



Additional information

Planning Committee

Wednesday, 12 January 2022, 6.00pm

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**PC2201-1 EDMUND STREET, NO. 151 (LOT 2) BEACONSFIELD - ADDITIONS
(TWO STOREY) TO EXISTING SINGLE HOUSE (TG DA0310/21)**

Additional Information 1 – Site Photos



Photo 1: Subject site as viewed from Edmund Street



Photo 2: Adjoining property at 153 Edmund Street



Photo 3: Adjoining property at 149 Edmund Street.

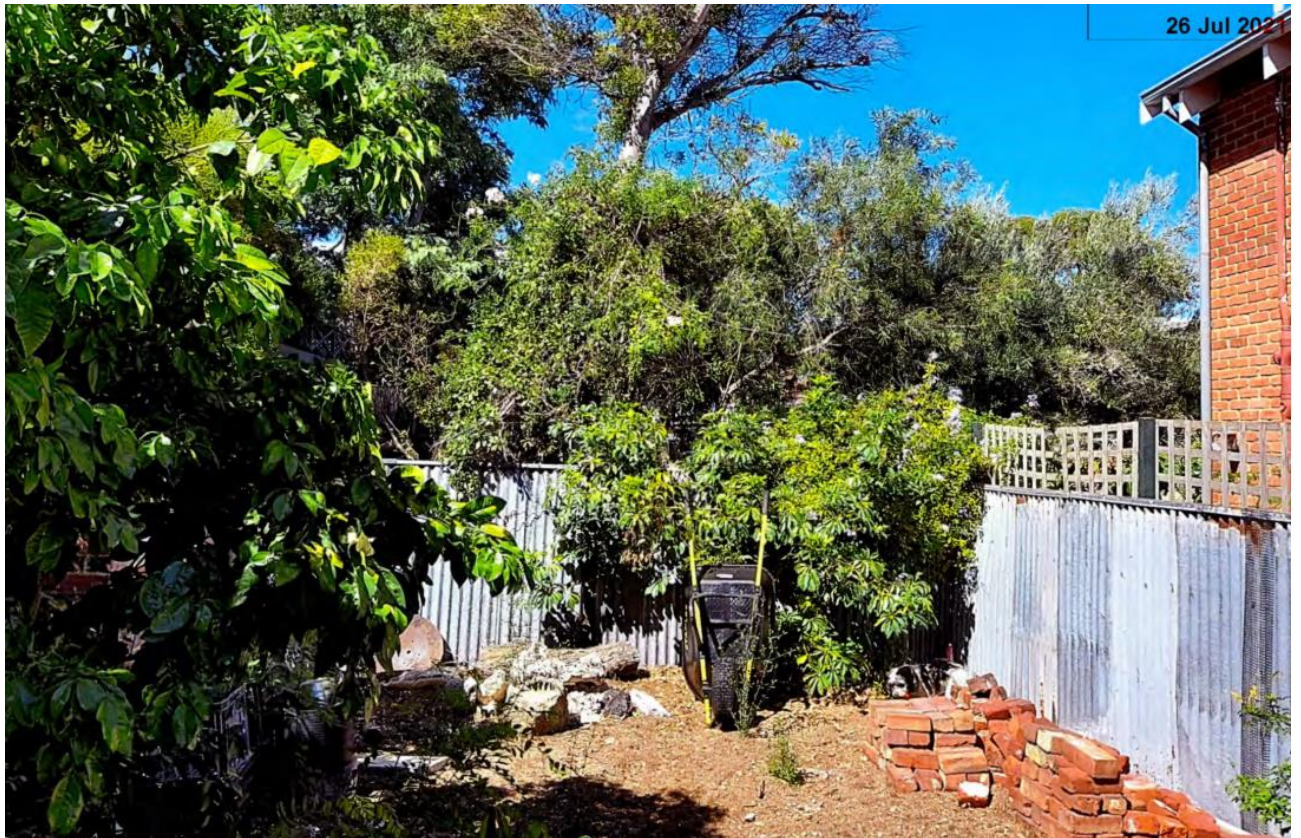


Photo 4: View towards rear south west corner of site



Photo 5: view toward rear (western) boundary



Photo 6: View towards north west boundary



Photo 7: View towards northern boundary



Photo 8: adjoining development on site to north

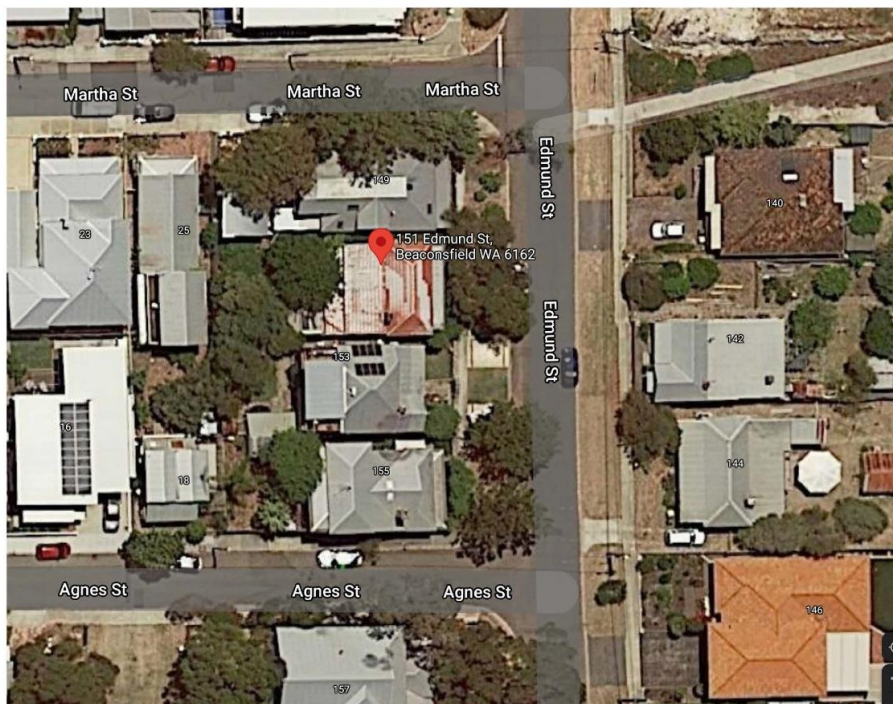


Photo 9: neighbouring property to the south & balcony

Additional Information 2 – Heritage assessment

Heritage Impact Assessment REV 2 - Internal

Address: 151 Edmund Street
Application number: DA0310/21
Proposal: Two storey additions and alterations
Requesting officer: Tom Geddes
Date: 13/12/2021



151 Edmund Street, Aerial photograph, Google Maps, 17/08/2021

INTRODUCTION

The purpose of this heritage comment is to assess the changes to the place that are proposed in DA0310/21 and the affect that they will have upon the heritage values of 151 Edmund Street. The proposed changes include:

- Two storey additions and alterations – revised plans 6/10/21

HERITAGE LISTINGS

State Register of Heritage Places

The place is not included in the State Register of Heritage Places – a referral to DPLH Heritage is not required.

Inherit

Inherit Database number – 20610

Local Heritage Survey – Management Category

The place is included in the LHS as a Level 3 place.

Heritage List and LHS

The place is included on the City of Fremantle's Heritage List.

Heritage Area

The place is included in the South Fremantle Heritage Area.

The South Fremantle Heritage Area is designated as a Heritage Area in accordance with clauses 7.2.1 and 7.2.9 of Local Planning Scheme No. 4.

RELEVANT PREVIOUS DEALINGS

Recent meetings or discussions:

- First heritage assessment for this proposal (17/8/21) did not support original proposal because the two storey additions were set too close to the roof of the main section of the original house and diminished the heritage significance of the place and its contribution to the South Fremantle Heritage Area.
- Revised plans received 21/9/21 and the heritage assessment was revised in support of the proposal because the addition was set 4m behind the ridgeline in accordance with Streetscape Policy LPP 3.7.
- Following consultation with neighbours the scheme was revised back to its original form and the addition was located too close to the ridge of the main roof of the house.

Previous relevant DAs:

- N/A

Previous relevant legal dealings:

- N/A

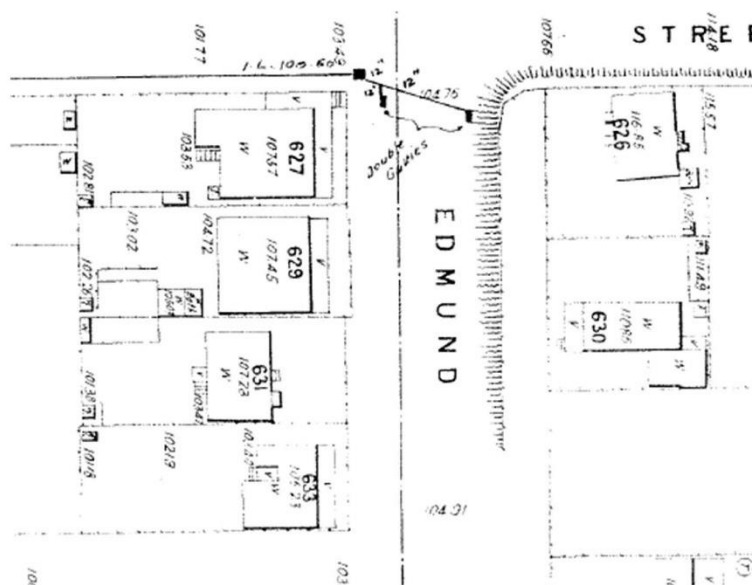
BACKGROUND

Historical Information

The following information was taken from the heritage listing for the place on the Inherit website:

Edmund Street was named for Sir Edmund R Fremantle, a nephew of Sir Charles Fremantle the founder of the city. Edmund served with Sir Charles as Flag Lieutenant from 1858 – 1861. He died in 1929 at the age of 93. Edmund Street was gazetted on the 25 May 1922 and was previously known as Marmion Road.

A residence is recorded on lot pt 5 of 2 of 38 of 7 in 1940. Physical inspection indicates that the house was built prior to this date.

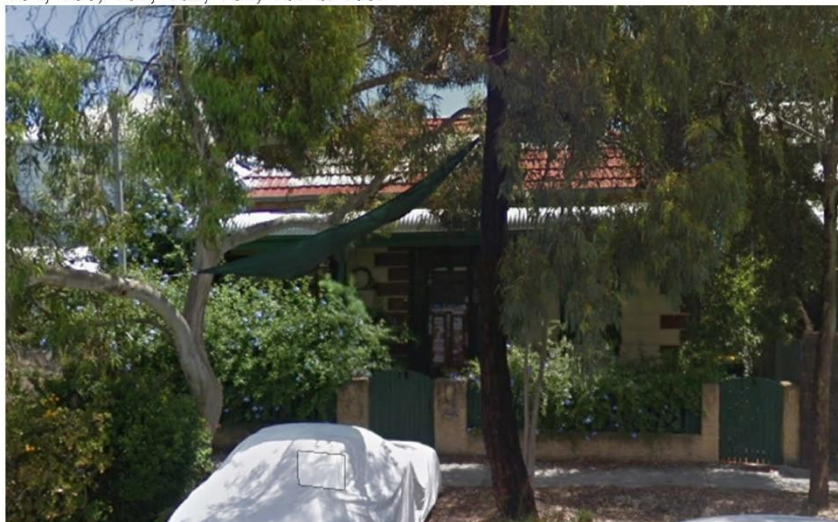


The 1908 Metropolitan Sewerage Diagrams show the existing house on the lot confirming that the place was constructed prior to this date.

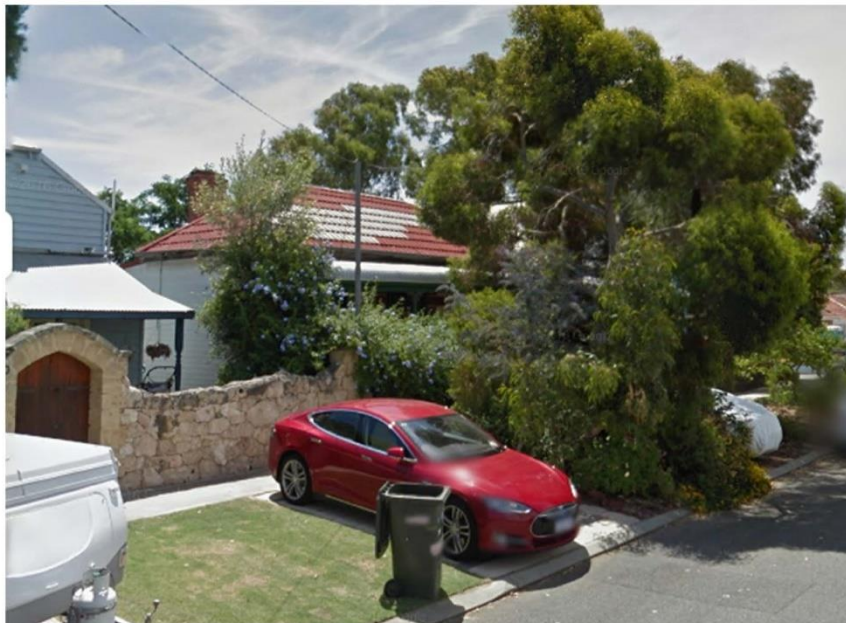
Physical Description

The following information was taken from the heritage listing for the place on the Inherit website:

Single storey timber framed and weatherboard clad walls with ashlar effect and tile (tile probably not original) hipped roof. The bull nosed verandah is supported by chamfered timber posts with timber brackets. The following places form a significant group and contribute to the streetscape of Edmund Street; 112, 117, 119, 125, 127, 128, 129, 130, 132, 133, 134, 135, 137, 139, 141, 149, 154, 155, 161, 162, 164, 167 & 169.



151 Edmund Street, Street view, Googlemaps, 17/08/2021



151 Edmund Street, Street view, Googlemaps, 29/08/2021

IMPACT ASSESSMENT

Statement of Significance

Aesthetically significant as an example of Fremantle's vernacular architecture.	Medium impact
Typical timber framed single storey cottage dating from the first decades of the twentieth century.	Medium impact
Historically significant as a representation of working people's living conditions in the Fremantle area.	No discernible impact

Impact on Significance

Aesthetic value	Medium impact	Condition	No discernible impact
Historic value	No discernible impact	Integrity	Medium impact
Scientific value	No discernible impact	Authenticity	Medium impact
Social value	No discernible impact	Historical evolution	Medium impact
Rarity	No discernible impact	Streetscape	Medium impact
Representativeness	Medium impact		

Heritage Impact Comments

The proposed two storey additions and alterations will have a significant impact on the Level 3 place, the streetscape and Heritage Area.

The proposed two storey addition is constructed over the original part of the building and will have an impact on the place itself and the streetscape. This is not in accordance with current Local Planning Policies.

The chimney, whilst being retained, is impacted upon by the proximity of the addition.

The ashlar timber façade cladding is to be retained. If the existing weatherboard cladding to the side walls is to be replaced it is to match the existing fabric and profile. New cladding to the additions should be subtly different to the existing side walls to allow the extent of new additions to be visible.

RECOMMENDATIONS:

Generally, this proposal is NOT supported on heritage grounds

The proposal could be supported with the following changes:

1. The two storey addition is set back 4m from the ridgeline of the original hipped section of the building.
2. The addition should be designed in a manner that there is a readable differentiation between the early building and the new extension.

PC2201-2 EDMUND STREET, NO. 94 (LOT 101) TWO, TWO STOREY GROUPED DWELLINGS (TG 0357/21 & DA0358/21)

Additional Information 1 – Site Photos



Photo 1: Subject site as viewed from Edmund Street



Photo 2: Subject site and portion of adjoining place of worship site



Photo 3: Subject site as viewed from Edmund Street

**PC2201-3 STIRLING HIGHWAY, NO. 72 (LOT 3), NORTH FREMANTLE –
VARIATION TO PREVIOUS APPROVAL DA0459/16 (THREE-STOREY
MIXED USE DEVELOPMENT (2X OFFICE AND 4 X MULTIPLE
DWELLING)) - (ED VA0035/21)**

Additional Information 1 – Site Photos

View of the front of the existing dwelling, view east from Stirling Highway



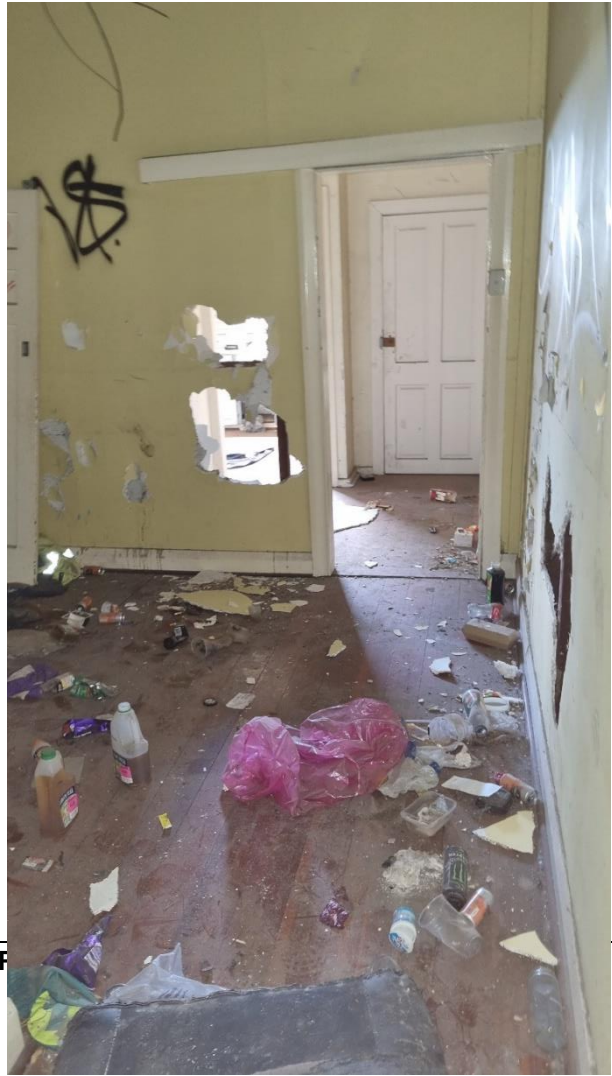
View of the rear of the existing dwelling, view west from rear of site

