



# AGENDA

## Town Planning Committee

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Tuesday, 5 October 2021 at 6.30pm

### Disclaimer

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

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

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

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

### Copyright

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

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

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

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

A Deputation invited to attend a Council meeting:

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

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

### Procedure for Presentations

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

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

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

### 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.
- 7.1 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.
8. 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.
- 8.1 A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

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

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

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

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**NOTICE OF MEETING**

Elected Members

An Ordinary Meeting of the Town Planning Committee will be held on Tuesday, 5 October 2021 in the Council Chamber, 135 Canning Highway, East Fremantle, commencing at 6.30pm and your attendance is requested.

GARY TUFFIN  
Chief Executive Officer

29 September 2021

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**AGENDA**

- 1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS**
- 2. ACKNOWLEDGEMENT OF COUNTRY**  
*"On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders, past and present."*
- 3. ANNOUNCEMENT TO GALLERY**  
*"Members of the gallery are advised that no Committee decision from tonight's meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting."*
- 4. RECORD OF ATTENDANCE**
  - 4.1 Attendance**
  - 4.2 Apologies**
  - 4.3 Leave of Absence**
- 5. MEMORANDUM OF OUTSTANDING BUSINESS**
- 6. DISCLOSURES OF INTEREST**
  - 6.1 Financial**
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  - 7.2 Public Question Time**
- 8. PRESENTATIONS/DEPUTATIONS**
  - 8.1 Presentations**
  - 8.2 Deputations**
- 9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
  - 9.1 Town Planning Committee (7 September 2021)**



**9.1 OFFICER RECOMMENDATION**

**That the minutes of the Town Planning Committee meeting held on Tuesday, 7 September 2021 be confirmed as a true and correct record of proceedings.**

**10. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil

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**11. REPORTS OF COMMITTEES**

**11.1 Community Design Advisory Committee (6 September 2021)**

**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 6 September 2021

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**PURPOSE**

To submit the minutes of the Community Design Advisory Committee meeting held on the 6 September 2021 for receipt by the Town Planning Committee.

**EXECUTIVE SUMMARY**

The Committee, at its meeting held on 6 September 2021, provided comment on planning applications listed for consideration at the November 2021 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.

**11.1 OFFICER RECOMMENDATION**

**That the Minutes of the Community Design Advisory Committee meeting held on 6 September 2021 be received.**



**Minutes of a Community Design Advisory Committee Meeting, held at East Fremantle Town Hall, on Monday 6 September 2021 commencing at 6:25pm, closed at 7:25pm.**

**1. OPENING OF MEETING**

Cr Nardi welcomed the Committee members.

Cr Nardi 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 Dean Nardi Chair/ Elected Member

Mr David Tucker

Jonathan Dalitz

Mr Andrew Malone Executive Manager Regulatory Services

Mr James Bannerman Planning Officer

Ms Amanda Padberg Administrative Officer Regulatory Services

**It must be noted that a quorum for the meeting was not reached.**

**3. APOLOGIES**

Cr Cliff Collinson

Mr Don Whittington

Mr Michael Norris

Mr Clinton Matthews

Mr David Bennett

**4. LEAVE OF ABSENCE**

Nil

**5. DECLARATIONS OF INTEREST**

David Tucker

*As a consequence of both adjoining neighbours to 56A Pier Street being known to me as a friend, there may be a perception that my impartiality on the matter may be affected. I declare that I have considered this matter entirely on its merits and provide comment with complete impartiality and objectivity.*

**6. CONFIRMATION OF MINUTES**

***Moved David Tucker, seconded Dean Nardi***

***Minutes of the Community Design Advisory Committee meeting held on 5 July 2021 were confirmed.***

CARRIED UNANIMOUSLY

**7. PRESENTATION**

Nil.

**8. BUSINESS**



8.1 *56A Pier*

**(Application P68/21 - 2/08/21)**

Three storey dwelling

- (a) The overall built form merits.
- The Committee were not support of the proposed development noting the below points.
  - The committee recognised that the design utilises the existing building.
  - Committee felt that the bulk and scale of the building is a key issue in the design, however, was considered to be too bulky.
  - Committee believed that space is needed for planting of vegetation to soften the streetscape and built structure. The Committee requests a full landscaping plan be submitted to Council.
  - Committee was concerned about the width of the driveway and crossover and the height and gradient of the driveway given the slope of the site.
  - Committee believed the proposed height is unacceptable.
- (b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.
- Committee believed that the dwelling is of a style like many contemporary dwellings in the Richmond Hill precinct, however, should be better articulated and reduced in height, bulk, and scale.
- (c) The relationship with and impact on the broader public realm and streetscape.
- Committee felt that the dwelling will dominate the street.
  - Committee felt there was a need for the dwelling to better fit with the streetscape.
  - Committee requested that a landscape plan and a crossover and verge plan are necessary to gain an understanding of measures that will be taken to soften the design in the streetscape by way of planting vegetation.
- (d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features, and landmarks.
- Committee believed that the upper storeys should be setback further to reduce the impact of the building on the streetscape.
- (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.
- Committee believed that the air-conditioning location and screening will need to be conditioned to prevent future issues with noise and height.
- (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.

- Committee recognised that there was very good surveillance of the street and the front setback area.

**8.2**      **17 Glyde Street**  
**(Application P67/21 – 6/08/21)**  
Residential dwelling

- (a) The overall built form merits.
- The Committee were broadly supportive of the proposal.
  - Committee welcomed the fact that the design height had been limited to 8m.
  - Committee also welcomed considerable articulation of the design along the boundaries.
- (b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.
- Committee recognised that the design is industrial in style and does not attempt to imitate heritage properties.
- (c) The relationship with and impact on the broader public realm and streetscape.
- Committee felt that the design integrated with the area and is consistent with the designs within the area.
- (d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features, and landmarks.
- Committee recognised that the proposal was introducing a new structure into the urban landscape.
  - Committee felt that the design could have been pushed back further but it is recognised that it is further back from the front boundary than the neighbouring properties.
  - Committee also recognised that the design was not replicating heritage.
- (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.
- Committee noted the northern boundary is well utilised to capture the northern light.
  - Committee also noted that solar panels are indicated on the plans.
- (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.
- Committee welcomed the deck is at the front of the property which can allow the residents to connect with the street.
  - Committee noted that a visually permeable garage door is proposed.

- Committee was happy that the design addresses the street.

**8.3 Terms of Reference – Community Design Advisory Committee**

- Explanation of CDAC Terms of Reference by Andrew Malone.
- Proposed terms of reference include criteria that are aligned with State Planning Policy 7.0. Although there are more criteria, they are more specific than current criteria being utilised by CDAC.
- Committee requested that all proponents of new design should be made aware of the terms of reference to guide better design.
- Committee recommended that CDAC meetings should be able to proceed with a minimum of 3 members and if quorum is not met then feedback should be requested from absent members by email.
- Committee recommended that the proposed Terms of Reference should be emailed to Committee members for comment.

**9. OTHER BUSINESS**

Nil

**10. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING**

Nil

**11. DATE & TIME OF NEXT MEETING**

Monday 4 October 2021

**12. CLOSURE OF MEETING**

The meeting closed at 7.25pm.

## 12. REPORTS OF OFFICERS (COMMITTEE DELEGATION)

### 12.1 Hubble Street No 9 (Lot 56) Proposed alterations and additions

<b>Owner</b>	James Blue & Carolyn Park
<b>Applicant</b>	John Chisholm
<b>File ref</b>	P17/21
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	5 October 2021
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location and advertising plan</li><li>2. Site photos</li><li>3. Place record form</li><li>4. Plans date stamped 27 August 2021</li><li>5. Community consultation checklist</li></ol>

#### **Purpose**

The purpose of this report is for Council to consider a development application for proposed alterations and additions at No 9 (Lot 56) Hubble Street, East Fremantle.

#### **Executive Summary**

This development application proposes alterations and additions to an existing Category B heritage dwelling. The existing upper storey is being removed and a new second storey with a bedroom, ensuite, family room and balcony is being added. On the ground floor a new kitchen, living area, bathrooms and alfresco area is being added.

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 – Southern Wall - Ground Floor - 1.5m required, 0m provided;
- (ii) Clause 5.1.3– Residential Design Codes – Lot Boundary Setbacks – Southern Wall – Upper Storey – 1.9m required, 1.2m provided;
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided

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

#### **Background**

Zoning: Residential R20

Site area: 510m<sup>2</sup>

Heritage: Category B

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

DA P01/16 - Development approval granted for alterations and additions to rear - 15 March 2018

**Consultation**

Advertising

The application was advertised to surrounding landowners from 10 to 25 March 2021. One submission was received and has been included below.

<b>Submission</b>	<b>Applicant Response</b>	<b>Officer Response</b>
<p>Regarding the above development application, we have the following comments.</p> <p>1. The rear building is shown as a studio/shed. This is not correct, as the building is now used as accommodation. Under the original approval this was not to be lived in! We have been told that the previous owner did in fact get permission for a change of use. Is this correct? We don't mind this change of use but would like this clarified. If it is not approved, we would not object to retrospective approval!</p> <p>2. There is no carport on the north side of the house, over the driveway. Is the current carport to be removed?</p> <p>3. There is no real detail of the screening on the north side of the balcony. Is this to be open slats or fully screened? We have no real objections to this project but would like the above queries answered.</p>	<p>Applicant responded with significant changes to the original design.</p>	<p>This development application is dealing with proposed alterations and additions and is not related to a change of use for the rear studio.</p> <p>A change of use from studio/workshop to ancillary dwelling with bathroom was approved on 15 March 2018 in accordance with development application P001/16 and this was advertised to surrounding property owners.</p> <p>The existing carport is not being removed.</p> <p>Screening is required to be installed that meets the deemed to comply requirements of the Residential Design Codes clause 5.4.1 C1.2.</p>

Community Design Advisory Committee (CDAC)

The application was referred to CDAC in April 2021. The following comments were made.

*(a) The overall built form merits;*

- The Committee were not supportive of the proposal.
- The Committee believed that there was limited cohesion between the original heritage structures on site, the proposed rear addition, and the existing structures at the rear (front, central and rear sections of the dwelling) of the lot.
- The Committee believed that there was no dialogue between structures on site and connections between the existing and proposed buildings on site, resulting in a poor design outcome.
- The Committee noted the existing and proposed materials shown on the plans are confused. There should be a clear separation between the heritage building and the rear additions in terms of materials. There should be a clear separation between the limestone in the heritage dwelling and the use of recycled bricks in the proposed rear addition.
- The proposed double storey design in the middle of the building is overly large and not sympathetic with the original building.

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

- The Committee considered there was no respect for the original character of the heritage dwelling with the proposed rear additions, noting it is considered the proposal does not respect the character of the area.
  - The Committee believed the proposal does not follow the Burra Charter in terms of material. There should be a distinction/ differentiation between the old and the new parts of the development in terms of design and materials.
- (c) *The relationship with and impact on the broader public realm and streetscape;*
- The Committee believed that the upper storey of the rear addition will not be visually discrete and will be able to be seen from the street front, impacting on the overall character of the area.
  - The Committee noted the current structures have limited impact on the heritage dwelling whereas the proposed development will have a significant impact on the heritage dwelling and appears to overwhelm the existing dwelling.
  - The Committee believed there should be some type of visual/ design separation between the old and the new.
- (d) *The impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks;*
- 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;*
- No 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 comment at this time.

Applicant Response to CDAC

*We have taken the advice from the Council and have drastically amended the architectural design to address the comments made. The new proposed design reduces the footprint of the structure, changes the form of the structure, and has a complete change in materials and colour. The new structure is only slightly larger than what is already in place but dramatically increases the usability of the space, we do not believe this new design would be considered overly large or unsympathetic to the original property. We will leave the recycled brick paving in place which connects the rear studio to the front building creating cohesion between the two properties. We will no longer use recycled bricks on the exterior of the ground floor so as not to confuse the rendered walls of the original building and the newly renovated portion of the property. As the footprint of the structure is now smaller, there is a larger yard space separating the rear studio from the main building which should add enough space between the two to not confuse the spaces.*

*We believe the new structure has limited impact on the surrounding buildings and respects the heritage character of the building. The visibility of the structure from the street is minimal, as demonstrated in the new drawings. We are using standing seam metal cladding (Surfmist) on the top portion of the structure, and we will use vertical timber on the bottom portion of the build to make a strong contrast from the rendered walls of the original building. We have also added an articulation point between the original structure and the renovated rear section. This will show a distinct break from the original building and renovated bottom portion of the building.*

*The upper story will be very discrete from the street and will be a more attractive building for the neighbourhood. The ground floor of the property is approximately 2 meters above the street level and therefore cuts off most angles where the renovated structure can be seen. The existing second story is dilapidated and is in need of replacing. The materials and articulation point should make for a very clear separation between the original house and renovated rear portion.*

*This renovation will uplift the property and surrounding area as a demonstration of preserving an original cottage and adding a discrete and modern living space at the rear of the building.*

#### Officer Comment

The applicant and owner has made significant modifications to the original proposal to address the concerns of CDAC. The changes have been welcomed and as a result there are a minimal number of variations being requested to the Residential Design Codes and Residential Design Guidelines.

#### External Consultation

Nil

#### **Statutory Environment**

*Planning and Development Act 2005*

*Residential Design Codes of WA*

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

#### **Policy Implications**

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

#### **Financial Implications**

Nil

#### **Strategic Implications**

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

##### Built Environment

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

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

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

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

*3.1.3 Plan for improved streetscapes.*

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

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

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

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

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

Natural Environment

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

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

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

4.1.2 Plan for improved streetscapes parks and reserves.

4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.

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

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

**Risk Implications**

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

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback			N/A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
<b>Southern wall – ground floor</b>	<b>1.5m</b>	<b>0m</b>	<b>D</b>
Western wall - alfresco	1m	>1m	A
Northern wall – ground floor	1.5m	2.7m	A
<b>Southern wall – upper storey</b>	<b>1.9m</b>	<b>1.2m</b>	<b>D</b>
Western wall – verandah/balcony	1.2m	>1.2m	A
Northern wall – upper storey	1.2m	2.6m	A
Open Space	50%	58.35%	A
Wall height	7m	6.256m	A
Roof height	8m	6.256m	A
Setback of Carport			N/A
Car Parking			N/A
Site Works			N/A



Visual Privacy - Balcony	7.5m	<7.5m	A
Overshadowing	25%	18%	A
Drainage	To be conditioned		

Local Planning Policies Assessment

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

This development application proposes alterations and additions to an existing Category B heritage dwelling. The existing upper storey is being removed and a new second storey with a bedroom, ensuite, family room and balcony is being added. On the ground floor a new kitchen, living area, bathrooms and alfresco area are being added. The proposed alterations and additions remove a previous addition and do not impact negatively on the existing heritage sections of the dwelling at the front which is being retained.

Three variations are requested to the requirements of the Residential Design Codes and one variation is requested to the Residential Design Guidelines. Proposed variations relate to lot boundary setbacks (2 locations), and roof pitch respectively.

The upper storey is setback in excess of 9.57m from the front lot boundary and designed in a way that minimises the impact of the second storey to the streetscape. It is noted that the dwelling is over 2m higher than the footpath at the front of the dwelling as the lot is located on the side of a hill. Images show that a minimal amount of the new upper storey addition will be able to be seen from the street and for this reason it meets the requirements of the Residential Design Guidelines.

Lot Boundary Setback – Southern Wall – Ground Floor

The southern wall on the ground floor of the proposed dwelling is 24.1m long and less than 3.5m high without major openings. In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.1.3 C3.1 indicates a wall of the proposed dimensions should be located 1.5m from the boundary. In this case the original dwelling has a wall that is located almost on the boundary and the new wall for the additions is also a similar distance from the boundary. Based on the Design Principles provisions clause 5.1.3 P3.2 a reduced lot boundary setback can be supported for the following reasons;

- More effective use of space for enhanced privacy for the occupants and outdoor living areas,
- Minimal impacts from building bulk on adjoining properties,
- Adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and any loss of privacy on adjoining properties

- Does not have adverse impacts on the amenity of the adjoining property
- Direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted,
- Positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.

It is noted that there is a section of wall that is existing and built up to the boundary and there are many similar examples of this approach to boundary setbacks in the Plympton precinct. Reduced lot boundary setbacks throughout Plympton are not unusual given that many lots are relatively narrow and long and ultimately constrain dwelling design significantly.

The neighbouring property to the south is setback approximately 1m from the boundary so adequate sunlight and ventilation can enter the property. There are minimal negative amenity impacts on the neighbouring property to the south from the proposed wall. For these reasons, the reduced lot boundary setback can be supported.

#### Lot Boundary Setbacks - Southern Wall – Upper Storey

The southern wall on the upper floor of the proposed dwelling is 13.6m long and 6.3m high without major openings. In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.1.3 C3.1 indicates that the wall should be located 1.9m from the boundary. In this case the original dwelling has a wall that is located 1.2m from the boundary. Based on the design principles clause 5.1.3 P3.1 a reduced lot boundary setback can be supported for the following reasons;

- Minimal impacts from building bulk on adjoining properties,
- Adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties,
- Minimal overlooking and any loss of privacy on adjoining properties

The wall location is such that it is 0.7m less than the setback required by the deemed to comply requirements. Sunlight and ventilation are still able to reach the area directly adjacent to the wall and there are no privacy issues from elevated windows or floor levels along this section of the proposed development. For these reasons, the reduced lot boundary setback can be supported.

