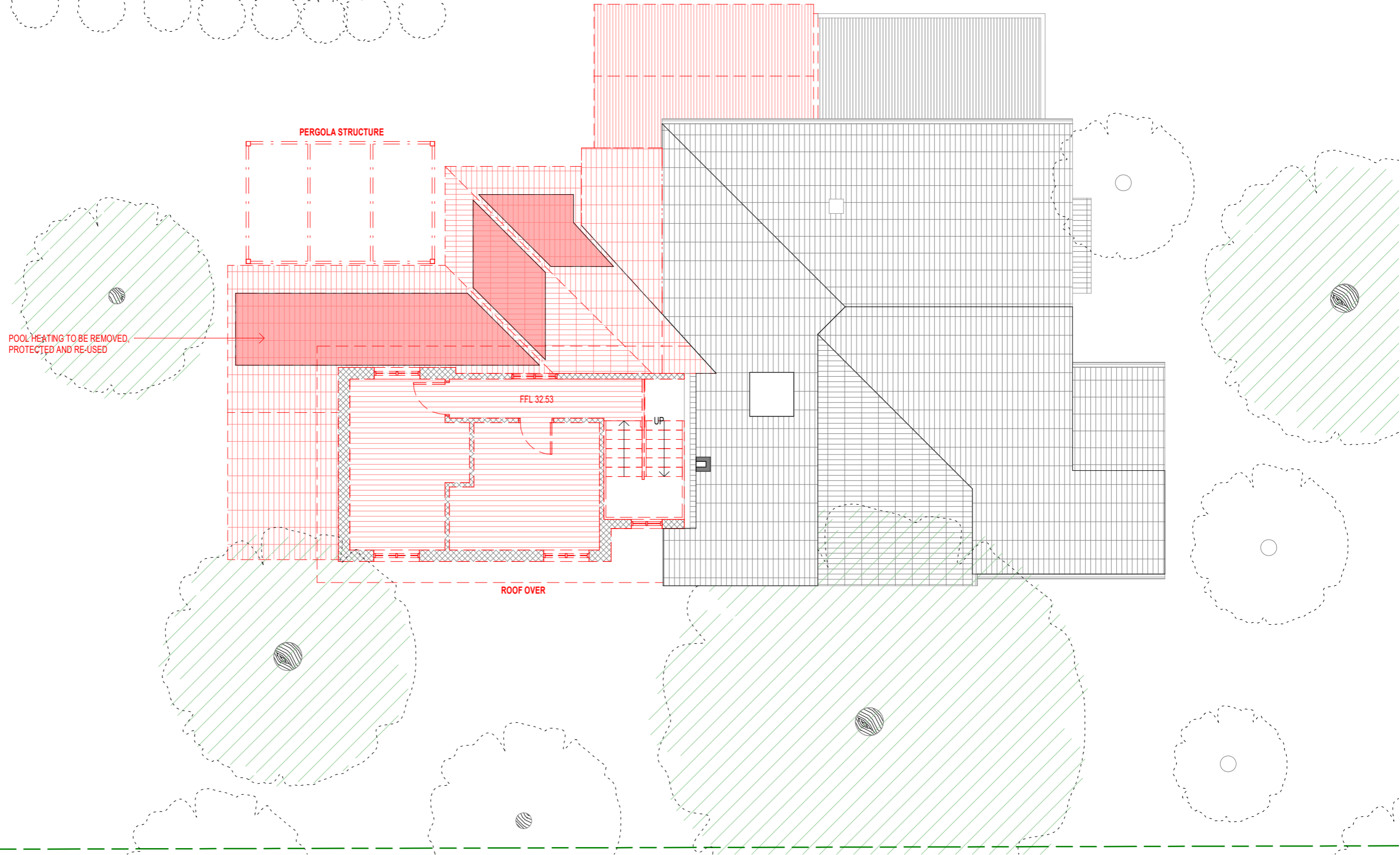
OVERSHADOWING:

3% OVERSHADOWING ON NEIGHBOURS PROPERTY AT NOON, 21 JUNE (25% ALLOWABLE OVERSHADOWING)

NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

B		28/08/2020	DEVELOPMENT APPLICATION
ISSUE	DATE	REVISION	
PROJECT			PROJECT #
13 CLAYTON STREET, EAST FREMANTLE			A20016
CLIENT			DWG #
RIET D'HAUWE			_DA101
DWG			REVISION
SITE PLAN			B



1 DEMOLITION - UPPER
1:100

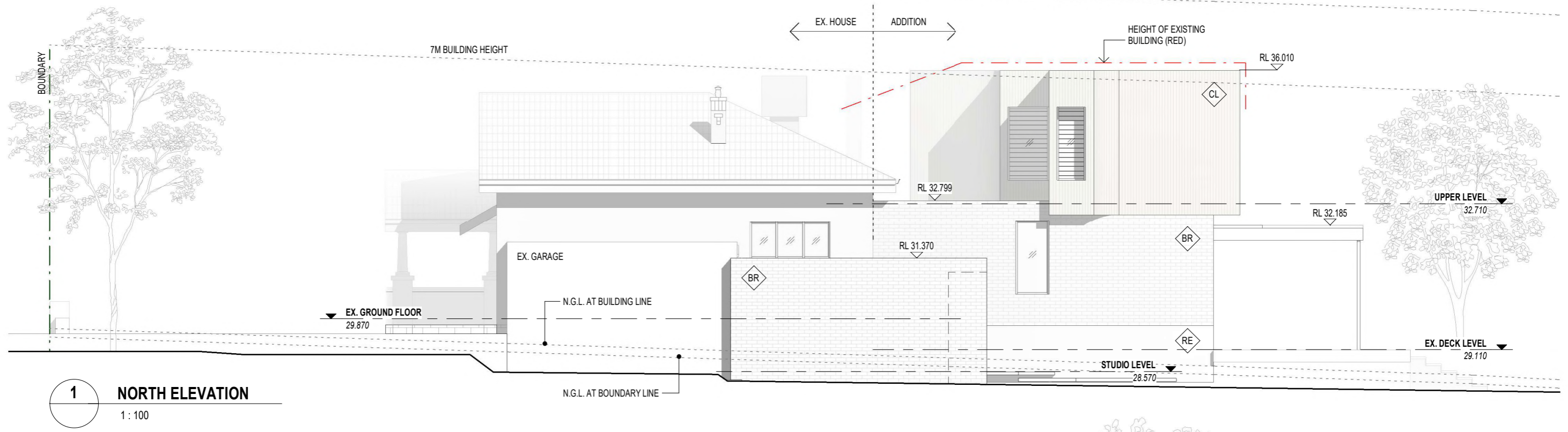
NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