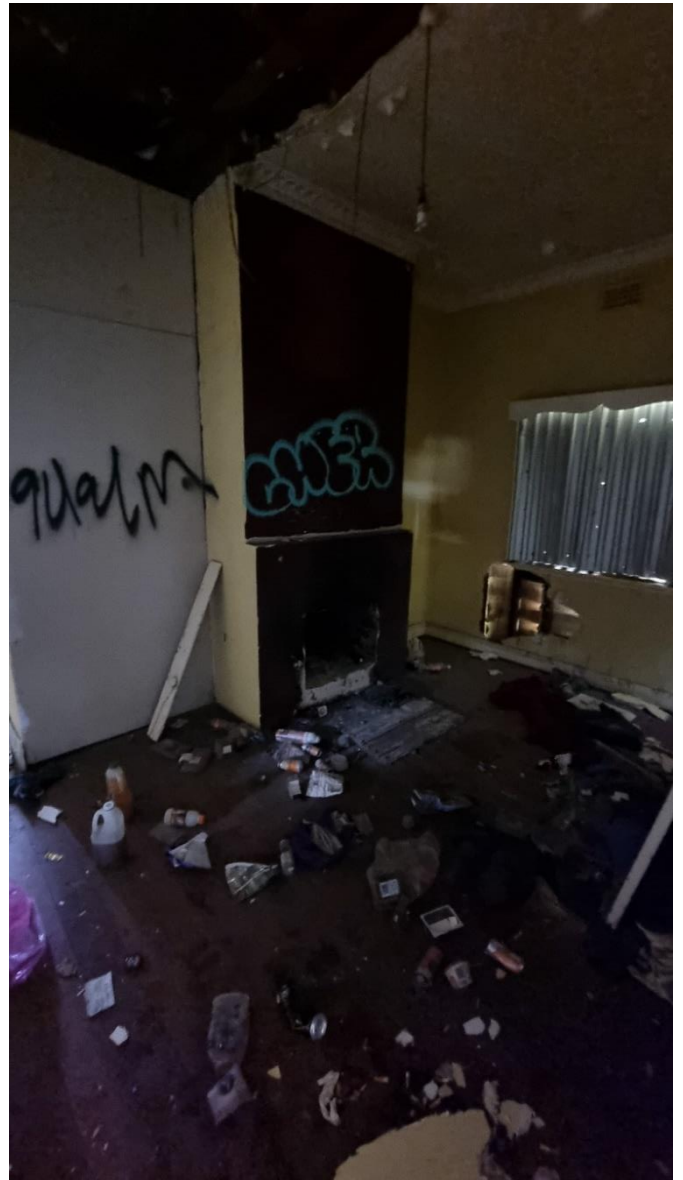


Photographs of underneath the existing dwelling:



Photographs of the interior of the existing dwelling:







Additional Information 2 - Original Development Application (DA0459/16) Decision Notice and Stamped Plans – Granted 12 December 2016

Application no: DA0459/16
Enquiries: Chloe Johnston
Telephone: 9432 9999
Email: planning@fremantle.wa.gov.au



ABN: 74 680 272 485
Town Hall Centre, 8 William Street
Fremantle WA 6160
PO Box 807, Fremantle WA 6959
T 08 9432 9999 F 08 9430 4634
TTY 08 9432 9777
E info@fremantle.wa.gov.au
www.fremantle.wa.gov.au

12 December 2016

D J Hartree

Dear Sir / Madam

Address: 72 Stirling Highway NORTH FREMANTLE WA 6159
Lot and plan: Lot 3 Plan 1926
Application: Three storey mixed use (2 x Office and 4 x Multiple Dwelling) development

The City of Fremantle, in accordance with the requirements of the City of Fremantle Local Planning Scheme No. 4 and the Metropolitan Region Scheme, has decided to **grant town planning approval to commence development** in accordance with the plans and elevations dated **21 October 2016** for the Three storey mixed use (2 x Office and 4 x Multiple Dwelling) development subject to the conditions and advisory notes on the attached Notice of Determination.

Note that it is an offence to undertake work contrary to the approved plans and conditions of approval. Any proposed changes to the planning approval may require a new planning application or you may be able to seek a variation to the planning approval. A building permit must be consistent with the planning approval. For any queries relating to the planning approval, please contact the City's Customer Service Centre on 9432 9999 to arrange an appointment with the duty planner.

If required you may now proceed with the preparation of plans for a building permit application if you have not already done so. Please note that it is an offence to commence any construction prior to the issue of a building permit and any such activity may prompt the City to consider further action. For enquires relating to the building permit application process please refer the City's website at www.fremantle.wa.gov.au/buildingservices. Specific advice on building permit matters can be obtained by sending an email to building@fremantle.wa.gov.au.

Pursuant to Clause 10.10 of the City of Fremantle Local Planning Scheme No. 4, if the applicant and/or owner is aggrieved by the decision of the Council, as a result of a condition of approval or by a determination of refusal, there may be a right to apply for a review of the decision.

FILE COPY

we are
carbonneutral

This application must be made in accordance with the provisions of Part 14 of the *Planning and Development Act 2005* and be lodged with the State Administrative Tribunal within twenty eight (28) days of the receipt of the decision letter.

The contact details of the State Administrative Tribunal are as follows:

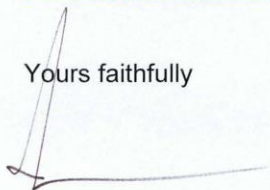
State Administrative Tribunal
565 Hay Street
PERTH WA 6000

Telephone: (08) 9219 3111
Tollfree: 1300 306 017
Website: www.sat.justice.wa.gov.au

A copy of the application for review of the decision must be served on the local authority, which is the City of Fremantle.

Please quote application number DA0459/16 in any future correspondence relating to this application. If you require any further information in relation to this determination, please contact the assessing officer by telephone or by e-mail at planning@fremantle.wa.gov.au.

Yours faithfully



Justin Lawrence
Acting Manager Development Approvals

Enc: LPS4 Schedule 9 Notice of Determination



CITY OF FREMANTLE

NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL LOCAL PLANNING SCHEME 4

Location: 72 Stirling Highway NORTH FREMANTLE WA 6159
Lot: Diagram/ Plan: Lot 3 Plan 1926
Vol. No.: 1751 Folio No.: 42
Application date: 12 September 2016 **Received on:** 12 September 2016 ..
Description of proposed development: Three storey mixed use (2 x Office and
4 x Multiple Dwelling) development

The application for planning approval is:

☒ Granted subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans, dated 21 October 2016. 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 Chief Executive Officer, City of Fremantle.
3. No earthworks shall encroach onto the Stirling Highway road reserve.
4. No development other than landscaping will be permitted on the land shown as required for the future road widening of Stirling Highway.
5. Prior to the issue of a Building Permit, the development shall be required to incorporate noise mitigation 'Quiet House Design Principles Deemed to Comply' package as set out in the State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in land use planning', to the satisfaction of the Chief Executive Officer, City of Fremantle.
6. An archival record will be prepared and submitted to the City of Fremantle for approval before the commencement of any works to the satisfaction of the Chief Executive Officer. The archival record should consist of the following:
 - Measured DrawingsThe measured drawings should be sketch standard. All drawings should be approximately to scale, with key dimensions shown.
 - Site plan (1:500 or 1:200)

- Floor plan/s (1:100 or 1:50)

All documents are to be of A4 size or folded into A4 size.

- Photographs

Digital photographs are to be taken of the building. Photographs are to be in colour, of a high quality, and are to show the current state of the place. Each image should be clearly labelled, with a description of what is depicted in the photograph and the date it was taken. The photographs are to include:

- i) a general / overall photograph of the building, showing its setting including the streetscape
- ii) photographs of the four external facades, all rooms and any special details or architectural features
- iii) the plans are to show the position, direction and number of each photograph

7. Prior to the issue of a Building Permit, the design and materials of the development shall adhere to the requirements set out within City of Fremantle policy L.P.P2.3 - Fremantle Port Buffer Area Development Guidelines for properties contained within Area 2. Specifically, the development shall provide the following:
 - a) Glazing to windows and other openings shall be laminated safety glass of minimum thickness of 6mm or "double glazed" utilising laminated or toughened safety glass of a minimum thickness of 3mm.
 - b) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - c) Roof insulation in accordance with the requirements of the Building Codes of Australia.
8. Prior to the issue of a building permit, all fencing within the Primary Street setback area shall be visually permeable above 1 metre above natural ground level to the satisfaction of the Chief Executive Officer, City of Fremantle.
9. Prior to occupation of the development approved as part of DA0459/16, on plans dated 21 October 2016, a Notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that the subject site is located in close proximity to the Fremantle Port and may be subject to noise, odour and activity not normally associated with residential use. The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.

10. Prior to occupation of the development approved as part of DA0459/16 on plans dated 21 October 2016, a Notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that the subject site is located in close proximity to a passenger rail line and is currently affected by, or may in the future be affected by transport noise. The notification is to be prepared by the City's solicitors at the expense of the owner and be executed by all parties prior to occupation.
11. Prior to the occupation of the development approved as part of DA0459/16, on plans dated 21 October 2016, vehicle crossovers shall be constructed in either paving block, concrete, or bitumen and thereafter maintained to the satisfaction of the Chief Executive Officer, City of Fremantle.
12. Prior to the occupation of the development approved as part of DA0459/16, on plans dated 21 October 2016, any redundant crossovers and kerbs shall be removed and the verge reinstated at the expense of the applicant and to the satisfaction of the Chief Executive Officer, City of Fremantle.
13. Prior to occupation of the development approved as part of DA0459/16, on plans dated 21 October 2016, one (1) Class 1 or 2 bicycle rack shall be provided to the satisfaction of the Chief Executive Officer, City of Fremantle.
14. Prior to issue of a building permit for the development approved as part of DA0459/16, on plans dated 21 October 2016, one (1) additional end of trip facility shall be provided for the Office land use, to the satisfaction of the Chief Executive Officer, City of Fremantle.
15. Prior to issue of a building permit for the development, the bin store shall be truncated or reduced to 0.75m height within 1.5m of vehicle access points and street corners in order to provide adequate sight lines or otherwise comply with Clause 5.2.5 C5 of the Residential Design Codes to the satisfaction of the Chief Executive Officer, City of Fremantle.
16. Prior to occupation of the development, no more than 50% of the primary street (Stirling Highway) setback area is to be occupied by hard surfaces to the satisfaction of the Chief Executive Officer, City of Fremantle.
17. 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 notes:

- i. Construction related activities are to meet the requirements of Local Planning Policy 1.10 Construction Sites unless otherwise approved by the City of Fremantle. Local Planning Policy 1.10 Construction Sites can be found on the City's web site via <http://www.fremantle.wa.gov.au/development/policies>

- ii. The applicant is advised that the City is likely to allocate street addresses of Units 1-6/72 Stirling Highway, North Fremantle WA 6159 to the development, in accordance with Australian Standard AS/NZS4819-2011: Rural and urban addressing. Please note that these addresses are based on the approved plans showing the main visitor entry at the south-western corner of the site, immediately adjacent to the Stirling Highway footpath.

The City strongly encourages deep planting zones that should be uncovered, contain a retained or planted tree to Council's specification, have a minimum dimension of 3.0m and at least 50% is to be provided on the rear 50% of the site.

- iii. Main Roads WA has indicated their support for the development, subject to no works other than landscaping occurring within the proposed road widening portion of the site. While the fence may be considered landscaping, the applicant is advised to confirm with Main Roads WA that a fence in the location as proposed by the plans dated 21 October 2016 is acceptable and/or be prepared to remove or alter the fence. Planning approval may be required for any alteration or removal of the fence.

- iv. The approval of the new / revised vehicle access has been granted based on the plans as submitted by the applicant to the City of Fremantle showing existing infrastructure and trees within the road verge and road. Should it transpire that this existing infrastructure was not accurately depicted on the plan it is the responsibility of the applicant to either:

- submit amended plans to the City of Fremantle for consideration, or
- submit a request to the City for removal or modification of the infrastructure.

This request will be considered independently of any Planning Approval granted, and this Planning Approval should not be taken as approval for removal or modification of any infrastructure within the road reserve.

- v. This approval relates to the subject site and does not authorise the removal or modification of verge infrastructure and / or verge trees within the verge area. Written approval is to be obtained for removal or modification of verge infrastructure and/or verge trees within the verge area 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.

- vi. In the event that such an approval is not forthcoming from the relevant City of Fremantle directorate or relevant service authority prior to the commencement of this development, this planning approval will be incapable of implementation.
- vii. Any removal of asbestos is to comply with the following:

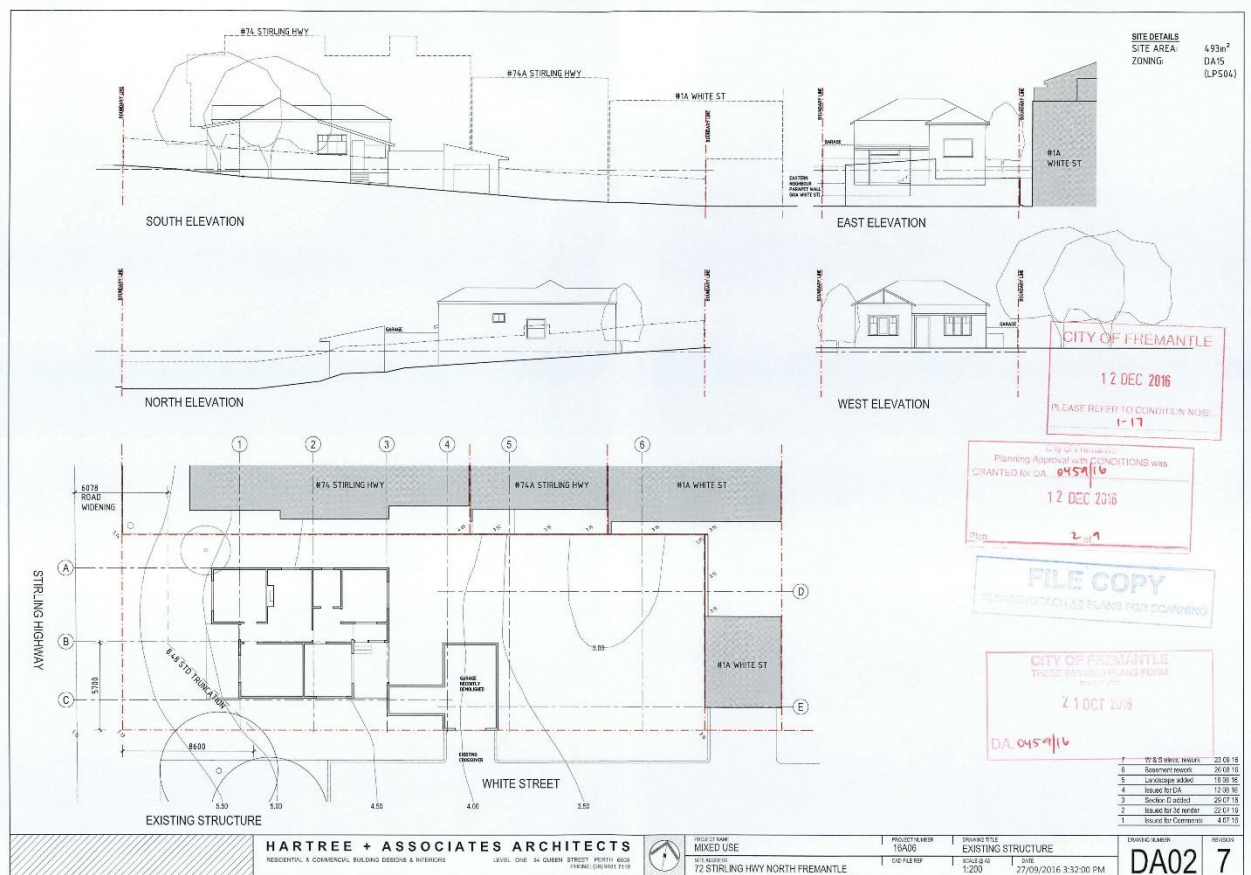
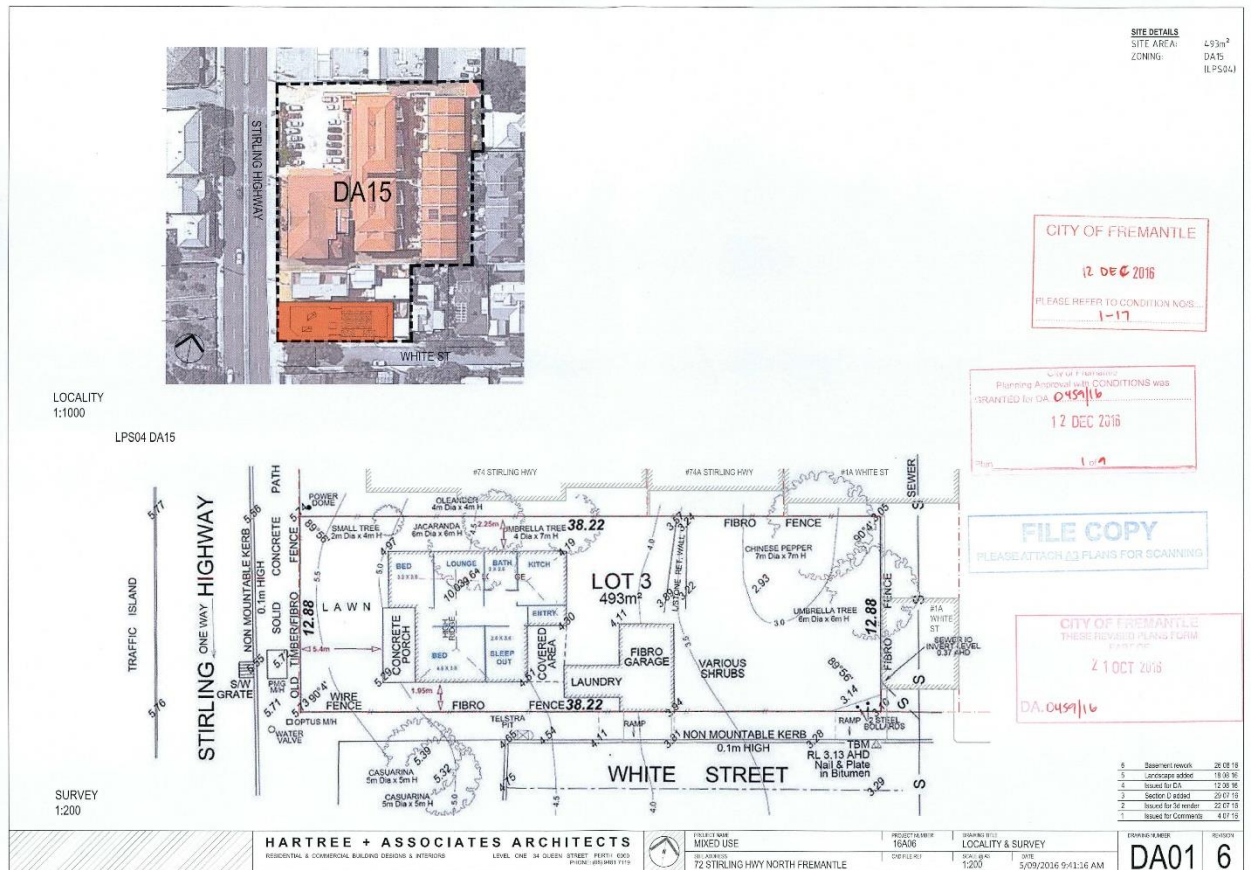
Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a licence and in accordance with the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2001*. Over 10 square metres must be removed by a licensed person or business for asbestos removal. All asbestos removal is to be carried out in accordance with the *Occupational Safety and Health Act 1984* and accompanying regulations and the requirements of the *Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)]*.