#### Roof Pitch

The roof pitch of the proposed rear addition has a roof with a pitch of 3 degrees and therefore less than 28 degrees. This does not achieve the acceptable development requirements of clause 3.7.8.3 A4.1 of the Residential Design Guidelines. However, given that the development is concentrated to the rear of the dwelling and the pitch complements the traditional form of surrounding development in the immediate locality it can be supported in accordance with performance criteria 3.7.8.3 P4.

#### Overshadowing

A maximum of 25% of the neighbouring property can be overshadowed in accordance with the Residential Design Codes deemed to comply clause 5.4.2 C2.1. In this case it is shown that the proposed dwelling overshadows the neighbouring lot to a level of 36%. Given the narrow lot width it is difficult to have a double storey dwelling with low levels of overshadowing. There have been no negative submissions received in relation to this development from the owners of the neighbouring property that is impacted by the overshadowing and is also the designer of this proposal.

A recalculation of the overshadowing was carried out with the overshadowing of the dividing fence (assuming a height of 1.8m) being removed from the total area of overshadowing as permitted by the Residential Design Codes deemed to comply clause 5.4.3 C2.1 and it was found that the total overshadowing excluding that from the fence is equal to 92m<sup>2</sup> which is equivalent to 18.1% which is less than 25% and therefore meets the deemed to comply requirements of the Residential Design Codes deemed to comply clause 5.4.3 C2.1.

### 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 development conditions.

### **12.1 OFFICER RECOMMENDATION**

**That development approval is granted under delegated authority and Council exercises its discretion regarding the following;**

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks - Southern Wall – Ground Floor – 1.5m required, 0m provided**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall – Upper Storey – 1.9m required, 1.2m provided**
- (iii) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 degrees provided**

**for alterations and additions at No. 9 (Lot 56) Hubble Street, East Fremantle, in accordance with the plans date stamped received 27 August 2021, subject to the following conditions:**

- (1) Visual privacy screening that is a minimum of 1.6m from the finished floor level of the upper storey verandah/balcony and permanent, durable, fixed, and with no less than 75% obscurity is to be fitted to the northern, and western edges of the verandah/balcony as shown on the plans submitted 27 August 2021.**
- (2) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.**
- (3) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.**
- (4) Regarding the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.**
- (5) 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.**
- (6) If requested by Council within the first two years following installation, the roofing is to be treated to reduce reflectivity. The treatment is 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.**
- (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.

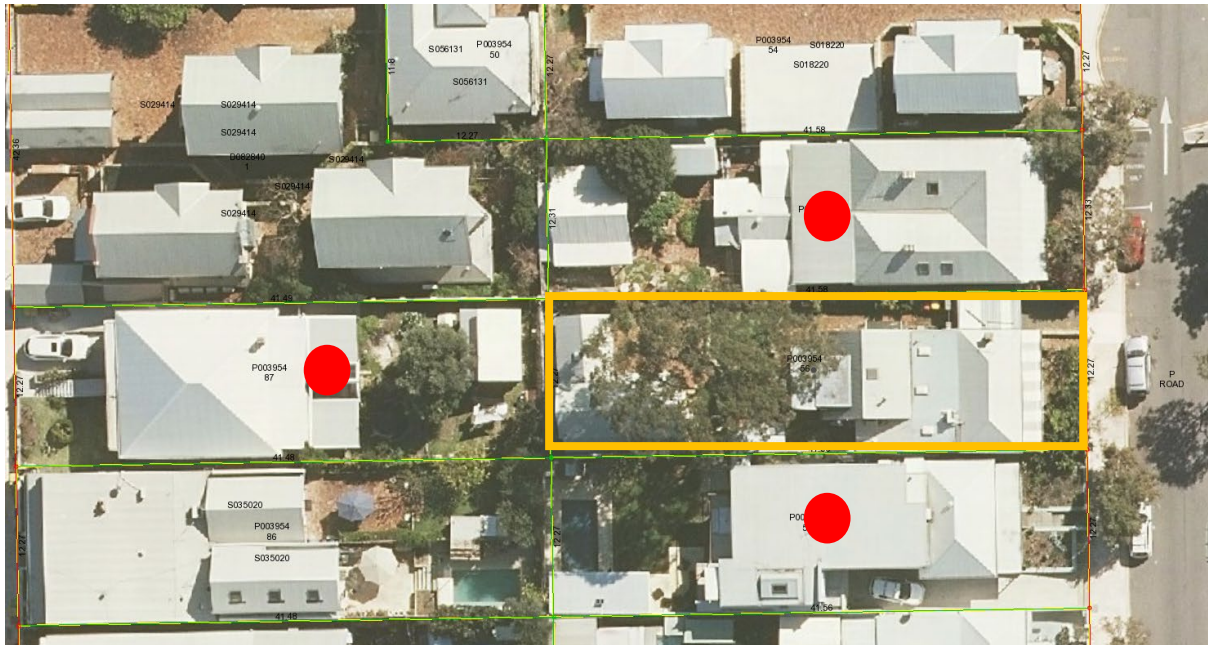
- (8) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost is to be borne by the 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 development 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.*

9 Hubble Street – Location and Advertising Plan



9 Hubble Street – Site Photos



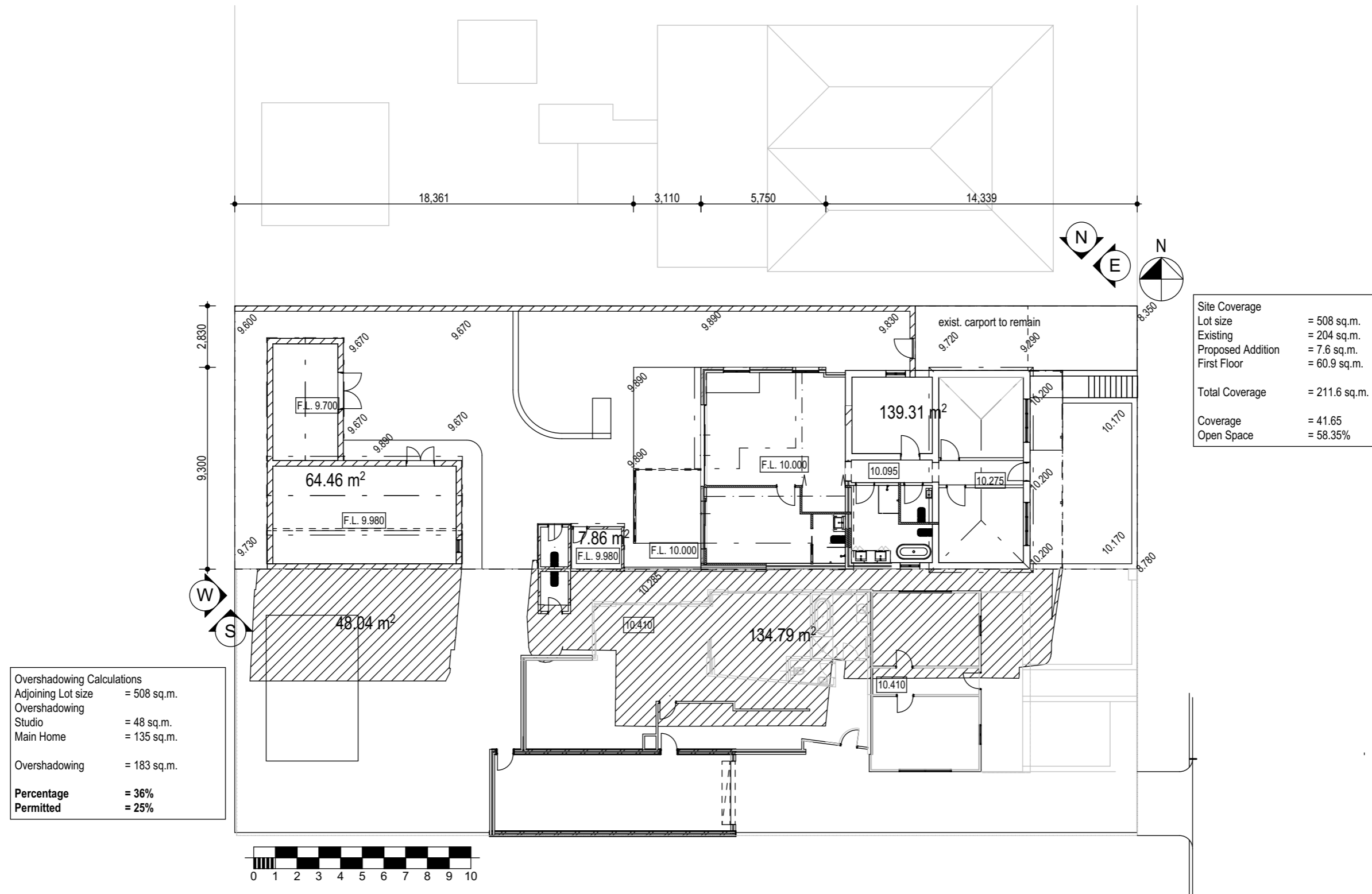
## PLACE RECORD FORM



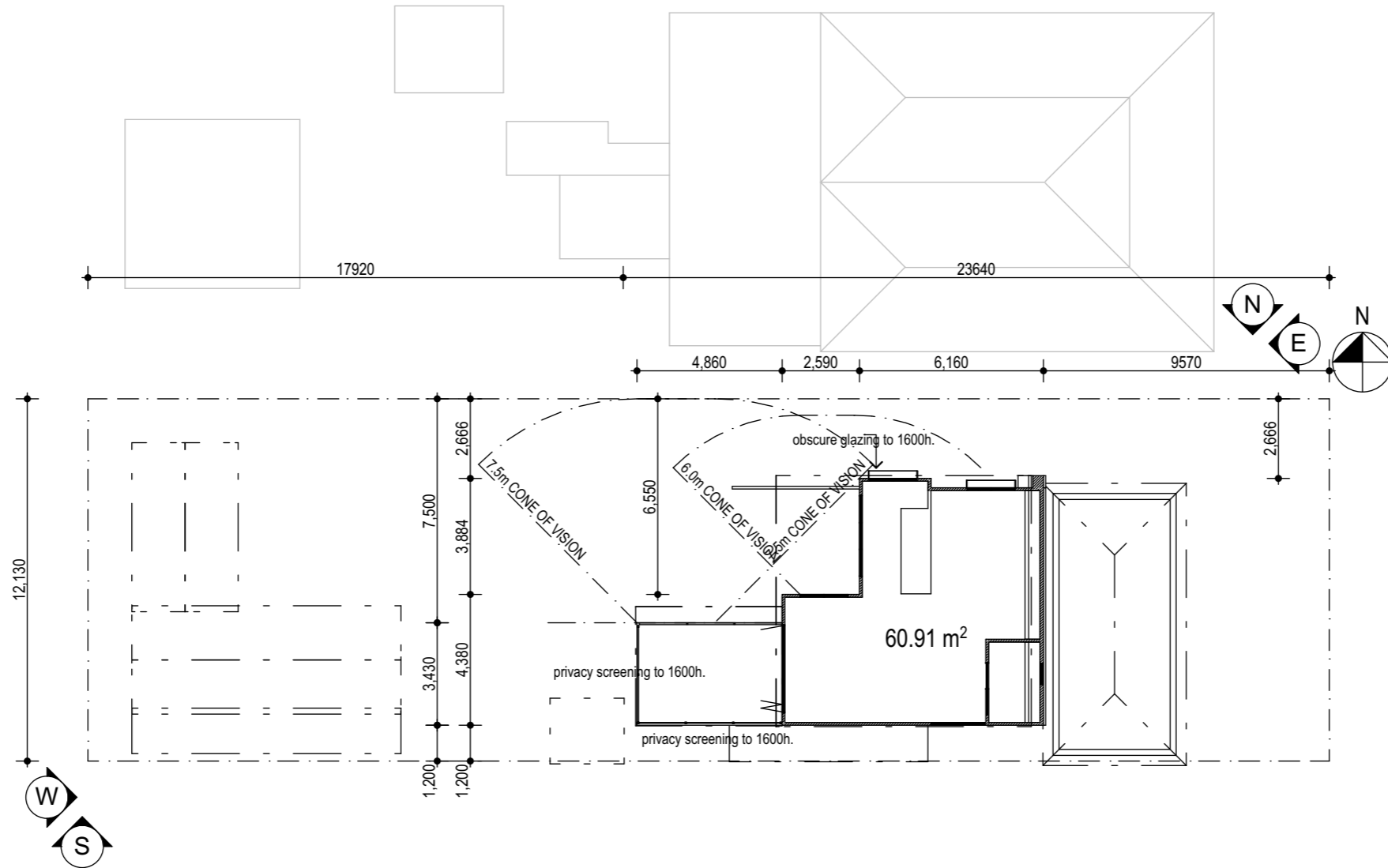
PRECINCT	Plympton
ADDRESS	9 Hubble Street
PROPERTY NAME	N/A
LOT NO	Lot 56
PLACE TYPE	Residence
CONSTRUCTION DATE	C 1890
ARCHITECTURAL STYLE	Federation Bungalow
USE/S	Original Use: Residence/ Current Use: Residence
STATE REGISTER	N/A
OTHER LISTINGS	N/A
MANAGEMENT CATEGORY	Category B
PHYSICAL DESCRIPTION	<p>No 9 Hubble Street is a single storey cottage constructed in rendered masonry with a hipped corrugated iron roof. It is an expression of the Federation Cottage Bungalow style. It is symmetrically planned with a central door flanked by replacement picture and side hung sash windows. The facade features a full width bullnose roofed verandah. The verandah is supported on turned timber posts. A high limestone retaining wall frames the garden bed. To the north of this retaining wall is a masonry stair that leads from the street level to the verandah.</p> <p>There are additions to the rear.</p>

	<p>The place is consistent with the pattern of development in Plympton and plays an important role in the pattern of development of a working class suburb.</p>
HISTORICAL NOTES	<p>Plympton is a cohesive precinct where most of the places were constructed in the late nineteenth century and the first quarter of the twentieth century. It is comprised primarily of homes for workers and their families with a high concentration of small lots with timber, brick and stone cottages.</p>
OWNERS	<p>Unknown</p>
HISTORIC THEME	<p>Demographic Settlements - Residential Subdivision</p>
CONSTRUCTION MATERIALS	<p>Walls - Rendered masonry Roof - Corrugated roof sheeting</p>
PHYSICAL SETTING	<p>The house is situated on a sloping site with a limestone retaining wall on the front boundary.</p>
STATEMENT OF SIGNIFICANCE	<p>No 9 Hubble Street is a single storey house constructed in rendered masonry with a corrugated iron roof. The place has historic and aesthetic value with its contribution to Plympton's high concentration of worker's cottages and associated buildings. It contributes to the local community's sense of place.</p> <p>The place has some heritage value for its intrinsic aesthetic value as a Federation Bungalow and it retains a moderate to low degree of authenticity and a high degree of integrity.</p> <p>The rear additions have no significance.</p>
AESTHETIC SIGNIFICANCE	<p>No 9 Hubble Street has considerable aesthetic value as a Federation Bungalow. It retains the characteristic features of the period with some loss of detail.</p>
HISTORIC SIGNIFICANCE	<p>No 9 Hubble Street has some historic value. It was part of the suburban residential development associated with the expansion of East Fremantle during the Goldrush period of the 1880s and 1890s.</p>
SCIENTIFIC SIGNIFICANCE	<p>N/A</p>
SOCIAL SIGNIFICANCE	<p>No 9 Hubble Street has some social value. It is associated with a significant area of worker's cottages which contributes to the community's sense of place.</p>
RARITY	<p>No 9 Hubble Street is not rare in the immediate context but Plympton has rarity value as a working class suburb.</p>
CONDITION	<p>No 9 Hubble Street is in good condition.</p>
INTEGRITY	<p>No 9 Hubble Street retains a high degree of integrity.</p>
AUTHENTICITY	<p>No 9 Hubble Street retains a moderate to low degree of authenticity.</p>
MAIN SOURCES	





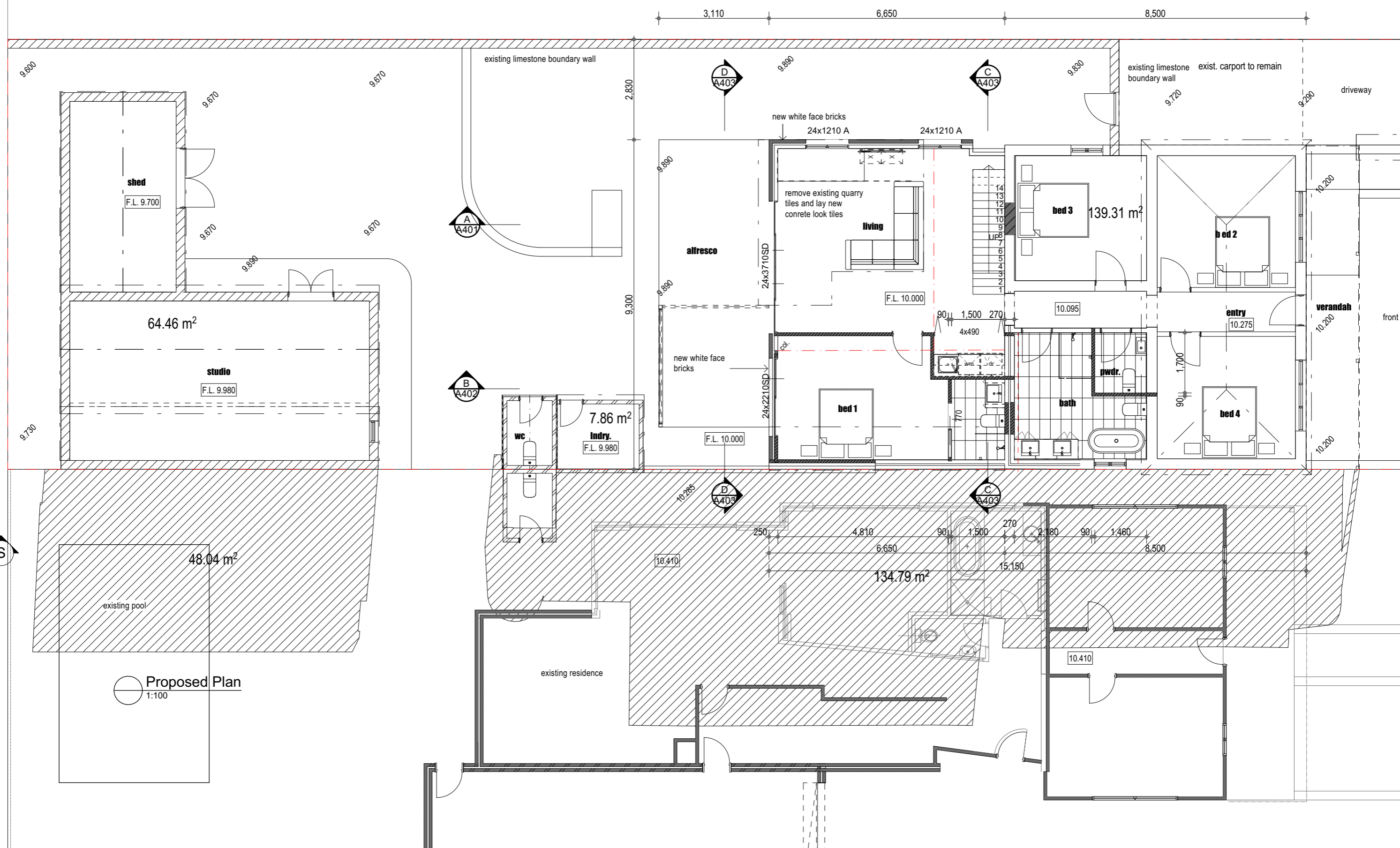
Site Plan  
1:200



Site Plan First Floor  
1:200

REV.	AMENDMENT	DATE
3	issued for planning	26/8/2021
2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021	Drwn:	JC
Job No:	2049	Dwg No.:	<b>A102</b>
		Rev	<b>3</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.			