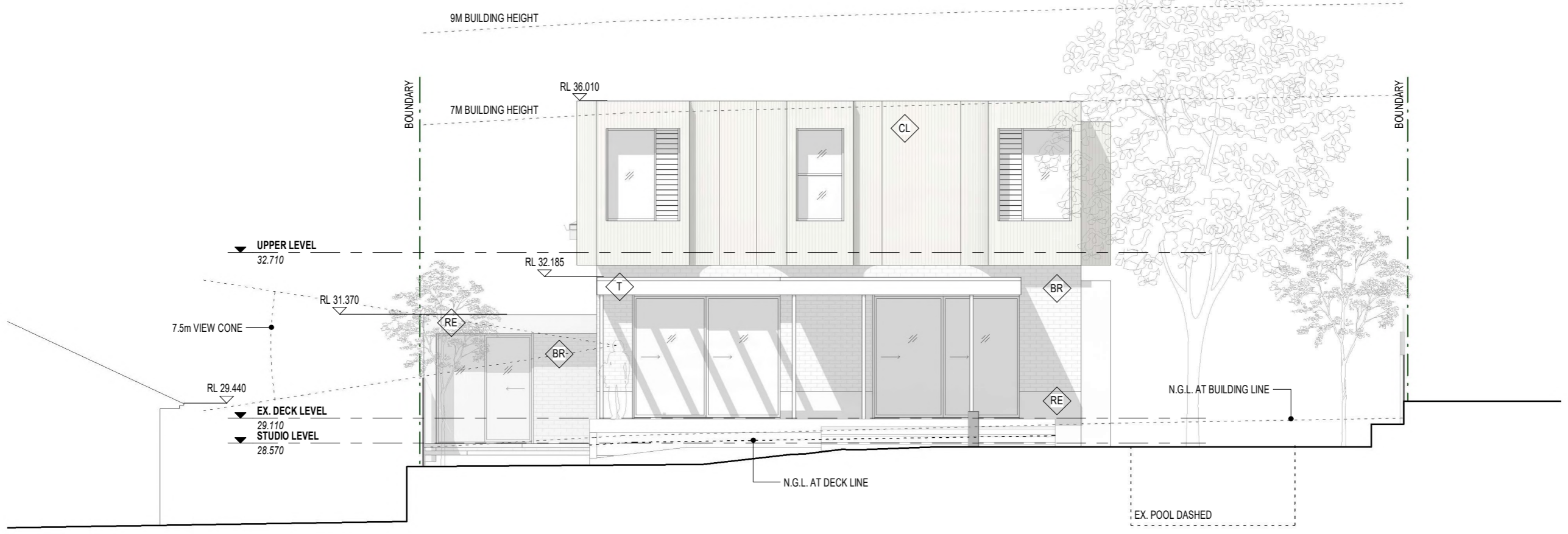
- DEMOLITION (PRINT IN COLOUR)**
- EXISTING WALLS TO BE RETAINED (MASONRY)
 - EXISTING WALL / DOORS / WINDOWS TO BE DEMOLISHED

ISSUE		B		28/08/2020		DEVELOPMENT APPLICATION	
PROJECT		DATE		REVISION		PROJECT #	
CLIENT		13 CLAYTON STREET, EAST FREMANTLE		SCALE		A20016	
DWG		RIET D'HAUWE		1:100		DWG #	
CHKD		DEMOLITION - UPPER LEVEL		DRAWN		_DA103	
				CHKD		REVISION	
				122		B	
DAVID BARR ARCHITECTS				A: 32 CLIFF STREET, FREMANTLE WA 6160 / M: 0438 895 119			