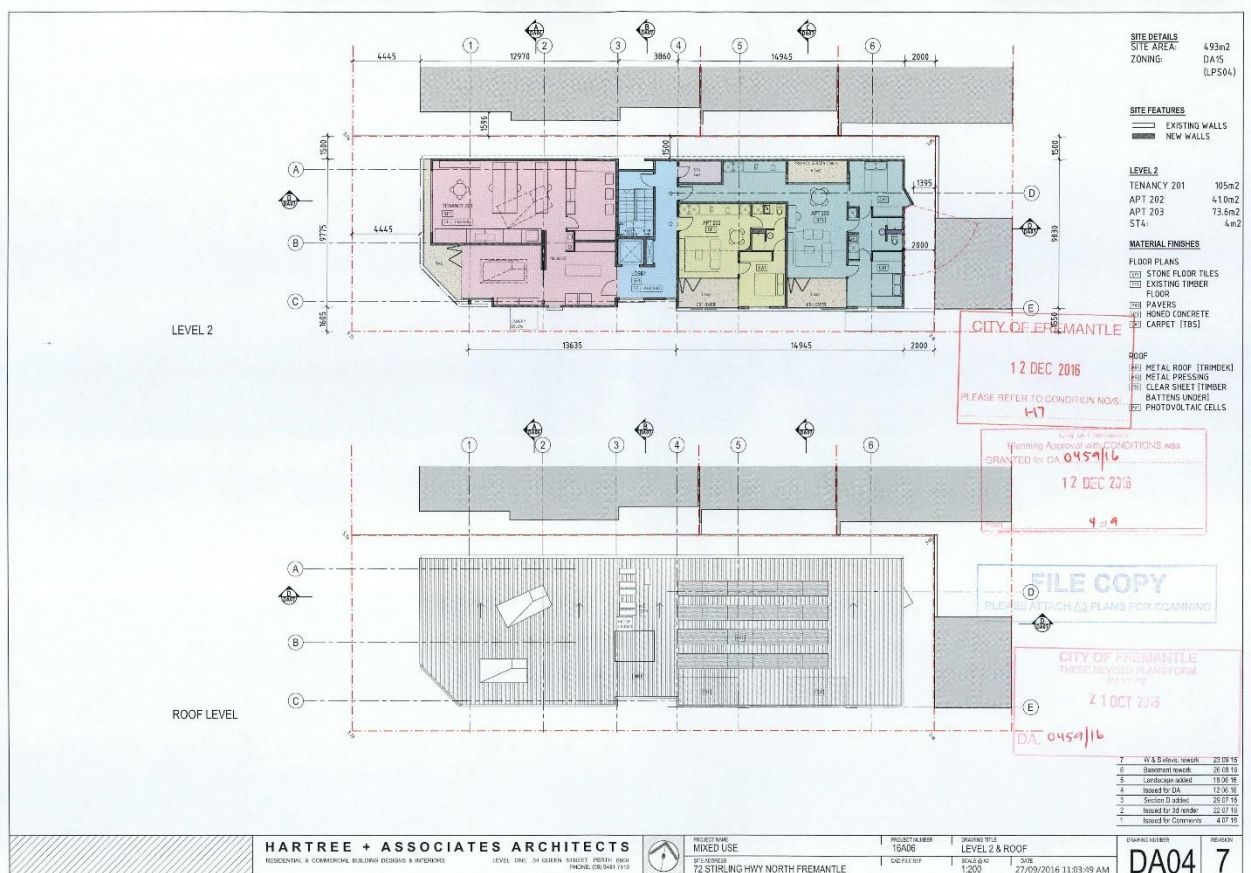
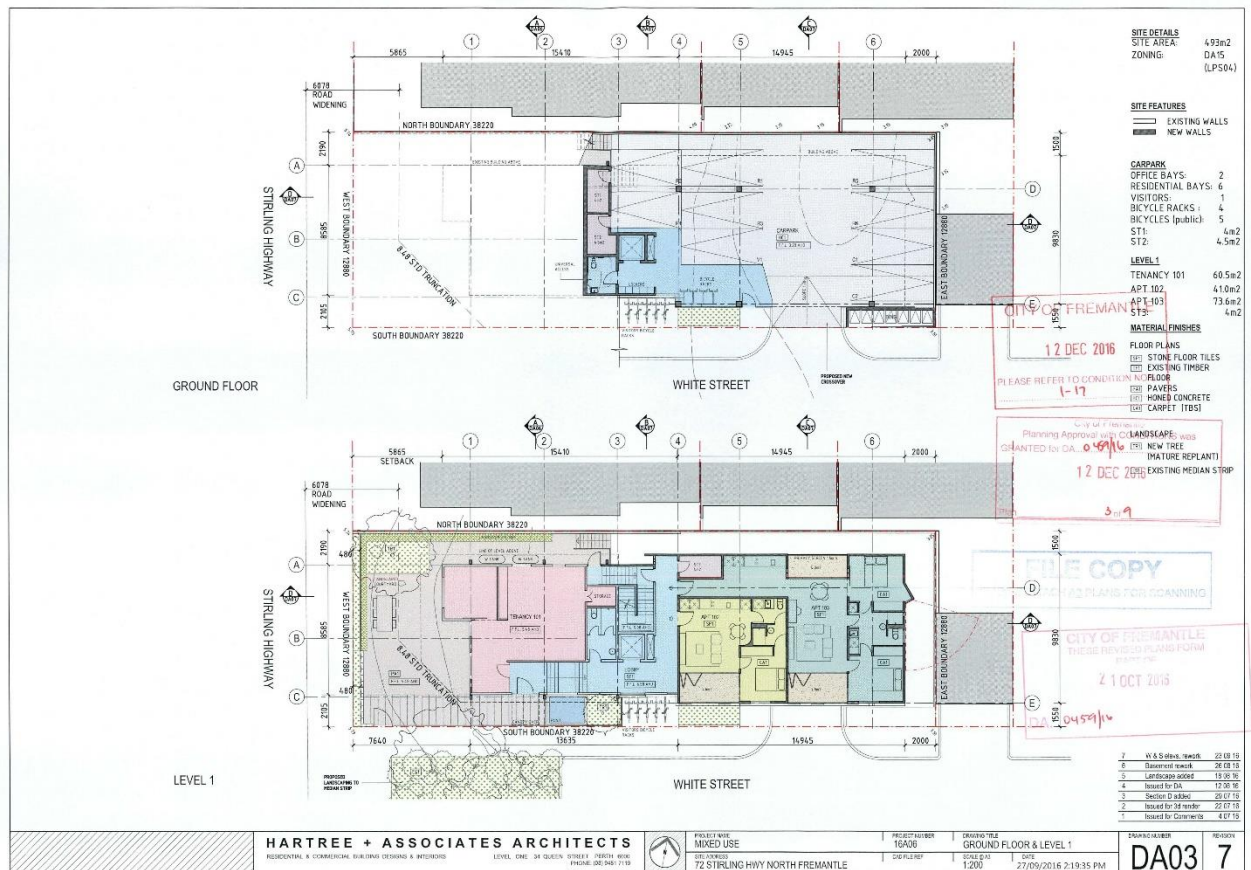
Note: Removal of any amount of friable asbestos must be done by a licensed person or business and an application submitted to WorkSafe, Department of Commerce. <http://www.docep.wa.gov.au>

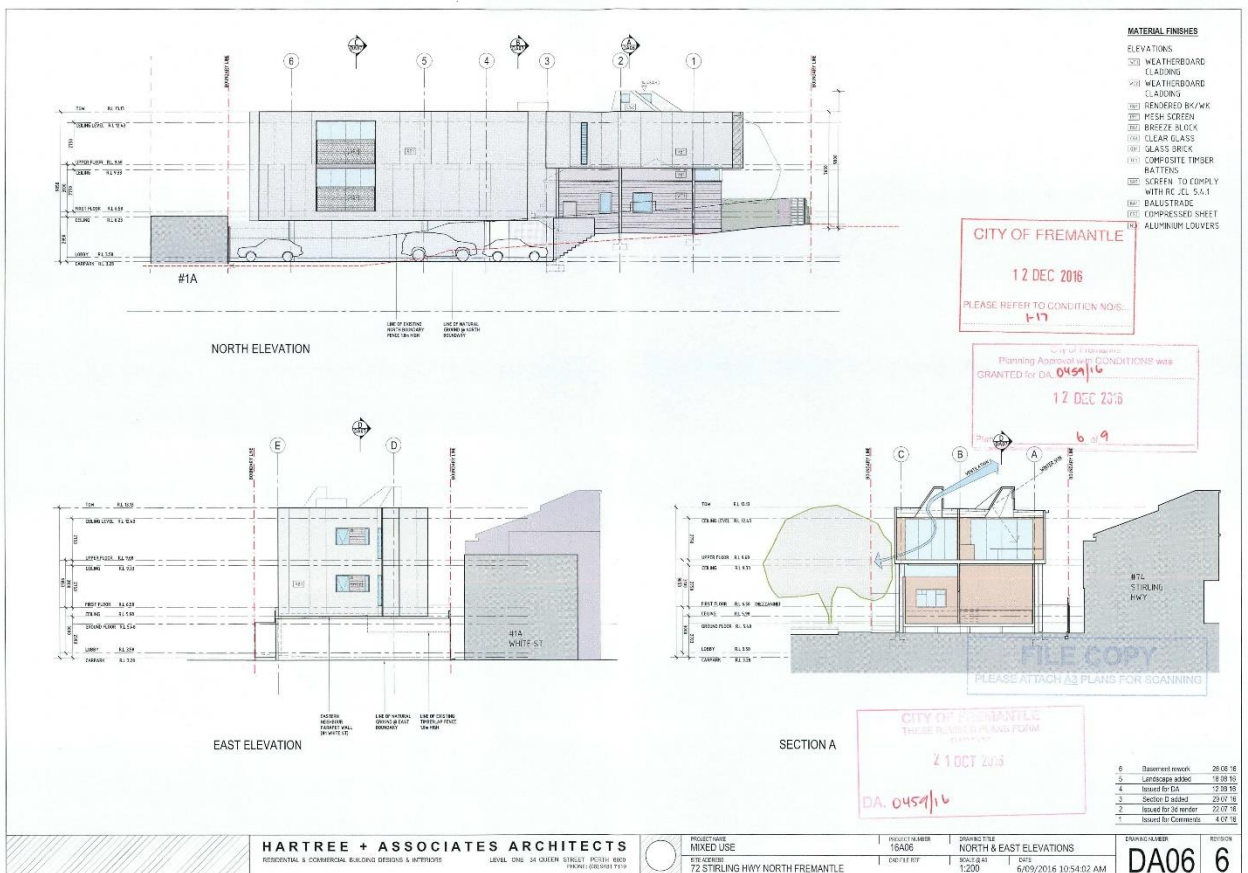
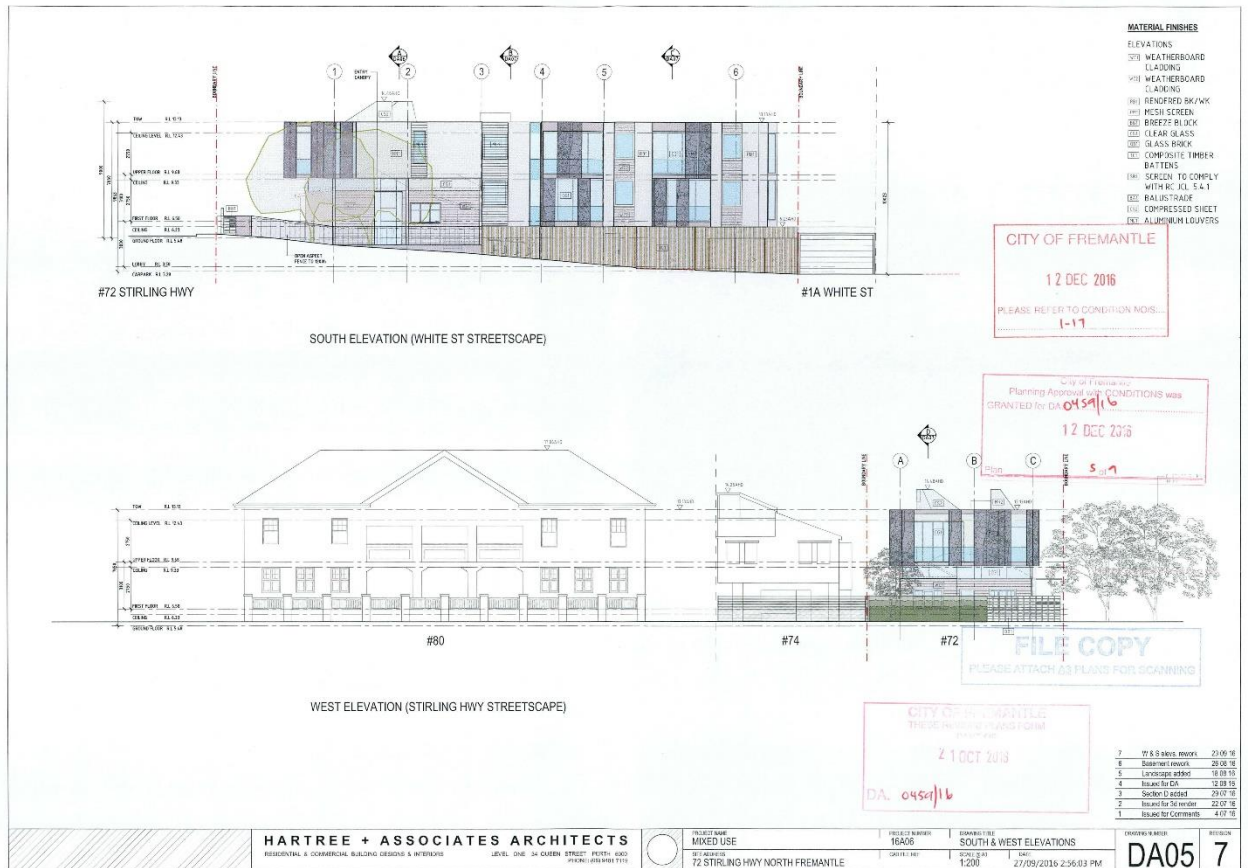
- Note 1: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 2: This planning decision is confined to the authority of the Planning and Development Act 2005 and the City of Fremantle Local Planning Scheme 4. This decision does not remove the obligation of the applicant and/or property owner to ensure that all other required local government approvals are first obtained, all other applicable state and federal legislation is complied with, and any restrictions, easements, or encumbrances are adhered to.

