MINUTES

Special Projects Committee

Wednesday, 10 September 2014, 6.00pm
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SPECIAL PROJECTS COMMITTEE

Minutes of the Special Projects Committee Meeting held in the Council Chambers, Fremantle City Council on 10 September 2014 at 7.00 pm.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 7.26pm.

NYOONGAR ACKNOWLEDGEMENT STATEMENT

"We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar people as the custodians of the greater Fremantle/Walyalup area and that their cultural and heritage beliefs are still important to the living Nyoongar people today."

IN ATTENDANCE

Dr Brad Pettitt Mayor
Cr Robert Fittock North Ward
Cr Rachel Pemberton Presiding Member / City Ward
Cr Simon Naber City Ward
Cr Dave Coggin East Ward
Cr Ingrid Waltham East Ward
Cr Sam Wainwright Hilton Ward
Cr Bill Massie Hilton Ward
Cr Jon Strachan Deputy Presiding Member / South Ward
Cr Andrew Sullivan South Ward
Cr David Hume Beaconsfield Ward
Cr Josh Wilson Deputy Mayor / Beaconsfield Ward

Mr Graeme Mackenzie Chief Executive Officer
Mr Glen Dougall Director Corporate Services
Ms Marisa Spaziani Director Community Development
Mr Philip St John Director Planning and Development Services
Mr Paul Garbett Manager Planning Projects
Mr Alan Kelsall Heritage Coordinator
Mrs Sharn Bruere Strategic Planner
Mrs Kayla Beall Minute Secretary

There were approximately 5 members of the public in attendance.

APOLOGIES
Nil

LEAVE OF ABSENCE

Cr Doug Thompson

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Summary of question by Peter Pacak

Does the planning department have any feedback from past activities or past proposal, past projects because in my street in Rennie Crescent, Hilton there is a big development and problems with parking.

Summary of response from Director of Planning and Development Services, Philip St John:

You need to look at all the provisions together. What we were asking the council to consider was increasing open space in terms of unbuilt area on the site and the creation of deep planting landscape area, both in excess of the normal planning requirements. Our view then is when you start to squeeze two parking bays per dwelling on the site, the site planning becomes a) very difficult and b) the paved areas get quite extreme. So our view is that you are better off with cars parked on the street in some circumstances than on the site so you can have some trees and some green space. Now there is always a balance there, we are not saying no parking on site, so we came up with a compromise around the maximum of one per dwelling. If that means there are cars parked on the street in the evenings that is a consequence and the council will have to deal with that.

Summary of question by Michael McPhail elected member at the Town of East Fremantle in regards to Integrated Transport Strategy.

Why has it been suggested that Canning Highway not be a primary corridor given a lot of research done by Richard Wellar, Audric, the Greens and a number of other bodies that suggested that’s one of the primary redevelopment opportunities in the metropolitan city along with Stirling Highway?

Summary of response from Manager of Planning Projects, Paul Garbett:

The main reason elected members at the last meeting suggested making Canning Highway a secondary rather than a primary corridor was the concern of having too many primary corridors actually diluting the focus on what was seen as the most critical corridor.
DISCLOSURES OF INTEREST BY MEMBERS
Nil

PETITIONS / DEPUTATIONS / PRESENTATIONS
Nil

CONFIRMATION OF MINUTES

MOVED: Cr R Pemberton

That the minutes of the Special Projects Committee dated 13 August 2014 as listed in the Council agenda dated 27 August 2014 be confirmed as a true and accurate record.

CARRIED: 12/0

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ANNOUNCEMENTS BY THE MAYOR
Nil

QUESTIONS OR PERSONAL EXPLANATIONS BY ELECTED MEMBERS
Nil

TABLED DOCUMENTS
Nil
LATE ITEMS NOTED

Nil
REPORTS BY OFFICERS (COUNCIL DECISION)

Cr D Hume vacated the chamber at 8.02 pm.
Cr D Hume returned to the meeting at 8.04 pm.
Cr I Waltham vacated the chamber at 8.11 pm.
Cr I Waltham returned to the meeting at 8.13 pm.

SPC1409-01 FURTHER CONSIDERATION OF PRINCIPLES FOR A SCHEME AMENDMENT TO FACILITATE GREATER HOUSING DIVERSITY

DataWorks Reference: 218/069
Disclosure of Interest: Nil
Meeting Date: SPC 10 September 2014; Council 27 September 2014
Previous Item: PSC1401-12 29 January 2014
Responsible Officer: Manager Planning Projects
Actioning Officer: Strategic Planning Officer
Decision Making Authority: Council
Agenda Attachments: 1. Fremantle Housing Diversity – Report on a proposed amendment to LPS4 to stimulate housing diversity - Australian Urban Design Research Centre

EXECUTIVE SUMMARY

The purpose of this report is to present, for Council’s consideration, the key findings of research undertaken by the Australian Urban Design Research Centre (AUDRC) on the principles of an amendment to the City’s Local Planning Scheme No. 4 (LPS4 or Scheme) to facilitate the development of moderately sized housing, irrespective of the residential density coding applicable to the land. AUDRC have prepared a presentation on these findings and will present this at the Special Projects Committee on the 10 September 2014.

It is generally recognised that the Perth metropolitan area needs to offer a diversity of housing to provide for Perth’s future population and predicted household configurations e.g. smaller household sizes. Accordingly, on the 29 January 2014 Council adopted principles on which to base an amendment to LPS4 whereby moderately sized housing (up to 120sqm floor area) could be developed, irrespective of whether the development meets the minimum and average site area requirements of the Residential Design Codes. The principles additionally proposed a greater open space requirement of 60%, car parking for 1 vehicle/dwelling only, and the requirement for a deep planting zone.

Prior to the drafting of a scheme amendment the City contracted AUDRC to model these principles based on potential scenarios to ensure that the Scheme amendment provisions could be feasible in practice and achieve the desired outcomes. AUDRC have confirmed in their report back to the City that with minor modification the principles can possibly provide for feasible development options.

Accordingly it is recommended Council further consider the principles on which to base an amendment to the Scheme and additionally consider the requirements on which to concurrently draft a local planning policy to support assessment of this development type.
PROJECT BACKGROUND

Australian houses, comparatively to other countries, are large with the average Australian house size (floor area) amongst the largest in the world. Conversely, the average household size in Australia is relatively low and predicted to decline from 2.6 persons per dwelling currently to approximately 2.3 persons per dwelling by 2021. These factors coupled with population growth in Australia have resulted in high demand for new housing in and around Australian cities. In Perth this demand has predominantly been met on the metropolitan area’s fringe or what is more commonly referred to as ‘urban sprawl’. The housing offered in these areas is generally low density (<R30 density coding) and tends to comprise of large homogeneous homes (usually 4 bedroom, 2 bathroom, theatre room and double garage) on modest sized lots.

