



# Additional documents

## Ordinary Meeting of Council

Wednesday 6 December 2023 6pm



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**C2312-1 WATKINS STREET, NO. 18 (LOT 1289), WHITE GUM VALLEY –  
SINGLE STOREY SINGLE HOUSE – (JD DA0249/23)**

**Proposed alternative recommendation by Cr Jenny Archibald**

**APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, the Single Storey Single House at No. 18 (Lot 1289) Watkins Street, White Gum Valley subject to the following conditions:**

- 1. This approval relates only to the development as indicated on the approved plans, dated 9 November 2023. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**
- 2. All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.**
- 3. Prior to lodgement of a Building Permit for the development hereby approved, a detailed landscaping plan in accordance with clause 5.3.2 of the R-Codes, including information relating to species selection of the required tree, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, etc), shall be submitted to and approved by the City of Fremantle.**

**Prior to occupation of the development hereby approved, the approved landscaping shall be completed in accordance with the approved plans and maintained for the life of the development to the satisfaction of the City of Fremantle.**

- 4. Prior to the occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.**
- 5. Prior to the occupation of the development hereby approved, any redundant crossovers shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.**
- 6. Screening shall be erected along the north lot boundary. Screening shall be a minimum height of 1.6 metres above the approved finished ground level finished floor level, and comply with the definition of screening under the Residential Design Codes. All screening shall be at least 75 percent obscure,**



**permanently fixed, made of durable material, and restrict view in the direction of overlooking into any adjoining property. All screening shall be installed and maintained to the satisfaction of the City prior to occupation of the dwelling/use of the addition.**

- 7. The pedestrian access and / or vehicle gate, as indicated on the approved plans, shall swing into the subject site only when open or closed and shall not impede the adjoining road reservation of the subject site.**
- 8. All works indicated on the approved plans, including any footings, shall be wholly located within the cadastral boundaries of the subject site.**
- 9. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.**

**Advice note(s):**

- i. A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.**
- ii. Fire separation for the proposed building works must comply with Part 3.7 of the Building Code of Australia.**
- iii. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.**

**The applicant is advised that the /The new/ modified vehicle crossover shall be separated from any verge infrastructure by:**

- a minimum of 2.0 metres in the case of verge trees**
- a minimum of 1.2 metres (in the case of bus shelters, traffic management devices, parking embayment's or street furniture), and**
- a minimum of 1.0 metre in the case of power poles, road name and directional signs.**



- iv. **Any works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, requires a separate approval from the City of Fremantle's Infrastructure Business Services department who can be contacted via [info@fremantle.wa.gov.au](mailto:info@fremantle.wa.gov.au) or 9432 9999.**
- v. **The applicant is advised that the existing verge tree is to be protected during the construction process with a minimum 2.8 x 2.8m fencing enclosure.**
- vi. **Any removal of asbestos is to comply with the following –**

**Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. Over 10 square metres must be removed by a Class B asbestos removal licence holder for. All asbestos removal is to be carried out in accordance with the Work Health and Safety Act 2020 and accompanying regulations and the requirements of the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)];**

**Note: Removal of any amount of friable asbestos must be done by a Class A asbestos removal licence holder and an application submitted to WorkSafe, Department of Commerce.  
<https://www.commerce.wa.gov.au/worksafe/>.**

- vii. **If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.**

**Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.**

- viii. **Effective measures shall be taken to stabilize sand and ensure no sand escapes from the property by wind or water in accordance with the City's Prevention and Abatement of Sand Drift Local Law.**



- ix. The applicant is advised that where contamination is detected, the site is required to be reported to the Department of Water and Environmental Regulation and remediated in accordance with the requirements of that Department. For further information, please see the Department fact sheet on Identifying and Reporting Contaminated sites available online at [https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact sheets tech advice/Fact sheet 1.pdf](https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Fact%20sheets%20tech%20advice/Fact%20sheet%201.pdf).**

**Reason for Alternative Recommendation:**

The proposed Single house is considered to not be detrimental to the existing streetscape and is an appropriate response to the site.



**C2312-3 CADD STREET, NO. 2 (LOT 511), BEACONSFIELD - ANCILLARY DWELLING ADDITION TO EXISTING SINGLE HOUSE – (JD DA0234/23)**

**Proposed Alternative Recommendation by Cr Andrew Sullivan**

**Council refer the application to the administration with the advice that the Council is not prepared to grant planning approval to the application for the ancillary dwelling addition to existing Single house at No. 2 Cadd Street, Beaconsfield based on the current submitted plans and invite the applicant, prior to the next appropriate Ordinary Council meeting to consider submitting an amended proposal to address overshadowing by considering changes that could include, but are not limited to, reducing the overall roof height and southern wall height.**

**Reason for Alternative Recommendation:**

To be provided at the Ordinary Council Meeting.