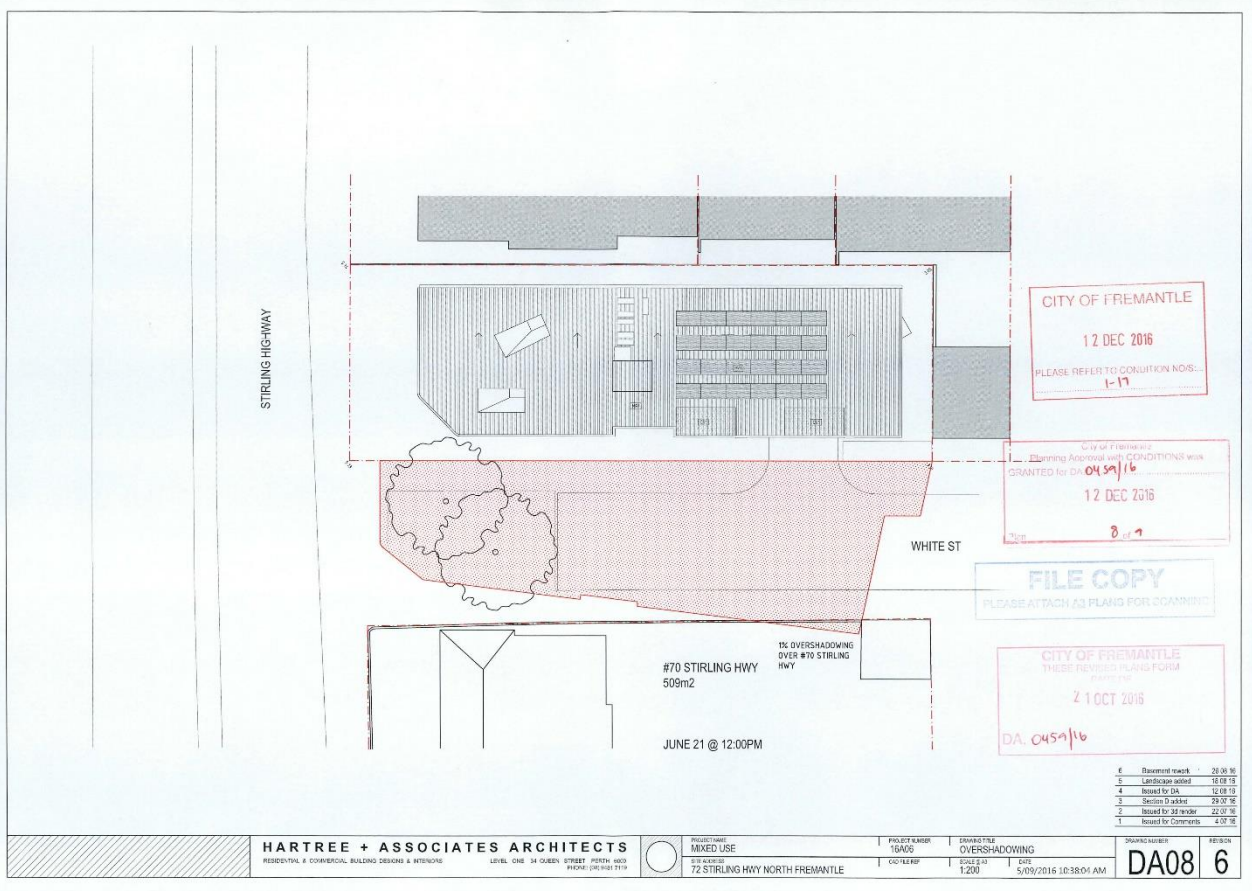
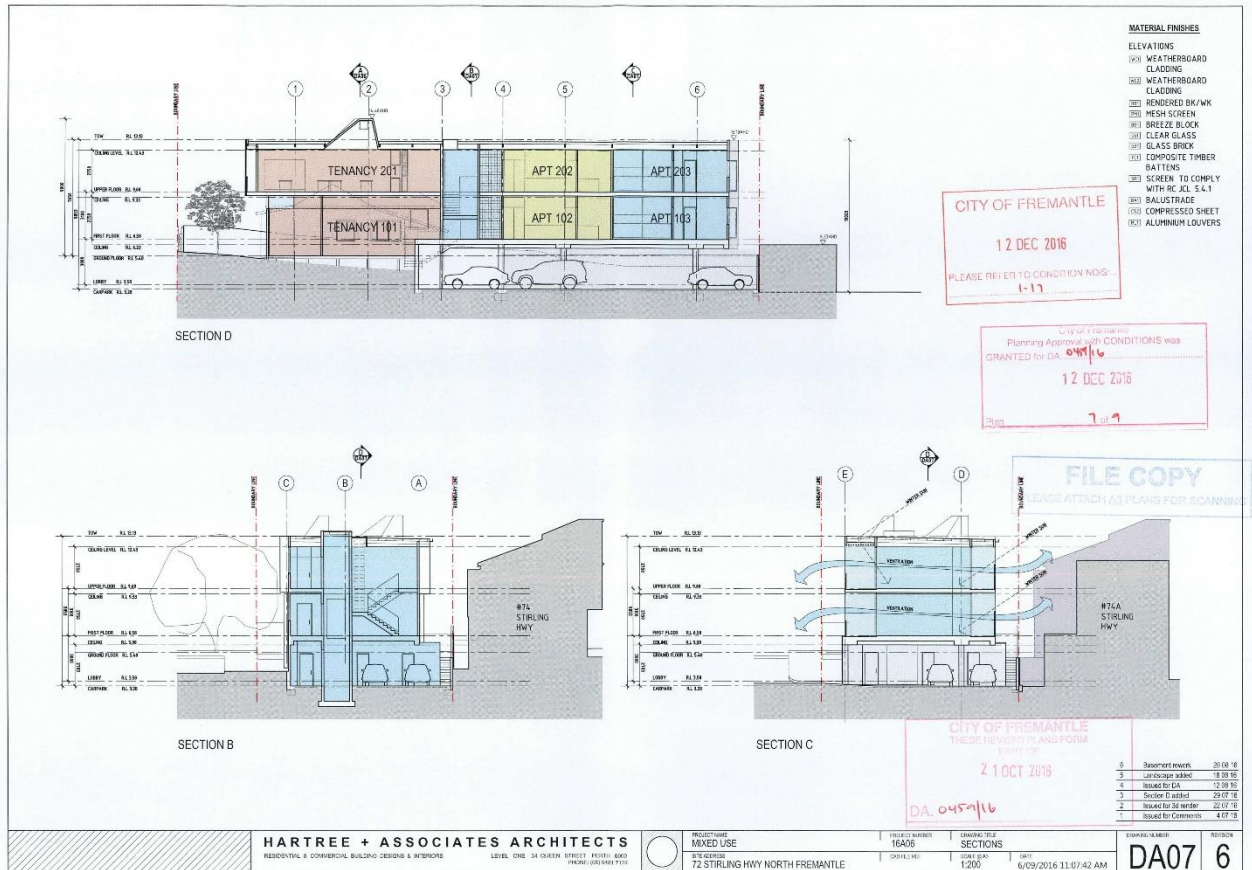
Signed:  Dated: 12 December 2016

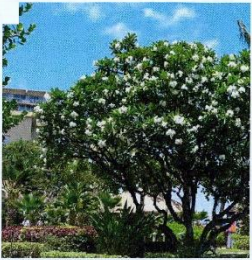
For and on behalf of the City of Fremantle.














1. *Plumiera Obtusa 'Frangipani'*




4. Pavers




5. Fence Vines



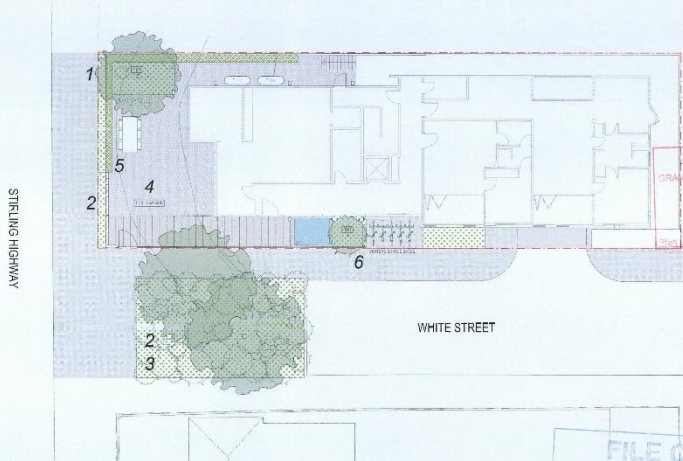
6. Lemon



2. *Aloe arborescens*



3. *Senecio mandraliscae*



CITY OF FREMANTLE
12 DEC 2016
PLEASE REFER TO CONDITION NOIS:
1-17

City of Fremantle
Planning Approval with CONDITIONS was
GRANTED for DA 0459/16
17 DEC 2016
9.2.9

CITY OF FREMANTLE
THREE REVISED PLANS FORM
17/07/16
21 OCT 2016
DA 0459/16

FILE COPY
PLEASE ATTACH A3 PLANS FOR SCANNING

7	W & S client review	23/09/16
6	Departmental review	01/10/16
5	Landowner approval	11/08/16
4	Issued for DA	12/08/16
3	Section 17 notice	25/07/16
2	Issued for DA review	22/07/16
1	Issued for Comments	2/07/16

HARTREE + ASSOCIATES ARCHITECTS
RESIDENTIAL & COMMERCIAL BUILDING DESIGN & INTERIORS
LEVEL ONE 34 QUEEN STREET PERTH WA
PHONE: (08) 9481 7100

PROJECT NO:
MIXED USE
80 PERMIT
72 STIRLING HWY NORTH FREMANTLE

PROJECT NUMBER
16A06
DATE: 1/07/16

DRAWING TITLE
LANDSCAPE PLAN
SCALE: 1:200
DATE: 27/09/2016 12:17:39 PM

DISAPPROVALS: 0
REVISION: 7
DA09 7

**PC2201-4 STIRLING HIGHWAY, NO. 110 (LOT 2) AND LESLIE ROAD, NO. 5
(LOT 3) NORTH FREMANTLE - TWO STOREY MIXED USED
DEVELOPMENT (THREE MULTIPLE DWELLINGS AND A SHOP)
(JCL DA0265/21)**

Additional Information 1 – Site Photos



Photo 1: Subject site as viewed from corner of Stirling Highway and Leslie Road looking east



Photo 2: Eastern portion of site viewed from Leslie Road looking south



Photo 3: Western portion of site viewed from Leslie Road looking towards Stirling Highway.



Photo 4: View of No. 108 Stirling Highway (southern neighbour) viewed from rear of site looking south-west



Photo 5: View of western boundary walls of No. 7 Leslie Road looking east



Photo 6: View of heritage limestone fence to be retained (looking west)



Photo 7: View of northern wall of No. 107 Stirling Highway looking south (note: portion of limestone fence to be removed is located in the foreground).



Photo 8: View of Dingo Flour Mill (note several buildings with a relatively significant building height) with No. 108 Stirling Highway located in the right side of the frame.

Additional Information 2 – Schedule of submissions

Schedule of submissions

110 Stirling Highway, North Fremantle

Submitter 1 - Submission 1:	
Relevant content on submission	Planning Comment
<i>Overshadowing – There does not seem to be any information detailing ‘overshadowing’ the on the plans provided and on the face of it we believe there to be an issue with ‘overshadowing’ onto our property.</i>	Further detail provided relating to overshadowing, including at different stages of the day, and how it impacts the southern neighbours primary outdoor living area.
<i>Heritage Wall – There is no reference to ‘Heritage’ in relation to the Limestone Wall that is being removed on the South side of the Leslie Street property – is this wall not Heritage listed?</i>	See body of report and internal Heritage advice for further comment relating to the existing limestone fence.
<i>Bins/waste management – We would object to the location of the residential bank of bins which are proposed to be lined up against our boundary and right under our back patio an area which is utilise to eat and the entry to our home – as this would render this area unusable if the stench of the bins is there – we would ask that the bins should be relocated or contained in a solid concrete locked up space so that the smell and the vermin etc are not permeating into our space (there is already an issue with vermin in this area due to the flour mill).</i>	See appropriate assessment included in RCodes Volume 2 assessment for comments relating to waste management.
<i>Parking – we would comment that currently the empty blocks are rented for a fee to the Flour Mill for parking – we would suggest that making any parking allowances and reducing the required amount of bays would not be in the best interests of neighbouring properties as there is not enough street parking as is, and once the flour mill are unable to utilise that space it will be far worse for residents and for other commercial properties that do already provide parking for their own clients.</i>	See body of report for detailed discussion relating to parking and traffic impacts of proposed development.

<p><i>Overlooking windows – there is no proper detail on the plans that I can see that shows that there is screening or privacy blockers on all of the windows both facing South and West that look straight into our property – including one of our windows that is a bathroom/toilet window. We would ask that details around screening or privacy blockers are provided for all windows that are intended to overlook our property.</i></p>	<p>It is noted that visual privacy is compliant. See appropriate assessment included in RCodes Volume 2 assessment for comments relating to visual privacy.</p>
<p><i>Staircases on South side of property I cannot see details around screening off these staircases and we intend to increase the size of our apartment soon so would like to know what is in place to ensure that privacy is maintained around this also.</i></p>	<p>It is noted that the proposed staircase is separated from the southern neighbouring property by a proposed boundary wall.</p>
<p>Submitter 1 - Submission 2:</p>	
<p>Relevant content on submission</p>	<p>Planning Comment</p>
<p><i>Overshadowing – There is no information detailing ‘overshadowing’ on the plans provided. We note there is a substantial issue with ‘overshadowing’ onto our property we are the neighbouring property to the South. We would ask that all rules around ‘overshadowing’ are adhered to and request the details that demonstrate this.</i></p>	<p>Further detail provided relating to overshadowing, including at different stages of the day, and how it impacts the southern neighbours primary outdoor living area.</p>
<p><i>Heritage Wall – There is no reference to ‘Heritage’ in relation to the ‘Limestone Wall’ that is being proposed to be removed on the South side of the Leslie Street property.</i></p>	<p>See body of report and internal Heritage advice for further comment relating to the existing limestone fence.</p>
<p><i>Bins/waste management – we note that the location of the ‘residential bank of</i></p>	<p>See</p>

<i>waste bins' is very close to our boundary and in an open space located right under our back patio which we regularly use to sit outside and have meals on, it is also the main entry point into our home. We would ask that the bins are relocated to a more suitable area as being placed in in this location, would render this area of our property unusable with the smell of the bins and the vermin and pests that they attract permeating into our space. There is already an issue with vermin and pests in this area in general due to the flour mill.</i>	appropriate assessment included in RCodes Volume 2 assessment for comments relating to waste management.
<i>Parking – currently the empty blocks 110 & 5 Leslie St are rented to the Flour Mill for parking – we do feel that reducing the required amount of parking bays required for this development would not be in the best interests of neighbouring properties as there is not enough street parking currently. When the flour mill is no longer able utilise the existing parking space that they rent, it will create parking issues for existing residents and for commercial properties. The proposal for so many apartments to be sitting on such a small lot with consulting spaces and a retail store will present parking issues for all visitors, residents, employees and so on. We have attached a photo taken on a quiet day in the street taken on 21.7.21 – the overflow of parking on the vacant land along with vehicles being parked on another grass verge area to the South of our property demonstrates some of the parking issues that we are already presented with in this area.</i>	See body of report for detailed discussion relating to parking and traffic impacts of proposed development.
<i>Overlooking windows – there is little detail on the plans that shows that there is screening or privacy blockers on the windows both facing South and West that look straight into our property – including one of our windows that is a bathroom/toilet window. We would ask that details around screening or privacy blockers are provided for all windows that overlook our property. The window/glass that is shown on the plans facing West looks directly into our main living space and whilst it may be a 'hallway' this shows as being a large glass area and it would be an invasion of our privacy for anyone standing there looking into our main living area.</i>	It is noted that visual privacy is compliant. See appropriate assessment included in RCodes Volume 2 assessment for comments relating to visual privacy.
<i>Air-conditioners – We would like detail around the placing of the air-conditioning units on the South side of the property and would like to ensure that these are placed within guidelines in relation to the noise that they make as when we extend our apartment we do not want the noise of the air-cons to become an issue for us.</i>	Appropriate condition to be added to ensure that any noise emanating from air conditioners and the like are mitigated appropriately.
<i>We make comment that North Fremantle is a lovely rather unique 'quirky suburb' with a mix of interesting buildings and we question the overall design of this proposal as being rather unbecoming to the area as it appears to be designed around cramming as much into the blocks as possible rather than taking into account the ambience of the suburb and interesting designs of the other properties in the area we also ask – does North Fremantle need 3 x 85 sqm apartments that have no outdoor living space and zero common outdoor green</i>	The City notes these comments. Please see body of the report and attached

living space.	RCodes Volume 2 assessment for further discussion relating to apartment mix, design, and impact on the locality.
<i>If the City of Fremantle perhaps rezoned this strip and increased the density on this busy arterial road (which is bound to happen at some time over the next few years) developers could plan better and maximise the space by building up and provide nicer sized apartments that are more conducive to attracting a range of options for families or downsizers whilst also providing some communal outdoor green areas and enough parking - it seems long overdue that this strip be rezoned – we have massive apartment blocks going up on the pristine beach areas across the road and impacting on our coastline but on the highway where the buses, trucks, trains, rush hour traffic and sirens are whizzing by we have zoning that does not permit anyone to build up like they can across the road on the beach, and to escape the noise and to provide some nice options for more people to live in and it is the most sensible part of the suburb to be permitting the high density as it is on the main road, so close to the train station and bus stops, but this has been granted only in the 'beach front' area.</i>	The City notes these comments. They are not considered relevant to the scope of the current application.
Submitter 1 – submission 3	
Relevant content on submission	Planning Comment
<i>There is a heritage listed wall running along the Southern side of the 5 Leslie Road site that on the plans that have been submitted is not shown as 'heritage listed' but rather just a 'wall' and the applicant details that they will demolish this heritage listed wall. There is mention on the same plan of a second heritage listed wall which runs near the Western boundary of 5 Leslie Road and this is shown on their plan as 'heritage listed' and is to be retained. I just want to make sure that everyone concerned is aware that both of these walls are 'heritage listed' as the plans seem to have conveniently left out the wording 'heritage listed' on the major heritage wall that they want to demolish.</i>	See body of report and internal Heritage advice for further comment relating to the existing limestone fence.
<i>There are already parking issues in the area around the existing businesses and currently the owners of 5 Leslie St/110 Stirling Highway rent their land to the Flour Mill for parking. On most working days the land is full of parked vehicles. There are also vehicles that park on the empty land in front of 106 Stirling Highway along with vehicles that are left on my property in the car park at 108 Stirling Highway (even when not utilising the business there). I believe that the 3 new proposed apartments, the consulting rooms and the pharmacy clients will increase the need for more parking and that reducing the amount of parking required to be provided on their own site will only add further parking issues for all of the residents and businesses in this pocket.</i>	See body of report for detailed discussion relating to parking and traffic impacts of proposed development.
<i>Overshadowing – the current plans show excessive overshadowing onto my property and I object strongly to this as we use the existing outdoor areas for entertaining, plants and there is a window on the Northern side that provides much of the light that comes into the existing property. I am submitting plans within the next few days (the planning department have already had a look at these on a preliminary basis) and the overshadowing will significantly impact</i>	See body of report and attached RCodes Volume 2 assessment