As discussed in the previous report to Council (PSC1401-12) pushing new housing to the fringe presents a range of social, economic and environmental concerns and is not an equitable way to provide for Perth’s future population as it does not provide for a diversity of housing or address the need for additional housing within the metropolitan core. The Western Australian Planning Commission’s (WAPC) strategic document Directions 2031 and Beyond (2010) recognises these factors and sets a target of 47 per cent of new development to provide for Perth’s future population is to be provided from infill development (as opposed to Greenfield development). The City of Fremantle is actively contributing towards this target through various strategic planning initiatives, including at its ordinary meeting 29 January 2014 Council supported the following principles for an amendment to the LPS4 that would allow for more diversity of housing where planning requirements are carefully considered:

Permitting the development of a Grouped Dwelling(s) and/or Multiple Dwelling(s) that does not meet the minimum site area and/or minimum average site area specified in the Residential Design Codes, where the development complies with all of the following requirements:

i. Any new dwelling shall have a maximum floor area of 120sqm;
ii. A maximum of 1 car bay shall be provided for each new dwelling;
iii. Visitor parking shall not be provided for developments of less than 5 dwellings;
iv. A minimum of 60% open space, as defined by the R-Codes, shall be provided over the entire development site;
v. A minimum of 10% of the development site area shall be provided for a deep root landscape zone. This area shall be uncovered and have a minimum dimension of 3 metres. The area can be included as part of the open space for the development.

The City commissioned the Australian Urban Design Research Centre (AUDRC) to test and refine the spatial outcomes of the above principles to establish whether the amendment could achieve the outcomes anticipated and if the amendment would be a realistic and feasible option for development in Fremantle. This report summarises AUDRC’s findings and recommends some refinement to the previously adopted principles on which to base a Scheme amendment.
KEY ISSUES

The purpose of an amendment to the City’s LPS4 based on the principles adopted by Council (see background above) is to increase the diversity, type and choice of housing provided in the City whilst retaining the established form and feel of existing areas, including open space, amenity, vegetation and streetscape.

Initially the scope of the project was wide; officers considered the provisions of a scheme amendment could apply to all properties and therefore all density codings in the City. However after further consideration it was considered low density (>R30) suburbs would be a more relevant area to focus the amendment as development in these areas is constrained to the site area requirements for single houses and grouped dwellings and the plot ratio requirements for multiple dwellings do not apply. The multiple dwelling requirements allow for development based on plot ratio provisions instead of site area, meaning instead of a set site area required per dwelling (e.g. average site areas and applicable density coding: 350 sqm R25, 450 sqm R20 and 666 sqm R15) a diversity of dwellings can be offered within the plot ratio requirement (e.g. plot ratio and applicable density coding: 0.5 R30, 0.6 R40 and 0.7 R60). The multiple dwelling requirements provide a similar outcome to the proposed amendment being housing diversity.

Accordingly the amendment would apply to properties coded below R30. Officers note that earlier this year the WAPC proposed changes to the Residential Design Codes (R-codes) which included deleting the multiple dwelling requirements for the R30 and R35 density codings. The outcome of consultation on and further consideration of these proposed changes has not been announced by the WAPC and, at this stage, no changes have formally been made to the R-codes. Officers therefore consider it best for the City’s amendment to be based on the current R-codes, not on the proposed changes. If the R-codes are amended there will be time during scheme amendment process to subsequently consider amending the City’s amendment to reflect any changes.

All suburbs in Fremantle have areas with a density coding of less than R30 (e.g. R25, R20 and R15). Properties in these areas, where they do not have sufficient land to subdivide, are generally made up of Single Houses on 500-800 sqm lots. There is scope to provide for additional housing within these lot sizes however, traditionally, the only planning approach available is to blanket up-code the area. The downside of blanket up-coding can be piecemeal subdivision and development that negatively impacts on the established streetscape and amenity of the neighbourhood as additional driveways are needed, trees are cleared and housing covers former backyard open areas. The State’s strategic documents also do not support this approach however do not suggest an alternative approach.

It is also worthy to reiterate that the proposed amendment will not enable the creation of vacant lots under the amendment provisions. The amendment would require development prior to subdivision, however once a development is complete, there is an existing discretionary clause in the R-Codes that allows the WAPC, in consultation with the local government, to approve a survey strata or strata lot subdivision of an existing authorised grouped dwelling or multiple dwelling of lesser minimum and average site area that that prescribed by the R-Codes. It is under this clause that new dwellings created under this amendment, once constructed, could be separately titled.

AUDRIC’s research
The City contracted AUDRC to model the amendment’s principles based on potential scenarios to ensure that the Scheme amendment provisions could be feasible in practice and achieve the desired outcomes. AUDRC confirmed in their report back to the City that the principles can result in possible development options with only minor modifications suggested.

In their research (see attachment 1 for full report) AUDRC considered a range of typical sites in areas coded below R30. Narrow, moderate and wide lot widths were considered to represent the majority and a range of actual sites were chosen from this investigation as representative lots. Accordingly, AUDRC’s resulting research was based on the modelling of five case study scenarios as detailed in the table below.

<table>
<thead>
<tr>
<th>Description</th>
<th>Dimensions (w x l)</th>
<th>Area (sqm)</th>
<th>Rear driveway possible</th>
<th>Retain Existing House</th>
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<tr>
<td>Narrow A</td>
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<td>530</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Narrow B</td>
<td>12.8 x 41.5</td>
<td>530</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Moderate A</td>
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<td>775</td>
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<td>Y</td>
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<tr>
<td>Wide</td>
<td>19 x 41.5</td>
<td>790</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Moderate B</td>
<td>19 x 41.5</td>
<td>675</td>
<td>Y</td>
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AUDRC identified the following spatial impacts that contribute to the negative impact of infill housing:
- Reduction in tree cover;
- Doubling in roof cover, crossover and paved area;
- Decrease in usable space including private garden, open space and living areas;
- Increase in areas required for vehicles including vehicle parking and manoeuvring; and
- Increase in impermeable hard surface.

The case study lots were then used to assess the principles of the scheme amendment and their ability to address the negative impacts of infill development as identified above. Two housing types were modelled for each: built form under the current design regulations (R-codes) and built form under the Council adopted principles. Variations to the principles were then explored in terms of meeting the design principles and feasibility. The key findings of AUDRC’s research and each of the principles (refined) are discussed below:

**Any new dwelling shall have a maximum floor area of 120sqm**
Increasing moderately sized suburban housing has been identified in numerous strategic planning documents as key to providing for diverse housing. The R-Codes provides for diversity of housing through the multiple dwelling plot ratio requirements applicable to land coded R30 or greater however lower density coded areas do not have similar requirements. The purpose of the amendment, therefore, is to increase moderately sized suburban housing in low density areas. A key principle to achieving this is to ensure that new dwellings constructed under the scheme provisions would be limited to a moderate size.
Based on what the market is currently providing and research into small housing officers suggested a maximum floor area of 120 sqm to provide a generous 2 bedroom house or modest 3 bedroom house. This floor area limit was tested by AUDRC and the testing confirmed this limit is reasonable and would deliver suitable and varied housing. The 120 sqm maximum floor area requirement does not mean that every dwelling proposed under the resulting Scheme amendment would be of this size. Alternatively, a range of smaller, modest housing up to 120 sqm in floor area could also be provided as no minimum floor area size is proposed.