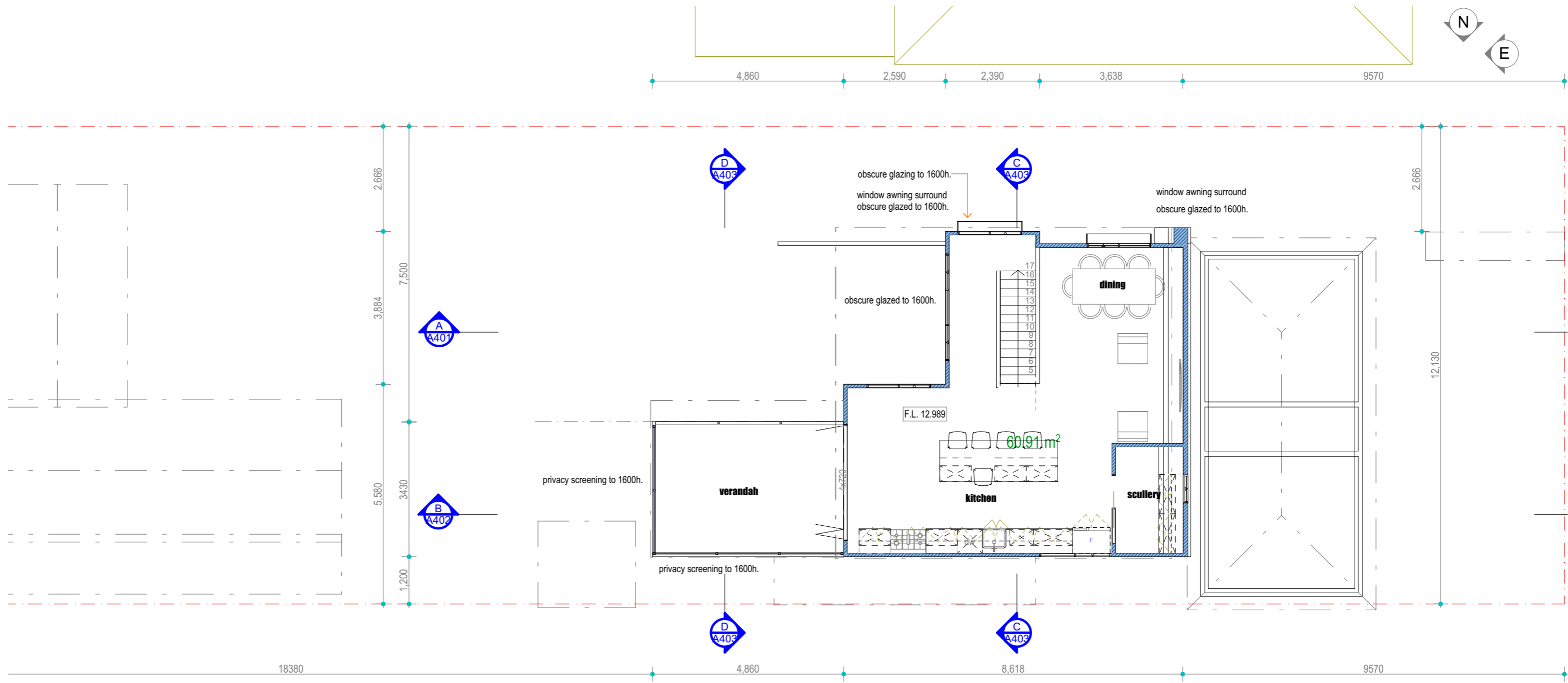


Proposed Plan  
1:100

REV.	AMENDMENT	DATE
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2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021	Drwn:	JC
Job No:	2049	Dwg No.:	<b>A201</b>
		Rev	<b>3</b>

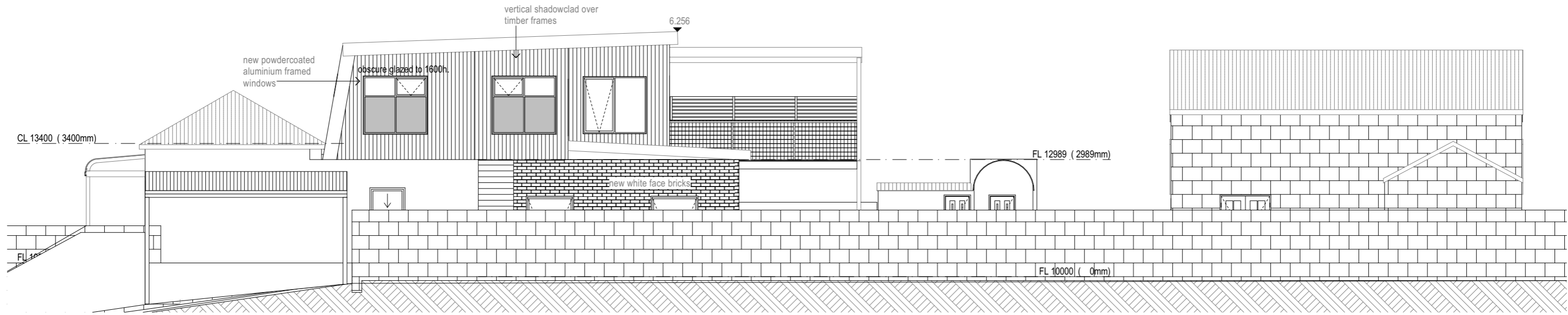
The builder must verify all dimensions on site before commencing any work or shop dwgs.



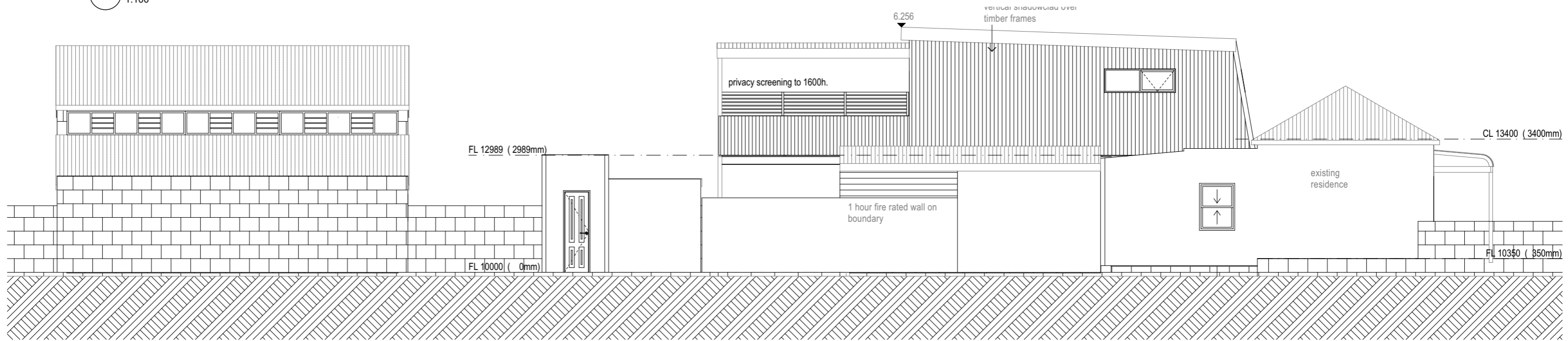
First Floor  
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REV.	AMENDMENT	DATE
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2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021	Drwn:	JC
Job No:	2049	Dwg No.:	<b>A202</b>
		Rev	<b>3</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.			



north  
1:100

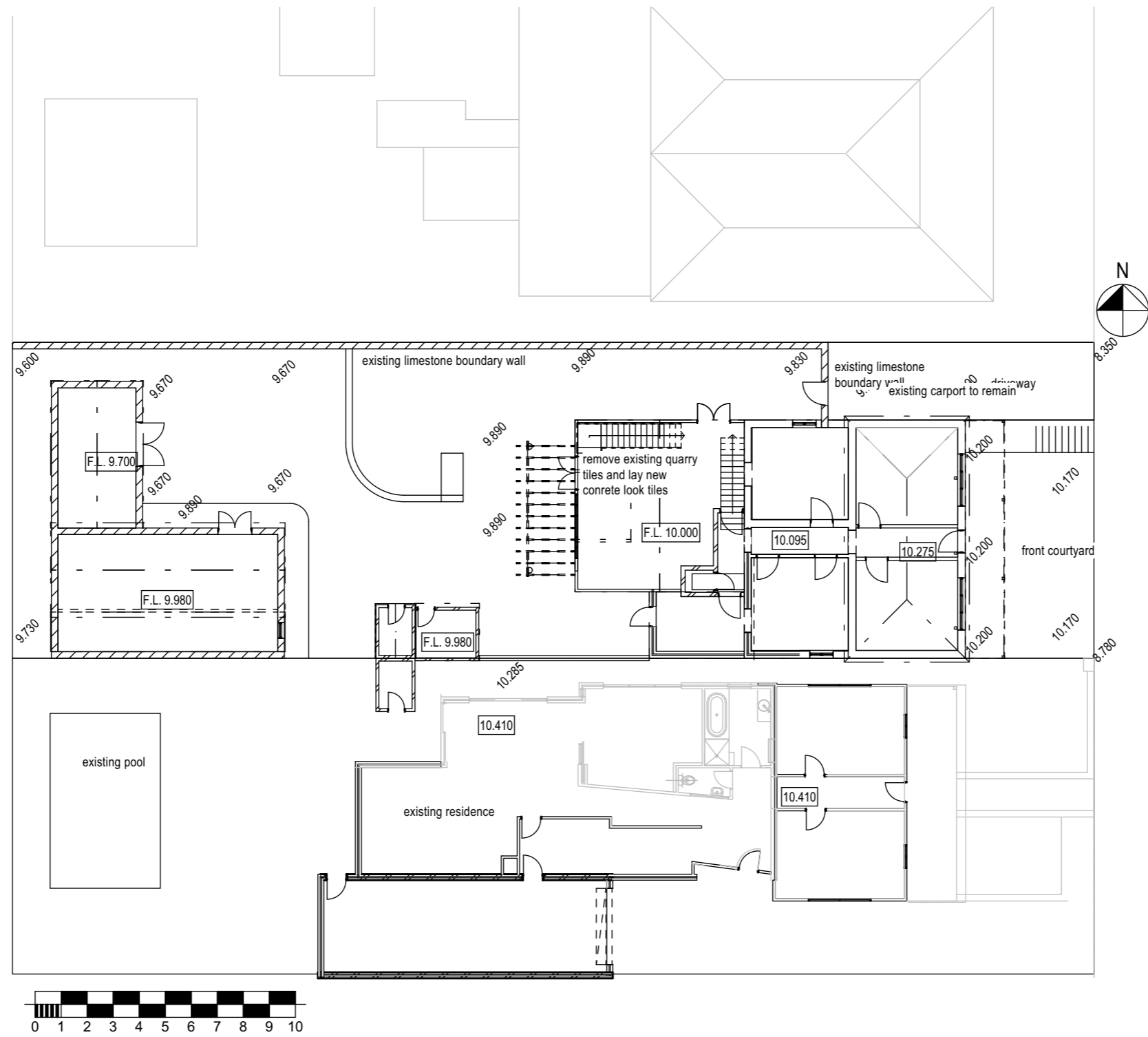


south  
1:100

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2	issued for planning	24/3/2021
1	issued for planning	2/3/2021
REV.	AMENDMENT	DATE

Date:	26/08/2021	Drwn:	JC
Job No:	2049	Dwg No.:	<b>A301</b>
		Rev	<b>3</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.			





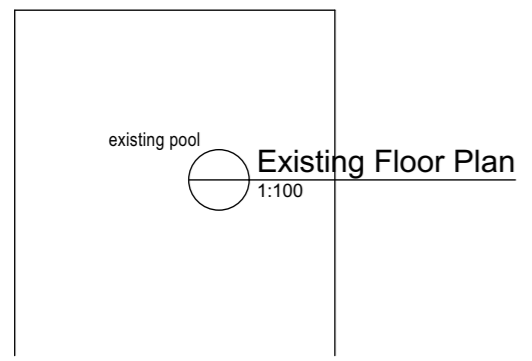
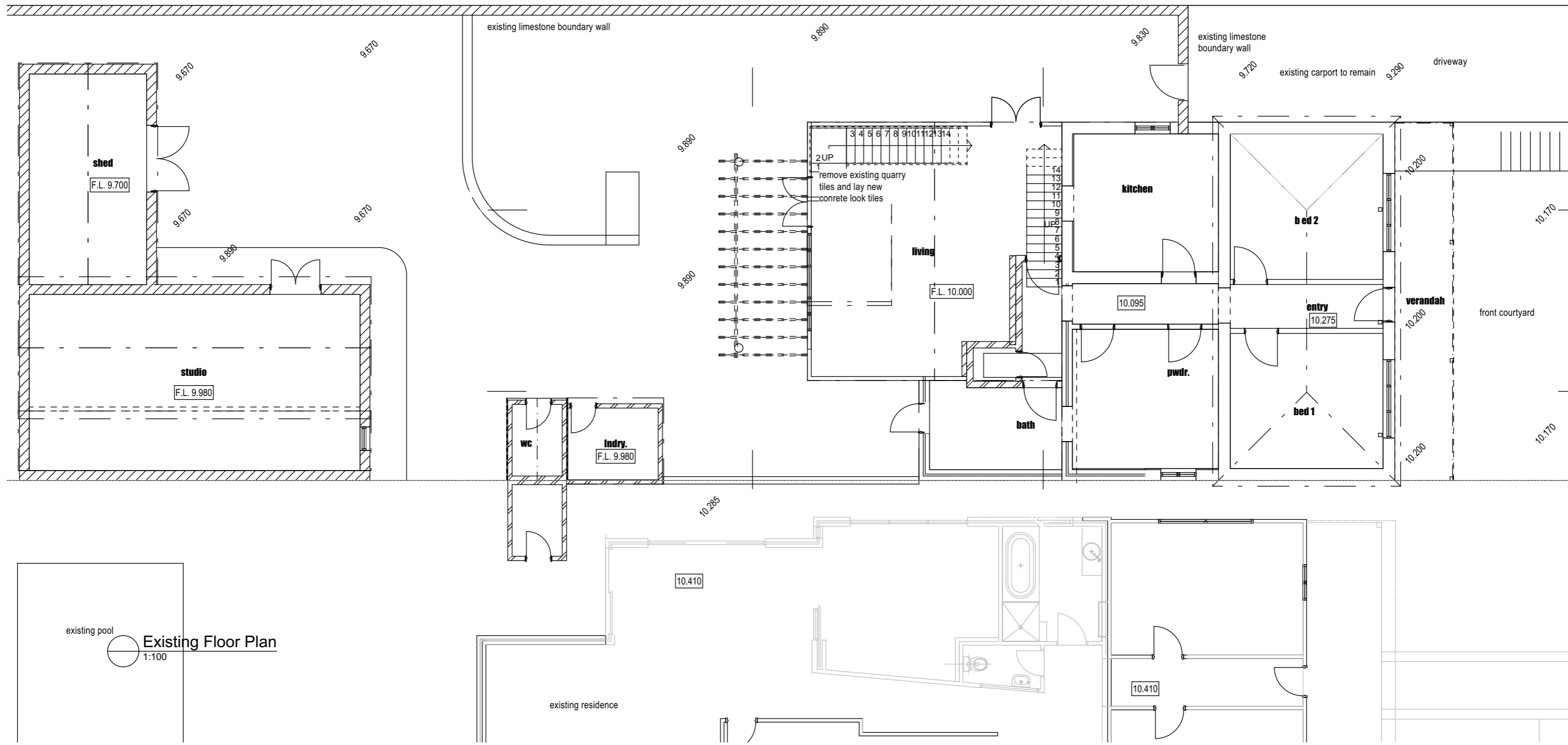
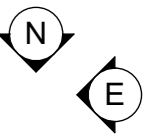
Existing Site Plan  
1:200

REV.	AMENDMENT	DATE
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2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021
Job No:	2049

Drwn:	JC
Dwg No.:	<b>EX100</b>
Rev	<b>3</b>

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



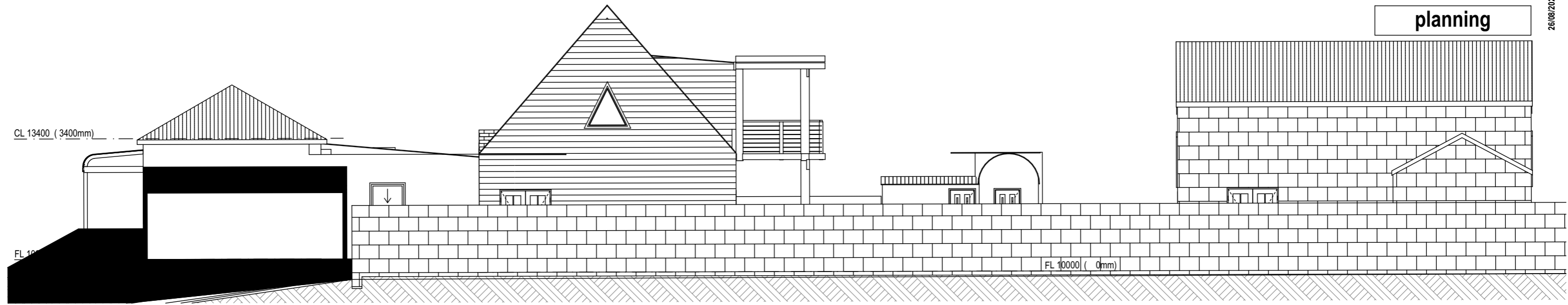
REV.	AMENDMENT	DATE
3	issued for planning	26/8/2021
2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021	Drwn:	JC
Job No:	2049	Dwg No.:	<b>EX201</b>
		Rev	<b>3</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.			