<i>outdoor areas, solar panels and much more.</i>	for detailed discussion relating to solar access and overshadowing impacts posed by the proposal onto neighbouring properties.
Submitter 2 – submission 1	
Relevant content on submission	Planning Comment
<i>Building Height</i> <i>The wall plate height is higher than our existing property. When our house was developed the roof height was required to be dropped to be within council guidelines. It would appear that the proposed application is higher than the neighbouring dwellings.</i>	See body of report and attached RCodes Volume 2 assessment for detailed discussion relating to building height.
<i>Scale and Bulk</i> <i>of the proposal : there is density greater than existing neighbouring properties. Is the plot ratio in keeping with the design codes?</i>	See body of report and attached RCodes Volume 2 assessment for detailed discussion relating to bulk, scale, and plot ratio.
<i>Air-conditioners</i> <i>located on the eastern side of the proposal: we request that these be placed at the rear of the development away from our courtyard amenity.</i>	Appropriate condition to be added to ensure that any noise emanating from air conditioners and the like are mitigated appropriately.
<i>The height and bulk of the eastern wall</i> <i>of the proposal is our greatest concern and we request that this be lowered and comply with the setback requirements to reduce the overwhelming bulk of this wall, which will impact on our main outside courtyard amenity of our property.</i>	See body of report and attached RCodes Volume 2 assessment for detailed

	discussion relating to the impact of the proposed eastern boundary wall.
Submitter 3 – submission 1	
Relevant content on submission	Planning Comment
<p>Consideration of Noise</p> <p>The proposal will introduce three new sensitive land uses (dwellings) within 20m of an e flour mill. The proposal dwellings are also located adjacent to a major road and rail route. The dwellings each include windows to bedrooms and living areas facing north towards the road and each include balconies positioned on the northern side of the development.</p> <p>Despite the fact that the proposed development is located immediately adjacent to a flour mill and in close proximity to existing major road and rail routes, we understand that information has been provided to address acoustic impacts. That material has not been [REDACTED]</p> <p>We consider that the design of the proposal ought to consider, for example, how the dwellings are insulated to comply with the internal target noise levels and how glazing and window positions contribute to the achievement of those levels. It is also relevant to consider how the dwellings immediately adjacent to the flour mill will comply with external noise levels, not just the compliance with target levels under SPP5.4.</p> <p>It would be contrary to the principles of orderly and proper planning for the proposal to proceed without the required acoustic assessment and demonstrated mitigation measures as required by the site specific studies required Guidance Note 3. We note that as the proposal includes residential development, an assessment against SPP7.3 is also required, which includes consideration under Element 7 that the impact of noise is managed as part of residential development.</p>	<p>It is considered that the Road Traffic Noise Assessment prepared by 'Acoustics Consultants Australia' satisfactorily outlines appropriate methodologies to manage the impacts of noise onto the proposed Multiple Dwellings.</p> <p>Moreover, it is noted that per the MRWA advice attached, in addition to the City's assessment, appropriate conditions will be imposed on the approval relating to noise.</p> <p>Please refer to the relevant assessment included in the attached RCodes Volume 2 assessment</p>


	for further discussion.
<p>Consideration of Traffic</p> <p>The proposal includes a new vehicle access point to the proposed car parking area located adjacent to the Dingo Flour Mill staff car park off Leslie Street. The new vehicle access provides eight (8) parking bays for the pharmacy tenancy and four (4) parking bays for the multi-tenancy.</p> <p>██████████ operates its wheat and flour trucks along Leslie Street and holds a Major Road vehicle permit for the use of B Double trucks along this section of road. There are no alternative movement options for wheat trucks entering the mill.</p> <p>Based on our discussions with the City, we understand that no information has been provided as to whether the additional traffic movements generated by the proposal will be appropriate to the existing operations of the flour mill and also how any identified traffic safety or conflict will be mitigated. For example, no information has been provided to assess the cumulative impact of combined residential and non-residential peak traffic movements to and from the proposed development and how these relate to the peak traffic movement times of the adjacent flour mill.</p> <p>Given the potential for traffic conflict and safety impacts to arise from the increased traffic generated by the proposed development onto Leslie Road (and Stirling Highway), we say that the current proposal is deficient in its detail and should not be progressed until a Transport Impact Statement is prepared by a suitably qualified transport consultant and submitted to the City. The preparation of the statement should be undertaken in consultation with the flour mill to ensure that peak times of that existing mill are accurately documented. Any information ought to also be made available to our client for consideration of any determination of the planning application being made.</p>	<p>See body of report for detailed discussion relating to parking and traffic impacts of proposed development.</p> <p>Given the scale of the development, it is considered unnecessary to require the provision of a Traffic Impact Statement in this instance.</p>
<p>Consideration of Parking</p> <p>A shortfall of two (2) shop (pharmacy) parking bays is proposed. As with any land use, there are peak parking periods and it is important to ensure that any overflow of parking from the future pharmacy activities will not result in traffic or parking conflict in the local area. The nature of Leslie Road and surrounding streets indicates that there are very limited parking opportunities in proximity to the subject site. Therefore, there is a risk that pharmacy vehicles will have to park in the adjacent flour mill staff parking area on the northern side of Leslie Road where the parking spaces within the subject site are occupied. This would result in operational difficulties for the flour mill on its existing parking bays along Leslie Road, particularly during the daytime business hours.</p> <p>Without consideration being given to the on-site and off-site parking supply and generated demand, an assessment by a suitably qualified traffic consultant, there is potential for parking conflict to result. This has potential to significantly impact upon the continued operations of the flour mill.</p>	<p>See body of report for detailed discussion relating to parking and traffic impacts of proposed development.</p>
<p>Consideration of Future Amenity Expectations of Residents</p> <p>██████████ has been given an opportunity through the public consultation process to consider whether the proposed development at the subject site poses any risks to their ongoing operations now and into the future. As part of this submission, we have identified a number of potential risks to the mill operations and we understand that these concerns will be addressed by the City through the assessment process. It is likely that the issues we have identified will be addressed by the requirement for the Applicant to provide further information in response.</p>	<p>Appropriate conditions will be recommended in line with the City's assessment and MRWA advice to advise future</p>

<p>However, what is outside the control of [REDACTED] is the amenity expectations of future owners/occupants of the site to purchase and occupy the multiple dwellings once the development is completed.</p> <p>To mitigate against any potential that future residents are unaware of the daily operation and what that means for the use and enjoyment of their own property, we request a condition requiring a notification, pursuant to Section 70A of the <i>Transfer of Land Act 1893</i> is to be included in the certificate of title of the subject site to state as follows:</p> <p><i>"This lot is in close proximity to the Dingo Flour Mill and may be adversely affected by noise and dust emissions from that facility and truck movements along Leslie Road."</i></p> <p>Given the proximity to Stirling Highway and the rail network, it is likely that a similar condition will be required to notify future owners that the land is situated in the vicinity of a transport corridor and is affected by transport noise.</p> <p>However, this recommended condition does not abrogate the Applicant's responsibility at the application stage to demonstrate how the proposed development can be designed and managed in the context of its industrial and transport network interface.</p>	<p>owners/occupants of the proximity of the site to noise/dust generating activities.</p> <p>It is further noted that an easement exists over No. 5 Leslie Street relating to it, and other properties along Leslie Street, acknowledging and accepting the existing noise which emanates from the Flour Mill.</p>
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Additional Information 3 – RCodes Volume 2 assessment

SPP7.3 R-CODES VOLUME 2 - APARTMENTS ASSESSMENT TEMPLATE

ELEMENT 2.2 BUILDING HEIGHT		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O2.2.1 – The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.	<p>2 storeys are proposed (plus mezzanine) – complies with Acceptable Outcome.</p> <p>The maximum wall height (7.87m) slightly exceeds the maximum wall height of 7.5m as per LPS 4, however this relates only to a relatively small portion of wall (11.5m) on the southern boundary, addressing the adjacent car park (i.e. not addressing any sensitive habitable space).</p> <p>The proposed building height is consistent with surrounding development and clause 4.8.1 of LPS 4 with regard to variation to building height, as discussed below and in Rowe Group's additional information letter to the City dated 23/11/2021 ('Rowe Group letter').</p>	<p>Desired future character: low-mid rise, mixed use development.</p> <p>Proposal generally responds to this desired future character and scale given it transitions the height from the Dingo Flour Mill (highly unlikely to change) to the southern neighbouring property (currently two storey). The City considers the maximum wall height to be 7.95m as opposed to 7.87m provided by the applicant.</p>
O2.2.2 – The height of buildings within a development responds to changes in topography.	The site is generally flat, with a rise of approximately 0.5 toward the east, which the development responds to.	There is minimal change in topography across the site.
O2.2.3 – Development incorporates articulated roof design and/or roof top communal open space where appropriate.	The proposal incorporates a metal pitched roof design that complements adjacent Leslie Rd residential development, with gable end features which complement the adjoining mixed use development on Stirling Hwy (refer photos in Rowe Group letter).	The roof design contains several pitched rooves – no communal roof top open spaces are proposed.
O2.2.4 – The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.	The proposal will not overshadow any outdoor spaces, windows, skylights or solar collectors of adjoining development to the south, as discussed at Element 3.2 below and the Rowe Group letter. The development does not adjoin any public spaces or communal open space.	It is considered that the proposed development doesn't adversely impact the solar access of the caretakers dwelling located at the southern neighbouring property at No. 108 Stirling Highway. The below diagram supplied by the applicant demonstrates how the shadow will fall on the rear outdoor living area at the affected property.

		 <p>The shadow of the development (at 12pm, 21 June) will cover 48% (a reduction from 54.76% previously proposed) of the southern site (in excess of the 25% permitted by Element 3.2) therefore still representing a significant variation.</p> <p>Notwithstanding, given the east-west orientation of the site some overshadowing of the southern site is inevitable in redevelopment. Furthermore, the ground floor of the adjoining site is commercial in use which mitigates the impact of overshadowing as well as containing a boundary wall along the northern boundary, contributing to the shadowing of No. 108 Stirling Hwy in the existing scenario.</p> <p>It is also noted that no solar collectors are present on the adjoining southern site that would be impacted by the proposal. Further, as discussed in the body of the assessment, the shadow will have a minor and acceptable impact on the neighbours upper-level outdoor living area. Therefore, on balance, the overshadowing variation is considered acceptable.</p>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A2.2.1 – Development complies with the building height limit (storeys) set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the building height limit set out in the applicable local planning instrument. <i>(Excerpt from table 2.1)</i>		

Streetscape contexts and character refer A2	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Building height (storeys) refer 2.2	2	3	3	4	4	5	3	6	7	9	
LOCAL PLANNING FRAMEWORK						REQUIREMENT					
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:						Yes – LPA 3 (North Fremantle) – provides a 7.5m maximum wall height for mixed use zone. The proposed development provides a maximum wall height of 7.95m (representing 450mm variation over provisions of LPA 3). Clause 4.8.1.1 of the TPS4 does provide scope to vary the building height where a building graduates the scale between building of varying heights within the locality and given the site is neighbouring the much taller Dingo Flour Mill this is true of the proposal. Notwithstanding, the council must be satisfied the variation would not be detrimental to the amenity of the adjoining properties – refer to discussion contained in the body of the report.					

ELEMENT 2.3		STREET SETBACKS	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street.		<i>Compliant with acceptable outcomes. Leslie Road setback similar to setback of adjoining dwelling at No. 7 Leslie Road (No. 7). Stirling Hwy setback greater than setback of adjoining mixed use development at No. 108 Stirling Highway (No. 108), to provide more pedestrian-friendly and less car-dominated streetscape.</i>	Primary street Ground floor: Following comment from MRWA, the street setback from Stirling Hwy and Leslie Street (intersection) has been increased in the amended plans to be outside of the future road reserve (3.2m to primary street lot boundary) Primary street Upper floor: setback 5.6m to 7.3m to upper floor. Secondary street Ground floor: Proposal achieves 1.5m-2m secondary street setback. Secondary street Upper floor: Proposal achieves 2.6m-4m secondary street setback. The ground floor setback is considered to be consistent with the desired future urban form, which includes built form to the street, with parking at the rear. The upper floor setback is greater, resulting in a reduced building bulk impact onto the street.
O2.3.2 – The street setback provides a clear transition between the public and private realm.		<i>The street setbacks provide a clear transition between the private and public realms via ground floor commercial land use, undercover parking, architectural features and landscaping.</i>	Agree with applicant comments.
O2.3.3 – The street setback assists in achieving visual privacy to apartments from the street.		<i>No ground floor apartments are proposed. All apartments have balconies fronting the street, enabling visual privacy for internal habitable spaces.</i>	The setback of the apartments from the streets are such that privacy is allowed, whilst maintaining presentation to the street and allowing for passive surveillance to be provided. Agree with applicant comments.

02.3.4 – The setback of the development enables passive surveillance and outlook to the street.	<i>Substantial glazing to ground floor pharmacy, and upper floor residential balconies assist in providing visual surveillance over the Stirling Highway and Leslie Road streetscapes.</i>	All apartments provide balconies or major openings that overlook the street frontages providing passive surveillance.																																				
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>																																						
A3.2.1 – Development complies with the street setback set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the street setback set out in the applicable local planning instrument <i>(Excerpt from table 2.1)</i>																																						
<table><tr><th>Streetscape contexts and character refer A2</th><th colspan="2">Low-rise</th><th colspan="2">Medium-rise</th><th colspan="2">Higher density residential</th><th>Neighbourhood centre</th><th>Mid-rise urban centres</th><th colspan="2">High density urban centres</th><th>Planned areas</th></tr><tr><th>Site R-Coding</th><th>R40</th><th>R50</th><th>R60</th><th>R80</th><th>R100</th><th>R160</th><th>R-AC4</th><th>R-AC3</th><th>R-AC2</th><th>R-AC1</th><th>R-AC0</th></tr><tr><th>Minimum primary and secondary street setbacks refer 2.3</th><td>4m ⁴</td><td>2m</td><td colspan="2">2m</td><td colspan="2">2m</td><td>2m or Nil ⁵</td><td>2m or Nil ⁵</td><td colspan="2">2m or Nil ⁵</td><td></td></tr></table>			Streetscape contexts and character refer A2	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas	Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0	Minimum primary and secondary street setbacks refer 2.3	4m ⁴	2m	2m		2m		2m or Nil ⁵	2m or Nil ⁵	2m or Nil ⁵		
Streetscape contexts and character refer A2	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas																											
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Minimum primary and secondary street setbacks refer 2.3	4m ⁴	2m	2m		2m		2m or Nil ⁵	2m or Nil ⁵	2m or Nil ⁵																													
(4) Minimum secondary street setback 1.5m (5) Nil setback applicable if commercial use at ground floor																																						
LOCAL PLANNING FRAMEWORK																																						
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>																																						

ELEMENT 2.4	SIDE AND REAR SETBACKS	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
02.4.1 – Building boundary setbacks provide for adequate separation between neighbouring properties.	<p><i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i></p> <p><i>The proposed side setbacks provide adequate separation from adjoining properties for ventilation and solar access, noting in particular that no habitable rooms or outdoor living spaces will be overshadowed by the proposal (as discussed at Element 3.2 below).</i></p> <p><i>The reduced setbacks/parapet walls will not impact any major openings or outdoor living areas on adjoining properties, and are necessary given the limited width of the site and the substantial front setback required due to the road reserve and overhead power lines.</i></p> <p><i>The proposed side setbacks have been increased significantly between Revisions A and C, as a result of a comprehensive review of the upper floor layout. (refer Rowe Group letter for further detail).</i></p>	<p>Boundary walls are proposed at ground level along the southern and eastern boundaries though these are to abut existing boundary walls on the affected sites so are considered acceptable (see photos below) – Small portion of the first-floor eastern boundary wall to unit 3 kitchen, will exceed extent of neighbouring two storey boundary wall (at 7 Leslie Road) however, no adjoining openings or outlook to be impacted.</p> <p>Generally setbacks to eastern neighbour and to the southern neighbour at No. 107 Stirling Hwy are supportable (see body of report) and to the southern neighbour at No. 107 Stirling Hwy. It is noted that the southern setbacks of the first floor of the proposal to the shared boundary with No. 108 Stirling Hwy are 1.45m and 1.87m in lieu of 3.0m required by Table 2.1 below.</p> <p>Though the reduced upper floor setbacks contribute to overshadowing of the adjoining site and impose a degree of bulk over the rear of the first floor residential unit and rear deck at No. 108 Stirling Hwy, it is considered that the impact is acceptable for the following reasons:</p> <ul style="list-style-type: none"> The impact of overshadowing to the rear deck and roof of the southern neighbour is considered modest and predominantly falls over unused roof space; and, The building bulk impact has been reduced from the originally proposed plans given the following: <ul style="list-style-type: none"> Increased upper floor setbacks; Removal of the upper floor boundary wall (though the ground floor boundary wall has been marginally increased in height by 1 course, which poses no new adverse amenity impacts);

		<ul style="list-style-type: none"> The 0.3m reduction in external wall height facing south; and, Up to 0.5m reduction in roof ridge height. <p>See body of report for further discussion relating to the above points.</p>
O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.	<p><i>There are a number of examples of minimal upper floor setbacks in the immediate locality. Both Stirling Hwy and Leslie Road are lined with 'terrace style' built form with nil or minimal setbacks.</i></p> <p><i>All proposed boundary walls abut existing boundary walls on adjacent properties.</i></p>	<p>Walls are built to lot boundaries to No. 108 Stirling Highway (south), and No. 7 Leslie Street (east) predominantly along existing boundary walls – which is a relatively common feature of the locality.</p> <p>See body of report for further discussion relating to the above point.</p>
O2.4.3 – The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.	<p><i>No existing trees on site and only minimal landscaping is possible due to presence of road reserve and overhead power lines. Notwithstanding this significant constraint, 7.8% deep soil area and 4 small trees are provided.</i></p>	<p>No vegetation on site to be retained as the site is currently vacant. Proposed landscaping is supported (see body of report).</p>
O2.4.4 – The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.	<p><i>The proposed setbacks and building heights provide an appropriate transition between the scale of development to the south (lower, "loft-style" built form) and the north (taller floor mill) along Stirling Highway.</i></p> <p><i>The proposed setbacks and building heights are commensurate to those along the Leslie Road streetscape, including the adjoining No. 7.</i></p>	<p>The scale/height of the development is generally similar to that of the neighbouring properties – therefore the setbacks are considered to provide a suitable transition from the site to neighbouring sites.</p>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A2.4.1 - Development complies with the side and rear setbacks set out in Table 2.1, except where: <ul style="list-style-type: none"> a) modified by the local planning framework, in which case development complies with the side and rear setbacks set out in the applicable local planning instrument AND /OR b) a greater setback is required to address 3.5 Visual privacy. <p><i>(Excerpt from table 2.1)</i></p>		

Streetscape contexts and character <i>refer A2</i>	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Boundary wall height (storeys) ^{1,2} <i>refer 2.4</i>	1 ³		1 ³	2 ³	2 ³		2	3	4		
Minimum side setbacks ⁴ <i>refer 2.4</i>	2m	3m	3m		3m		Nil				
Minimum rear setback <i>refer 2.4</i>	3m		3m		6m		6m	Nil	Nil		
Average side setback where building length exceeds 16m <i>refer 2.4</i>	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m	NA	NA	NA		
<p>(1) Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions</p> <p>(2) Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code</p> <p>(3) Boundary wall only permitted on one boundary, and shall not exceed 2/3 length.</p> <p>(6) Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC.</p>											
A2.4.2 – Development is setback from the boundary in order to achieve the Objectives outlined in 2.7 Building separation, 3.3 Tree canopy and deep soil areas, 3.5 Visual privacy and 4.1 Solar and daylight access.											
LOCAL PLANNING FRAMEWORK						REQUIREMENT					
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>						Clause 4.2.5 of LPS4 allows the residential density in mixed use zone to be increased to R60 where part of a mixed-use development (which is the case here) where in the opinion of council the proposal is not detrimental to the amenity of the area. As such, the required minimum side and rear setbacks are 3m as per table 2.1 above.					
						Generally, the setbacks to eastern and southern neighbours at No 107 and No. 108 Stirling Highway are acceptable as discussed in the body of the report above. Please see additional relevant discussion in the body of the report.					