**A minimum of 60% open space, as defined by the R-Codes, shall be provided over the entire development site**

Limiting the maximum floor area of new dwellings (above) provides a range of smaller house sizes not currently provided by new development in suburban areas. Increasing the open space requirement further ensures development is kept to a limited footprint, thereby reducing building bulk and impact on surrounding neighbours and established suburbs.

The R-Codes currently provide a minimum open space requirement for residential development depending on the density coding applicable to the land. For areas coded R15, R20 and R25, the requirement is 50%, whilst for areas coded R30 – R60 the requirement is 45%. The definition of open space, however, allows for car parking and other non functional spaces to be included in the calculation of open space, ultimately undermining the usable open space area on a site. AUDRC tested 55% and 60% open space scenarios and found 55% open space to be too close to the current 50% requirement, and 60% open space to be enough to address the flaw in the definition of open space and provide for a meaningful amount of space that increases the feasibility of the deep planting zone without being too onerous.

**A minimum of 15% of the development site area shall be provided for a deep planting zone. This area shall be uncovered, contain a retained or planted tree (to Council specification), have a minimum dimension of 3 metres and at least 50% is to be provided on the rear 50% of the site.**

The principles adopted by Council on 29 January 2014 included the requirement for a 10% deep planting zone (DPZ). Mature vegetation contributes to the character and identity of a suburb and the loss of mature vegetation is considered one of the negative impacts of infill development. Mandating the planting or retaining of trees ensures the loss of vegetation to make way for new development is less and a sufficient uncovered and unpaved open space area is set aside and protected from further development.

AUDRC modelled the 10% and 15% DPZ scenarios and found that 15% DPZ with a minimum dimension of 3m would help “to encourage the retention and planting or mature vegetation and generally provide better quality and environmental outcomes”. AUDRC’s research also found that 50% of the DPZ must be provided at the rear to retain the open nature of suburban areas and to maintain mature trees.
A maximum of one car bay shall be provided for each dwelling
A property with an oversupply of onsite car parking can impact on a streetscape by increasing the number of buildings and hard surfaces required on the site to house and park vehicles. This increases the cost of development and the site’s impermeable surfaces. Additionally traffic is a common community concern associated with the increase in residential density. As household size is on the decline and an outcome of the amendment would be smaller houses, it is considered the standard requirement for car bays should generally be less for a small house/household. This coupled with Fremantle being well serviced by public transport and other transport infrastructure and amenities (e.g. bicycle network), and verge areas in the low density suburbs being relatively generous, it is considered there is an opportunity to require less parking for smaller developments.

The proposed amendment and subsequent LPP would therefore seek to reduce the impact of infill development caused by car parking requirements by limiting the provision of car parking and associated structures and thereby encouraging the use of alternative means of transport. The scheme amendment would require a maximum of 1 car bay to be provided for each new dwelling, unless the dwelling is existing then a maximum of two car bays would be permitted. Additionally one dwelling, where that dwelling is no larger than one bedroom/studio size (up to 60 sqm), would be allowed to require no car parking. AUDRC included these principles in their testing and concluded that these car parking requirements would be key to achieving the 60% open space and 15% deep planting zone.

Visitor parking shall not be provided for developments of less than 5 dwellings
The R-codes require one visitor car park per four dwellings provided in a development. The principles adopted by Council vary this requirement slightly and propose one visitor car park per five dwellings provided in a development. The difference is slight, but the overall purpose is to reduce the number of car bays required onsite limiting the visual impact of extensive hard surfaced driveways and parking areas. Alternatively this car parking type (visitor car parking) is considered reasonable to be meet on-street in developments of this scale, in low density suburbs. This approach would further assist the amendment in maintaining the amenity of the area.

Local Planning Policy
A local planning policy, drafted in parallel to the scheme amendment, is required to further address any amenity issues. The purpose of the amendment is to provide for additional housing in established suburbs, but not at the expense of the streetscape and amenity of the area. The scheme amendment will contain key built form requirements of floor area, open space and on-site car parking that cannot be varied. The local planning policy provisions, on the other hand, will not be as stringent as the scheme amendment (e.g. can be varied within defined parameters), but would still provide for the desired outcome and further protect the existing amenity of an area.

Officers propose the local planning policy/design guidelines for this development type would further address the following matters:
Built form (bulk and scale) and its compatibility with the predominant building form within the locality and streetscape including:

- Ensuring a strong interaction to the street, including at least one dwelling facing the street where there is common access(es).
- Street setback and form, which could be similar to existing LPP2.9 Residential Streetscapes policy.

Design, location and integration of parking/garages/carports including:

- Prescribing a maximum number of car bays to be provided to the front of the development.
- Allowing for the use of the existing dwelling parking space for rear development(s).
- No double garage allowed fronting the street (unless existing). One single width (3m) garage allowed where in line with the dwelling. Double width (6m) carports allowed, including in front of the dwelling where frontage is 12m or greater. Single width (3m) carports required where frontage is 12m or less (same requirement as LPP2.9 Residential Streetscape Policy).

Driveway width, construction and turning areas including:

- The minimum width of a driveway to be 2.75m. The maximum width of a driveway to be 3m and the driveway to be permeable in construction (unless existing).
- No requirement for turning areas, unless abutting a primary distributor.

Reciprocal rights of access over existing driveways and crossovers for new dwellings including:

- If existing driveway/crossover doesn’t allow access to rear of site, then additional crossover permitted subject to 3m maximum width and in aggregate width of crossovers on lot to be not over 6m.

Environmentally sustainable design requirements including:

- Definition or requirements of the deep planting zone, including unpaved, uncovered, min dimension and acceptable planting.
- Water permeable driveways.
- Permeable landscaping of site required/paving and hard surfaces to be limited e.g. At least 50% of front setback to be landscaped.

Fencing requirements

- Low and open fencing to retain interaction with the street e.g. [for consideration] Fencing up 1.2m in height and visually permeable above 700mm.

Further Requirements

Further requirements key to this amendment include:

- All other development standards of the Residential Design Codes, Local Planning Scheme No.4 and local planning policies will continue to apply e.g. boundary setbacks, outdoor living area, building height, visual privacy, excavation and fill and overshadowing.
- The Special Purpose Dwellings provisions of the Residential Design Codes (part 5.5) that consist of Ancillary Dwellings, Aged/Dependant Persons’ Dwellings, and Single Bedroom Dwellings, will be suspended from applying under LPS4.
The existing LPS4 provisions for split density coded lots, Small Secondary Dwellings and the proposed Amendment 50 provisions if approved by the Minister for Planning (additional dwelling on lots with dual road frontage) to be retained.