1 NORTH ELEVATION
1 : 100



2 WEST ELEVATION
1 : 100

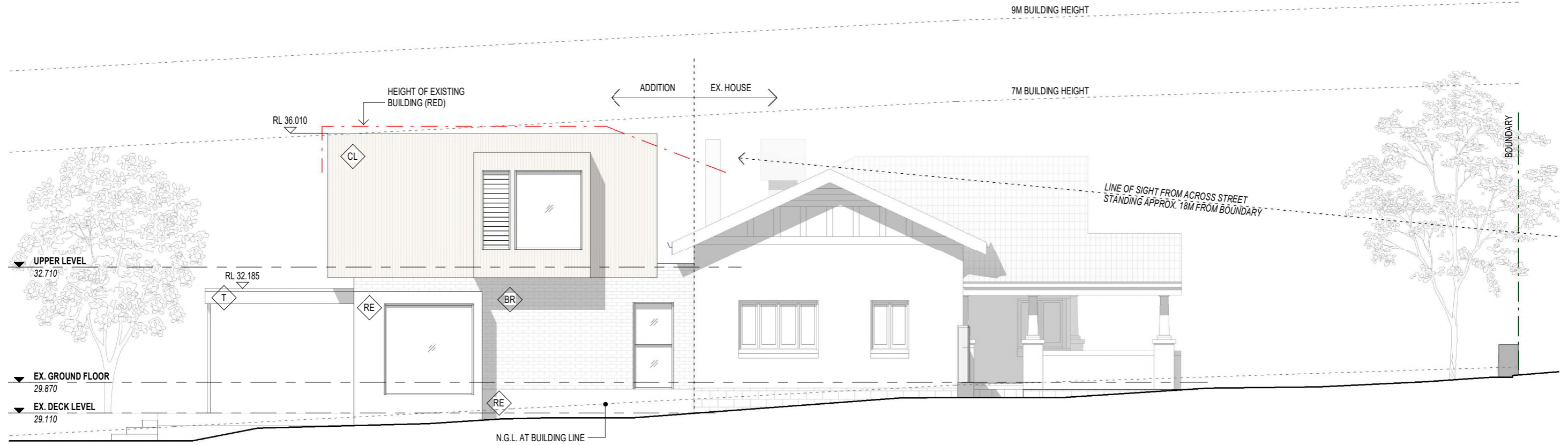
MATERIAL LINING

BR	BAGGED FACE BRICK
CL	CLADDING - SHADOWCLAD OR RENDER
RE	STIPPLED/STUCCO RENDER
T	TIMBER (PAINTED)

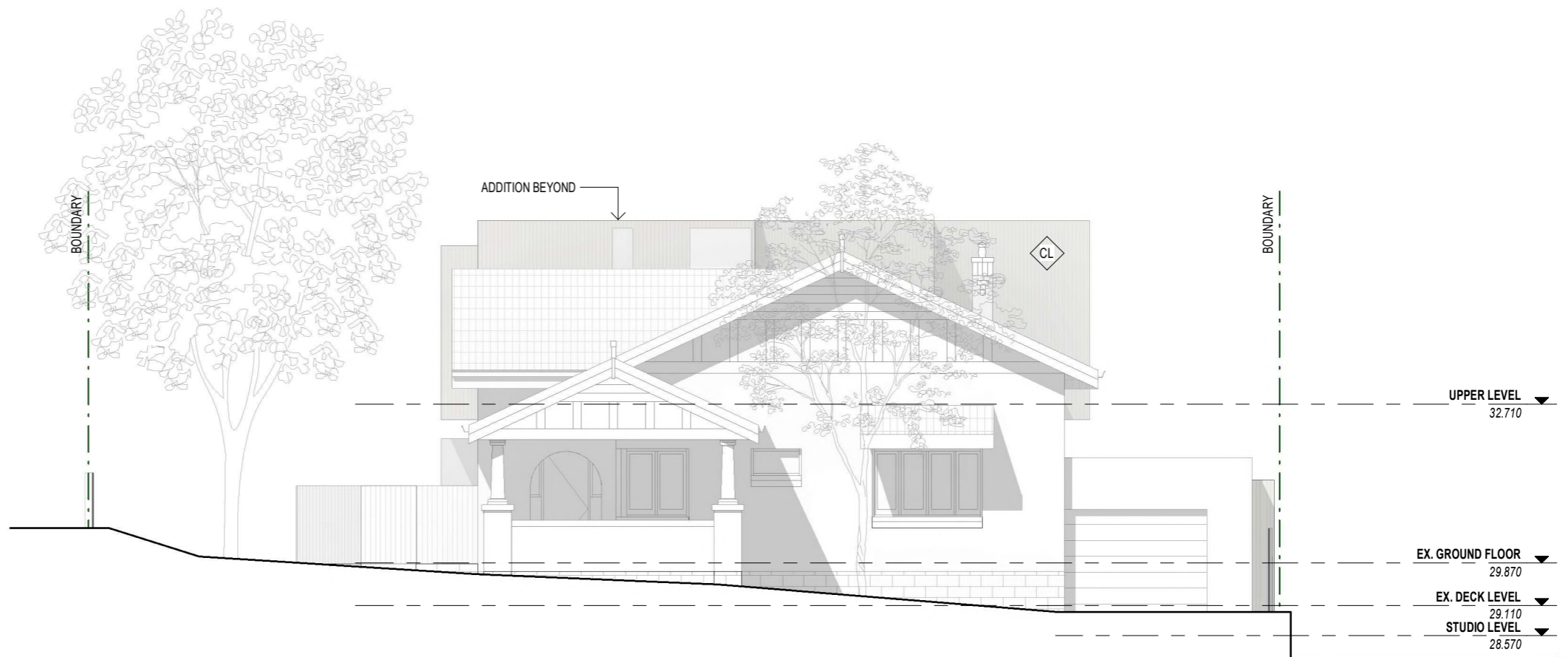
NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