ELEMENT 2.5		PLOT RATIO	
ELEMENT OBJECTIVES		APPLICANT COMMENT	ASSESSOR COMMENT
Development is to achieve the following Element Objectives		Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
<p>O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area.</p>		<p>The overall plot ratio of the development is compliant with the Acceptable Outcome when the intent of the provision is considered, i.e. excluding commercial spaces associated with the proposed pharmacy which are typically excluded from plot ratio area such as bin stores, bathrooms, storerooms, tea rooms and service rooms.</p> <p>With these exclusions, the development has an overall plot ratio of 0.67 – compliant with Acceptable Outcome.</p>	<p>The overall scale and proportions of the proposed development are considered appropriate, given its 2 storey height within the context of surrounding development, which includes the following:</p> <ul style="list-style-type: none"> Dingo Flour Mill to the north of the site (with an external wall height of approximately 14m, and roof ridge height of 16m); No. 107 Stirling Highway to the south of the site (with an external wall height of approximately 4.9m to 6.2m at the top of the pitched roof); No. 108 Stirling Highway to the south of the site (with an external wall height of approximately 3.4m to 6.6m at the top of the pitched roof); and, No. 7 Leslie Street to the east of the site (with an external wall height of approximately 3.9m at the western wall of the front courtyard to 6.8m to the western boundary wall. The top of the roof has a 9.5m height, which includes a dormer-style balcony). <p>The City's definition of plot ratio area doesn't provide all the exclusions listed in the applicant comment.</p> <p>The City includes the plot ratio area of the Shop in addition to that of the Multiple dwellings to ensure the impact of the overall development is adequately considered. Notwithstanding, the combined plot ratio complies (see body of report).</p>
<p>ACCEPTABLE OUTCOMES</p> <p>Acceptable Outcome pathway may not be applicable where a performance solution is provided</p>		<p>A2.5.1 – Development complies with the plot ratio requirements set out in Table 2.1, except where modified by the local planning framework, in which case development complies with the plot ratio set out in the applicable local planning instrument.</p>	

(Excerpt from table 2.1)

Streetscape contexts and character refer A2	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Plot ratio ⁷ refer 2.5	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0	

(6) Refer to Definitions for calculation of plot ratio

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Plot ratio area is 539m ² Plot Ratio Area of 0.78 proposed (0.8 allowed for R60 sites) – satisfies Acceptable Outcomes.

ELEMENT 2.6	BUILDING DEPTH	
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
Development is to achieve the following Element Objectives	Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.	
O2.6.1 – Building depth supports apartment layouts that optimise daylight and solar access and natural ventilation.	Compliant with acceptable outcomes. All dwellings are north-facing, and 2/3 dwellings are double-aspect. All dwellings are compliant with regard to daylight and solar access and natural ventilation.	Complies – depth is less than 20m – balconies and major openings face north to provide access to daylight.
O2.6.2 – Articulation of building form to allow adequate access to daylight and natural ventilation where greater building depths are proposed.	As above.	Generous articulation and varied façade materials utilised present.
O2.6.3 – Room depths and / or ceiling heights optimise daylight and solar access and natural ventilation.	All apartments have living areas oriented toward the streetscape maximising daylight and solar access. All dwellings are compliant with regard to daylight and solar access and natural ventilation.	Complies - balconies and major openings face north to provide access to daylight – northern aspect maximised.
ACCEPTABLE OUTCOMES		
Acceptable Outcome pathway may not be applicable where a performance solution is provided		
A2.6.1 – Developments that comprise single aspect apartments on each side of a central circulation corridor shall have a maximum building depth of 20m. All other proposals will be assessed on their merits with particular consideration to 4.1 Solar and daylight access and 4.2 Natural ventilation.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	Depth of apartments is less than 20m	

ELEMENT 2.7		BUILDING SEPARATION		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT	
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
O2.7.1 – New development supports the desired future streetscape character with spaces between buildings.		N/A	With reference to the reduced lot boundary setbacks to the south above, the reduced setbacks will somewhat limit building separation should the southern side (108 Stirling) be development similarly in future, however the extent of limitation is considered minor and thereby supportable.	
O2.7.2 – Building separation is in proportion to building height.		N/A	As above.	
O2.7.3 – Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.		N/A	As above and in body of report.	
O2.7.4 – Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings		N/A	Boundary walls at ground level result in no separation, however, are to largely abut boundary walls on adjoining sites, so is considered acceptable.	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>				
A2.7.1 – Development complies with the separation requirements set out in Table 2.7.				
Table 2.7 Building separation				
	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	5-8 storeys (up to 28m)	≥ 9 storeys (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer 2.4 Side and rear setbacks (Table 2.1) and 3.5 Visual privacy (Table 3.5)		
			9m	12m
Distances apply from major openings of rooms, or the inside of balustrading of balconies. Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.				

LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		<ul style="list-style-type: none"> - Unit 1 balcony is separated by 15m from Unit 2 balcony; and, - Unit 2 balcony is separated by 0.2m from Unit 3 balcony (Unit 2 balcony comprises solid enclosure – thereby reducing noise and visual privacy issues to neighbour). 	
ELEMENT 3.2		ORIENTATION	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.2.1 – Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.		<i>Dwellings are north-facing, and pharmacy also has large northern windows. All dwellings and pharmacy address the street with balconies / windows. Site is largely flat, but roof steps down slightly with fall of land.</i>	Building layout generally responds sympathetically to the streetscape with respect to its scale and architectural appearance. Northern aspect maximised with balconies and most major openings addressing northern aspect to maximise natural light.
O3.2.2 – Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.		<p><i>Minimal overshadowing (11.1%) of residential development at No. 107, but roof only – no windows/outdoor living areas or other sensitive spaces.</i></p> <p><i>Moderate overshadowing (48.5%) of mixed-use development at No. 108, but no sensitive spaces. A cross-section provided with the Revision C plans confirms that no portion of the outdoor living space (with the exception of the stair landing) or skylight will be overshadowed at midday, 21 June (refer Rowe Group letter).</i></p> <p><i>Proposal therefore does not overshadow any windows, habitable rooms, outdoor living areas or solar collectors during mid-winter. Proposal will have no adverse impact on solar access.</i></p>	<p>As discussed above, the shadow of the development (at 12pm, 21 June) will cover 48% (a reduction from 54.76% previously proposed) of the southern site (in excess of the 25% permitted by Element 3.2) therefore representing a significant, though meaningfully reduced, variation.</p> <p>It is considered that the amended plans, in addition to the additional information provided with relation to the impact of shadow onto the southern neighbour, demonstrates that the development will minimise any adverse impact of overshadowing. As noted in the body of the report, there will be an acceptable impact of shadow onto the southern neighbours outdoor living area, and no adverse impact will be posed to any solar collectors or sensitive roof area.</p> <p>It is further noted that No. 108 Stirling Hwy has the potential to be redeveloped to the R60 standards due to the same reasons as this application. Therefore, if it was to be redeveloped to the R60 density, 50% of the subject site area could be overshadowed.</p>

ACCEPTABLE OUTCOMES	
<i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>	
A3.2.1 – Buildings on street or public realm frontages are oriented to face the public realm and incorporate direct access from the street.	
A3.2.2 – Buildings that do not have frontages to streets or public realm are oriented to maximise northern solar access to living areas.	
A3.2.3 – Development in climate zones 4, 5 and 6 shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed: <ul style="list-style-type: none"> – adjoining properties coded R25 and lower – 25% of the site area¹ – adjoining properties coded R30 – R40 – 35% of the site area¹ – adjoining properties coded R50 – R60 – 50% of the site area¹ – adjoining properties coded R80 or higher – Nil requirements. <p>(1) Where a development site shares its southern boundary with a lot, and that lot is bound to the north by other lot(s), the limit of shading at A3.2.3 shall be reduced proportionally to the percentage of the affected properties northern boundary that abuts the development site. (Refer to Figure A7.2 in Appendix 7)</p>	
A3.2.4 – Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 3.3 TREE CANOPY AND DEEP SOIL AREAS		
ELEMENT OBJECTIVES	APPLICANT COMMENT	ASSESSOR COMMENT
<i>Development is to achieve the following Element Objectives</i>	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.3.1 – Site planning maximises retention of existing healthy and appropriate and protects the viability of adjoining trees.	<p>No existing trees on site, and no overshadowing of trees on adjoining lots proposed.</p> <p>Significant site constraints in place, being a wide road reserve, power line easement, and the narrow width of the lot.</p>	<p>The subject site is cleared and vacant as existing and as such, no trees are being removed.</p> <p>No neighbouring trees appear to be likely adversely impacted by the development.</p>
O3.3.2 – Adequate measures are taken to improve tree canopy (long term) or to offset reduction of tree canopy from pre-development condition.	<p>Four small trees proposed in lieu of 1 medium tree, as height limits in road reserve and under overhead power lines apply.</p> <p>Trees and majority of landscaping receive direct northern sun.</p>	<p>Revised plans and Landscaping Plan (prepared by TDL) demonstrate improved landscaping of the street setback areas and provisions of deep soil areas (DSA) and 4 small trees – landscaping, DSA and trees generally satisfy Acceptable Outcomes of Table 3.3 below.</p>
O3.3.3 – Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.	<p>Opportunities for deep soil area reduced due to above-mentioned site constraints and lack of communal open space (justified below at Element 3.4).</p> <p>Substantial landscaping is instead provided around the perimeter of the development, and in particular adjacent to the streetscape.</p> <p>Balconies are 37% - 50% larger than required to compensate, and provide opportunity for private on-structure planting.</p>	<p>Revised plans and Landscaping Plan (prepared by TDL) demonstrate improved landscaping of the street setback areas and provisions of DSA and 4 small trees – landscaping, DSA and trees generally satisfy Acceptable Outcomes of Table 3.3 below.</p> <p>The Landscaping Plan claims approx. 13% of total parent site is DSA. The City's calculation (incorporating the 2m dimensions) indicates that 5.9% of total parent lot is DSA.</p> <p>The City notes and accepts the comments provided by the applicant relating to the size of the balconies and its ability to facilitate on-structure and small plant growth.</p> <p>It is noted that the applicant has expressed willingness to rationalise the proposed hardstand area in the MRVA road reserve, which may be misinterpreted as vehicle access by road users (see below). This may increase the area available for the provision of vegetation related to the development.</p>


		
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.3.1 – Retention of existing trees on the site that meet the following criteria: <ul style="list-style-type: none"> – healthy specimens with ongoing viability AND – species is not included on a State or local area weed register AND – height of at least 4m AND/OR – trunk diameter of at least 160mm, measured 1m from the ground AND/OR – average canopy diameter of at least 4m. 		
A3.3.2 – The removal of existing trees that meet any of the criteria at A3.3.1 is supported by an arboriculture report.		
A3.3.3 – The development is sited and planned to have no detrimental impacts on, and to minimise canopy loss of adjoining trees.		
A3.3.4 – Deep soil areas are provided in accordance with Table 3.3a. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.		

Table 3.3a Minimum deep soil area and tree provision requirements

Site Area	Minimum deep soil area	Minimum requirement for trees ¹
Less than 700m ²	10% OR 7% if existing tree(s) retained on site (% site area)	1 medium tree and small trees to suit area
700 – 1,000m ²		2 medium trees OR 1 large tree and small trees to suit area
> 1,000m ²		1 large tree and 1 medium tree for each additional 400m ² in excess of 1000m ² OR 1 large tree for each additional 900m ² in excess of 1000m ² and small trees to suit area
¹ Minimum requirement for trees includes retained or new trees Refer Table 3.3b for tree sizes		

A3.3.5 – Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b.

Table 3.3b Tree sizes

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m ²	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m ²	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m ²	6m	4.5m (DSA) + 1.5m (RSZ)	500L

¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

A3.3.6 – The extent of permeable paving or decking within a deep soil area does not exceed 20 per cent of its area and does not inhibit the planting and growth of trees.

A3.3.7 – Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided.

LOCAL PLANNING FRAMEWORK

REQUIREMENT

Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:

ELEMENT 3.4 COMMUNAL OPEN SPACE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.4.1 – Provision of quality communal open space that enhances resident amenity and provides opportunities for landscaping, tree retention and deep soil areas.	<p>Communal open space is not proposed, given the small number of dwellings (3). Provision of COS would increase strata fees, require ongoing maintenance, provide little benefit for social interaction given only 3 tenants, and is not highly marketable.</p> <p>In lieu of communal open space, the proposed balconies are 37% - 50% larger than that required, to provide additional private open space.</p> <p>The balconies are large enough to accommodate BBQs, large outdoor settings and plants. Further, the balconies are semi-enclosed (to comply with State Planning Policy 5.4 Road and Rail Noise ('SPP5.4') providing additional amenity with regard to both noise and climate control, allowing for year-round use. We are of the view this high-amenity outcome is preferable to the provision of COS in this instance.</p> <p>Further, substantial high-quality public open space is available within the surrounding area. The following recreation facilities are within 400m walking distance:</p> <ul style="list-style-type: none"> - 200m walk to playground on 67 Thompson Road North Fremantle - 270m walk to playground on 17 Burford Pl North Fremantle - 350m walk to Leighton Beach and all facilities – Jessies, Big and Tucker, The Orange Box, MRKT Space etc. - 350m walk to walking trails, playground and parkland overlooking Swan River along Rule St. - 400m walk to Alfred Road park and playground 	<p>No communal open space provided, not strictly required as per Table 3.4 below as small quantum of development (3 units). Additional balcony area provided (except balcony 2) and as applicant notes, abundance of high quality public open space within a reasonable (400m) proximity of development.</p>
O3.4.2 – Communal open space is safe, universally accessible and provides a high level of amenity for residents.	N/A	NA

A3.4.3 – Communal open space is designed and oriented to minimise impacts on the habitable rooms and private open space within the site and of neighbouring properties.	N/A	NA
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.4.1 – Developments include communal open space in accordance with Table 3.4 Table 3.4 Provision of communal open space		
Development size	Overall communal open space requirement	Minimum accessible / hard landscape area (included in overall area requirement)
Up to 10 dwellings	Informal seating associated with deep soil or other landscaped areas	NA
More than 10 dwellings	Total: 6m ² per dwelling up to maximum 300m ²	At least 2m ² per dwelling up to 100m ²
A3.4.2 – Communal open space located on the ground floor or on floors serviced by lifts must be accessible from the primary street entry of the development.		
A3.4.3 – There is 50 per cent direct sunlight to at least one communal open space area for a minimum of two hours between 9am and 3pm on 21 June.		
A3.4.4 – Communal open space is co-located with deep soil areas and/or planting on structure areas and/ or co-indoor communal spaces.		
A3.4.5 – Communal open space is separated or screened from adverse amenity impacts such as bins, vents, condenser units, noise sources and vehicle circulation areas.		
A3.4.6 – Communal open space is well-lit, minimises places for concealment and is open to passive surveillance from adjoining dwellings and/or the public realm.		
A3.4.7 – Communal open space is designed and oriented to minimise the impacts of noise, odour, light-spill and overlooking on the habitable rooms and private open spaces within the site and of neighbouring properties.		
LOCAL PLANNING FRAMEWORK		REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		

ELEMENT 3.5 VISUAL PRIVACY	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT
O3.5.1 – The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>
	<i>Compliant with Acceptable Outcomes, with exception of minor overlooking encroachment from Unit 3 balcony to adjoining Lot 4 front yard. Overlooked area approximately 2m² at front of lot within street setback area.</i>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>	
A3.5.1 – Visual privacy setbacks to side and rear boundaries are provided in accordance with Table 3.5. Table 3.5 Required privacy setback to adjoining sites	
Cone of vision from unscreened:	First 4 storeys
	Adjoining sites coded R50 or lower
Major opening to bedroom, study and open access walkways	4.5m
Major openings to habitable rooms other than bedrooms and studies	6m
Unenclosed private outdoor spaces	7.5m
	Adjoining sites coded higher than R50
	3m
	4.5m
	6m
	5th storey and above
	Refer Table 2.7
A3.5.2 – Balconies are unscreened for at least 25 per cent of their perimeter (including edges abutting a building).	
A3.5.3 – Living rooms have an external outlook from at least one major opening that is not obscured by a screen.	
A3.5.4 – Windows and balconies are sited, oriented, offset or articulated to restrict direct overlooking, without excessive reliance on high sill levels or permanent screening of windows and balconies.	
LOCAL PLANNING FRAMEWORK	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 3.6 PUBLIC DOMAIN INTERFACE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.6.1 – The transition between the private and public domain enhances the privacy and safety of residents.	<i>Secure entry to pedestrian staircase and bin store. Clear delineation (signage and floor treatment) between customer and resident parking.</i>	Complies – sufficient surveillance of the public realm provided by the apartments, whilst allowing for privacy to be maintained given the balconies are raised above eye level.
O3.6.2 – Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.	<i>Substantial landscaping addressing both streets. Balconies and windows addressing both streets. Awning over pedestrian entry, but unable to be provided over Stirling Hwy footpath given substantial road reserve.</i>	Revised plans and Landscaping Plan (prepared by TDL) demonstrate improved landscaping of the street setback areas and enhances interface with public domain and footpaths.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.6.1 – The majority of ground floor dwellings fronting onto a street or public open space have direct access by way of a private terrace, balcony or courtyard.		
A3.6.2 – Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).		
A3.6.3 – Upper level balconies and/or windows overlook the street and public domain areas.		
A3.6.4 – Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.		
A3.6.5 – Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.		
A3.6.6 – Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.		
A3.6.7 – Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.		
A3.6.8 – Bins are not located within the primary street setback or in locations visible from the primary street.		
A3.6.9 – Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage. ¹		
<small>(1) Firefighting and access to services such as power and water meters require careful consideration in the design of the front façade. Consult early with relevant authorities to resolve functional requirements in an integrated design solution.</small>		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	

<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>	
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ELEMENT 3.7 PEDESTRIAN ACCESS AND ENTRIES		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.7.1 – Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.	<i>All entries and pathways at-grade and delineated; signage provided; motion-sensor lighting provided in car park and landscaping; secure residential access with intercom, and window to prevent concealment; security cameras; wide footpath provided.</i>	Agree with applicant comment. Access to Shop clear for customers – access for residential portions clear for residents and visitors due to presence of letter boxes and signage.
O3.7.2 – Entries to the development connect to and address the public domain with an attractive street presence.	<i>Entries address the street, surrounded by landscaping,</i>	Agree with applicant comment.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.7.1 – Pedestrian entries are connected via a legible, well-defined, continuous path of travel to building access areas such as lift lobbies, stairs, accessways and individual dwelling entries.		
A3.7.2 – Pedestrian entries are protected from the weather.		
A3.7.3 – Pedestrian entries are well-lit for safety and amenity, visible from the public domain without opportunity for concealment, and designed to enable casual surveillance of the entry from within the site.		
A3.7.4 – Where pedestrian access is via a shared zone with vehicles, the pedestrian path is clearly delineated and/or measures are incorporated to prioritise the pedestrian and constrain vehicle speed.		
A3.7.5 – Services and utilities that are located at the pedestrian entry are integrated into the design and do not detract from the amenity of the entry.		
A3.7.6 – Bins are not located at the primary pedestrian entry.		
LOCAL PLANNING FRAMEWORK		REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		

ELEMENT 3.8 VEHICLE ACCESS		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O3.8.1 – Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.	<i>One (1) crossover provided on Leslie Road, being the lower order road and therefore safer for entry. Sight lines maintained at crossover (no columns/walls or landscaping within truncation).</i>	Compliant – access provided a sufficient distance from Stirling Highway
O3.8.2 – Vehicle access points are designed and located to reduce visual impact on the streetscape.	<i>Vehicle access point built into building, and balanced by upper floor above. No garage door proposed.</i>	Compliant – residential apartments cantilever over the carparking area, thereby ensuring that it blends into the streetscape, and is not a stark contrast to the streetscape.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.8.1 – Vehicle access is limited to one opening per 20m street frontage that is visible from the street.		
A3.8.2 – Vehicle entries are identifiable from the street, while being integrated with the overall façade design and/ or located behind the primary building line.		
A3.8.3 – Vehicle entries have adequate separation from street intersections.		
A3.8.4 – Vehicle circulation areas avoid headlights shining into habitable rooms within the development and adjoining properties.		
A3.8.5 – Driveway width is kept to a functional minimum, relative to the traffic volumes and entry/egress requirements.		
A3.8.6 – Driveways designed for two way access to allow for vehicles to enter the street in forward gear where: <ul style="list-style-type: none"> the driveway serves more than 10 dwellings the distance from an on-site car parking to the street is 15m or more OR the public street to which it connects is designated as a primary distributor, district distributor or integrated arterial road. 		
A3.8.7 – Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, other structures adjoin vehicle access points where a driveway meets a public street and where two streets intersect (refer Figure 3.8a).		