Small Secondary Dwelling will not be permitted on the same lots as the new Scheme amendment’s housing type. SSD’s do not contribute to open space and would undermine the intent of the amendment to maintain open space.

The amendment to also include deletion of sunset clause and other refinements to the small secondary dwellings provisions. This would allow officers to address minor anomalies found when implementing the small secondary dwellings. As the ancillary dwelling provisions of the R-codes are proposed to be suspended as part of this amendment minor changes to these provisions would allow for a more viable option “granny flat” option. These changes will further reported back to Council in the Scheme amendment initiation stage.

Conclusion

The purpose of this report was to present, for Council’s consideration, the key findings of research undertaken by AUDRC on the principles of an amendment to the City’s LPS4 to facilitate the development of moderately sized housing, irrespective of the residential density coding applicable to the land. AUDRC confirmed in their report that the principles of this amendment could potentially provide plausible development options with only minor modifications suggested.

Accordingly it is recommended Council further consider the principles on which to base an amendment to the Scheme and additionally consider the requirements on which to concurrently draft a local planning policy to support assessment of this development type. Officers will report back to Council with a Scheme amendment and a complementary local planning policy for consideration to initiate at the next appropriate Special Projects Committee meeting.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple majority.
COMMITTEE AND OFFICER’S RECOMMENDATION

MOVED: Cr R Pemberton

1. That the City prepares a set of planning provisions to allow for the development of diverse housing types based on the following principles:

   a) In areas coded lower than R30 the development of a Grouped Dwelling(s) and/or Multiple Dwelling(s) that does not meet the minimum site area and/or minimum average site area specified in the Residential Design Codes, would be permitted where the development complies with all of the following requirements under the local planning scheme:

      I. Any new dwelling shall have a maximum floor area of 120sqm;
      II. A maximum of 1 car bay shall be provided for each new dwelling, unless the dwelling is existing a maximum of two car bays would be allowed;
      III. A maximum of one dwelling in a development, where that dwelling is no larger than one bedroom/studio size (up to 60 sqm), can be car free;
      IV. Visitor parking shall not be provided for developments of less than 5 dwellings;
      V. A minimum of 60% open space, as defined by the R-Codes, shall be provided over the entire development site;
      VI. A minimum of 15% of the development site area shall be provided for a deep planting zone. This area shall be uncovered and have a minimum dimension of 3 metres. The area can be included as part of the open space for the development and 50 percent of the deep planting zone must be provided on the rear portion of the property.
      VII. Minimum of one tree, to Council specification, required to be retained or planted any DPZ on the site.

   b) The requirements detailed in Part 1a) above will not be capable of variation.

   c) A local planning policy to be developed to address the following design matters:

      i. Built form (bulk and scale) and its compatibility with the predominant building form within the locality and streetscape;
      ii. Design, location and integration of parking/garages/carports;
      iii. Driveway width, construction and turning areas;
      iv. Reciprocal rights of access over existing driveways and crossovers for new dwellings;
      v. Environmentally sustainable design requirements; and
      vi. Fencing requirements.

   d) All other development standards of the Residential Design Codes, Local Planning Scheme No.4 and local planning policies, not varied by Part 1a) and c) above, will continue to apply.
e) The Special Purpose Dwellings provisions of the Residential Design Codes (part 5.5) that consist of Ancillary Dwellings, Aged/Dependant Persons’ Dwellings, and Single Bedroom Dwellings, will be suspended from applying under LPS4.

f) That the existing LPS4 provisions for split density coded lots, Small Secondary Dwellings and the proposed Amendment 50 provisions if approved by the Minister for Planning (additional dwelling on lots with dual road frontage) are to be retained.

g) A Small Secondary Dwelling development would not be permitted on the same lot as a development approved under this Scheme amendment.

2. That the scheme amendment to be prepared under (1) above also consider amending the LPS4 provisions relating to the definition and ‘sunset clause’ for Small Secondary Dwellings.

3. That as a separate activity from (1) and (2) above, to be carried out after the Western Australian Planning Commission completes its current consideration of possible changes to the Residential Design Codes, officers investigate the preparation of local planning policy provisions to amend/replace the deemed-to-comply provisions in Part 6 of the R Codes (applying to multiple dwellings at R30 or higher density) to address similar design matters to those listed in 1(c) above.

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</table>
Cr B Massie vacated the chamber at 8.38 pm.
Cr B Massie returned to the meeting at 8.40 pm.
Cr R Fittock vacated the chamber at 8.42 pm.
Cr R Fittock returned to the meeting at 8.44 pm.

SPC1409-02 DRAFT INTEGRATED TRANSPORT STRATEGY

DataWorks Reference: 165/005
Disclosure of Interest: Nil
Meeting Date: Special Projects Committee 10 September 2014
Previous Item: Nil
Responsible Officer: Manager Planning Projects & Policy
Actioning Officer: Manager Planning Projects & Policy
Decision Making Authority: Council
Agenda Attachments: 1. Draft Integrated Transport Strategy version 3

PROJECT BACKGROUND

The development of an Integrated Transport Strategy (ITS) is one of the plans/projects identified in the Council’s 2010-15 Strategic Plan under the Transport strategic imperative – “Lead in the provision of environmentally and economically sustainable transport solutions”.

In February 2014 Council approved the preparation of an ITS in accordance with a project scope recommended by officers (see item PSC1402-31). At the meeting held on 13 August 2014 the Special Projects Committee provided comment on an initial draft version of the ITS but did not complete its consideration of the document. The Committee resolved to recommend that Council receive and note comments made, and that further consideration of the draft ITS be deferred to the next meeting of the Special Projects Committee. This recommendation was adopted by Council at its Ordinary Meeting on 27 August 2014.

KEY ISSUES

An updated version (#3) of the draft ITS document is attached to this report. This version incorporates amendments that take account of comments made during the previous discussion of the document by the Special Projects Committee on 13 August 2014. The amendments are shown as ‘track changes’.

The Committee is requested to continue its consideration of the draft ITS, focusing particularly on sections 7 (Car Parking) and 8 (Freight) which were not discussed at the previous meeting.

As officers have previously advised, the ITS is not intended to address every detailed transportation issue, nor replace more operational level plans such as the Bicycle Plan, local area traffic management schemes or parking plans. It is however intended to inform the future preparation and review of such operational level plans. It is also intended to be a document that presents the justification for the City’s position on different transport policy issues, and support advocacy action by the City.
The ITS is structured to clearly set out the Council’s main policy positions on the transport topics dealt with in each of the main sections of the document. Each section includes:

- A discussion of the main issues regarding that topic;
- A ‘key policy’ statement that aims to summarise the Council’s position on that topic;
- A set of ‘Supporting Policies and Actions’ which sit under the Key Policy, and highlight lower order priorities.