**C2312-4 MARINE TERRACE, NO. 96 (LOT 123), FREMANTLE –  
ALTERATIONS TO EXISTING HERITAGE BUILDING AND A  
TWO STOREY SINGLE HOUSE – (ED DA0107/23)**

**Proposed Alternative Recommendation by Cr Andrew Sullivan**

**Council:**

**APPROVE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4, Alterations to Existing Heritage Building and Two-storey Single House at No. 96 (Lot 123) Marine Terrace, Fremantle, subject to the following condition(s):**

- 1. This approval relates only to the development as indicated on the approved plans, dated 14 November 2023. It does not relate to any other development on this lot and must substantially commence within four years from the date of this decision letter.**
- 2. All storm water discharge shall be contained and disposed of on site or otherwise approved by the City of Fremantle.**
- 3. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development.**
- 4. Prior to the lodgement of a Building Permit for the development hereby approved, detailed drawings showing how the upper floor terrace / balconies located on the northern and southern elevation and the master bedroom and bedroom windows on the northern and eastern elevations are to be screened in accordance with the Residential Design Codes by either:**
  - a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or**
  - b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or**
  - c) a minimum sill height of 1.60 metres above the internal floor level,**

**Prior to occupation of the development hereby approved, the approved screening method shall be installed and maintained to the satisfaction of the City of Fremantle.**





- 5. Prior to occupation of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved site plan, including the provision of disabled car parking, shall be constructed, drained, and line marked and provided in accordance with Clause 4.7.1(a) of the City of Fremantle Local Planning Scheme No.4, to the satisfaction of the City of Fremantle.**
- 6. Prior to the occupation of the development, vehicle crossovers shall be constructed in either paving block, concrete, or bitumen and thereafter maintained to the satisfaction of the City of Fremantle.**
- 7. Prior to the occupation of the development any redundant crossovers and kerbs shall be removed and the verge reinstated at the expense of the applicant and to the satisfaction of the City of Fremantle.**
- 8. Prior to occupation of the development hereby approved, the boundary walls located on the south boundaries shall be of a clean finish in any of the following materials:**
  - coloured sand render,**
  - face brick,**
  - painted surface,****and be thereafter maintained to the satisfaction of the City of Fremantle.**
- 9. Prior to the lodgement of a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle**
- 10. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.**



**Advice Note(s):**

- i. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.**
- ii. This approval relates to the subject site and does not authorise the removal or modification of infrastructure within the verge or park area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge and park areas from the relevant City of Fremantle department or relevant service authority, before construction commences. Please refer to the City's Tree Planting and Vehicle Crossings Policies (SG28 and MD0015) for further information.**
- iii. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.**
- iv. Levels as per existing footpath and/or ROW**
  - Levels at the property boundary including any driveways and pedestrian access points shall match existing footpath and/or right of way levels;**
  - Any adjustment in levels is to be achieved within the property boundaries;**
  - Details of all existing and proposed levels to be shown in the submitted working drawings for a building permit, to show that existing footpath levels are maintained.**

**Minimum floor level to be road reduced level plus kerb height (150 mm) plus 2% slope towards to the property boundary. All levels are to be in AHD.**

**The floor level of any new structure capable of being occupied is to be a minimum of above 150 mm plus 2% slope towards to the property boundary. Basement car parks and similar areas may be permitted below this level if the structure and any access to the structure is tanked to a level of above. Please contact the Infrastructure Business Services department via [info@fremantle.wa.gov.au](mailto:info@fremantle.wa.gov.au) or 9432 9999.**



- v. The owner is advised that an obstruction permit may be required from the City for any future obstruction of the Parry Street road reserve. An application for obstruction permit can be found via [www.fremantle.wa.gov.au](http://www.fremantle.wa.gov.au).**
- vi. All mechanical service systems including air-conditioners and pool filters etc are to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the *Environmental Protection (Noise) Regulations 1997* (as amended).**
- vii. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.  
Note: Construction work includes, but is not limited to, Hammering, Bricklaying, Roofing, use of Power Tools and radios etc.**
- viii. The applicant is advised that the proposed works indicated outside of the lot boundaries of the subject site do not form part of this approval. Should the applicant wish to undertake these works separate approval is required from the City. Queries relating to these works should be directed to the City's Technical Officer, Parks and Landscape via [info@fremantle.wa.gov.au](mailto:info@fremantle.wa.gov.au) or 9432 9999.**

**Reason for Alternative Recommendation:**

This development could realistically be pushed forward to a zero lot line and be three storeys high at the street to meet the intent of the policy and cause much less overshadowing. Such an outcome may not be problematic with heritage considerations especially given it is the redevelopment that is driving a great restoration of the old house and the area already includes a wide mix of new and old scales and streetscapes. The planning for the area envisages intense redevelopment and if that is to be supported there will be an impact on at least some of the site to the south. The lots facing Marine Terrace to the south will more than likely be subject to some form of redevelopment in time which will enhance the delivery of the streetscape envisaged in the policy.