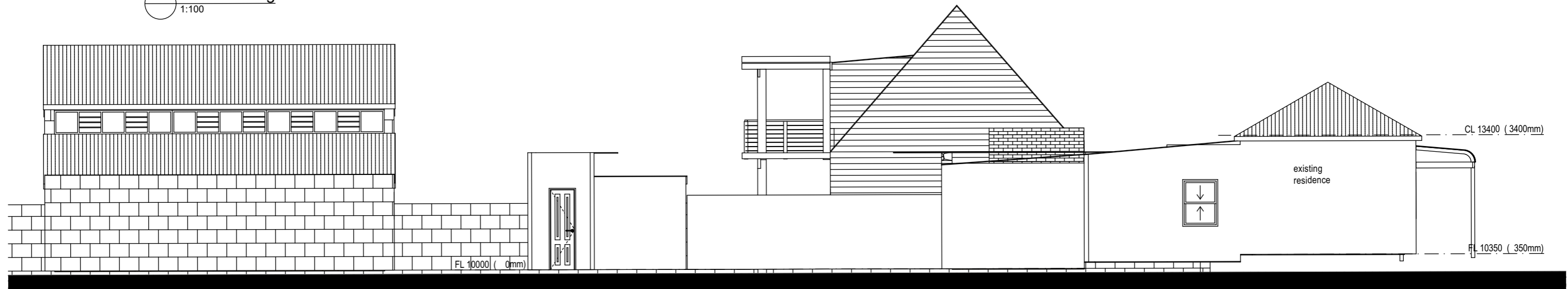


planning

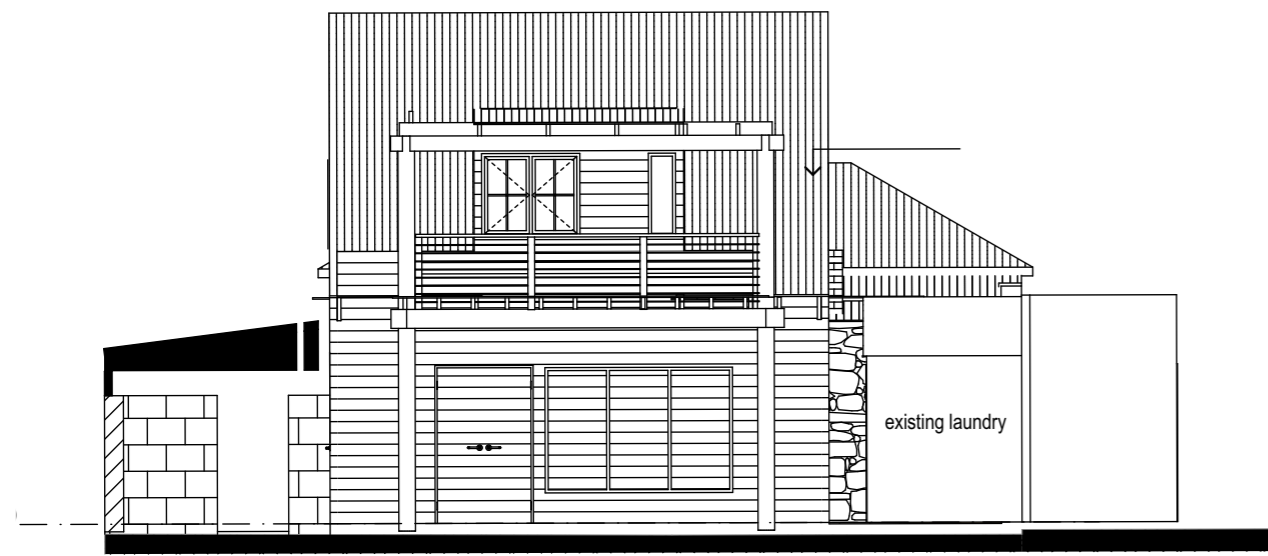
26/08/2021



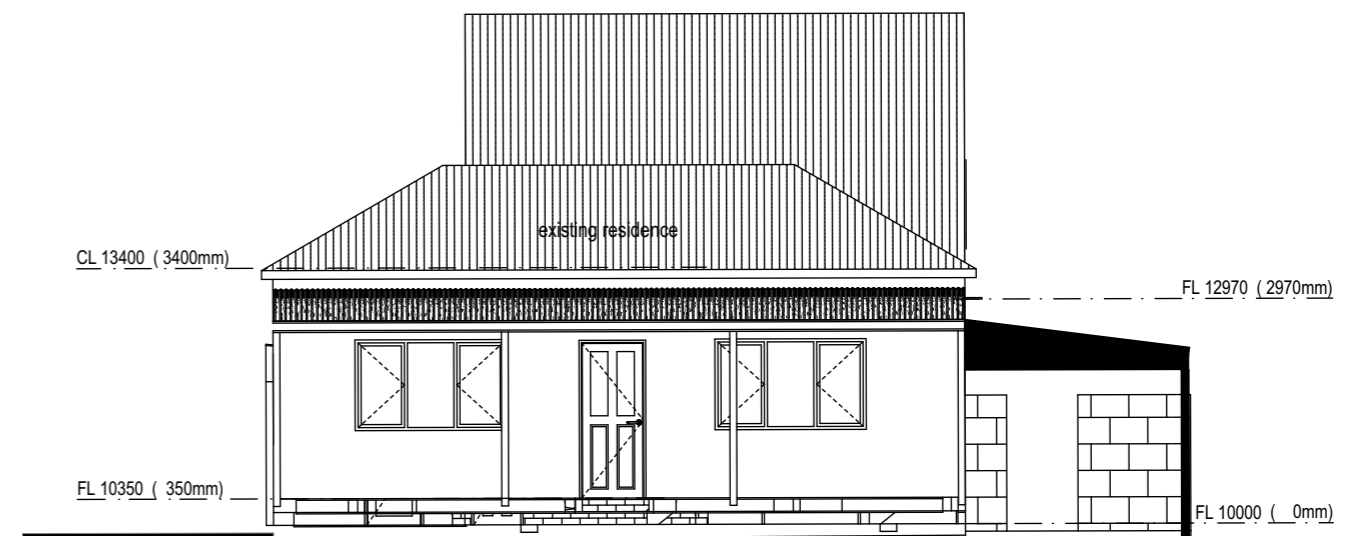
north existing  
1:100



south existing  
1:100



west existing  
1:100



east existing  
1:100

REV.	AMENDMENT	DATE
3	issued for planning	26/8/2021
2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021
Job No:	2049

Drwn:	JC
Dwg No.:	<b>EX301</b>
Rev	<b>3</b>

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



front  
1:1.22

john  
**Chisholm design**  
environmental heritage contemporary  
0408 833 399 jc@jonchisholm.com jonchisholm.com

  NATIONAL ASSOCIATION BUILDING DESIGNERS OF WESTERN AUSTRALIA INC.  
© Copyright

Project:  
**Alterations & Additions  
9 Hubble St.  
East Fremantle**

Drawing:  
**Images**

3	issued for planning	26/8/2021
2	issued for planning	24/3/2021
1	issued for planning	2/3/2021
REV.	AMENDMENT	DATE

Date:	26/08/2021
Job No:	2049

Drwn:	JC
Dwg No.:	<b>P1</b>
Rev	<b>3</b>
The builder must verify all dimensions on site before commencing any work or shop dwgs.	

planning

26/08/2021



Image3  
1:1.77

REV.	AMENDMENT	DATE
3	issued for planning	26/8/2021
2	issued for planning	24/3/2021
1	issued for planning	2/3/2021

Date:	26/08/2021
Job No:	2049

Drwn:	JC
Dwg No.:	<b>P2</b>
Rev	<b>3</b>

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



## Community Engagement Checklist

### Development Application P17/21 - 9 Hubble Street

Project Name

<b>Objective of Engagement:</b>	Neighbour Consultation		
<b>Lead Officer:</b>	Regulatory Services		
<b>Timeline:</b>	<b>Start Date:</b>	10/03/2021	<b>Outcomes By:</b> 25/3/2021
Stakeholders			
<b>Stakeholders to be considered.</b>  <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
<b>Staff to be notified:</b>	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer		<input checked="" type="checkbox"/> Advertised to 3 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		25/3/2021	
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			

## 12.2 Glyde Street No 17 (Lot 26) Proposed new dwelling

<b>Owner</b>	George Baramily
<b>Applicant</b>	Huston Architecture
<b>File ref</b>	P67/21
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	5 October 2021
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan and advertising</li><li>2. Site photos</li><li>3. Plans date stamped 1 September 2021</li><li>4. Community consultation checklist</li></ol>

### Purpose

The purpose of this report is for Council to consider a development application for a proposed new dwelling and alterations to an existing garage at No 17 (Lot 26) Glyde Street, East Fremantle.

### Executive Summary

A large double storey dwelling is proposed for the subject lot. A previous development application was approved in December 2020 (P115/20). The current proposal is significantly different to the original approved development and consists of a single garage with 3 bedrooms and 2 bathrooms and activity room on the ground floor. Also on the ground floor is a kitchen, dining, and living room which are located towards the rear of the lot overlooking the pool and outdoor living area. The upper storey comprises a large study, 2 bedrooms and an ensuite. The property is not heritage listed. The outdoor living area is being constructed from the existing double garage located at the rear of the lot.

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 – Southern Wall – Hall, Laundry, Scullery, Kitchen, Outdoor Living – 1.5m required, 0m provided
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks - Western Wall – Outdoor Living – 1.1m required, 0m provided
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback -Northern Wall – Dining, Living, Ensuite, Bedroom 1 – 3m required, 1.5m provided
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks -Upper Storey - Southern Wall – Study, Bedroom 5 – 2.2m required, 1.5m provided
- (v) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 and more than 36 degrees provided.

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

### Background

Zoning: Residential R20

Site area: 508m<sup>2</sup>

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

P115/20 – development approval granted for alterations and additions – 1 December 2020

**Consultation**

Advertising

The application was advertised to surrounding landowners. Three submissions were received. The submissions and responses are included below.

<b>Submission</b>	<b>Applicant Response</b>	<b>Officer Response</b>
<p><b>Submission 1</b> Thank you for the opportunity to comment on the proposed plans for 17 Glyde Street, East Fremantle. What with ageing housing stock, development in the Plympton Ward is a given. So too is the expectation that:</p> <ul style="list-style-type: none"> <li>• The development is mindful of neighbours</li> <li>• The development adheres to the Residential Design Guidelines.</li> <li>• The development honours the culture and heritage of Plympton Ward - referencing the Town's own language in respect to the Plympton Ward, i.e.</li> <li>• That it is 'appropriate for the area'</li> <li>• That it is 'a better outcome for neighbouring properties and the Town'</li> <li>• That it meets strategic implications of being 'in balance with the Town's unique heritage and open spaces'.</li> </ul> <p>As a neighbour diagonally below the proposed structure, which appears to be three metres higher and three metres closer than that of the former residence, I object to the degree of overlooking that I and other neighbours will be subjected to. The raised level of the ground floor means that both levels will overlook several back yards to the north, east and west. It's size, scale and proximity will dominate the area to the detriment of the neighbours.</p> <p>I expect the Town Planning Committee to undertake its role effectively, and demand that the building honours the Residential Design Guidelines, honours the</p>	<p>Please find the following reply to the 2 submissions received in concern to the Development Approval application for 17 Glyde Street, East Fremantle.</p> <p>Clearly both submissions are concerned with overlooking and variations to setbacks as the main issues.</p> <p>We have provided revisions to the advertised drawing set that has addressed the overlooking concerns by lowering the overall floor levels by 370mm and provided privacy screens to the north and west boundaries where overlooking would have occurred. In addition to this, we have significantly reduced the first floor setback to the north elevation to make this compliant with the required setback for this wall with major openings.</p> <p>Further to this, the slight reduction to the footprint and the lowering of the building height has made the proposed design compliant with overshadowing and the open area calculations required under the R-Codes.</p>	<p>There have been substantial modifications to the original design to reduce bulk and scale of development including lowering the finished floor level of the ground level of the proposed dwelling from 10.72m to 10.35m. It is noted that other than a rear garage that has been retained the existing dwelling has been demolished and a new dwelling has been proposed. Proponents are permitted to propose development in accordance with the Local Planning Scheme, Residential Design Codes, and the Residential Design Guidelines.</p> <p>Applicants/owners are free to propose development that has variations to both the Residential Design Guidelines and the Residential Design Codes and have the Town assess the proposal and deliver a decision.</p> <p>The Residential Design Guidelines requires that new dwellings do not imitate heritage properties and are not faux heritage.</p> <p>The proposed dwelling achieves the minimum visual privacy setbacks to the rear properties with a setback equivalent of more than 6.5m from the windows of the study (which require a 4.5m visual privacy setback). Even if it was designated a lounge then the room would still achieve the minimum visual privacy setback to the rear properties.</p> <p>Proponents are permitted to develop two storey homes and in this case the proposal achieves the deemed to comply requirements for building heights in accordance with Table 3 Category B of the Residential Design Codes</p>

<p>surrounding heritage of this unique and beautiful part of the world and respects the well-being of the neighbours.</p>		
<p><b>Submission 2 &amp; 3</b> My concerns regarding the plan relate to overlooking and setback issues. The plan proposes to fill the rear part of the site up to 1.32m above the natural ground level. This creates overlooking issues from my property from the north facing windows in the living and dining rooms. With these floor levels, the floor levels the windows should be setback by 6m or permanently screened. I am willing to work with the neighbours to find a solution to this issue. For example, the level could be stepped down in keeping with the natural floor level, which should avoid overlooking issues. The other main issue relates to lot boundary setbacks. Due to the second storey northern wall having major openings, the current 1.5m setback is too lot. The R codes requires this to be setback by 4.1m. Again, I am happy to work with the neighbours to find a suitable solution.</p>	<p>See above</p>	<p>The proposed development achieves the visual privacy setbacks. Where it does not achieve these setbacks visual privacy screening 1.6m above the finished floor level of the rear of the property is proposed to reduce overlooking and maintain visual privacy in accordance with deemed to comply clause 5.4.1 C1.1 ii (page 37) of the Residential Design Codes.</p> <p>The proponent has submitted a proposal to vary the lot boundary setbacks on the northern side of the dwelling. There are many examples within the Plympton precinct where proposals have reduced lot boundary setbacks. Given that many lots in Plympton are narrow there are often limited means to design a contemporary home without applying for variations to reduced lot boundary setbacks.</p> <p>Both submissions have been included in the report as noted here.</p> <p>In response to concerns that site levels are in excess of 0.5m above natural ground level privacy screening was added to the northern boundary/dividing fence to ensure adequate privacy was provided to the northern property. As such the design then achieves the deemed to comply requirements of the Residential Design Codes.</p> <p>The screening is required to be installed in accordance with the approved plans and any subsequent conditions that are imposed as part of the approval. If the privacy screening is not installed prior to occupation of the premises then the submitter is welcome to contact the Town to request a compliance check.</p>
<p>Please see our comments below in relation to the development application for 17 Glyde Street, P67/21. As per last week, we tried to make the submission online but the submission did not proceed for some reason. We were told by your admin staff last week, that this was a problem and that we should email our comments and we are doing so again this week. See below. My concern in relation to setback remains the same as per my submission and objection to the plan made on 27 August 2021. (See</p>	<p>Regarding overlooking and the infill of the site: The proposed design for the Ground Floor has a FFL 10,350. The previous house Ground Floor FFL was 10,470. So, the proposed FFL is 120mm lower to the majority of the ground floor. There is a small section of the previous building that had a FFL of 9,610 that makes the proposed FFL 740 higher. This only occurs to a small section of the building footprint to the northwest corner. Any overlooking that occurs to this area has been screened appropriately, and details of the screen have been added to the</p>	<p>The second storey northern wall of study 1 &amp; 2 is required to have setback of 4.2m. In this case there is a setback of 4.5m. The wall of study 1 &amp; 2 can be calculated separately from the setback of the ensuite and bedroom 4 in accordance with Figure Series 4 Figure 4b page 62 of the Residential design Codes. The ensuite and bedroom on the upper storey northern side of the proposed dwelling are setback 1.5m from the boundary which is in excess of the minimum requirement of 1.2m in accordance with Table 2a of the Residential Design Codes. Both submissions have been included in the report.</p>