The Key Policies and Supporting Policies are repeated in a summary at the end of the document.

The Special Projects Committee is requested to further consider the draft ITS document and provide a recommendation to Council on its content, with the aim of Council adopting a final draft version of the ITS for the purposes of public consultation.

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required

**OFFICER’S RECOMMENDATION**

**MOVED: Cr R Pemberton**

That the content of the draft City of Fremantle Integrated Transport Strategy as attached to this item be considered.

**COMMITTEE RECOMMENDATION**

**Cr R Pemberton MOVED to defer the item to the next appropriate Special Projects Committee meeting to allow more time for consideration of the draft strategy.**

**CARRIED: 12/0**

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<th>For</th>
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<td>Cr Bill Massie</td>
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EXECUTIVE SUMMARY

The purpose of this report is to present for Council’s consideration possible options for amendments to Local Planning Scheme No. 4 to facilitate intensive mixed use redevelopment along one of the City's key public transport routes.

Analysis work by officers since previous Council consideration of this topic in March 2014 has highlighted a number of issues and constraints along South Street which prevent blanket uniform changes to planning provisions, such as small lot sizes, fragmented land ownership, existing low density development, the MRS road reservation, servicing and heritage places. Instead the analysis identified a number of primarily non residential locations that are potentially viable ‘nodes’ for more intensive mixed use redevelopment outcomes.

This report recommends the preparation of a series of draft scheme amendments proposing changes to planning requirements to facilitate more intensive mixed use redevelopment in the locations identified within this report.
PROJECT BACKGROUND

Council adopted the principles of a possible amendment to Local Planning Scheme No. 4 to provide for higher density residential development along one of the City’s key public transport routes, South Street, at the Ordinary Meeting of Council on 26 March 2014.

Ordinary meeting of Council 26 March 2014 resolution:

That this proposal be further progressed by confining consideration of a future scheme amendment to land already within the Local Centre, Neighbourhood Centre, Mixed Use and Commercial zones along South Street (between Marine Terrace and Stock Road). The research is to consider the potential of these areas to function as nodes of mixed use higher residential density transit corridor orientated development. Upon completion of this investigation, a further report shall be presented to Council on the opportunities and constraints within these areas and options for a possible amendment to the Local Planning Scheme to facilitate intensive redevelopment in some or all of these locations.

It should be noted that at the Council meeting Councillors amended the officers’ recommendation and removed wording limiting the analysis to non residential sites. Although the above resolution does not specifically reference residential zone lots, it was the intention of Council for officers to also investigate the viability of comprehensive redevelopment within residential zoned areas adjacent to non-residential zones.

KEY ISSUES

The area subject to investigation is along approximately four kilometres of South Street between Marine Terrace and Stock Road. This section of South Street is predominantly zoned residential consisting of low density residential dwellings. However, there are also a number of nodes of non residential land uses and these lots are zoned: Local Centre, Neighbourhood Centre, Mixed Use or Commercial.

The March council report identified opportunities for more intensive mixed use development along South Street. The report also highlighted a number of issues and constraints for comprehensive redevelopment such as; fragmented land ownership, small lot sizes, existing development patterns, heritage places and significantly the MRS road reservation. Based on these constraints specific areas for comprehensive redevelopment were identified opposed to a blanket change to planning zones or density codes along South Street as a whole.

Several assumed requirements were applied when identifying the viability of locations suited for redevelopment.

The key assumptions were:
- Appropriate zoning under the Metropolitan Region Scheme (MRS) and LPS4;
- Large land area (1000+ square metres (sqm)) or the ability to amalgamate lots ie. same owner;
- Access to the development from alternative roads to South Street (due to MRS road reservation restrictions);
- Development of the area would have limited impact on the surrounding existing low density residential dwellings; and,
- Sufficient services in the area to support increased development; and,
- Identify heritage listings constraints which would encroach upon comprehensive development.

Using these assumptions officers assessed the non residential areas along South Street and categorised the areas into five types of redevelopment opportunities:

1. High density development of area
2. Medium density development of area
3. Medium density development on select lots in area
4. Medium density development on select lots in area, and
5. Limited to no opportunity.

The table below shows each area categorised by redevelopment opportunity.

<table>
<thead>
<tr>
<th>Redevelopment Opportunity</th>
<th>Site and example of location or landuse</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>High density development of area</td>
<td>Hilton Local Centre</td>
<td>There are 40 lots in this area and 30 owners. The lots are relatively large and could be developed on an individual basis, however access could be an issue.</td>
</tr>
<tr>
<td>Medium density development of area</td>
<td>199-213 South Street, Beaconsfield and 214-230 South Street, White Gum Valley</td>
<td>17 lots and nine owners. The multiple lot owners own over 1000 sqm. Some heritage listed properties, the road reservation effects this area and the lots directly abuts Single House residential.</td>
</tr>
<tr>
<td>Medium density development on select lots in area</td>
<td>234-244 South Terrace, South Fremantle</td>
<td>Six lots. The three lots (1000+ sqm) up to the corner of South Terrace and South Street (Marine retail) are owned by one owner. These three lots present a potential opportunity for development on the corner.</td>
</tr>
<tr>
<td></td>
<td>95-101 Hampton Road, Fremantle (Western side of Hampton road between Wray Ave and South Street)</td>
<td>Five lots and four landowners with a combined land area of 8665 sqm. The lots abut single residential properties. The Shell site on the corner is large (2926 sqm) and is heritage listed for archaeological reasons.</td>
</tr>
<tr>
<td></td>
<td>103, 109A and 109B Hampton Road, South Fremantle (Thrifty Car rental)</td>
<td>Two small lots and one large lot. Potential development of one lot (1000+ sqm) to the Corner of South Street and Hampton Road (thrifty car rental).</td>
</tr>
<tr>
<td>Limited to no opportunity.</td>
<td>350-366 South Street, O’Connor (corner Hines Road)</td>
<td>Eight parent lots and multiple strata lots and owners. Two large lots are owned by one landowner. The Industrial MRS zoning and sewer servicing issues constrain comprehensive redevelopment in the area.</td>
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<tr>
<td></td>
<td>6-9 Prichard Street, O’Connor</td>
<td>Two separately owned lots separated by Prichard Street. The lots are 1525 and 5349 sqm and abut industrial zoned land. One of the lots also abuts Stock Road. The Industrial MRS zoning and potential sewer servicing issues constrain comprehensive redevelopment in the area.</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
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</tr>
<tr>
<td>232 South terrace, Fremantle (Cherry Tree Financial Planning)</td>
<td>Small site (252 sqm) that has recently been developed.</td>
<td></td>
</tr>
<tr>
<td>124-144 Hampton Road, Fremantle (Eastern side of Hampton road between Wray Ave and South Street)</td>
<td>Nine lots all in individual ownership, seven of the places are heritage listed.</td>
<td></td>
</tr>
<tr>
<td>82-85 South Street, Beaconsfield</td>
<td>Three parent lots and several strata lots either side of Solomon Street fronting South Street, all in individual ownership. One of the lots is heritage listed.</td>
<td></td>
</tr>
<tr>
<td>123 South Street (corner Seaview St), Beaconsfield</td>
<td>One relatively small lot (845 sqm) that directly abuts Residential zoned properties</td>
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</tbody>
</table>

Further discussion and recommendations on the top four (4) categories regarding their redevelopment opportunities are provided below.