B		28/08/2020	DEVELOPMENT APPLICATION	
ISSUE	DATE	REVISION		
PROJECT	13 CLAYTON STREET, EAST FREMANTLE			PROJECT # A20016
CLIENT	RIET D'HAUWE			SCALE 1 : 100 DWG # _DA401
DWG	ELEVATIONS			DRAWN DS CHKD DB REVISION B
DAVID BARR ARCHITECTS		A: 32 CLIFF STREET, FREMANTLE WA 6160 / M: 0438 895 119		



1 SOUTH ELEVATION
1 : 100



2 EAST ELEVATION
1 : 100

MATERIAL LINING

- BR BAGGED FACE BRICK
- CL CLADDING - SHADOWCLAD OR RENDER
- RE STIPPLED/STUCCO RENDER
- T TIMBER (PAINTED)

NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

B		28/08/2020	DEVELOPMENT APPLICATION	
ISSUE	DATE	REVISION		
PROJECT	13 CLAYTON STREET, EAST FREMANTLE			PROJECT # A20016
CLIENT	RIET D'HAUWE			DWG # _DA402
DWG	ELEVATIONS			DB REVISION B
DAVID BARR ARCHITECTS		A: 32 CLIFF STREET, FREMANTLE WA 6160 / M: 0438 895 119		



BR
BAGGED FACE BRICK (PAINT FINISH)

RE
STIPPLED RENDER (PAINT FINISH)

T
TIMBER (PAINT FINISH)

CL
SHADOWCLAD (ROUGH SAWN)

CL
STIPPLED RENDER (PAINT FINISH)

NOTE: This is an uncontrolled document issued for information purposes only, unless the "checked" sections are signed and completed. This is a CAD drawing. Do not amend manually.

© COPYRIGHT. This design & drawing remains the property of Cast Collective Pty. Ltd. trading as David Barr Architects. It may not be used for any purpose without the express written authority. Any unauthorised changes made to this design constitutes an infringement of Copyright.

A		28/08/2020	DEVELOPMENT APPLICATION	
ISSUE	DATE	REVISION		
PROJECT	13 CLAYTON STREET, EAST FREMANTLE			PROJECT #: A20016
CLIENT	RIET D'HAUWE		SCALE	1 : 10
DWG	MATERIAL SELECTIONS		DRAWN	DS
	CHKD	DB	REVISION	A



Community Engagement Checklist

Development Application P092/20 - 13 Clayton Street

Project Name

Objective of Engagement:	Neighbour consultation		
Lead Officer:	Regulatory Services		
Timeline:	Start Date:	8/09/2020	Outcomes By: 22/09/2020
Stakeholders			
Stakeholders to be considered. <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
Staff to be notified:	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer	22/09/2020	<input checked="" type="checkbox"/> Advertised to 4 surrounding properties
# Heritage Consultation	<input type="checkbox"/> Regulatory Services		<input type="checkbox"/>
^ Mail out (note: timeliness)	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Evaluation			
Summary of...		Date Due	Complete / Attached
Feedback / Results / Outcomes / Recommendations		22/09/2020	
Outcomes Shared			
Methods	Responsible	Date Due	Complete / Attached
E-Newsletter	<input type="checkbox"/> Communications		<input type="checkbox"/>
Email Notification	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
Media Release	<input type="checkbox"/> Communications		<input type="checkbox"/>
Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
Notes			