<p>comments below from my prior submission in relation to overlooking and setbacks).</p> <p>1. Overlooking: The plan proposes to fill the rear part of the site up to 1.32 metres above the natural ground level. This creates overlooking issues from my property. With these floor levels, the windows should be set back by 6 m or permanently screened. If the levels were stepped down in keeping with the natural floor levels it could avoid overlooking. I see from the revised plan that screening appears to have been added on the back and side fence areas on the overlooking windows. This allays some of my concern with regard to overlooking. Does the Council ensure this screening is installed as per the plan or is it something we need to ensure is installed as per the plan?</p> <p>2. Boundary Setbacks: Due to the second story northern wall having major openings, the current 1.5 metre setback is too low. The R codes require the setback to be 4.1 metres.</p> <p>My final comment relates to the consultation process. The revised plan appeared on the Council website almost immediately or concurrently as my submission last Friday 27/8. Therefore, I am unsure whether my original objection and feedback was taken into account in the revised plan. The short turn around for the consultation on the revised plan (one week) has not been ideal. As an elderly non-English speaking resident and East Fremantle ratepayer for over 45 years, I would have appreciated a little more notice enabling me to properly discuss this revised plan with my adult children who have been assisting me.</p>	<p>drawings for clarity. Construction details will also be added to the Building Permit Documentation for the project at that time. We believe this is a reasonable solution and there will be no overlooking issues for the neighbours.</p> <p>Regarding the setback to the north boundary to the first floor wall with major openings, this is 4.5 metres as shown by the cone of vision applied to the drawings. This is compliant under the R-Code requirements.</p>	<p>The amended plans were advertised. The amendments were in response to discussions held with the applicant and owner. Minor amendments are typically not advertised as there are time limits that have to be adhered to with regards to assessment of proposals. All comments regarding concerns about proposed designs are noted but ultimately decisions have to be made around approval of proposals in accordance with the local planning framework irrespective of the background of the resident or the length of residency.</p>
<p><b>Submission 4</b> We wish to take the opportunity to comment on the revised plans for 17 Glyde Street, East Fremantle, seen on August 27. We understand</p>	<p>Please find the following reply to the latest response to the revised drawings for the Development Approval application for 17 Glyde Street, East Fremantle:</p>	<p>The proposed development was advertised for over 14 days as required under the Local Planning Scheme and the Planning and Development regulations. The additional 7 days advertising was decided on August 27</p>

that the revised plans were posted on the 27th. If this is the case, we query the tight timeline for responding to them, i.e., due by Friday September 3. We find this timeline most unusual.

We reiterate the following points: What with ageing housing stock, development in the Plympton Ward is a given. So too is the expectation that:

- The development is mindful of neighbours
- The development adheres to the Residential Design Guidelines.

The development honours the culture and heritage of Plympton Ward - referencing the Town's own language in respect to the Plympton Ward, i.e.

- o That it is 'appropriate for the area'
- o That it is 'a better outcome for neighbouring properties and the Town'
- o That it meets strategic implications of being 'in balance with the Town's unique heritage and open spaces'

We also reiterate our comments from earlier correspondence that the initial development application to the Town Planning Committee included the use of a dated aerial image which quite literally paints a very different picture to that of the current landscape. The first picture below is the one included in the initial application, and the latter is one we sourced online.



This is why our overlooking concerns remain. \

We note that the bulk of the residence to the northwest has been reduced, and that a screen to that corner has been introduced to raise the fence line. As a neighbour diagonally below the proposed structure, which appears to be three metres higher and three metres closer that the former residence we remain deeply

In regard to proposed and previous Finished Floor Levels (FFL) The previous of ground FFL 10.470 is higher than the proposed FFL 10.350.

The previously approved first floor FFL 13.180 and 2nd floor FFL15.330 is higher than the proposed first FFL13.450. We believe there is no planning issue with the proposed finished floor levels as we have also revised these FFL to lessen any impact to the neighbouring properties.

Regarding the proposed Study space to the first floor area. This area is intended as a dual study / home office space for both proprietors. George Baramily runs his own electrical business and requires a dedicated work from home office space. Likewise, Teghan Rann works two office jobs requiring an office space at home. More than ever, people are needing to have dedicated work from home office space. We have provided a revised layout to the first floor that will better suit the intended design. Please see attached amended first floor plan. It should also be noted that with a 6.0 metre cone of vision applied, the northwest and western setbacks are compliant.

when new amended plans were presented by the applicant at the end of the 14 day advertising period – there is no obligation to advertise amended plans as has been done.

To ensure that all submitters were aware of the proposed changes that reduce impacts on neighbouring properties a decision was made to extend advertising for another 7 days.

It is noted that similar features of the subject lot are identified on the 2 different photos – they are at a different scale and as a result are going to show slightly different features. As the existing dwelling has been demolished then matters relating to this development and the previous development approval are less relevant.

The photos show little in relation to how the development application will be assessed and certainly do not demonstrate the visual privacy requirements for the Residential Design Codes. Any proposed development application must be assessed in accordance with compliance with the Residential Design Codes and the Residential Design Guidelines not photos of the same area but at different scales. The photos serve to identify the location of the development and some information relating to the context of the proposal but little with regards to actual assessment. Site levels, setbacks, development heights and elevations are not available from aerial photos.

The plans indicate the upper storey is to have a study and visual privacy setbacks have been assessed as such with a visual privacy setback of 4.5m which the design achieves to both the northern and western boundary. The proposal has a setback to the rear properties of more than 6.5m which is more than required for a lounge or games room on the second storey of a double storey dwelling. A visual privacy setback of 6m is required for habitable rooms other than bedrooms and studies in accordance with deemed to comply clause 5.4.1 C1.1 (page 37) of the Residential Design Codes.

<p>troubled by the degree of overlooking we will be subjected to. The raised level of the ground floor means that both levels will be higher than the now demolished building.</p> <p>We expect robust interrogation by the Town Planning Committee of the 'study' status of the upper floor. As a space of some 55m<sup>2</sup> (an estimate as actual figures were not easy to procure) it would appear to have the potential to be a gathering space of some magnitude and as such be an active rather than a passive area, meaning that the setback to the northern boundary in the revised plan would not be compliant.</p> <p>We expect the Town Planning Committee to undertake its role effectively, and demand that the building honours the Residential Design Guidelines, honours the surrounding heritage of this unique and beautiful part of the world and respects the well-being of the neighbours.</p>		
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Community Design Advisory Committee (CDAC)

The application was referred to CDAC.

- a) The overall built form merits.
  - The Committee were broadly supportive of the proposal.
  - Committee welcomed the fact that the design height had been limited to 8m.
  - Committee also welcomed considerable articulation of the design along the boundaries.
  
- b) The quality of architectural design including its impact upon the heritage significance of the place and its relationship to adjoining development.
  - Committee recognised that the design is industrial in style and does not attempt to imitate heritage properties.
  
- c) The relationship with and impact on the broader public realm and streetscape.
  - Committee felt that the design integrated with the area and is consistent with the designs within the area.
  
- d) The impact on the character of the precinct, including its impact upon heritage structures, significant natural features, and landmarks.
  - Committee recognised that the proposal was introducing a new structure into the urban landscape.
  - Committee felt that the design could have been pushed back further but it is recognised that it is further back from the front boundary than the neighbouring properties.
  - Committee also recognised that the design was not replicating heritage.

- 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.
- Committee noted the northern boundary is well utilised to capture the northern light.
  - Committee also noted that solar panels are indicated on the plans.
- 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.
- Committee welcomed the deck at the front of the property which can allow the residents to connect with the street.
  - Committee noted that a visually permeable garage door is proposed.
  - Committee was happy that the design addresses the street.

#### Officers Comment

The applicant has provided a design that is significantly modified from the original proposal that was approved in December 2020 (P115/20). The changes are in response to issues that were highlighted when parts of the original dwelling were demolished and the Town advised that a new development application would be required to be submitted.

#### External Consultation

Nil

#### **Statutory Environment**

*Planning and Development Act 2005*

*Residential Design Codes of WA*

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

#### **Policy Implications**

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

#### **Financial Implications**

Nil

#### **Strategic Implications**

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

##### *Built Environment*

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

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

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

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

*3.1.3 Plan for improved streetscapes.*

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

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

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

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

3.3.2 Plan and advocate for improved access and connectivity.

Natural Environment

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

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

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

4.1.2 Plan for improved streetscapes parks and reserves.

4.1.3 Improve and protect the urban forest and tree canopy.

4.2 Enhance environmental values and sustainable natural resource use.

4.2.1 Reduce waste through sustainable waste management practices, including effective community and business education.

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

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

**Risk Implications**

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

**Site Inspection**

A site inspection was undertaken.

**Comment**

Statutory Assessment

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

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

Residential Design Codes Assessment

Design Element	Required	Proposed	Status
Street Front Setback	Average of 2 adjacent properties (3.2m & 1.5m)	3.56m	A
Secondary Street Setback			N/A
Lot Boundary Setbacks			
Southern wall - front verandah, bed 3, bathroom, activity	1m	1.03m	A
<b>Southern wall – hall, laundry, scullery, kitchen, outdoor living</b>	<b>1.5m</b>	<b>0m</b>	<b>D</b>
<b>Western wall – outdoor living</b>	<b>1.1m</b>	<b>0m</b>	<b>D</b>
Western wall - dining	2m	6.3m	A
<b>Northern wall - dining, living, ensuite, bed 1</b>	<b>3m</b>	<b>1.5m</b>	<b>D</b>
Northern wall - activity	1.5m	4.2m	A
Northern wall – garage wall - parapet wall	0m	0m	A

Upper storey - southern wall – study 1 & 2, bed 5	2.2m	1.5m	D
Upper storey - western wall -study	3.5m	6.3m	A
Upper storey – northern wall – ensuite, bedroom 4	1.2m	1.5m	A
Upper storey – northern wall – study 1 & 2	4.2m	4.5m	A
Open Space	50%	50%	A
Wall height	7m	6.85m	A
Setback of Garage	Demonstrate impact on new dwelling	6.08m	A
Car Parking	2 car bays	2 car bays	A
Site Works	<0.5m	0.5m -1m along southern boundary	D
Visual Privacy	Upper storey- study Ground floor – dining, living Outdoor living	4.5m <6m (screening) <7.5m (screening)	A A A
Overshadowing	Maximum 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
<b>3.7.4 Site Works</b>	<b>D</b>
3.7.5 Demolition	A
3.7.6 Construction of New Buildings	A
3.7.7 Building Setbacks and Orientation	A
<b>3.7.8 Roof Form and Pitch</b>	<b>D</b>
3.7.9 Materials and Colours	A
3.7.10 Landscaping	A
3.7.11 Front Fences	A
3.7.12 Pergolas	N/A
3.7.13 Incidental Development Requirements	A
3.7.14 Footpaths and Crossovers	A
3.7.15.4.3.1 Fremantle Port Buffer Area	To be conditioned
3.7.15.3.3 Garages and Carports	A

This development application proposes a new residential dwelling at 17 Glyde Street East Fremantle. A large double storey dwelling is proposed for the subject lot. This proposal which is quite different to the original approved development consists of a single garage with 3 bedrooms and 2 bathrooms and activity room on the ground floor. Also on the ground floor is a kitchen, dining, and living room which are located towards the rear of the lot and overlooking the pool and outdoor living area. The upper storey comprises a large study 2 bedrooms and an ensuite. The property is not heritage listed. The outdoor living area is being constructed from the existing double garage located at the rear of the lot.

Six variations are requested to the requirements of the Residential Design Codes and the Residential Design Guidelines in relation to lot boundary location (4 locations), site works and roof pitch.

This is the second proposal that has been received for this site. The previous development application (P115/20) involved alterations and additions to an existing dwelling, however, following removal of an existing balcony and bay windows on the north side of the dwelling the owner was advised that a new

development application would have to be submitted to gain approval for any new structures in these areas.

A decision was made by the owner to appoint a new designer and create a new dwelling. All structures on site apart from the existing rear garage have been demolished. The new amended proposal is lower, and the architect and owner have been cognisant of the issues relating to lot boundary setbacks and visual privacy setbacks.

The new proposal is a large house, however, it does achieve the deemed to comply requirements for many elements of the Residential Design Codes and Residential Design Guidelines. The design achieves the minimum of 50% of open space and 25% maximum overshadowing of adjacent dwellings. Visual privacy has been addressed using visual privacy screening attached to the top of the northern and western boundary fencing as well as lowering the height of the rear of the proposed dwelling. The dwelling is no higher than 8m above natural ground level.

The proposed development is located within Area 2 of the Fremantle Port Buffer area. As a result standard conditions have been included in the final recommendation that respond to the requirements of the Port Buffer Area 2.

The following variations to the Residential Design Codes and Residential Design Guidelines are discussed below.

#### Lot Boundary Setbacks – Southern Wall – Hall, Laundry, Scullery, Kitchen, Outdoor Living

In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.1.3 C3.1 a wall that is 21.7m long and 3.5m high with major openings is required to be 1.5m from the lot boundary. In this case a portion of the wall of the outdoor living area which was already in place but nonetheless located along the southern boundary of the property and as there is no significant break in the wall the total length of the wall must be counted including the new section of wall that is setback further.

The reduced lot boundary setback can be supported based on the design principles P3.2 for the following reasons;

- Makes more effective use of the space for enhanced privacy for the occupants and outdoor living areas,
- Minimal impacts from building bulk,
- Adequate sunlight and ventilation can reach the building and open spaces on the site and adjoining properties,
- Minimal overlooking and loss of privacy to adjoining properties,
- Does not have an adverse effect on the amenity of adjoining properties,
- Positively contributes to the prevailing and future development context and streetscape as outlined in the local planning framework.

The section of the existing garage that is on the boundary is favoured by the southern neighbouring property owners as it improves privacy between properties and ensures that what will become an outdoor living area will be more private as it will be enclosed to the neighbours. The new house wall is setback from the boundary so is still well ventilated and will still get sunlight. The setback of the new section is greater than some existing wall setbacks of some dwellings in the locality and there are minimal windows along this wall. The applicant has also shown the dividing fence to be increased in height to 2.1m to provide greater privacy between dwellings and reduce any amenity impacts to neighbouring dwellings. For these reasons the reduced lot boundary setback can be supported.

Lot Boundary Setbacks - Western Wall – Outdoor Living

In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.1.3 C3.1 a wall that is 6.37m long and 4.137m high without major openings is required to be 1.1m from the lot boundary. In this case the western wall of the outdoor living area was already in place on the boundary but as the use of the structure is changing it is necessary to assess the wall setback.

The reduced lot boundary setback can be supported based on the design principles P3.2 for the following reasons;

- Makes more effective use of the space for enhanced privacy for the occupants and outdoor living areas,
- Minimal impacts from building bulk,
- Adequate sunlight and ventilation can reach the building and open spaces on the site and adjoining properties,
- Minimal overlooking and loss of privacy to adjoining properties,
- Does not have an adverse effect on the amenity of adjoining properties,
- Positively contributes to the prevailing and future development context and streetscape as outlined in the local planning framework.

The wall ensures that the outdoor area is enclosed so it improves privacy between the subject property and the western neighbouring property. There is no overshadowing from the structure owing to its north south orientation. As it is utilising an existing wall there is minimal disruption to the neighbouring property. It is located at the rear of the lot so there is no impact on the streetscape. For these reasons the reduced lot boundary setback can be supported.

Lot Boundary Setback -Northern Wall – Dining, Living, Ensuite, Bedroom 1

In accordance with the Residential Design Codes deemed to comply clause 5.1.3 C3.1 a wall that is 15.28m long and 3.9m high with major openings is required to be 3m from the lot boundary. In this case the northern wall of the building is proposed to be 1.5m from the boundary.

The reduced lot boundary setback can be supported based on the design principles P3.1 for the following reasons;

- Minimal impacts from building bulk,
- Adequate sunlight and ventilation can reach the building and open spaces on the site and adjoining properties,
- Minimal overlooking and loss of privacy to adjoining properties,

The wall ensures that the outdoor area is enclosed so it improves privacy between the subject property and the western neighbouring property. There is no overshadowing from the dwelling as the subject property is south of the neighbouring property. It is in a similar position to the wall of the previous dwelling that has since been demolished. The applicant has agreed to install privacy screening 1.6m above the finished floor level of the rear living area along the northern dividing fence to ensure privacy between the 2 dwellings. This section of the dwelling is located towards the rear of the lot so there is no impact on the streetscape. For these reasons the reduced lot boundary setback can be supported.