**Hilton Local Centre**

Analysis of the Hilton Local Centre identifies this area is well suited for intensification of mixed use redevelopment *(refer Attachment 1)*, with existing provisions within LPS4 to achieve this outcome.

The area is currently zoned Local Centre R20 within LPS4 and Urban under the Metropolitan Region Scheme (MRS). The area is well serviced with no heritage listed places identified. There are a number of large lots within the centre with the opportunity for further amalgamation due to one or two owners owning multiple lots.

The Hilton Local Centre has been identified by the City for some time now as a key location to encourage redevelopment and ‘Specific Development Controls’ were incorporated within LPS4 in 2009. These controls consist of increased residential density (up to R100) and increased building height (up to 4 storeys), where development appropriately addresses vehicular access locations and car park design criteria.

Although, LPS4 was amended 5 years ago to incorporate the above provisions for the Hilton Local Centre, to date no redevelopment applications have been received. Given the City has previously identified the Hilton Local Centre as a priority area for comprehensive redevelopment it is considered that revised planning controls to further encourage redevelopment and population growth in this location would be appropriate. Officers consider these revised controls should be in the form of increased density and/or additional building height.

**Recommended Action:**
- Prepare a draft scheme amendment for the Local Centre zone to further increase density and provide additional building height.

**199-213 South Street, White Gum Valley and 214-230 South Street, Beaconsfield**

This area is a small local centre servicing the White Gum Valley and Beaconsfield communities *(refer Attachment 2)*.
The area is currently zoned ‘Local Centre’ under LPS4 and Urban under the MRS. The northern side has a density code of R20/25 with the southern side having a density code of R20. The area consists of nine (9) lots on the northern side of South Street and eight (8) lots on the southern side ranging in size from 440 to 878m$^2$. Although, the lots are small there are some opportunities for amalgamation due to one or two owners owning more than one lot. The area is well serviced.

The key issues when considering redevelopment is the small land parcels, low density code and constraint of the MRS reservation which significantly reduces the developable area of the already small sites. The MRS reservation requires development to be setback 5-10 metres from South Street for road widening purposes, as well as, requiring vehicular access to sites being obtained from streets other than South Street. In addition to the MRS constraint, the southern side of South Street contains four (4) heritage listed properties.

The local centre is appropriately zoned for mixed use redevelopment and the real possibility lies on the northern side of South Street, due to its lack of heritage listed properties. In order to achieve a coordinated approach to redevelopment it is considered that amalgamation of lots would be required to assist in overcoming all issues and constraints for the area. Planning mechanisms to encourage redevelopment would need to increase the residential density above the R20/25 and address building heights with criteria in place to deliver minimum lot sizes and coordinated vehicular access.

Recommended Action:
- Prepare a draft scheme amendment to LPS4 addressing minimum lots sizes, vehicular access criteria and increase density and additional building heights.

234-244 South Terrace, South Fremantle

The area is located on the prominent corner of South Street and South Terrace and zoned Local Centre R30 under LPS4 and Urban under the MRS (refer Attachment 3). The area currently supports a number of commercial uses over six (6) small lots (total area 2642 m$^2$) with three (3) landowners and is well serviced.

The area includes one heritage listed property however; all adjoining residential properties are heritage listed. Although, no MRS road widening restrictions apply the site is located on the corner of two busy streets and vehicular access would require detailed consideration.

Currently, LPS4 allows for development which meets the mixed use definition within LPS4 to develop at an R60 density without allowing increases to building height. Given the heritage context of this site it is considered that the existing provisions within LPS4 are sufficient and complement the surrounding area.

Recommended Action:
- No further investigation of this area for more intensive mixed use redevelopment.
95-101 Hampton Road (corner of South Street), Fremantle

The area is zoned Local Centre R30 under LPS4 and Urban under the MRS on the corner of South Street and Hampton Road, opposite No. 103, 109A and 109B Hampton Road (*refer Attachment 4*). The area consists of a service station along with a number of other retail services on a group of five (5) lots (total area 8665 m²) with four (4) landowners. The area is well serviced.

Redevelopment of these sites would need to address heritage and vehicle access issues. The largest site (the service station) is heritage listed for archaeological purposes. The traffic issues are as a result of the areas location on two busy roads, however, no specific MRS road widening issues exist.

Given the areas zoning and larger lots, officers consider comprehensive redevelopment is viable. Planning mechanisms could be implemented to encourage redevelopment and would need to include an increase the area’s R30 density and two storey maximum buildings height, as well as criteria to achieve coordinated vehicular access and limited entry points.

**Recommended Action:**
- Prepare a draft scheme amendment for LPS4 regarding increase density, additional building height and vehicular access.

103, 109A and 109B Hampton Road (corner of South Street), South Fremantle

This is a prominent commercial site on the corner of South Street and Hampton Road (*refer Attachment 5*). The sites are zoned Mixed Use (R25) under LPS4 and Urban under the MRS. The area is well serviced and currently occupied by a rental car company and two group dwellings. Although, there are three lots it is unlikely the grouped dwellings would be included in any redevelopment options, therefore leaving only one 1250 m² site with the potential for redevelopment.

The site is not heritage listed and MRS road widening does not impinge on the site. However, due to the volume of traffic along Hampton Road and South Street vehicular access to the site would need to be adequately addressed. It should also be noted, that property boundaries may require modification once the design of ‘Light Rail Transit’ along South Street has been investigated.

Given the site’s existing size and zoning redevelopment is viable. However, the current R25 density possibility acts as a deterrent. Increases to the site’s density as well as overall building height could assist the site’s development potential. Planning mechanisms should also address vehicular access requirements.

Given this area is located opposite No. 95-101 Hampton Road, South Fremantle and shares similar redevelopment issues; it is considered that the amendment documentation classify the area as one.
Recommended Action:
- Prepare a draft scheme amendment in conjunction with No. 95-101 Hampton Road, South Fremantle to increase density, increase building height and address vehicular access.

350-366 South Street & 6-9 Prichard Street, O'Connor

The commercial land on the northern side of South Street between Hines and Stock Road is zoned Commercial under LPS4 and consists of eleven (11) lots (refer Attachment 6). The area meets a number of the key criteria for redevelopment outlined within this report including large lots (1000+m²), possible alternate vehicular access; no heritage implications and the land predominantly abut industrial land uses (therefore minimising the impact of comprehensive redevelopment on neighbouring properties). However, the analysis revealed the areas ‘Industrial’ zoning under the MRS and the lack of infrastructure services (in particular sewerage).