11.7 George Street No 137 (as indicated on Synergy - street address No 137) (Lot 802) Proposed change of use (retrospective)

Owner	Manotel Pty Ltd
Applicant	Manotel Pty Ltd
File ref	P120/20
Prepared by	James Bannerman Planning Officer
Supervised by	Andrew Malone, Executive Manager Regulatory Services
Meeting date	3 November 2020
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Location plan 2. Site photos

Purpose

The purpose of this report is for Council to consider a retrospective change of use (additional use) application for the “Brush Factory” to include consulting room in addition to the previously approved office for one of the tenancies at 137 George Street, East Fremantle.

Executive Summary

The application proposes a retrospective change of use (additional use) application for the level 1 office to include consulting room. This use is considered a “D” use within a mixed-use zone. A “D” use means that *the use is not permitted unless the Council has exercised its discretion by granting planning approval.*

The following issues are relevant to the determination of this application:

- Is the use appropriate for the zoning?
- Is there sufficient car parking for the proposed use?

It is considered that there will be minimal impact on the amenity and car parking in the area and as such the change of use (additional use) for a consulting room can be supported subject to the conditions of development approval being imposed.

Background

Zoning: Mixed Use
Site area: 95m²

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

9 December 2008	Planning Approval granted to redevelop the buildings at 36-42 Duke Street from antique furniture showrooms and workshops to 7 x 1-bedroom apartments, and 5 x 3-bedroom apartments;
15 March 2011	Planning Approval granted to redevelop the buildings at 36-42 Duke Street for a change of use, partial demolition, redevelopment and new construction to accommodate a mixed use residential/arts and entertainment venue;
12 February 2013	Planning Approval granted to amendments to a previously approved planning application, date stamped Approved on 15 March 2011 (Application (P199/10) and to extend the previous planning approval P199/10 for a further 2 years. The previously approved application was for a change of use, partial demolition, redevelopment and new construction to accommodate a mixed use residential/arts and entertainment venue;

16 July 2013	Planning Approval granted to amendments to a previously approved planning application, date stamped Approved on 15 March 2011 (Application (P199/10) for 2 storeys of commercial offices above the approved Jazz Club/ Performance space. Council refused the penthouse apartment located above the 'Brush Factory';
1 October 2013	Planning Approval for a penthouse apartment to be erected on top of the proposed performance space and existing heritage building at the 'Brush Factory (former Lauder & Howard building), 36-42 Duke Street. In addition, it considers an application which has been presented to Council with regards to a review of the opening times for the Jazz Club.
7 May 2019	Planning approval for a change of use from office in basement to yoga studio.
2 July 2019	Planning approval for change of use from storage area for tenancy 1 and performing arts/music space for tenancy 4 to office space.

Consultation

Advertising

The application was not advertised to surrounding landowners as there are no changes to the building and the proposed use complies with the general intent of the uses already permitted on George Street.

Community Design Advisory Committee (CDAC)

This application was not referred to the CDAC as this is a change of use application and there are no external changes proposed to the building.

External Consultation

Nil

Statutory Environment

Planning and Development Act 2005

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The Town of East Fremantle Strategic Community Plan 2017 – 2027 states as follows:

Built Environment

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

- 3.1 *Facilitate sustainable growth with housing options to meet future community needs.*
 - 3.1.1 *Advocate for a desirable planning and community outcome for all major strategic development sites.*
 - 3.1.2 *Plan for a mix of inclusive diversified housing options.*
- 3.2 *Maintaining and enhancing the Town's character.*
 - 3.2.1 *Ensure appropriate planning policies to protect the Town's existing built form.*

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

3.3.1 *Continue to improve asset management practices.*

3.3.2 *Optimal management of assets within resource capabilities.*

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

Natural Environment

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

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

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

4.1.2 *Plan for improved streetscapes parks and reserves.*

4.2 *Enhance environmental values and sustainable natural resource use.*

4.2.1 *Reduce waste through sustainable waste management practices.*

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

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

Risk Implications

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

Site Inspection

A site inspection was undertaken.