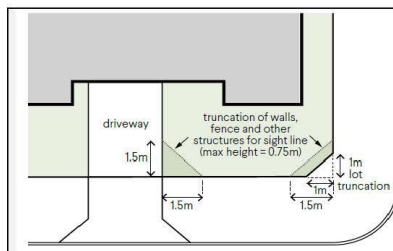



Figure 3.8a Truncation at street corner to provide sightlines (refer A3.8.7).

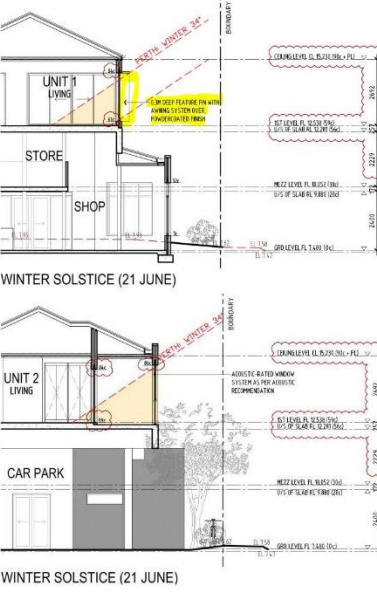
LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

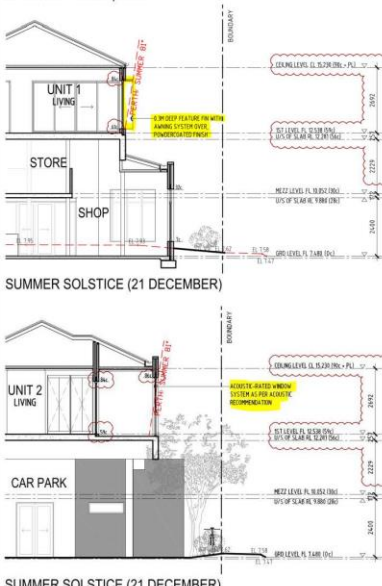
ELEMENT 3.9 CAR AND BICYCLE PARKING		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O3.9.1 – Parking and facilities are provided for cyclists and other modes of transport.	<i>Bicycle parking provided consistent with Acceptable Outcomes, with an additional bay provided for the pharmacy (2 total). Site located opposite North Fremantle train station, and within close proximity to 2 high frequency and 1 low-frequency bus routes.</i>	<u>Bicycle parking</u> Shop: 1 Class 1 rack per 300m2 GLA, 1 required (2 provided) Apartments: 0.5 racks per dwelling + 1 per 10 dwellings – (2.5) - 3 racks required (2 provided)
O3.9.2 – Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.	<i>1 car bay provided per dwelling (3 total) – Compliant with Acceptable Outcome. No visitor bay provided given close proximity to public transport (as above), ample street parking on adjoining Thompson Road, and 2 residential bicycle bays. Proposed visitor bay was removed in order to accommodate maintenance of the significant portion of heritage-listed limestone wall on the site (refer Rowe Group letter). 8 bays provided for staff/customers of pharmacy in lieu of 11.45 (as per LPS 4). 8 bays are sufficient given understanding of current operations of pharmacy (currently located next door at No. 108). Pharmacy's current site has 7 dedicated bays. Pharmacy undertakes significant number of deliveries to patients/customers, reducing need for parking. Many customers also walk from surrounding residential streets, or train station opposite site. An additional bicycle space has also been provided (2 rather than 1). Development is therefore consistent with considerations for reducing in parking as per Clause 4.7.3.1 of LPS 4.</i>	<u>Car parking</u> Shop: requirement: 1:20m2 NLA (min 2 bays) – 229m2 NLA proposed – (11.45 bays required (12)) – 12 bays required, 8 provided (4 bay shortfall). Apartments: 3 bays required, 3 resident bays provided – compliant . Technically no visitor parking required due to only 3 units being proposed, none provided. Due to highly accessible location of site (high frequency bus routes, train station all within close proximity) reduced car parking considered acceptable – site also benefits from street parking available on Leslie Street. City agrees with applicant comment.
O3.9.3 – Car parking is designed to be safe and accessible.	<i>Access to pharmacy and dwellings provided directly from car parking area. Sight lines maintained within car park. Pedestrian path delineated. 1 accessible bay provided.</i>	Car parking – generally safe and workable – bay R3 may have an issue however due to proximity to wall- however Infrastructure has confirmed it is workable. It is considered that the configuration is acceptable, as the

		tight manoeuvring area affects only one bay and is proposed in order to retain the portion of limestone fence.
O3.9.4 – The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.	<i>Car parking located behind landscaping, with dwelling balconies above.</i>	Car parking area isn't highly visible from the streetscape.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A3.9.1 – Secure, undercover bicycle parking is provided in accordance with Table 3.9 and accessed via a continuous path of travel from the vehicle or cycle entry point.		
Table 3.9 Parking ratio		
Parking types	Location A	Location B
Car parking ¹	1 bedroom dwellings	0.75 bay per dwelling
	2+ bedroom dwellings	1 bay per dwelling
	Visitor	1.25 bays per dwelling
Bicycle parking ²	1 bay per four dwellings up to 12 dwellings	
	1 bay per eight dwellings for the 13th dwelling and above	
	Resident	0.5 space per dwelling
Motorcycle/ Scooter parking ²	Visitor	1 space per 10 dwellings
	Developments exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays	
¹ Calculations of parking ratios shall be rounded up to the next whole number. ² For each five motorcycle/scooter parking bays provided in accordance with Table 3.9, car parking bays may be reduced by one bay. Definitions: Location A: within 800m walkable catchment of a train station and/or 250m of a transit stop (bus or light rail) of a high-frequency route and/or within the defined boundaries of an activity centre. Location B: not within Location A.		
A3.9.2 – Parking is provided for cars and motorcycles in accordance with Table 3.9.		
A3.9.3 – Maximum parking provision does not exceed double the minimum number of bays specified in Table 3.9		
A3.9.4 – Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended) or the requirements of applicable local planning instruments.		
A3.9.5 – Car parking areas are not located within the street setback and are not visually prominent from the street.		
A3.9.6 – Car parking is designed, landscaped or screened to mitigate visual impacts when viewed from dwellings and private outdoor spaces.		
A3.9.7 – Visitor parking is clearly visible from the driveway, is signed 'Visitor Parking' and is accessible from the primary entry or entries.		
A3.9.8 – Parking shade structures, where used, integrate with and complement the overall building design and site aesthetics and have a low reflectance to avoid glare into apartments.		
A3.9.9 – Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays.		


A3.9.10 – Basement parking does not protrude more than 1m above ground, and where it protrudes above ground is designed or screened to prevent negative visual impact on the streetscape.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>	

ELEMENT 4.1	SOLAR AND DAYLIGHT ACCESS	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
<p>O4.1.1 – In climate zones 4, 5 and 6: the development is sited and designed to optimise the number of dwellings receiving winter sunlight to private open space and via windows to habitable rooms.</p>	<p><i>Compliant with Acceptable Outcomes.</i></p>	<p>Apartments have good sunlight access given the balconies and habitable rooms face (or have access to) the northern aspect of the site. Applicant provided diagram below to illustrate this point:</p> 

<p>O4.1.2 – Windows are designed and positioned to optimise daylight access for habitable rooms.</p>	<p><i>Compliant with Acceptable Outcomes.</i></p>	<p>Complies – as noted below, the presence of the fins at the northern windows allows for adequate winter sunlight access, whilst minimising summer sunlight incursion.</p> 
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<p>O4.1.3 – The development incorporates shading and glare control to minimise heat gain and glare:</p> <ul style="list-style-type: none"> – from mid-spring to autumn in climate zones 4, 5 and 6 AND – year-round in climate zones 1 and 3. 	<p><i>Compliant with Acceptable Outcomes.</i></p>	<p>Balconies and major openings include acoustic rated window systems and 0.3m feature fins to north facing windows – Complies</p> 
<p>ACCEPTABLE OUTCOMES Acceptable Outcome pathway may not be applicable where a performance solution is provided</p>		
<p>A4.1.1 – In climate zones 4, 5 and 6 <u>only</u>:</p>		

<p>a) Dwellings with a northern aspect are maximised, with a minimum of 70 per cent of dwellings having living rooms and private open space that obtain at least 2 hours direct sunlight between 9am and 3pm on 21 June AND</p> <p>b) A maximum of 15 per cent of dwellings in a building receiving no direct sunlight between 9am and 3pm on 21 June.</p>	
<p>A4.1.2 – Every habitable room has at least one window in an external wall, visible from all parts of the room, with a glazed area not less than 10 per cent of the floor area and comprising a minimum of 50 per cent of clear glazing.</p>	
<p>A4.1.3 – Lightwells and/or skylights do not form the primary source of daylight to any habitable room.</p>	
<p>A4.1.4 – The building is oriented and incorporates external shading devices in order to:</p> <ul style="list-style-type: none"> – minimise direct sunlight to habitable rooms: <ul style="list-style-type: none"> ▪ between late September and early March in climate zones 4, 5 and 6 only AND ▪ in all seasons in climate zones 1 and 3 – permit winter sun to habitable rooms in accordance with A 4.1.1 (a). 	
<p>LOCAL PLANNING FRAMEWORK</p> <p>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</p>	<p>REQUIREMENT</p>
<p>ELEMENT 4.2 NATURAL VENTILATION</p>	
<p>ELEMENT OBJECTIVES Development is to achieve the following Element Objectives</p>	<p>APPLICANT COMMENT</p> <p>ASSESSOR COMMENT</p>
<p>O4.2.1 – Development maximises the number of apartments with natural ventilation.</p>	<p><i>Compliant with Acceptable Outcomes.</i></p> <p>All apartments have some ventilation ability. Apartments 1 & 3 are dual aspect and will benefit from cross-ventilation (>60%) - complies with Acceptable Outcomes. Applicant has provided diagram below to illustrate this point:</p>

		 <p>PROMINENT WIND DIRECTION</p> <p>ACCORDING TO AUSTRALIAN GOVERNMENT BUREAU OF METEOROLOGY - WIND DIRECTION AND DIRECTION WIND</p> <p>WIND DIRECTION (DEGREE) NORTH-EAST & EAST</p> <p>WIND DIRECTION (DEGREE) SOUTH-WEST & WEST</p> <p>NATURAL VENTILATION</p> <p>ACCORDING TO A-CODES VOLUME 2 (ALL WINDWARD AND DOWNWIND ARE CAPABLE OF BEING NATURALLY CROSS VENTILATED)</p> <p>THE REQUIRED NUMBER OF DWELLINGS 3 UNITS</p> <p>THE COMPLETED NUMBER OF DWELLINGS 3 UNITS (SEE PLAN)</p>
O4.2.2 – Individual dwellings are designed to optimise natural ventilation of habitable rooms.	<i>Compliant with Acceptable Outcomes.</i>	Habitable rooms can be adequately ventilated (openings are openable to the habitable rooms).
O4.2.3 – Single aspect apartments are designed to maximise and benefit from natural ventilation.	<i>Compliant with Acceptable Outcomes.</i>	Balcony and several major openings to single aspect unit (Unit 2) have outward expression which will allow some natural ventilation of unit.
ACCEPTABLE OUTCOMES Acceptable Outcome pathway may not be applicable where a performance solution is provided		

A4.2.1 – Habitable rooms have openings on at least two walls with a straight line distance between the centre of the openings of at least 2.1m.	
A4.2.2 – <ul style="list-style-type: none"> (a) A minimum 60 per cent of dwellings are, or are capable of, being naturally cross ventilated in the first nine storeys of the building (b) Single aspect apartments included within the 60 per cent minimum at (a) above must have: <ul style="list-style-type: none"> ventilation openings oriented between 45° – 90° of the prevailing cooling wind direction AND room depth no greater than 3 × ceiling height (c) For dwellings located at the 10th storey or above, balconies incorporate high and low level ventilation openings. 	
A4.2.3 – The depth of cross-over and cross-through apartments with openings at either end and no openings on side walls does not exceed 20m.	
A4.2.4 – No habitable room relies on lightwells as the primary source of fresh-air.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.	

ELEMENT 4.3 SIZE AND LAYOUT OF DWELLINGS												
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT										
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>											
O4.3.1 – The internal size and layout of dwellings is functional with the ability to flexibly accommodate furniture settings and personal goods, appropriate to the expected household size.	<i>Compliant with Acceptable Outcomes.</i>	Apartments are suitable in size to allow for furniture to be placed effectively – complies with Acceptable Outcomes for all units.										
O4.3.2 – Ceiling heights and room dimensions provide for well-proportioned spaces that facilitate good natural ventilation and daylight access.	<i>Compliant with Acceptable Outcomes.</i>	Negligible variation to apartment ceiling heights (2.692m in lieu of 2.7m). Proportion of rooms is sufficient to allow for good sunlight access and ventilation to occur.										
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>												
A4.3.1 – Dwellings have a minimum internal floor area in accordance with Table 4.3a.												
Table 4.3a Minimum floor areas for dwelling types												
<table><tr><th>Dwelling type</th><th>Minimum internal floor area</th></tr><tr><td>Studio</td><td>37m²</td></tr><tr><td>1 bed</td><td>47m²</td></tr><tr><td>2 bed + 1 bath¹</td><td>67m²</td></tr><tr><td>3 bed + 1 bath¹</td><td>90m²</td></tr></table>	Dwelling type	Minimum internal floor area	Studio	37m ²	1 bed	47m ²	2 bed + 1 bath ¹	67m ²	3 bed + 1 bath ¹	90m ²		
Dwelling type	Minimum internal floor area											
Studio	37m ²											
1 bed	47m ²											
2 bed + 1 bath ¹	67m ²											
3 bed + 1 bath ¹	90m ²											
¹ An additional 3m ² shall be provided for designs that include a second or separate toilet, and 5m ² for designs that include a second bathroom.												
A4.3.2 – Habitable rooms have minimum floor areas and dimensions in accordance with Table 4.3b.												

Table 4.3b Minimum floor areas and dimensions for habitable rooms																	
<table border="1"> <thead> <tr> <th>Habitable room type</th><th>Minimum internal floor area</th><th>Minimum internal dimension</th></tr> </thead> <tbody> <tr> <td>Master bedroom</td><td>10m²</td><td>2.7m</td></tr> <tr> <td>Other bedrooms</td><td>9m²</td><td>2.7m</td></tr> <tr> <td>Living room – studio and 1 bed apartments</td><td>N/A</td><td>3.6m</td></tr> <tr> <td>Living room – other dwelling types</td><td>N/A</td><td>4m</td></tr> </tbody> </table> <p>¹Excluding robes</p>			Habitable room type	Minimum internal floor area	Minimum internal dimension	Master bedroom	10m ²	2.7m	Other bedrooms	9m ²	2.7m	Living room – studio and 1 bed apartments	N/A	3.6m	Living room – other dwelling types	N/A	4m
Habitable room type	Minimum internal floor area	Minimum internal dimension															
Master bedroom	10m ²	2.7m															
Other bedrooms	9m ²	2.7m															
Living room – studio and 1 bed apartments	N/A	3.6m															
Living room – other dwelling types	N/A	4m															
A4.3.3 – Measured from the finished floor level to finished ceiling level, minimum ceiling heights are: <ul style="list-style-type: none"> Habitable rooms – 2.7m Non-habitable rooms – 2.4m All other ceilings meet or exceed the requirements of the NCC. 																	
A4.3.4 – The length of a single aspect open plan living area is equal to or less than 3 x the ceiling height. An additional 1.8m length may be provided for a kitchen, where the kitchen is the furthest point from the window in an open plan living area provided that the maximum length does not exceed 9m.																	
LOCAL PLANNING FRAMEWORK		REQUIREMENT															
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.																	

ELEMENT 4.4 PRIVATE OPEN SPACE AND BALCONIES		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.4.1 – Dwellings have good access to appropriately sized private open space that enhances residential amenity.	37% - 50% additional area provided for balconies, in compensation for lack of communal open space.	All balconies achieve and/or exceed acceptable outcomes of table 4.4 below - Complies
O4.4.2 – Private open space is sited, oriented and designed to enhance liveability for residents.	Balconies north-facing and semi-enclosed (floor to ceiling double-hung windows) to comply with noise requirements (SPP5.4) and provide climate control, for year-round use.	Each balcony is oriented/sited/Designed to enhance liveability for residents and maximise northern aspect.
O4.4.3 – Private open space and balconies are integrated into the overall architectural form and detail of the building.	Balconies sit within built form / roof form, with complementary architectural detail.	Balconies are integrated into the overall design of the building.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.4.1 – Each dwelling has private open space accessed directly from a habitable room with dimensions in accordance with Table 4.4.		
Table 4.4 Private open space requirements		
Dwelling type	Minimum Area¹	Minimum Dimension¹
Studio apartment + 1 bedroom	8m ²	2.0m
2 bedroom	10m ²	2.4m
3 bedroom	12m ²	2.4m
Ground floor / apartment with a terrace	15m ²	3m
¹ Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.		
A4.4.2 – Where private open space requires screening to achieve visual privacy requirements, the entire open space is not screened and any screening is designed such that it does not obscure the outlook from adjacent living rooms.		
A4.4.3 – Design detailing, materiality and landscaping of the private open space is integrated with or complements the overall building design.		
A4.4.4 – Services and fixtures located within private open space, including but not limited to air-conditioner units and clothes drying, are not visible from the street and/or are integrated into the building design.		

