



PLANNING and DEVELOPMENT ACT 2005

**Proposed Town Planning Scheme
Amendment
Town of East Fremantle
Town Planning Scheme No. 3
Amendment No. 11**

It is hereby notified for public information, in accordance with the Planning and Development Act 2005 that the Town of East Fremantle resolved to amend Town Planning Scheme No. 3 by changing the R-Code density provisions for the Richmond and Richmond Hill Precincts from R12.5 to R17.5.

Documentation setting out and explaining the town planning scheme amendment is attached.

Submissions on the town planning scheme amendment must be made in writing on Form No. 4 (refer attachment) and lodged with the Acting Chief Executive Officer at the Council Office, 135 Canning Highway, East Fremantle, by mail to PO Box 1097, Fremantle 6959, by facsimile to 9339 3399 or by email to admin@eastfremantle.wa.gov.au in order that they are received on or before **Tuesday 21 July 2015**.

GARY CLARK
Acting Chief Executive Officer

Residential Design Codes**5.1.1 Site Area**

- P1.1 The WAPC may approve the creation of a lot, survey strata lot or strata lot of a lesser minimum and/or average site area than that specified in Table 1, and the WAPC in consultation with the local government may approve the creation of a survey strata lot or strata lot for a single house or a grouped dwelling of a lesser minimum site area than that specified in Table 1 provided that the proposed variation would be no more than five per cent less in area than that specified in Table 1; and*
- *facilitate the protection of an environmental or heritage feature;*
 - *facilitate the retention of a significant element that contributes toward an existing streetscape worthy of retention;*
 - *facilitate the development of lots with separate and sufficient frontage to more than one public street;*
 - *overcome a special or unusual limitation on the development of the land imposed by its size, shape or other feature;*
 - *allow land to be developed with housing of the same type and form as land in the vicinity and which would not otherwise be able to be developed; or*
 - *achieve specific objectives of the local planning framework.*

The impact of the R-Code changes is shown in the attached Plan – 'Summary of zoning and Coding Changes' (Attachment 1). The lot sizes in Richmond and Richmond Hill identified in the plan are mostly between 900m² and 1000m². In addition, there are three lots between 1,000m² and 1100m² in Richmond Hill. As can be seen the application of R20 density as proposed in the Scheme Amendment will now create substantial potential for further subdivision in these areas. This is contrary to the original intent of the Planning Strategy and Scheme Amendment. At R17.5 no lots within Richmond or Richmond Hill would be large enough for subdivision.

Response

In light of the above, it is proposed to modify the R density code from the proposed R20 to R17.5. However this is considered a substantial modification which may not necessarily be supported by residents, accordingly it is appropriate that this component of the Scheme Amendment be not proceeded with at this time and that it be re-advertised at the proposed R17.5. It is proposed that each owner/occupier with the areas affected – Richmond and Richmond Hill be written to advising of the proposed modifications to the amendment and that a further 42 day submission period be applied in this regard. It is considered the balance of the Amendment Series Should now be progressed.

RECOMMENDATION

That Council:

1. endorse the modification of draft Scheme Amendment 10 by the deletion of the proposed R-Code density change from R12.5 to R20 in respect to the Richmond and Richmond Hill Precincts.
2. adopt the Scheme Amendment 10 as modified and submit it to the Minister for Planning for Final Approval pursuant with s.87. of the Planning and Development Act 2005.
3. endorse the public notification (including a mail out to all affected property owners) of Amendment 11 to TPS No. 3 comprising the change of R-Code density zone for the Richmond and Richmond Hill Precincts from R12.5 to R17.5.

**** Extract from Officer's Report presented to Town Planning & Building Committee Meeting of 3 March 2015 & Adopted by Council 17 March 2015.**

ENQUIRIES: Jamie Douglas : 9339 9320

25 March 2015

«Line_1»
«Line_2»
«Line_3»
«Line_4»

Dear «Salutation»

Town Planning Scheme Review

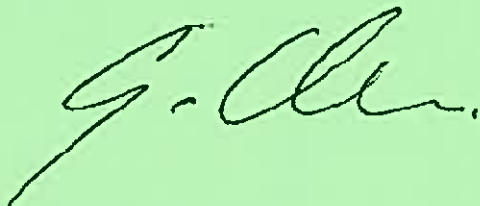
This letter is to advise you of a recent decision by Council which will affect the development density of your property and your neighbourhood. Should you wish to make a submission in respect to the proposed change to the Town Planning Scheme, this should be addressed in writing to Mr Jamie Douglas, Manager Planning Services by Friday 22 May 2015.

Over the last two years Council has conducted a general review of its Town Planning Scheme which has culminated in Amendment 10 to the scheme. This Amendment includes a series of changes to the Scheme which have been subject to a consultative process and can be viewed on the Town's website.

At its meeting on 17 March 2015 Council adopted Amendment 10 and resolved to forward it to the Minister for Planning for his Final Approval, subject to the deletion of the proposed R-Code density change from R12.5 to R20 in respect to the Richmond and Richmond Hill Precincts. Council further decided to initiate a new scheme amendment in respect to these precincts (Amendment 11) which changes the R-Code zone from R12.5 to R17.5.

This decision was made because the initial change from R12.5 to R20 was proposed to more accurately represent the prevailing development density. It was not intended to allow substantial re-subdivision and change in neighbourhood character. However subsequently, the Western Australian Planning Commission changed the minimum and average lot size requirements for R20 thus reducing the minimum subdividable lot size from 1000m² to 900m². Accordingly it is now proposed to zone your neighbourhood R17.5 so that further subdivision will not be possible for the majority of lots. The minimum subdividable lot size for R17.5 is 1142m².

Yours sincerely



GARY CLARK
Acting Chief Executive Officer

Planning and Development Act 2005

TO: Acting Chief Executive Officer
Town of East Fremantle
PO Box 1097
Fremantle 6959

**SUBMISSION ON
TOWN PLANNING SCHEME NO. 3
SCHEME AMENDMENT NO. 11**

Name.....Phone.....

Address.....

SUBJECT OF SUBMISSION

(State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.)

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ADDRESS OF PROPERTY AFFECTED BY SCHEME (if applicable).
(Include lot number and nearest street intersection).

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SUBMISSION

(Give in full your comments and any arguments supporting your comments - continue on additional sheets if necessary)

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Date.....Signature.....