Comment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3.

The following issues are relevant to the determination of this application:

- Is the use appropriate for the zoning?
- Is there sufficient car parking for the proposed use?

Proposed Use

It is proposed to include an additional use of consulting room to the existing approved 95m² office on level 1 of the subject building. The proposed consulting room would be for a chiropractor. This does not represent a conflict with the existing uses in the building as consulting rooms have relatively low impacts in terms of noise and other issues around amenity. Consulting rooms would be considered an appropriate commercial use in a mixed-use zone because of the minimal amenity effects. Under LPS3 consultancy rooms are a 'D' use meaning *that the use is not permitted unless the local government has exercised its discretion by granting planning approval.*

The office space has been vacant for two years. The chiropractic business occupied the building on 23 October 2020. The chiropractor operates alone for limited hours during the working week providing 15-minute consultations or 4 consultations per hour. There would be a maximum of 2 clients at the practice at any one time; one customer waiting and the other being treated.

Day	Hours
Monday	1pm-7pm
Tuesday	7.30am-1pm
Wednesday	1pm-7pm
Thursday	7.30am-7pm
Friday	7.30am-1pm

The hours of operation and the low intensity of use is not considered an issue as all consulting is undertaken inside the rooms. There would be few, if any amenity impacts on the businesses or residential premises that surround the consulting room. The increased foot traffic and business activity in proximity to the George Street would be welcome and the proposed change of use helps to activate the subject building and surrounds.

Parking Requirements

Clause 5.8.5 Car Parking and Vehicular Access of TPS3 states:

Car parking in respect of development in the Commercial Zones is to be provided in accordance with the standards set out in Schedule 11 of the Scheme and the specifications in Schedule 4 of the scheme. Where there are no standards for a particular use or development, the local government is to determine what standards are to apply. In its determination of the requirements for a particular use or development which is not listed in Schedule 11 of the Scheme, the local government is to take into consideration the likely demand for parking generated by the use or development.

Furthermore Clause 5.8.7 On-Street Parking states:

The local government may accept immediately adjacent on-street parking as satisfying part or all of the car parking requirements for development, provided such allocation does not prejudice adjacent development or adversely affect the safety or amenity of the locality.

In terms of parking Schedule 11 of LPS3 requires that consultancy rooms are required to provide 2 spaces for every consulting room and 1 space for every staff member. Information provided by the applicant stated that there would be 1 consulting rooms within the space and 1 staff member. Based on these figures there would need to be a total of 3 car bays provided.

The main Brush Factory building is currently comprised of a number of approved uses including commercial offices, residential apartments, dance studio and rehearsal space and a jazz club. A total of 30 car bays are located in publicly accessible undercroft parking on site and 28 are dedicated for commercial purposes. In this case it is stated that the lease area for the consultant rooms is 95m². A reduction in office space to 190m² is proposed which would mean that the parking previously allocated to this office space could be re-allocated to the consultant rooms. A 95m² office would be required to supply 4 car bays (1 space per 30m²) so there is in fact, 1 less car bay required for the consulting as there is for an office.

Assuming that 8 car bays are made available to the consultant rooms in the building this leaves a deficit of 7 car bays. However, there are 2 car bays on Duke Street adjacent to the Brush Factory building, as well as an additional 3 bays located in front of the residential apartments. There is also more parking located on the eastern side of Stirling Highway along Silas Street, with easy pedestrian access available via the George Street underpass. In addition, there is Council parking available on George Street which is comprised of 10 car bays.

Additionally, all the tenancies in the building have not been filled, and as previously approved there is an ability to utilise car parking made available from the reciprocal parking arrangements that have been in

place between the commercial spaces in the building. Because of the previous approvals relying on reciprocal parking, car parking bays cannot be specifically allocated to uses.

The following table shows the required and available parking.