Lot Boundary Setbacks -Upper Storey - Southern Wall – Study, Bedroom 5

In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.1.3 C3.1 a wall that is 15.28m long and 7m high without major openings is required to be 2.2m from the lot boundary. In this case the northern wall of the building is proposed to be 1.5m from the boundary.



The reduced lot boundary setback can be supported based on the design principles P3.1 for the following reasons;

- Minimal impacts from building bulk,
- Adequate sunlight and ventilation can reach the building and open spaces on the site and adjoining properties,
- Minimal overlooking and loss of privacy to adjoining properties,

The applicant/owner has agreed to install privacy screening to 1.6m from the finished floor level of the rear living area along the northern dividing fence to improve visual privacy between the subject lot and the northern property. There are no major openings in the wall that is located closest to the boundary. The upper storey is also inset more than the minimum 4.5m where there are major openings. Where there is a reduced lot boundary setback there are no major openings and so there is acceptable privacy between the properties. For these reasons the reduced lot boundary setback can be supported.

#### Site Works

The site is proposed to be lowered below the levels of the original dwelling that was on site. These levels extend to the area along the southern boundary such that there are changes in levels of between 0.5m and 1m. In accordance with the Residential Design Codes Deemed to Comply provisions clause 5.3.7 C7.2 a change of level up to 1m requires a setback from the boundary of at least 1m. In this case the proponents have shown a new wall to be constructed along the southern boundary that is up to 2.1m high. To ensure that there are no issues with changes in site levels between properties the wall will act as retaining between the subject lot and the southern property. The change in site level along the southern boundary can be supported in accordance with design principles 5.3.7 P7.3; retaining walls will allow the land to be used for the benefit of the residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 (site works) and 5.4.1 (visual privacy). As the boundary wall on the southern side will have an impact on the neighbouring property a condition will be recommended to consult with the neighbouring property owners when the wall is constructed to ensure that there are no adverse impacts on them by the proposed wall and the associated works.

#### Roof Pitch

The Residential Design Guidelines acceptable development provisions 3.7.8.3 A4.1 requires that the roof pitch is between 28 and 36 degrees. In this case there are various roof pitches of 3, 5.6, 19 and 39 degrees. In accordance with the performance criteria 3.7.8.3 P4 alternative roof forms are permissible if they complement the traditional form of surrounding development in the immediate locality. The proposed roof pitches ensure that the building is lower than if it had a more traditional roof form and it is not unlike several properties in the Plympton precinct. This in turn ensures overshadowing is not as great and is less imposing on neighbouring properties. For these reasons the roof form of the proposed development can be supported.

#### General Comments on Submissions

It is noted that the applicant has submitted 3 iterations of the current plans being presented to Town Planning Committee. Following advertising and discussions with the Town the plans have been modified to address issues that have been raised during advertising. Privacy screening along the northern and western walls has been included to address privacy concerns as permitted under the Residential Design Codes. The setback from the upper storey study northern wall to the northern boundary has been increased such that it is deemed to comply. The finished floor level of the proposed dwelling has been lowered below the original height of 10.72m to 10.35m. The upper storey study has been divided into 2 study areas to address concerns that the visual privacy setbacks are not sufficient for this space, although

the minimum privacy setbacks for a study are all addressed. The design and the willingness of the designer and owner to make amendments to address concerns gives an indication of the willingness to work with the Town to address concerns and reduce the impact of the design on the surrounding properties and the neighbourhood and present an appropriate design for the area.

### 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 development conditions.

### **12.2 OFFICER RECOMMENDATION**

**That development approval is granted under delegated authority and Council exercises its discretion regarding the following;**

- (i) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks – Southern Wall – Hall, Laundry, Scullery, Kitchen, Outdoor Living – 1.5m required, 0m provided,**
- (ii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks - Western Wall – Outdoor Living – 1.1m required, 0m provided,**
- (iii) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setback -Northern Wall – Dining, Living, Ensuite, Bedroom 1 – 3m required, 1.5m provided,**
- (iv) Clause 5.1.3 – Residential Design Codes – Lot Boundary Setbacks -Upper Storey - Southern Wall – Study, Bedroom 5 – 2.2m required, 1.5m provided,**
- (v) Clause 3.7.8.3 – Residential Design Guidelines – Roof Pitch – 28 to 36 degrees required, less than 28 and more than 36 degrees provided,**

**for a new dwelling at No. 17 (Lot 26) Glyde Street, East Fremantle, in accordance with the plans date stamped received 1 September 2021, 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 27 August 2021 and to be in accordance with Council’s crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide.**
- (2) Visual privacy screening to 1.6m from the finished floor level of 10.35m is to be installed along the western and northern boundaries in accordance with the plans submitted 27 August 2021.**
- (3) The southern boundary wall shall include retaining with a total maximum height of 2.1m in accordance with the plans submitted 27 August 2021.**
- (4) The development shall achieve the following Fremantle Port Buffer (Area 2) built form requirements**
  - A. Windows and opening requirements:**
    - i. Any glass used for windows or other openings shall be laminated safety glass of minimum thickness of 6mm or “double glazed” utilising laminated or toughened safety glass of a minimum thickness of 3mm; and,**
    - ii. All safety glass shall be manufactured and installed to an appropriate Australian Standard.**
  - B. Air Conditioning Requirements:**
    - i. Multiple systems to have internally centrally located shut down point and associated procedures for emergency use; and,**
    - ii. Preference for split “refrigerative” systems.**
  - C. Construction requirements:**

- i. Adopt the general principles of quiet house design for residential developments; and,
  - ii. All developments shall incorporate roof insulation.
- (5) The works are to be constructed in conformity with the drawings and written information accompanying the application for development approval other than where varied in compliance with the conditions of this development approval or with Council's further approval.
  - (6) The proposed works are not to be commenced until Council has received an application for a Building Permit and the Building Permit issued in compliance with the conditions of this development approval unless otherwise amended by Council.
  - (7) Regarding the plans submitted with respect to the Building Permit application, changes are not to be made in respect of the plans which have received development approval, without those changes being specifically marked for Council's attention.
  - (8) All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a Building Permit.
  - (9) If requested by Council within the first two years following installation, the roofing to be treated to reduce reflectivity. The treatment is to be to the satisfaction of the Chief Executive Officer in consultation with relevant officers and all associated costs to be borne by the owner.
  - (10) All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
  - (11) Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified, or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
  - (12) This development approval is to remain valid for a period of 24 months from 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) an application for a new crossover is required to be submitted to the Operations Department of the Town and plans are to be included with the application that meet the requirements of the Council's crossover policy, the Residential Design Guidelines and the Urban Streetscape and Public Realm Style Guide. The application and relevant information are available at the following links;*

**Crossover Specifications**

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

**Residential Design Guidelines**

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

**Urban Streetscape and Public Realm Style Guide**

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

**Application to Conduct Crossover Works**

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

- (iv) 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.***
- (v) 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).***
- (vi) matters relating to dividing fences are subject to the Dividing Fences Act 1961.***