The inconsistency between the MRS and LPS4 zoning poses the largest issue for comprehensive redevelopment given residential and commercial uses are not permitted within the industrial zone.

City officers liaised with the Department of Planning (DoP) to ascertain if MRS zoning issues could be overcome to facilitate a comprehensive mixed use development outcome. The advice received from DoP considered it was unlikely to support further intensification or introduction of additional non-industrial uses in the zone; irrespective of the existing land uses and LSP4 zoning.

Another option considered was the lodgement of a rezoning request under the MRS to zone the land Urban. DoP advised that this option required a number of matters to be addressed:
- Assessment under the Economic Employment Lands Strategy (EELS; WAPC 2008);
- Demonstration that supply of Industrial land in this part of the Central sub-region exceeds future employment requirements;
- The use of the land for residential / mixed use purposes is a high and better use than for industrial;
- Strategic context assessment, and
- Satisfaction of SPP4.2 out of centre development requirements.

If the City was to progress with lodgement of a rezoning request the City would be required to prepare and lodge an MRS amendment with the DoP for assessment and initiation. It should be noted that not all applications lodged with the DoP are initiated, and those which are not initiated are not advertised for public comment. Where amendments are initiated lengthy process timeframes apply (approximately eighteen (18) months to two (2) years). If the MRS Amendment was supported by the WAPC the City would then need to embark on a scheme amendment to LPS4 modifying the planning provisions. This process would take another (12 to 18 months) to receive approval prior to any redevelopment commencing.
As with most established suburbs in metropolitan Perth this area has good access to surrounding amenities. However, this particular location has not been specifically identified within any State Government strategic planning documents addressing housing supply through infill development. Given the area’s industrial zoning under the MRS and analysis of the area to date, no unique characteristics have been identified which indicate with any certainty that the DoP could be convinced to support a rezoning process from Industrial to Urban for the purposes of more intensive mixed use development.

Recommended Action:
- No further investigation of this area for more intensive mixed use redevelopment.

Residential zoned land

An analysis of residential properties along South Street reveals a number of constraints to delivering comprehensive higher density redevelopment, as follows:

- Fragmented land ownership with lots predominately in separate and individual ownership.
- Small lot sizes ranging in size from approximately 400m² to 800m².
- MRS reservation for future road widening affects South Street lots between Davies Street and Stock Road whereby lots are restricted in terms of limited vehicular access and significant setback requirements resulting in small developable footprint.
- Existing low density residential development predominantly R20 to R30 single storey dwellings; and,
- A total of ninety eight (98) heritage listed properties especially between Marine Parade and Bruce Lee Reserve.

Given these issues it was considered that blanket changes to residential zone planning controls along South Street would not yield the desired coordinated redevelopment outcome. Instead officers assessed limited residential areas adjoining the other locations identified within this report to ascertain whether or not it would be beneficial to include the surrounding residential areas as part of a scheme amendment.

Although this report recommends changes to planning controls in three non residential locations along South Street being the Hilton Village Centre, White Gum Valley and Beaconsfield local centre and southern side of the Hampton Road and South Street intersection; it is only considered appropriate for residential planning controls surrounding the White Gum Valley and Beaconsfield local centre to be modified.

In the case of the residential area surrounding the Hilton Village Centre, a previous amendment to LPS4 (Amendment 33) gazetted in July 2012 introduced provisions permitting intensive residential development along South Street and on corner properties up to a R60 density.
The residential land surrounding 95-109B Hampton Road, South Fremantle faces the same constraints and issues as all lots along South Street; however, the location's heritage context is a big deterrent for more intensive residential development in this location. The majority of lots abutting this area are heritage listed; this issue combined with the small lot sizes and traffic management issues does not warrant the modification of planning controls to encourage more intensive residential development in this location at this current point in time.

The residential areas surrounding the Beaconsfield and White Gum Valley local centres feature fewer constraints to impede redevelopment and offer potential to overcome certain constraints through the creation of larger lots. Minimum lot size requirements could be implemented by introducing a split density code for residential lots within one to two blocks of the White Gum Valley and Beaconsfield local centres. Implementation of a split density code would ensure that landowners could continue to develop as now at the lower density. The higher density code would be enacted to facilitate more intensive redevelopment through higher density and additional building height, only when minimum lot sizes are achieved. This approach would encourage the amalgamation of lots along South Street and deliver a coordinated and consistent redevelopment outcome for the area.

Recommended Action:
- Prepare a draft scheme amendment for the residential area surrounding 199-213 South Street, White Gum Valley and 214-230 South Street, Beaconsfield to implement split coding densities and redevelopment criteria.
- This amendment will form part of the 199-213 South Street, White Gum Valley and 214-230 South Street, Beaconsfield.

**CONCLUSION**

It is recommended that officers prepare a series of draft scheme amendments to modify the planning controls in the following locations, as outlined in the table below:

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>ACTION</th>
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<tbody>
<tr>
<td>Hilton Local Centre</td>
<td>Amend LPS4 density, building heights, vehicular access and potentially car parking requirements.</td>
</tr>
<tr>
<td>199-213 South Street, White Gum Valley and 214-230 South Street, Beaconsfield and surrounding residential area.</td>
<td>Amend LPS4 density, building heights, vehicular access and potentially car parking requirements for Local Centre zoned properties. Implement split density coding for the residential area surrounding this precinct with regard to density, building heights and minimum lot sizes.</td>
</tr>
<tr>
<td>95-109B Hampton Road (corner of South Street), South Fremantle</td>
<td>Amend LPS4 density, building heights, vehicular access and car parking requirements.</td>
</tr>
<tr>
<td>234-244 South Terrace, South Fremantle</td>
<td>No further investigation recommended.</td>
</tr>
<tr>
<td>350-366 South Street &amp; 6-9 Prichard Street, O’Connor</td>
<td>No further investigation recommended.</td>
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COMMITTEE AND OFFICER'S RECOMMENDATION

MOVED: Cr R Pemberton

1. That amendments to Local Planning Scheme No. 4 be prepared for each of the following locations, for consideration by the Special Projects Committee and Council for initiation:
   a. Hilton Local Centre zone:
      i. Prepare a draft scheme amendment to increase density and increase building height.
   b. 199-213 South Street, White Gum Valley and 214-230 South Street, Beaconsfield and surrounding residential area:
      i. Prepare a draft scheme amendment to increase density, increase building height and criteria for vehicular access and car parking requirements in the Local Centre zone.
      ii. Prepare a draft scheme amendment for residential zoned land adjacent to area (i) for a split density code to achieve a higher density and potential increase in building height, where minimum lot size criteria are met.
   c. 234-244 South Terrace, South Fremantle:
      i. Prepare a draft scheme amendment to increase density, increase building height and criteria for vehicular access and car parking requirements.
   d. 95-109B Hampton Road (corner of South Street), South Fremantle:
      i. Prepare a draft scheme amendment to increase density and increase building height where vehicular access and car parking criteria are met.