Parking at the Brush Factory

Use	Area m ²	Parking required	Parking provided- 30 bays in undercroft parking - 28 commercial bays (1 disabled) & 2 for penthouse apartment		Total Available for Each Use
Reduced area of commercial offices 1 car bay per 30m ² net lettable area	190	7 bays	Additional 3 bays available for consulting rooms	Opportunity to use other bays that are not being used from 28 commercial parking bays available within the undercroft parking due to the reciprocal parking agreement	7
Performing Arts		3 bays	3 bays		3
Dance		3 bays	3 bays		3
Yoga studio (health studio) 1 space for every 10m ² net floor area ***	103	12 bays (11 bays for yoga participants & 1 bay for instructor)	7 bays		7***
Consulting Rooms		15 bays	8 bays for all consulting rooms in building available 7 required		8
On street parking			5 bays adjacent to the building		
Total					

***Note that the actual number of car bays that the yoga classes have provided is not consistent with the actual use. The yoga studio is only operating in the mornings and has small class numbers. The use does not create significant parking demand and as a result there are surplus car bays available for use by other tenants outside yoga class times.

Based on the total onsite parking bays available during the day there is a deficit of 7 car bays for the all the consulting rooms in the building. However, the shared parking arrangements, as well as off street parking including 5 on-street car bays directly adjacent to the subject building as well as parking in Silas Street, Duke and George Street mean that there is sufficient overall parking available to support the consulting room. It is essential that the reciprocal parking arrangements that were previously approved are maintained and that no car bays are specifically allocated for specific businesses located within the building. The yoga is an early morning use and there is little demand for parking from this group and other tenancies are currently vacant, so there are many vacant car bays during the day. Given that the jazz club is only open from 5pm Thursday and Friday afternoon and 11am Saturday and Sunday there is no demand from the jazz club during

the working week for parking, and car bays can be made available to the other businesses within the building, including the consulting rooms that are the subject of this report.

Conclusion

The proposed change of use (additional use) to add consulting room with the existing approved office is considered an appropriate use for the subject property. There are few, if any amenity impacts and the use will help to activate the street and the property during the hours of operation of the proposed business.

Despite the deficit of car parking bays there is sufficient street parking available in the surrounding area for clients that will visit the site, as well as undercroft parking that is available to other uses due to the varied opening times of other tenancies.

Given the comments above and the explanation provided the proposed change of use is recommended for approval subject to conditions.

Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report, the proposed change of use (additional use) is considered acceptable. As such it is recommended that the proposed development be supported subject to planning conditions.

11.7 OFFICER RECOMMENDATION:

That Council grant development approval and exercise its discretion for the change of use to include an additional use of consulting rooms at 137 George Street (The Brush Factory), East Fremantle, as described on the information and date stamped received 21 October 2020 subject to the following conditions:

- 1. Maximum area of the consulting room is not to exceed 95m².**
- 2. Only one consultant/staff member is permitted to utilise the 95m² space at any one time. Where additional consultants/ staff members are required, the approval of Council is required.**
- 3. The reciprocal car parking arrangements as previously approved are to remain in place with all car parking to be made available to all commercial uses within the building.**
- 4. All other conditions as previously endorsed by Council are to be complied with unless modified by this proposal.**
- 5. Works are to be constructed in conformity with the written information in relation to the use accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- 6. No signage is approved under this change of use application. A separate application is required for signage. All signage is to comply with the Town's Signage Design Guidelines Local Planning Policy 3.1.3.**
- 7. With regards to plans submitted with respect to a building permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.**
- 8. The proposed use is not to be commenced until all conditions attached to this development approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.**
- 9. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or**

relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.

10. This planning approval is to remain valid for a period of 24 months from date of this approval.

Footnote:

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

- (i) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (ii) a copy of the approved plans as stamped by Council are attached and the application for a Building Permit is to conform with the approved plans unless otherwise approved by Council.*

12. MATTERS BEHIND CLOSED DOORS

13. CLOSURE OF MEETING