17 Glyde Street Site Photos

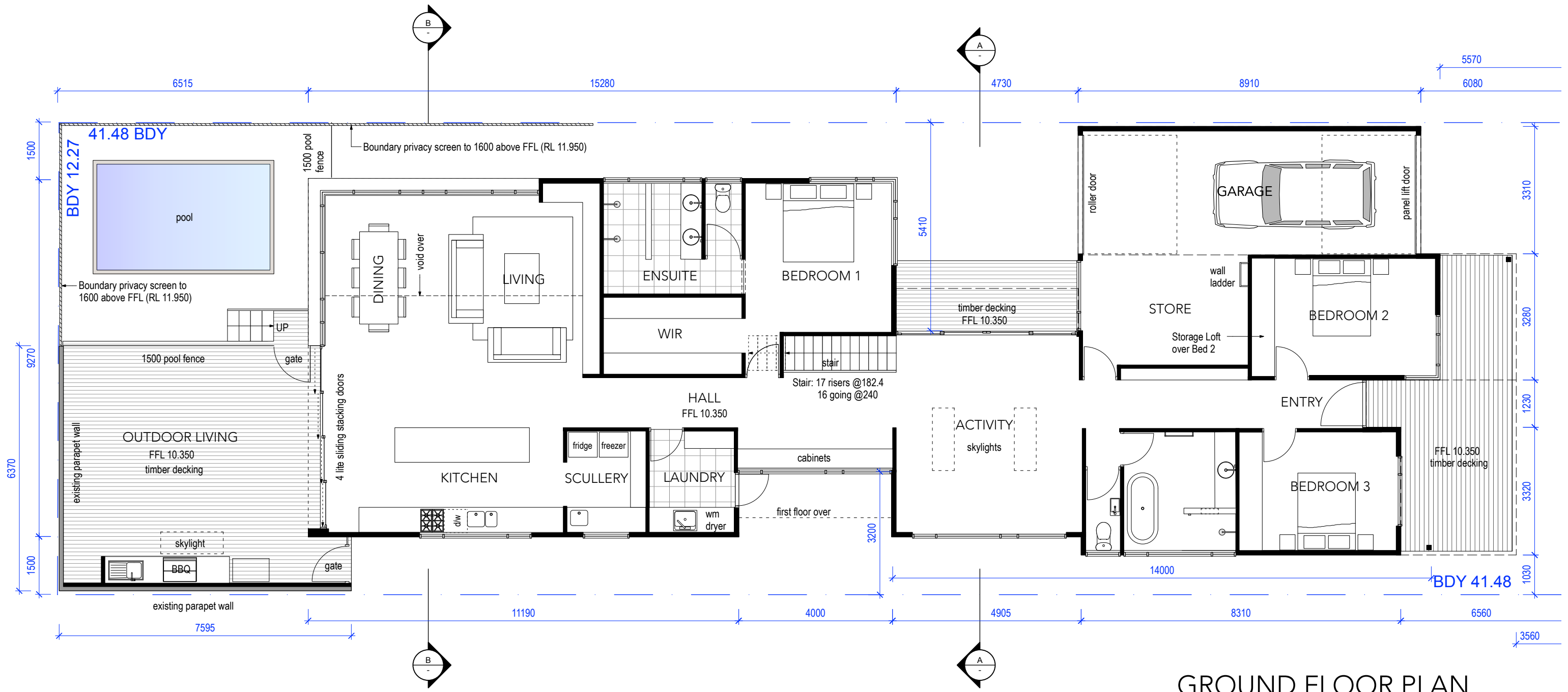






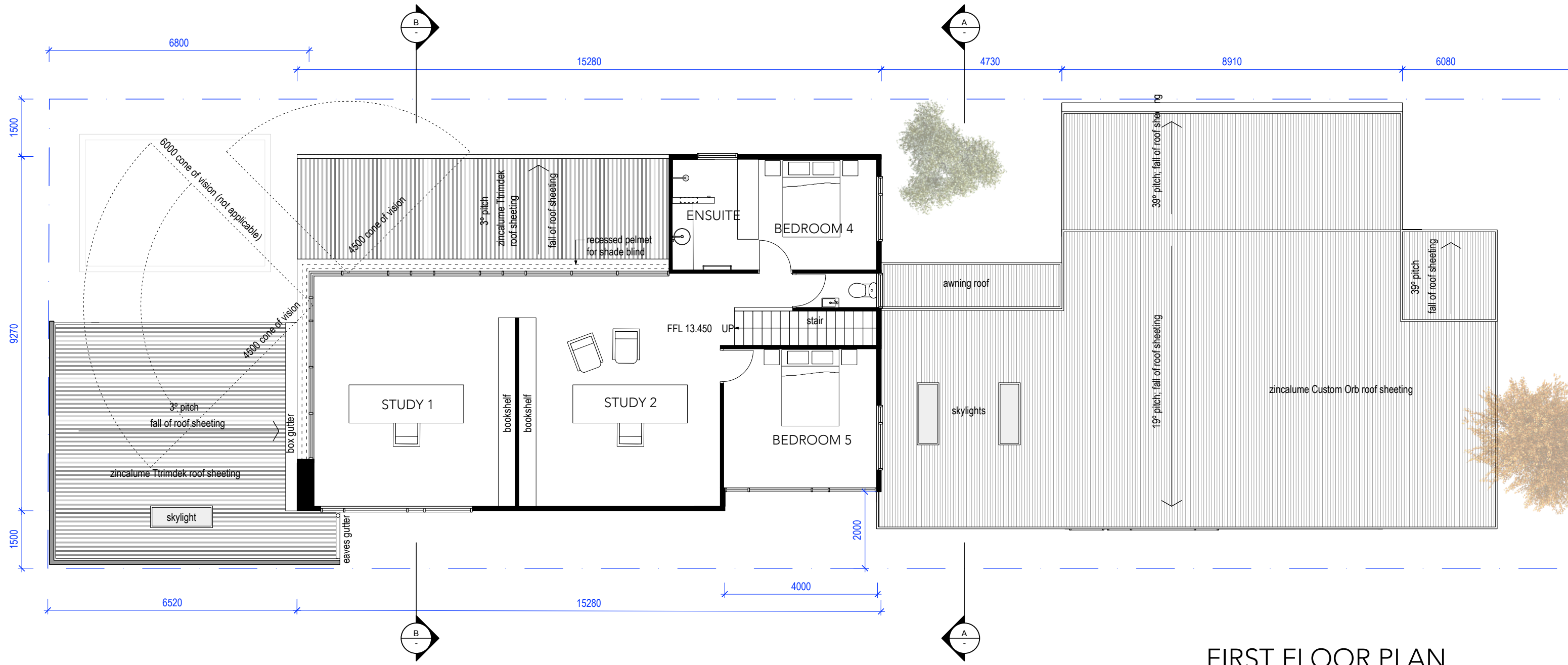




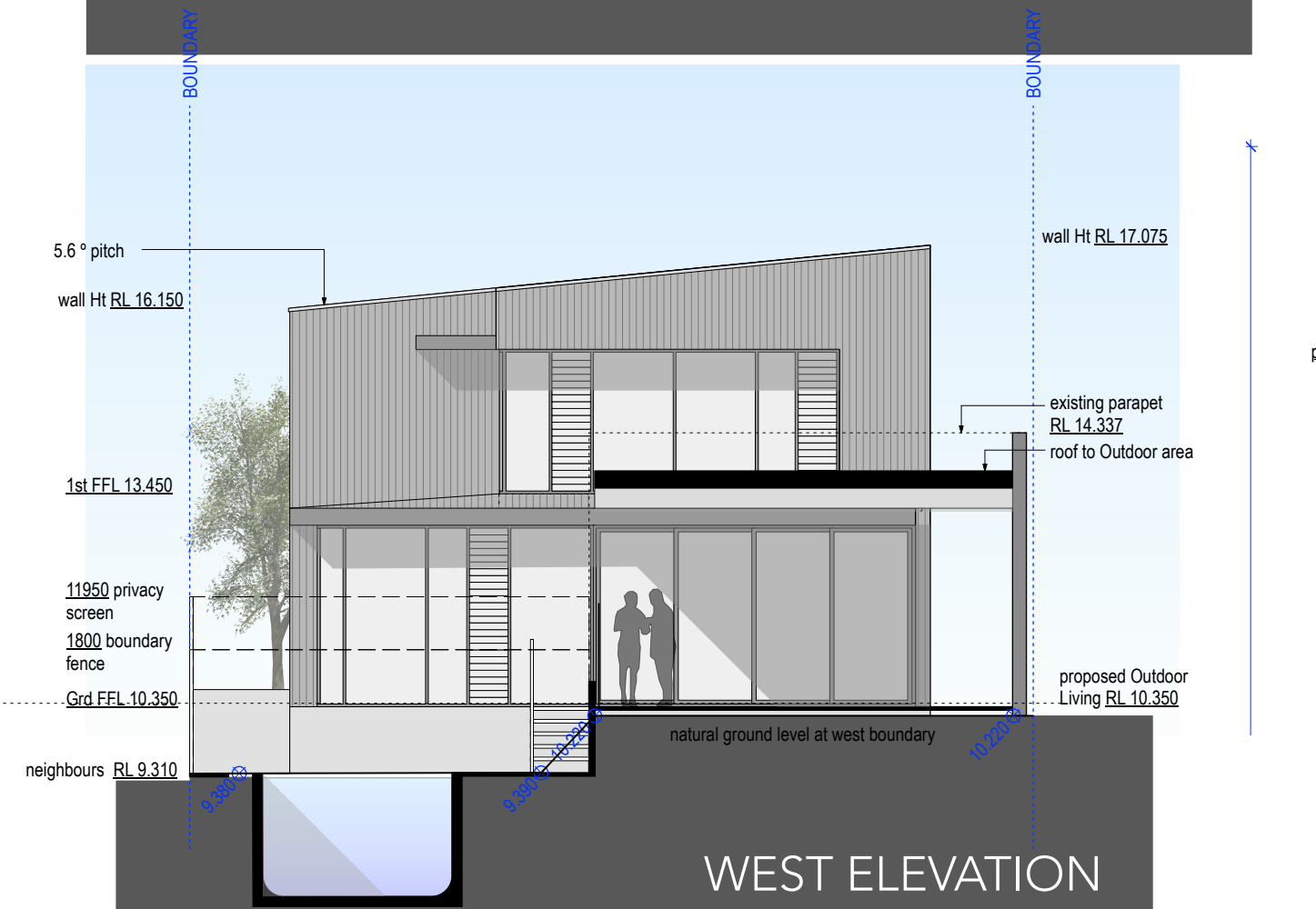
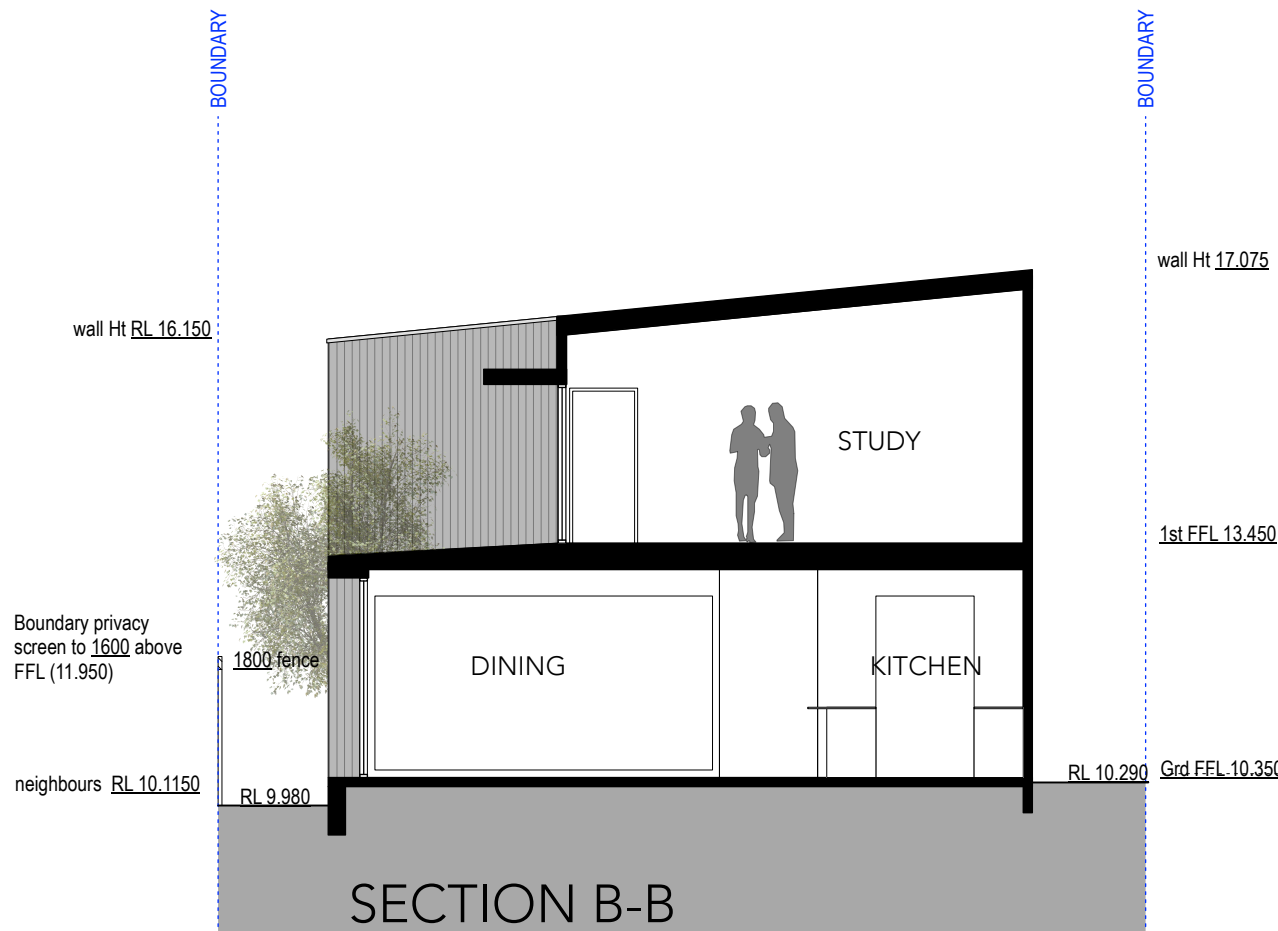
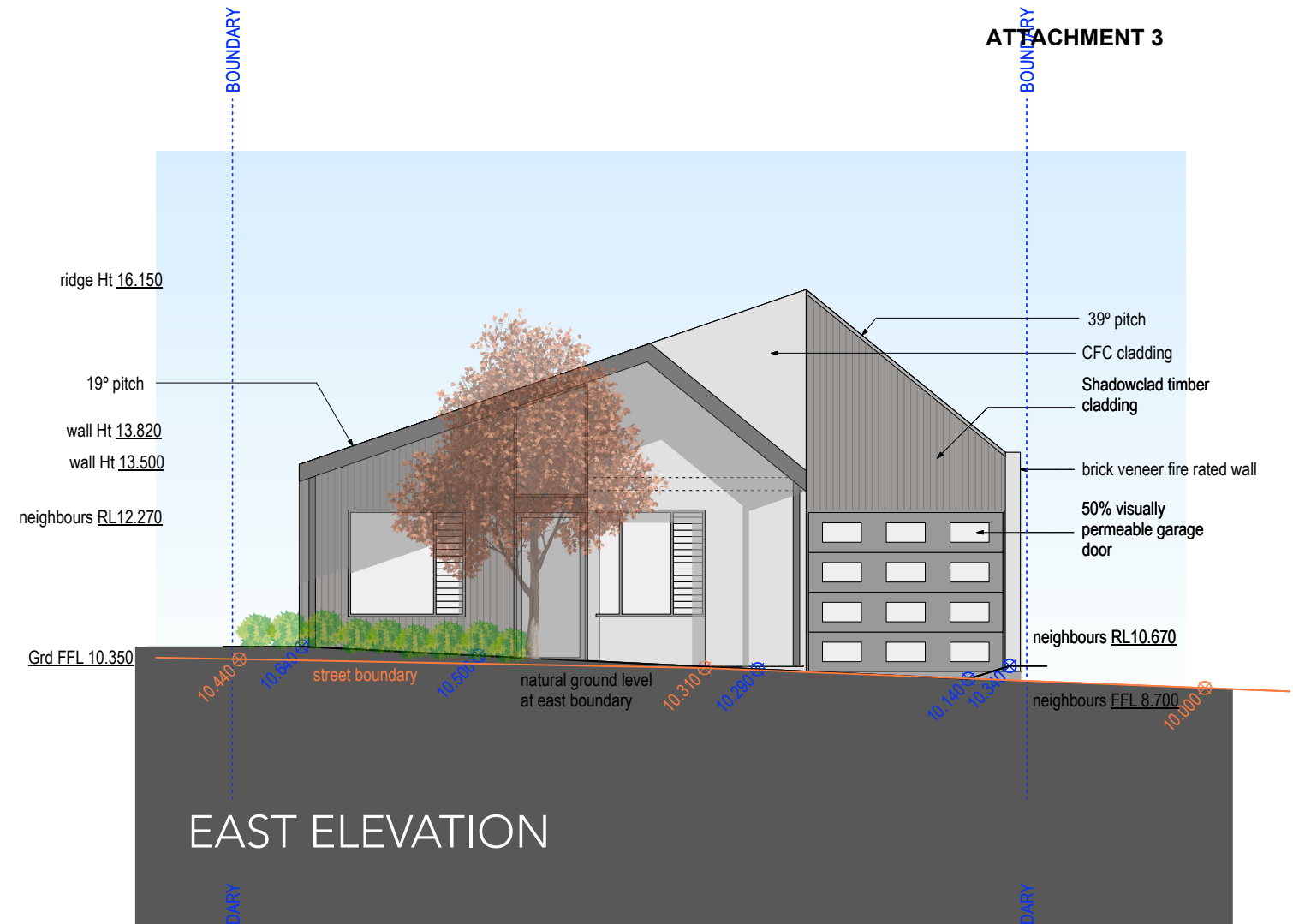
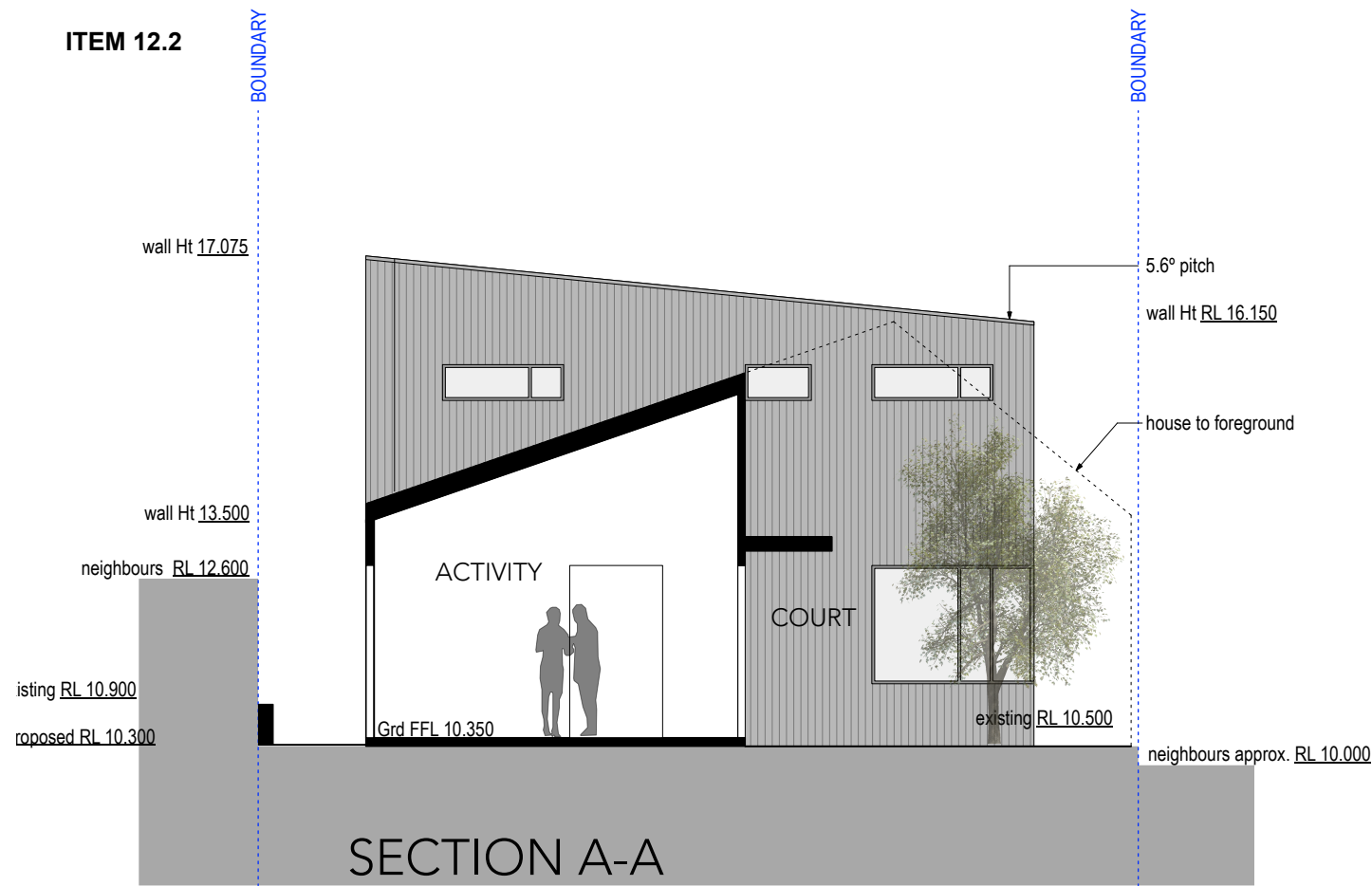


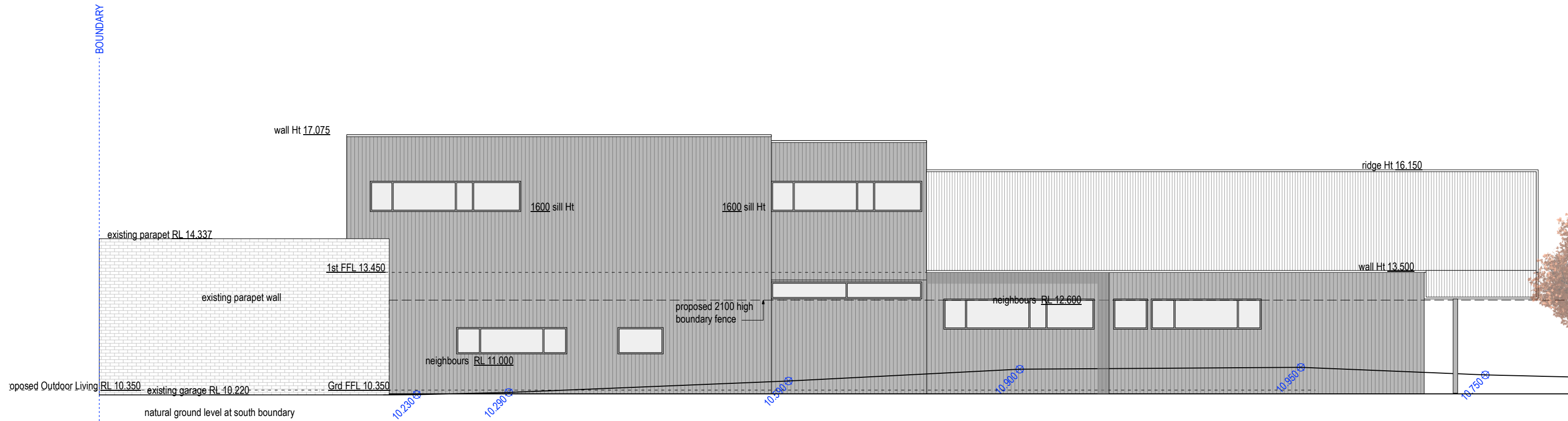
GROUND FLOOR PLAN

LOT AREA 509.45m2  
BUILDING AREA 298.06m2

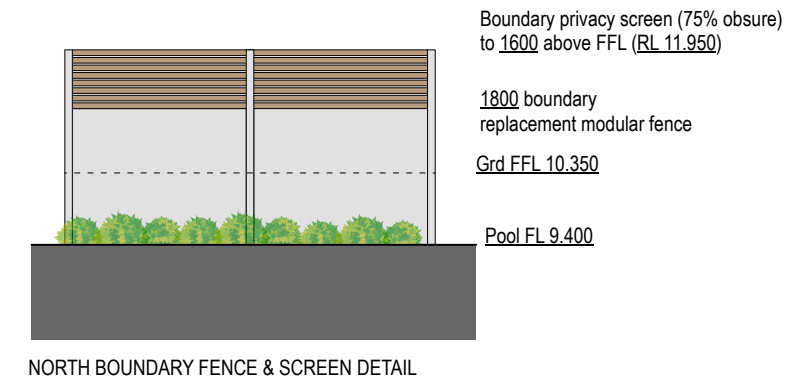


FIRST FLOOR PLAN





SOUTH ELEVATION







## Community Engagement Checklist

### Development Application P67/21 - 17 Glyde Street

Project Name

<b>Objective of Engagement:</b>	Neighbour Consultation		
<b>Lead Officer:</b>	Regulatory Services		
<b>Timeline:</b>	<b>Start Date:</b>	12/08/2021	<b>Outcomes By:</b> 27/08/2021
Stakeholders			
<b>Stakeholders to be considered.</b>  <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted) <input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted) <input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers <input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed <input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors <input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers <input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers <input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth <input type="checkbox"/>
	Indigenous	<input type="checkbox"/>	<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>	<input type="checkbox"/>
<b>Staff to be notified:</b>	Office of the CEO	<input type="checkbox"/>	Councillors <input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s <input type="checkbox"/>
	Development Services	<input type="checkbox"/>	<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>	<input type="checkbox"/>
Community Engagement Plan			
Methods	Responsible	Date Due	Reference / Notes
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.4 Facebook	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.5 Advert - Newspaper	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.6 Fact Sheet	<input type="checkbox"/> Communications		<input type="checkbox"/>
1.7 Media Rel./Interview	<input type="checkbox"/> Communications		<input type="checkbox"/>
2.1 Information Stalls	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
2.2 Public Meeting/Forum	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
2.3 Survey/Questionnaire	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
3.1 Focus Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.2 Referendum/Ballot	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
3.3 Workshop	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>
4.1 Council Committee	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
4.2 Working Group	<input type="checkbox"/> Executive Direction		<input type="checkbox"/>
* Statutory Consultation	<input checked="" type="checkbox"/> Relevant Officer		<input checked="" type="checkbox"/> Advertised to 8 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		27/08/2021	
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			

### 12.3 Riverside Road No 110 (Lot 7563) Proposed change of use from restaurant to tavern

<b>Owner</b>	WA State Government (Leased to Quayside Marinas Pty Ltd trading as Aquarama Marina and subleased to Moonlighting Enterprises Pty Ltd as trustee for Salinovich Trust)
<b>Applicant</b>	GHD Pty Ltd
<b>File ref</b>	P70/21
<b>Prepared by</b>	James Bannerman Planning Officer
<b>Supervised by</b>	Andrew Malone, Executive Manager Regulatory Services
<b>Meeting date</b>	5 October 2021
<b>Voting requirements</b>	Simple Majority
<b>Documents tabled</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Location plan and advertising</li><li>2. Site photos</li><li>3. Plans date stamped 18 August 2021</li><li>4. Community consultation checklist</li></ol>

#### **Purpose**

The purpose of this report is for Council to consider a development application for a proposed change of use from restaurant to tavern at No 110 (Lot 7563) Riverside Road, East Fremantle and provide recommendations to be sent to the Department of Biodiversity Conservation and Attractions (DBCA) which is the ultimate decision maker with regards to this proposal.