**C2312-6 2023 UPDATE OF HERITAGE LIST AND LOCAL HERITAGE SURVEY**

**Proposed Amendment by Cr Andrew Sullivan**

To amend point 5 of the Officer's Recommendation as follows:

- 5. In the event of landowners making no objection to modifications recommended to the Local Heritage Survey and Heritage List, that these changes be adopted, documented and communicated to the Heritage Council of Western Australia, and the City's records updated accordingly, *except for, House, 7 Douglas Street, Fremantle, which Council will reconsider at a future meeting, due to its potential contribution to streetscape value.***
  
- 6. Where objection is received, the recommendation *will* be referred back to Council.**

**Reason for Amendment:**

7 Douglas Street, Fremantle, is excluded for further consideration based on its contribution to streetscape value.



**C2312-7     STRUCTURE PLAN – 11-15 GROSVENOR STREET,  
BEACONSFIELD (FORMER CHALLENGER TAFE)**

**ADDITIONAL OFFICER COMMENT**

**Traffic Impact**

When TAFE was operating, there was significant car-based access to the site from staff and students. The road network was deemed acceptable. Under the broad redevelopment plans for Heart of Beaconsfield it has never been proposed to increase road network capacity.

The over-riding philosophy has been to develop a sustainable, walkable inner city suburb that has a commitment to mode-shift away from private motor vehicle usage (also noting the high levels of public transport services available.) That said, yes, there is likely to be an overall net increase in demand for car use if Beaconsfield is 'built-out' to maximum allowable density. The question is whether to cater for this and set a transport vision for maintaining existing service levels for cars (which may require road widenings and prioritisation for car movements), or accept that the existing road network has inherent capacity limitations and to use this to advantage and calm neighbourhoods and encourage mode-shift, spread of peak use, change to travel patterns, etc.



## **C2312-10 SAFE SWIMMING AREAS INVESTIGATION**

### **ADDITIONAL OFFICER COMMENT**

#### **HARVEY BEACH**

Harvey Beach was assessed in the Site Suitability Assessment stage of the investigation. The report notes:

*"Harvey Beach scored relatively poorly overall due to not meeting requirements for depth and space, existing access and amenities. Our analysis identified space as a key constraint due to the restricted length of the site and the presence of existing infrastructure. The site is relatively deep at approximately 4 m, which may present challenges for non-swimmers, particularly children, as well as challenges associated with the installation of a suitable barrier. There is limited parking nearby, which may cause local traffic congestion, particularly as the number of users grow. Harvey Beach scored positive results in four of the criteria, and negative results in two of the criteria for a total score of 42%. This score placed Harvey Beach 6th overall and 5th of the CoF sites."*

Due to the assessment noting issues with Depth and Space requirements (Physical Criteria) and Access and Amenities (Social Criteria), Harvey Beach did not form part of the detailed assessment stage of the investigation. It is worth noting Harvey Beach was the highest City of Fremantle site located on the Swan River, while the highest rated site on the Swan River in the investigation was John Tonkin Reserve in the Town of East Fremantle.

Should Council wish to further investigate Harvey Beach as a potential location for a Shark Barrier, officers recommend undertaking a Detailed Site Investigation as per Bathers Beach, Leighton Beach and South Beach. Should this assessment deem Harvey Beach as suitable, it would then be included in the engagement process and project funding sources.

#### **SEASONAL DEPLOYMENT – BATHERS BEACH**

For Bather's Beach, two scenarios were run for the Multi Criteria Analysis. One scenario has the shark barrier staying in year-round, which is based on the advice provided by the manufacturers who are of the opinion that seaweed build-up will be manageable through winter with appropriate maintenance. The second scenario has seasonal removal of the shark barrier based on coastal engineer advice which *"noted a high level of wrack build-up and highlighted the need to remove barriers from this site during winter, it may be that with increased winter maintenance a barrier would be able to stand the oceanic conditions of the area given its sheltered orientation."* Leighton Beach and South Beach require the net to be removed seasonally due to the seaweed wrack build-up and adverse met-ocean conditions in winter.



**C2312-10 SAFE SWIMMING AREAS INVESTIGATION**

**Proposed Amendment by Cr Doug Thompson**

To include an additional part 5 to the Officers Recommendation, as follows:

- 5. Request officers undertake a detailed site assessment for a Shark Barrier at Harvey Beach, North Fremantle, and should it be deemed suitable, include in the engagement and funding considerations as per Part 3 and Part 4 of this recommendation.***

**Reason for Amendment:**

Whilst acknowledging this is not one of the higher ranked locations in the consultant's report, it should be recognised that Harvey Beach is a popular spot for local swimming and that officers may continue to monitor the market and look at possible options where there may be an opportunity for an alternative solution (and funding) in the future.