2. That no further action be undertaken in relation to consideration of a scheme amendment to facilitate more intensive mixed use redevelopment of No.s 350-366 South Street & 6-9 Prichard Street, O'Connor.

CARRIED: 12/0

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CONFIDENTIAL MATTERS

Nil.

CLOSURE OF MEETING

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 9.09 PM.
SUMMARY GUIDE TO CITIZEN PARTICIPATION & CONSULTATION

The Council adopted a Community Engagement Policy in December 2010 to give effect to its commitment to involving citizens in its decision-making processes.

The City values community engagement and recognises the benefits that can flow to the quality of decision-making and the level of community satisfaction.

Effective community engagement requires total clarity so that Elected Members, Council officers and citizens fully understand their respective rights and responsibilities as well as the limits of their involvement in relation to any decision to be made by the City.

<table>
<thead>
<tr>
<th>How consultative processes work at the City of Fremantle</th>
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<tr>
<td><strong>The City’s decision makers</strong></td>
</tr>
<tr>
<td>1. The Council, comprised of Elected Members, makes policy, budgetary and key strategic decisions while the CEO, sometimes via on-delegation to other City officers, makes operational decisions.</td>
</tr>
<tr>
<td><strong>Various participation opportunities</strong></td>
</tr>
<tr>
<td>2. The City provides opportunities for participation in the decision-making process by citizens via its council appointed working groups, its community precinct system, and targeted community engagement processes in relation to specific issues or decisions.</td>
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<tr>
<td><strong>Objective processes also used</strong></td>
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<tr>
<td>3. The City also seeks to understand the needs and views of the community via scientific and objective processes such as its biennial community survey.</td>
</tr>
<tr>
<td><strong>All decisions are made by Council or the CEO</strong></td>
</tr>
<tr>
<td>4. These opportunities afforded to citizens to participate in the decision-making process do not include the capacity to make the decision. Decisions are ultimately always made by Council or the CEO (or his/her delegated nominee).</td>
</tr>
<tr>
<td><strong>Precinct focus is primarily local, but also city-wide</strong></td>
</tr>
<tr>
<td>5. The community precinct system establishes units of geographic community of interest, but provides for input in relation to individual geographic areas as well as on city-wide issues.</td>
</tr>
<tr>
<td><strong>All input is of equal value</strong></td>
</tr>
<tr>
<td>6. No source of advice or input is more valuable or given more weight by the decision-makers than any other. The relevance and rationality of the advice counts in influencing the views of decision-makers.</td>
</tr>
<tr>
<td><strong>Decisions will not necessarily reflect the majority view received</strong></td>
</tr>
<tr>
<td>7. Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with any statute that applies or within the parameters of budgetary considerations. All consultations will clearly outline from the outset any constraints or...</td>
</tr>
<tr>
<td>How consultative processes work at the City of Fremantle</td>
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<td>limitations associated with the issue.</td>
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<th>Decisions made for the overall good of Fremantle</th>
<th>8. The Local Government Act requires decision-makers to make decisions in the interests of “the good government of the district”. This means that decision-makers must exercise their judgment about the best interests of Fremantle as a whole as well as about the interests of the immediately affected neighbourhood. This responsibility from time to time puts decision-makers at odds with the expressed views of citizens from the local neighbourhood who may understandably take a narrower view of considerations at hand.</th>
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<th>Diversity of view on most issues</th>
<th>9. The City is wary of claiming to speak for the ‘community’ and wary of those who claim to do so. The City recognises how difficult it is to understand what such a diverse community with such a variety of stakeholders thinks about an issue. The City recognises that, on most significant issues, diverse views exist that need to be respected and taken into account by the decision-makers.</th>
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<th>City officers must be impartial</th>
<th>10. City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.</th>
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| City officers must follow policy and procedures | 11. The City’s community engagement policy identifies nine principles that apply to all community engagement processes, including a commitment to be clear, transparent, responsive, inclusive, accountable and timely. City officers are responsible for ensuring that the policy and any other relevant procedure is fully complied with so that citizens are not deprived of their rights to be heard. |
### How consultative processes work at the City of Fremantle

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<th>Community engagement processes have cut-off dates that will be adhered to.</th>
<th>12. As City officers have the responsibility to provide objective, professional advice to decision-makers, they are entitled to an appropriate period of time and resource base to undertake the analysis required and to prepare reports. As a consequence, community engagement processes need to have defined and rigorously observed cut-off dates, after which date officers will not include ‘late’ input in their analysis. In such circumstances, the existence of ‘late’ input will be made known to decision-makers. In most cases where community input is involved, the Council is the decision-maker and this affords community members the opportunity to make input after the cut-off date via personal representations to individual Elected Members and via presentations to Committee and Council Meetings.</th>
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<td>Citizens need to check for any changes to decision making arrangements made</td>
<td>13. The City will take initial responsibility for making citizens aware of expected time-frames and decision making processes, including dates of Standing Committee and Council Meetings if relevant. However, as these details can change, it is the citizens responsibility to check for any changes by visiting the City’s website, checking the Fremantle News in the Fremantle Gazette or inquiring at the Customer Service Centre by phone, email or in-person.</td>
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<td>Citizens are entitled to know how their input has been assessed</td>
<td>14. In reporting to decision-makers, City officers will in all cases produce a community engagement outcomes report that summarises comment and recommends whether it should be taken on board, with reasons.</td>
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<td>Reasons for decisions must be transparent</td>
<td>15. Decision-makers must provide the reasons for their decisions.</td>
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<td>Decisions posted on the City’s website</td>
<td>16. Decisions of the City need to be transparent and easily accessed. For reasons of cost, citizens making input on an issue will not be individually notified of the outcome, but can access the decision at the City’s website under ‘community engagement’ or at the City Library or Service and Information Centre.</td>
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Section 5.23 of the new Local Government Act 1995, Meetings generally open to the public, states:

1. Subject to subsection (2), the following are to be open to members of the public -
   a) all council meetings; and
   b) all meetings of any committee to which a local government power or duty has been delegated.

2. If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:
   a) a matter affecting an employee or employees;
   b) the personal affairs of any person;
   c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
   d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
   e) a matter that if disclosed, would reveal –
      i) a trade secret;
      ii) information that has a commercial value to a person; or
      iii) information about the business, professional, commercial or financial affairs of a person.
      Where the trade secret or information is held by, or is about, a person other than the local government.
   f) a matter that if disclosed, could be reasonably expected to -
      i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
      ii) endanger the security of the local government’s property; or
      iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.
   g) information which is the subject of a direction given under section 23 (Ia) of the Parliamentary Commissioner Act 1971; and
   h) such other matters as may be prescribed.

3. A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.