#### **Executive Summary**

The applicant is seeking approval for a change of use from restaurant to tavern. The Town is a referral body and are asked to make comment on the proposal and present a recommendation along with any necessary conditions to assist DBCA in reaching a final decision.

There has been a marina located on site for many years and a restaurant operating from the premises for many years as well. The previous restaurant *Eat Greek* shut down in early 2020 and the current owners have since decided to establish a new tavern in place of the restaurant. A new liquor license is required to be approved for the site. No development application is required for works as only the internal fit out of the building will be undertaken.

The proposed change of use will have to be formally approved by the DBCA as the land is within the Swan Riverpark and on land that is leased from the state government.

It is considered that the proposed change of use can be supported subject to conditions of development approval being imposed by the Department of Biodiversity Conservation and Attractions.

#### **Background**

Zoning: Parks and recreation

Site area: 5817m<sup>2</sup>

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

P074/17 – development application – replacement of entry statement – 1 October 2017

P064/19 – development application – jetty repair works – 21 October 2019

P29/2006 – development application – pillar sign

## Consultation

### Advertising

The application was not advertised to surrounding landowners as it was considered a similar use to the previously approved restaurant.

### Community Design Advisory Committee (CDAC)

The application was not referred to CDAC as there are no works external to the building and the Town is only a referral agency.

### External Consultation

Nil

## Statutory Environment

*Planning and Development Act 2005*

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

*Swan and Canning Rivers Management Act 2006*

## Policy Implications

Nil

## Financial Implications

Nil

## Strategic Implications

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

### Built Environment

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

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

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

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

*3.1.3 Plan for improved streetscapes.*

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

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

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

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

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

### Natural Environment

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

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

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

*4.1.2 Plan for improved streetscapes parks and reserves.*

*4.1.3 Improve and protect the urban forest and tree canopy.*

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

4.2.1 *Reduce waste through sustainable waste management practices, including effective community and business education.*

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

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

### **Risk Implications**

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

### **Site Inspection**

A site inspection was undertaken.

### **Comment**

#### Statutory Assessment

The proposal has been assessed against the provisions of Local Planning Scheme No. 3. The site is located within an area zoned for Parks and Recreation and immediately adjacent to the Swan River.

The applicant is seeking Council support for a change of use from restaurant to tavern. There has been a marina with a licensed restaurant operating from the premises for many years. The previous restaurant *Eat Greek* shut down in 2020 and the current tenants are proposing to establish a new tavern in place of the restaurant. A new liquor license is required to be approved for the site. No development application is required for works as only the internal fit out of the building will be undertaken.

The proposed change of use will have to be formally approved by the DBCA as the land is within the Swan River area. The land is leased from the state government and zoned as Parks and Recreation under the Town's Local Planning Scheme.

The proposed change of use has no significant amenity impacts on residential properties as it is separated from housing by the Leeuwin Naval Base on the southern side of Riverside Road. It is located between W Wayman Reserve to the east and Leeuwin Scout Hall and Norm McKenzie Park to the west.

The proposal is generally in keeping with this existing use, although by changing to a tavern it allows for additional flexibility. The change of use does not seek to increase capacity and it is believed that there will be no additional emission of light, noise, vibration, smell or other waste products from the premises. As the proposal is for a tavern licence and will be designed as a tavern that is sports themed, a TAB self-serve has been requested comprising two discrete computer screens within the building. This application is being considered by Department of Local Government, Sport and Cultural Industries. The Town has provided comment and indicated that only a six-month approval should be granted as a trial and no advertising of the TAB external to the building is permitted. It is considered the TAB is an ancillary use to the tavern and therefore does not require any specific change of use application and can be considered under the current change of use application. Any social and amenity impacts will be assessed during the six-month trial.

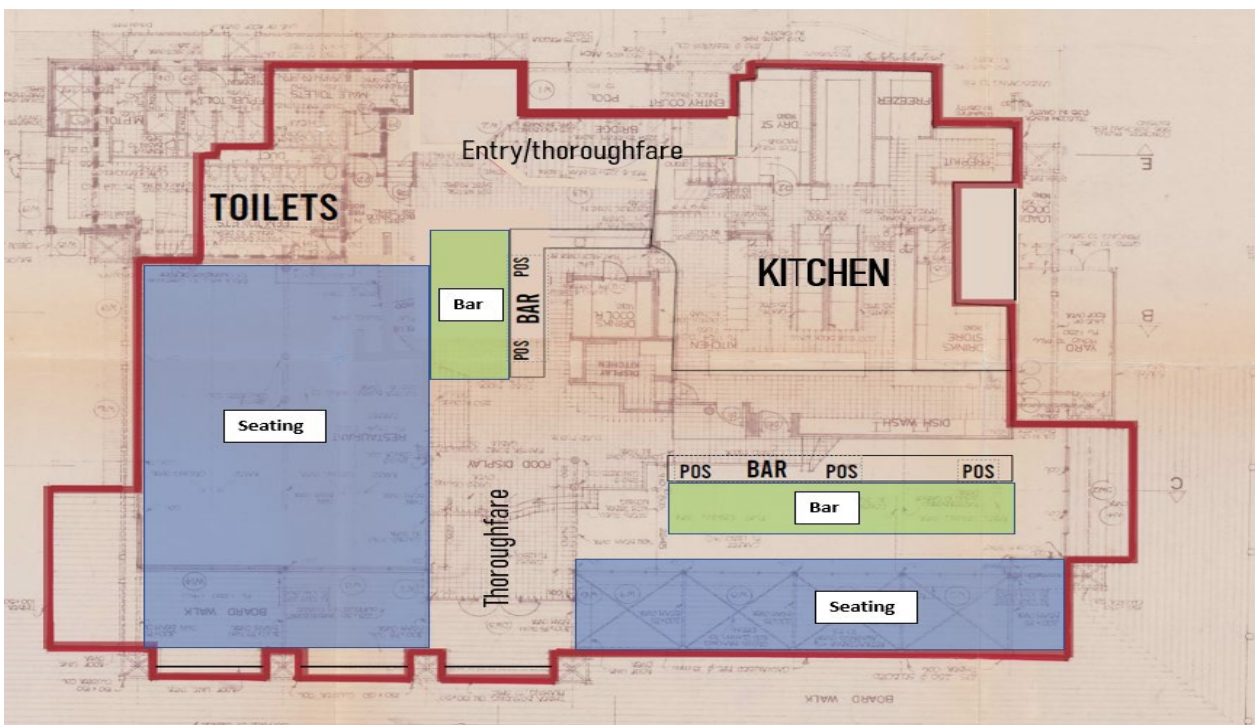
It is considered the proposal will not detrimentally impact on the amenity of the reserve or surrounding neighbourhood.

The proposal aligns with the aims of Town Planning Scheme No 3 and the considerations of s67 of the Deemed Provisions of the Planning and Development (Local Planning Scheme) Regulations 2015, having regard to the following:

- The proposal will enhance the character and amenity of the Town by reactivating a licensed hospitality venue that has been vacant since late 2019.
- The change of land use will not detrimentally impact the natural environment attributes or cultural significance of the surrounding foreshore as it is utilising an existing structure.
- The proposal is compatible within its setting, given that a licenced restaurant operated within the building for many years.
- The proposal is substantially separated from surrounding residential or other noise sensitive development.
- The proposed use is consistent with nearby licensed venues located within the Swan River Foreshore 'Parks and Recreation' reserve, including the Swan Yacht Club and the Left Bank which is located within 1.5km of the subject site.
- The proposal will not result in significant increases in parking demand.

Although the minimum car parking standards of the Local Planning Scheme do not specifically apply to land reserved under the MRS, due regard should be given to these standards to demonstrate the merits of the proposal. Schedule 10 of the Local Planning Scheme requires a tavern to provide 1 space for every 2.5m<sup>2</sup> of bar area, plus 1 space for every 5m<sup>2</sup> of lounge or other seating area, including eating areas.

Despite the parking standards above, the nature of the proposed tavern is to allow greater flexibility in the use of the premises by allowing patrons to be free to move around the premises, rather than have to remain seated at restaurant tables. Nonetheless, the tavern will have two seated areas and two bar areas as the plan below shows.



This indicative plan has been assessed against the 'Tavern' parking standards in Table 1 below.

Parking Ratio	Tenancy Area	No. of bays required
1 space per 2.5m <sup>2</sup>	bar area of 55m <sup>2</sup>	22
1 space per 5m <sup>2</sup>	seating area 230m <sup>2</sup>	46
<b>Total Parking Required</b>		68

The subject site currently provides approximately 66 parking bays which are *shared* between the restaurant, boat repair shops and users of the attached marina. However, in addition to formal parking bays, the boat repair shops are provided with general servicing areas on the eastern portion of the lot. Although the proposal represents a deficit if assessed against the parking standards of the Local Planning Scheme, the extent of parking available on the site is considered sufficient to support the proposed change of use for the following reasons. Whilst the change of use is considered as a different use, the restaurant and tavern will function in similar ways, providing meals and drinks for patrons.

The restaurant is currently licenced to accommodate up to 269 occupants. This application does not seek to change this. It is reiterated that the purpose of this application is simply to allow patrons to consume alcohol while standing in accordance with a tavern license.

Other tenancies onsite complement each other with respect to parking demand. The proposed tavern will reach peak capacity during dinner service, at which point the boat servicing shops and marina will be closed and thus have negligible demand for parking at these times.

A tavern often attracts patrons who wish to consume alcohol but opt for alternate transportation to and from the venue, thereby reducing total parking demand.

An additional 25 public parking bays are located along Riverside Road, within 100m of the subject site. These complement the onsite bays and can accommodate additional parking requirements, although they are not specifically earmarked for the subject site.

No external works or signage is proposed as part of this application. A separate development application will be required for additional works or signage on site.

The applicant/owner is to contact Liquor Licensing to discuss the requirements for a tavern license and liaise with the Town to ensure any legislative or health requirements in relation to the liquor license are met.

### Conclusion

Based on the assessment that has been completed for this development and the explanation provided in this report it is recommended that the proposed change of use from restaurant to tavern be supported subject to conditions and the recommendation proposed below is forwarded to the Department of Biodiversity Conservation and Attractions for their approval.

### **12.3 OFFICER RECOMMENDATION:**

**That Council recommend support for the proposed change of use from restaurant to tavern to the Department of Biodiversity Conservation and Attractions Western Australian Planning Commission at No. 110 (Lot 7563) Riverside Road, East Fremantle, in accordance with the information received 18 August 2021, subject to the following conditions:**

1. This application does not include any proposals for signage for the proposed uses. All applications for proposed signage are to be submitted to the Town for the consideration of the Council and to comply with the requirements of the Town's Local Planning Policy Design Guidelines – Signage and subsequent referral to the Department of Biodiversity Conservation and Attractions.
2. The proposed change of use does not give approval for any works on site. Works on site will be subject to the submission of an application for a building permit.
3. The commercial buildings are to be kept clean and free of graffiti and vandalism at all times and any such graffiti or vandalism to be remedied within 24 hours to the satisfaction of the Chief Executive Officer.
4. The proposed use is not to be commenced until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
5. 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.
6. This planning approval 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) the applicant is to discuss matters relating to the Liquor License with the Environmental Health Officer and the Regulatory Services department at the Town of East Fremantle.*

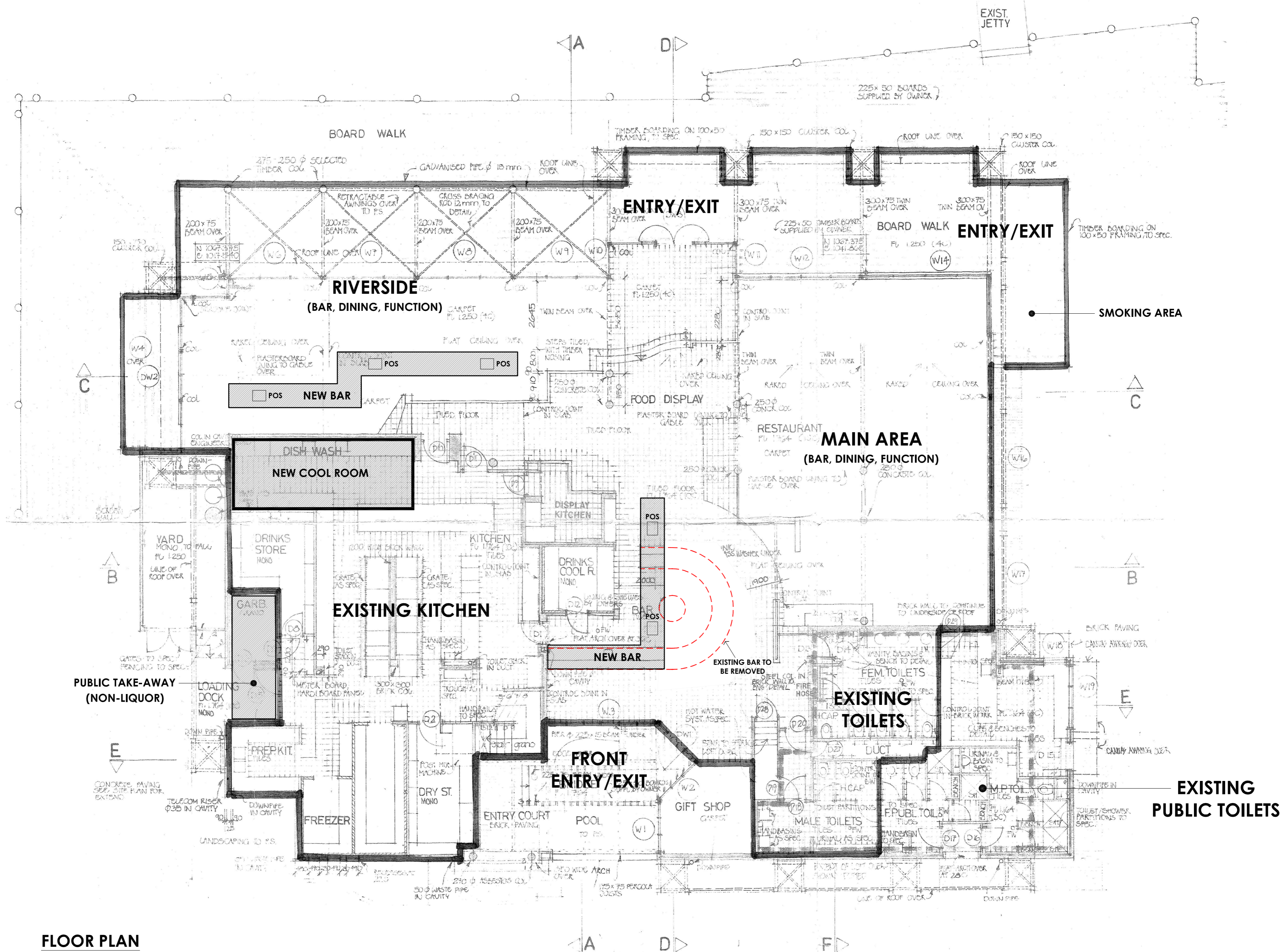
13. MATTERS BEHIND CLOSED DOORS

14. CLOSURE OF MEETING









**FLOOR PLAN**

SCALE 1:100



PROJECT -  
**PROPOSED RENOVATIONS**  
 110 RIVERSIDE ROAD,  
 EAST FREMANTLE

AMENDMENTS	DRAWN - MP
	DATE - 06/05/2021
	SCALE - 1 : 100 @ A2
	<b>SHEET 1 OF 1</b>
	JOB No. ---





## Community Engagement Checklist

### Development Application P70/21 - 110 Riverside Road

Project Name

<b>Objective of Engagement:</b>	Neighbour consultation			
<b>Lead Officer:</b>	Regulatory Services			
<b>Timeline:</b>	<b>Start Date:</b>		<b>Outcomes By:</b>	
Stakeholders				
<b>Stakeholders to be considered.</b>  <i>Please highlight those to be targeted during engagement.</i>	Aged	<input type="checkbox"/>	Ratepayers (all / targeted)	<input type="checkbox"/>
	Businesses	<input type="checkbox"/>	Residents (all / targeted)	<input checked="" type="checkbox"/>
	Children (School / Playgroup)	<input type="checkbox"/>	Service Providers	<input type="checkbox"/>
	Community Groups	<input type="checkbox"/>	Unemployed	<input type="checkbox"/>
	Disabled People	<input type="checkbox"/>	Visitors	<input type="checkbox"/>
	Environmental	<input type="checkbox"/>	Volunteers	<input type="checkbox"/>
	Families	<input type="checkbox"/>	Workers	<input type="checkbox"/>
	Govt. Bodies	<input type="checkbox"/>	Youth	<input type="checkbox"/>
	Indigenous	<input type="checkbox"/>		<input type="checkbox"/>
	Neighbouring LGs	<input type="checkbox"/>		<input type="checkbox"/>
<b>Staff to be notified:</b>	Office of the CEO	<input type="checkbox"/>	Councillors	<input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Consultant/s	<input type="checkbox"/>
	Development Services	<input type="checkbox"/>		<input type="checkbox"/>
	Operations (Parks/Works)	<input type="checkbox"/>		<input type="checkbox"/>
Community Engagement Plan				
Methods	Responsible	Date Due	Reference / Notes	
1.1 E News	<input type="checkbox"/> Communications		<input type="checkbox"/>	
1.2 Email Notification ~	<input type="checkbox"/> Relevant Officer		<input type="checkbox"/>	
1.3 Website	<input type="checkbox"/> Communications		<input type="checkbox"/>	
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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		<input checked="" type="checkbox"/> The application was not advertised to surrounding landowners as it was considered a similar use to the previously approved restaurant	
# 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			
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			