LOCAL PLANNING FRAMEWORK		REQUIREMENT	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.			
ELEMENT 4.5	CIRCULATION AND COMMON SPACES		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT	
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>		
O4.5.1 – Circulation spaces have adequate size and capacity to provide safe and convenient access for all residents and visitors.	<i>Compliant with Acceptable Outcomes.</i>	Revised plans increased corridor width to 1.5m to achieve Acceptable Outcomes – no lift access so not universal but given minor quantum of development, considered acceptable	
O4.5.2 – Circulation and common spaces are attractive, have good amenity and support opportunities for social interaction between residents.	<i>Compliant with Acceptable Outcomes.</i>	Corridor is basic with a highlight window facing south – therefore amenity isn't optimal – however space exists for some social interaction.	
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.5.1 – Circulation corridors are a minimum 1.5m in width.			
A4.5.2 – Circulation and common spaces are designed for universal access.			
A4.5.3 – Circulation and common spaces are capable of passive surveillance, include good sightlines and avoid opportunities for concealment.			
A4.5.4 – Circulation and common spaces can be illuminated at night without creating light spill into the habitable rooms of adjacent dwellings.			
A4.5.5 – Bedroom windows and major openings to living rooms do not open directly onto circulation or common spaces and are designed to ensure visual privacy and manage noise intrusion.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.			

ELEMENT 4.6		STORAGE	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
		<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.6.1 – Well-designed, functional and conveniently located storage is provided for each dwelling.		<i>Compliant with Acceptable Outcomes.</i>	Complies – external storage units provided internal to the building and is easily accessible for residential units.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.6.1 – Each dwelling has exclusive use of a separate, ventilated, weatherproof, bulky goods storage area. This can be located either internally or externally to the dwelling with dimensions in accordance with Table 4.6.			
Table 4.6 Storage requirements			
Dwelling type	Storage area¹	Minimum dimension¹	Minimum height¹
Studio dwelling	3m ²	1.5m	2.1m
1 bedroom dwelling	3m ²		
2 bedroom dwellings	4m ²		
3 bedroom dwellings	5m ²		
¹ Dimensions exclusive of services and plant.			
A4.6.2 – Bulky good stores that are not directly accessible from the dwelling/private open space are located in areas that are convenient, safe, well-lit, secure and subject to passive surveillance.			
A4.6.3 – Storage provided separately from dwellings or within or adjacent to private open space ¹ , is integrated into the design of the building or open space and is not readily visible from the public domain.			
(1) Storage on/adjacent to private open space is additional to required open space area and dimensions.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>			

ELEMENT 4.7 MANAGING THE IMPACT OF NOISE			
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>		APPLICANT COMMENT	ASSESSOR COMMENT
O4.7.1 – The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings and on-site open space.		<i>Balconies face away from pharmacy pedestrian entry, and from main road (Stirling Hwy). Balconies semi-enclosed to reduce road and rail noise. Development is compliant with SPP 5.4 (as per Road Traffic Noise Assessment).</i>	Revised plans demonstrate acoustic rated windows systems employed – further details to be secured by appropriate condition to ensure compliance.
O4.7.2 – Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.		<i>Internal party walls – 250mm thick wall; 90mm brickwork on both sides with rendered finish and 70mm cavity. Structural slab between car park/shop and apartments – 257mm thick suspended slab; 172mm thick slab to common corridor and balcony.</i>	See applicant comment.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>			
A4.7.1 – Dwellings exceed the minimum requirements of the NCC, such as a rating under the AAC Guideline for Apartment and Townhouse Acoustic Rating (or equivalent).			
A4.7.2 – Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of habitable rooms or within 3m of a window to a bedroom.			
A4.7.3 – Major openings to habitable rooms are oriented away or shielded from external noise sources.			
LOCAL PLANNING FRAMEWORK		REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>			

ELEMENT 4.8 DWELLING MIX		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.8.1 – A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.	N/A given only 3 dwellings proposed.	Apartments are of varying size (74m ² – 96m ²). All apartments are 2 bedrooms. Given the small quantum of development, lack of apartment bedroom number diversity is supportable – dwelling mix not technically required as per A4.8.1 below.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.8.1 – a) Dwelling mix is provided in accordance with the objectives, proportions or targets specified in a local housing strategy or relevant local planning instrument OR b) Where there is no local housing strategy, developments of greater than 10 dwellings include at least 20 per cent of apartments of differing bedroom numbers.		
A4.8.2 – Different dwelling types are well distributed throughout the development, including a mix of dwelling types on each floor.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>		

ELEMENT 4.9 UNIVERSAL DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
O4.9.1 – Development includes dwellings with universal design features providing dwelling options for people living with disabilities or limited mobility and/or to facilitate ageing in place.	At grade footpaths/pharmacy entry/car park. Universal dwelling design not proposed given only 3 dwellings.	Non-compliant – access to dwellings provided by stair only – may be supportable given small quantum of dwellings (3) Whilst not true universal access due to residences being accessed by stairs, due to the threshold of apartments being three dwellings, it considered acceptable. Notwithstanding, the applicant has taken steps to aid in universal access through providing 1.5m wide accessways. Ground floor commercial unit and car parking areas fully accessible
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.9.1 – a) 20 per cent of all dwellings, across a range of dwelling sizes, meet Silver Level requirements as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia) OR b) 5 per cent of dwellings are designed to Platinum Level as defined in the Liveable Housing Design Guidelines (Liveable Housing Australia).		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>		

ELEMENT 4.10 FAÇADE DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.10.1 – Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.	<i>Comparable to adjacent residential development on Leslie Road given pitched roof, similar datum lines, similar height, similar materiality (rendered brick, metal roofing).</i>	Compliant – building facades are consistent with the design/proportions/roof forms and scale of surrounding development context.
O4.10.2 – Building façades express internal functions and provide visual interest when viewed from the public realm.	<i>Mix of materials, horizontal and vertical articulation, large balconies and windows addressing the street, substantial landscaping with small trees along Leslie Road.</i>	Compliant – the apartments include a high degree of articulation and visual interest. Note: a corner landmark type feature would be interesting – given it is a corner lot.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.10.1 – Façade design includes: <ul style="list-style-type: none"> – scaling, articulation, materiality and detailing at lower levels that reflect the scale, character and function of the public realm – rhythm and visual interest achieved by a combination of building articulation, the composition of different elements and changes in texture, material and colour. 		
A4.10.2 – In buildings with height greater than four storeys, façades include a defined base, middle and top for the building.		
A4.10.3 – The façade includes design elements that relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.		
A4.10.4 – Building services fixtures are integrated in the design of the façade and are not visually intrusive from the public realm.		
A4.10.5 – Development with a primary setback of 1m or less to the street includes awnings that: <ul style="list-style-type: none"> – define and provide weather protection to entries – are integrated into the façade design – are consistent with the streetscape character. 		
A4.10.6 – Where provided, signage is integrated into the façade design and is consistent with the desired streetscape character.		
LOCAL PLANNING FRAMEWORK <i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>	REQUIREMENT	

ELEMENT 4.11 ROOF DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.11.1 – Roof forms are well integrated into the building design and respond positively to the street.	<i>Compliant.</i>	Compliant
O4.11.2 – Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.	<i>Proposed 25 degree roof pitch to reduce bulk and scale, bring building height in line with surrounding residential development on Leslie Road, and provide space for PV panels facing north.</i>	No communal space provided at roof level nor required (see above) – revised plans demonstrate ability to provide solar PV across northern roof pitch. – complies.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.11.1 – The roof form or top of building complements the façade design and desired streetscape character.		
A4.11.2 – Building services located on the roof are not visually obtrusive when viewed from the street.		
A4.11.3 – Useable roof space is safe for users and minimises overlooking and noise impacts on private open space and habitable rooms within the development and on adjoining sites.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>		

ELEMENT 4.12 LANDSCAPE DESIGN		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.12.1 – Landscape design enhances streetscape and pedestrian amenity; improves the visual appeal and comfort of open space areas; and provides an attractive outlook for habitable rooms.	<i>Landscaping provided along both Stirling Hwy and Leslie Road, with small olive trees providing shade for pedestrians.</i>	Revised plans and Landscaping Plan (prepared by TDL) demonstrate improved landscaping of the street setback areas and site generally and provisions of DSA and 4 small trees – landscaping, DSA (13% of site) and trees generally satisfy Acceptable Outcomes of Table 3.3 below.
O4.12.2 – Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.	<i>Compliant – refer species schedule on Landscaping Plan.</i>	Refer landscaping plans
O4.12.3 – Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.	<i>Water efficient irrigation system to be installed to best WSUD practice, using hydro-zoning and water harvesting principles where appropriate. Detailed irrigation plan to be provided at building permit.</i>	Details required at building permit, secured by condition
O4.12.4 – Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.	<i>Landscaping focussed around streetscape to provide amenity for pedestrians and users of pharmacy, and improve outlook from balconies. Waterwise species proposed to suit local soil complex.</i>	As above
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.12.1 – Submission of a landscape plan prepared by a competent landscape designer. This is to include a species list and irrigation plan demonstrating achievement of Waterwise design principles.		
A4.12.2 – Landscaped areas are located and designed to support mature, shade-providing trees to open space and the public realm, and to improve the outlook and amenity to habitable rooms and open space areas.		
A4.12.3 – Planting on building structures meets the requirements of Table 4.12.		

Table 4.12 Planting on structure: minimum soil standards for plant types and sizes				
Plant type	Definition	Soil volume	Soil depth	Soil area
Large tree	Over 12m high, crown spread at maturity	76.8m ³	1,200mm	64m ² with minimum dimension 7m
Medium tree	8-12m high, crown spread at maturity	36m ³	1,000mm	36m ² with minimum dimension 5m
Small tree	4-8m high, crown spread at maturity	7.2m ³	800mm	3m x 3m
Small ornamentals	3-4m high, crown spread at maturity	3.2m ³	800mm	2m x 2m
Shrubs	--	--	500-600mm	--
Ground cover	--	--	300-450mm	--
Turf	--	--	200mm	--

A4.12.4 – Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

LOCAL PLANNING FRAMEWORK	REQUIREMENT
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:	

ELEMENT 4.13 ADAPTIVE REUSE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.13.1 – New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.	NA	N/A
O4.13.2 – Residential dwellings within an adapted building provide good amenity for residents, generally in accordance with the requirements of this policy.	NA	N/A
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.13.1 – New additions to buildings that have heritage value do not mimic the existing form and are clearly identifiable from the original building.		
A4.13.2 – New additions complement the existing building by referencing and interpreting the scale, rhythm and materiality of the building.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:		

ELEMENT 4.14 MIXED USE		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.14.1 – Mixed use development enhances the streetscape and activates the street.	Active ground floor use (shop) with large windows and clear pedestrian entry to activate street.	Significant glazing across street frontage from shop and footpath entry to provide activation of frontages.
O4.14.2 – A safe and secure living environment for residents is maintained through the design and management of the impacts of non-residential uses such as noise, light, odour, traffic and waste.	Secure resident entry located within car park for safety. Bin store located away from opening to dwellings. Noise managed as per Element 4.8. Pharmacy will be open standard business hours, so will not result in undue noise or light impacts during "night time" hours. Separate resident parking area in car park (delineated with floor treatment and signage).	Agree with applicant comment. It is further considered that the car parking areas are safe due to the proposed lighting plan provided, in addition to the presence of an upper floor balcony protruding over the vehicle entrance, which provides a degree of passive surveillance.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.14.1 – Where development is located within a mixed use area designated within the local planning framework, ground floor units are designed for future adaption to non-residential uses.		
A4.14.2 – Ground floor uses including non-commercial uses, such as communal open space, habitable rooms, verandahs and courtyards associated with ground floor dwellings, address, enhance and activate the street.		
A4.14.3 – Non-residential space in mixed use development is accessed via the street frontage and/or primary entry as applicable.		
A4.14.4 – Non-residential floor areas provided in mixed use development has sufficient provision for parking, waste management, and amenities to accommodate a range of retail and commercial uses in accordance with the requirements		
A4.14.5 – Mixed use development is designed to mitigate the impacts of non-residential uses on residential dwellings, and to maintain a secure environment for residents.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		

ELEMENT 4.15 ENERGY EFFICIENCY		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.15.1 – Reduce energy consumption and greenhouse gas emissions from the development.	<p>PV cells and power points for electric cars provided (as below).</p> <p>PV cells provided to power pharmacy: 2 x 6.6kwh panels, and 2 x 5kwh inverters. Power points provided for each residential parking bay, with sufficient power for future installation of electric car charging station (as needed by resident). Energy efficient appliances (further investigated at building permit). Compliant.</p>	Revised plans provide PV Cells on northern roof slope – further details to be secured by appropriate conditions to demonstrate compliance with A4.15.1 below – details and Building Permit.
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.15.1 – <ul style="list-style-type: none"> a) Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Design Guidance) OR b) All dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars.¹ <p>Compliance with the NCC requires that development shall achieve an average star-rating across all dwellings that meets or exceeds a nominated benchmark, and that each unit meets or exceeds a slightly lower benchmark. Compliance with this Acceptable Outcome requires that each unit exceeds that lower benchmark by at least half a star.</p>		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement:</i>		

ELEMENT 4.16 WATER MANAGEMENT AND CONSERVATION		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.16.1 – Minimise potable water consumption throughout the development.	<i>WSUD principles applied to Landscaping Plan. Water-efficient appliances to be confirmed at building permit.</i>	Generally compliant – further details at building permit
O4.16.2 – Stormwater runoff from small rainfall events is managed on-site, wherever practical.	<i>Compliant – soakwells with total capacity of 8.97m³ provided (based on 1m³ of storage per 65m² of roof & open area).</i>	Generally compliant – further details at building permit
O4.16.3 – Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.	<i>Car park at grade, landscaping between built form and street.</i>	Generally compliant – further details at building permit
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.16.1 – Dwellings are individually metered for water usage.		
A4.16.2 – Stormwater runoff generated from small rainfall events is managed on-site.		
A4.16.3 – Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>		

ELEMENT 4.17 WASTE MANAGEMENT		
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	APPLICANT COMMENT	ASSESSOR COMMENT
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>	
O4.17.1 – Waste storage facilities minimise negative impacts on the streetscape, building entries and the amenity of residents.	<i>Commercial bin store provided in separate room accessed from Leslie Road. Residential bin store provided within secure enclosure at south-east corner of site. All bin stores separated from entries/windows.</i>	Revised plans relocated bin storage away from streetscape and clear view of residents – waste management plans provided with revised plans (see comment from internal Waste team)
O4.17.2 – Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.	<i>Recycling and FOGO bins provided alongside landfill bin. Bin number and volume provided in accordance with Waste Management Plan.</i>	waste management plans provided with revised plans – see comment from internal Waste team
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>		
A4.17.1 – Waste storage facilities are provided in accordance with the Better Practice considerations of the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines</i> (or local government requirements where applicable).		
A4.17.2 – A Level 1 Waste Management Plan (Design Phase) is provided in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines</i> - Appendix 4A (or equivalent local government requirements).		
A4.17.3 – Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste in accordance with the <i>WALGA Multiple Dwelling Waste Management Plan Guidelines</i> - Level 1 Waste Management Plan (Design Phase) (or local government requirements where applicable).		
A4.17.4 – Communal waste storage is sited and designed to be screened from view from the street, open space and private dwellings.		
LOCAL PLANNING FRAMEWORK	REQUIREMENT	
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>		

ELEMENT 4.18 UTILITIES	
ELEMENT OBJECTIVES <i>Development is to achieve the following Element Objectives</i>	<div>APPLICANT COMMENT</div> <div>ASSESSOR COMMENT</div>
	<i>Outline the rationale demonstrating that the proposal has met the Element Objectives, through either a performance based solution or using the Acceptable Outcomes. The Design Guidance provided in the policy may be of assistance.</i>
O4.18.1 – The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.	<div>Complies with Acceptable Outcomes.</div> <div>Development capable of having this provision.</div>
O4.18.2 – All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.	<div>Complies with Acceptable Outcomes.</div> <div>complies</div>
O4.18.3 – Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street or open space within the development.	<div>Complies with Acceptable Outcomes.</div> <div>complies</div>
O4.18.4 – Utilities within individual dwellings are of a functional size and layout and located to minimise noise or air quality impacts on habitable rooms and balconies.	<div>Complies with Acceptable Outcomes.</div> <div>Air-conditioners are located to reduce impacts on amenity for the dwellings, however may have an adverse impact on the neighbouring properties – condition relating to external fixtures</div>
ACCEPTABLE OUTCOMES <i>Acceptable Outcome pathway may not be applicable where a performance solution is provided</i>	
A4.18.1 – Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.	
A4.18.2 – Developments are fibre-to-premises ready, including provision for installation of fibre throughout the site and to every dwelling.	
A4.18.3 – Hot water units, air-conditioning condenser units and clotheslines are located such that they can be safely maintained, are not visually obtrusive from the street and do not impact on functionality of outdoor living areas or internal storage.	
A4.18.4 – Laundries are designed and located to be convenient to use, secure, weather-protected and well-vented; and are of an overall size and dimension that is appropriate to the size of the dwelling.	
LOCAL PLANNING FRAMEWORK	REQUIREMENT
<i>Does the local planning framework amend or replace the above stated controls? If yes, state the applicable requirement.</i>	

**PC2201-5 BLAMEY PLACE, NO.10 (LOT 8), O'CONNOR – CHANGE OF USE
FROM WAREHOUSE TO PLACE OF WORSHIP – (CS DA0416/21)**

Additional Information 1 – Site Photos



Photo 1 – Subject site from northern side



Photo 2 – Subject site from corner



Photo 3 – Subject site from western side

**PC2201-6 INSTONE STREET, No. 2A (LOT 1521), HILTON – TWO STOREY
GROUPED DWELLING (ED DA0377/21)**

Additional Information 1 – Site Photos



Photo 1: View of Site from Instone Street (rear of left hand property is subject site)



Photo 2: View of driveway approach to subject site



Photo 3: View of site from driveway (facing east)



Photo 4: View of Site and Neighbouring southern property (4A Instone St.)



Photo 5: View from site of southern and northern lot boundaries



Photo 6: View of tree to be retained on site as per plans:



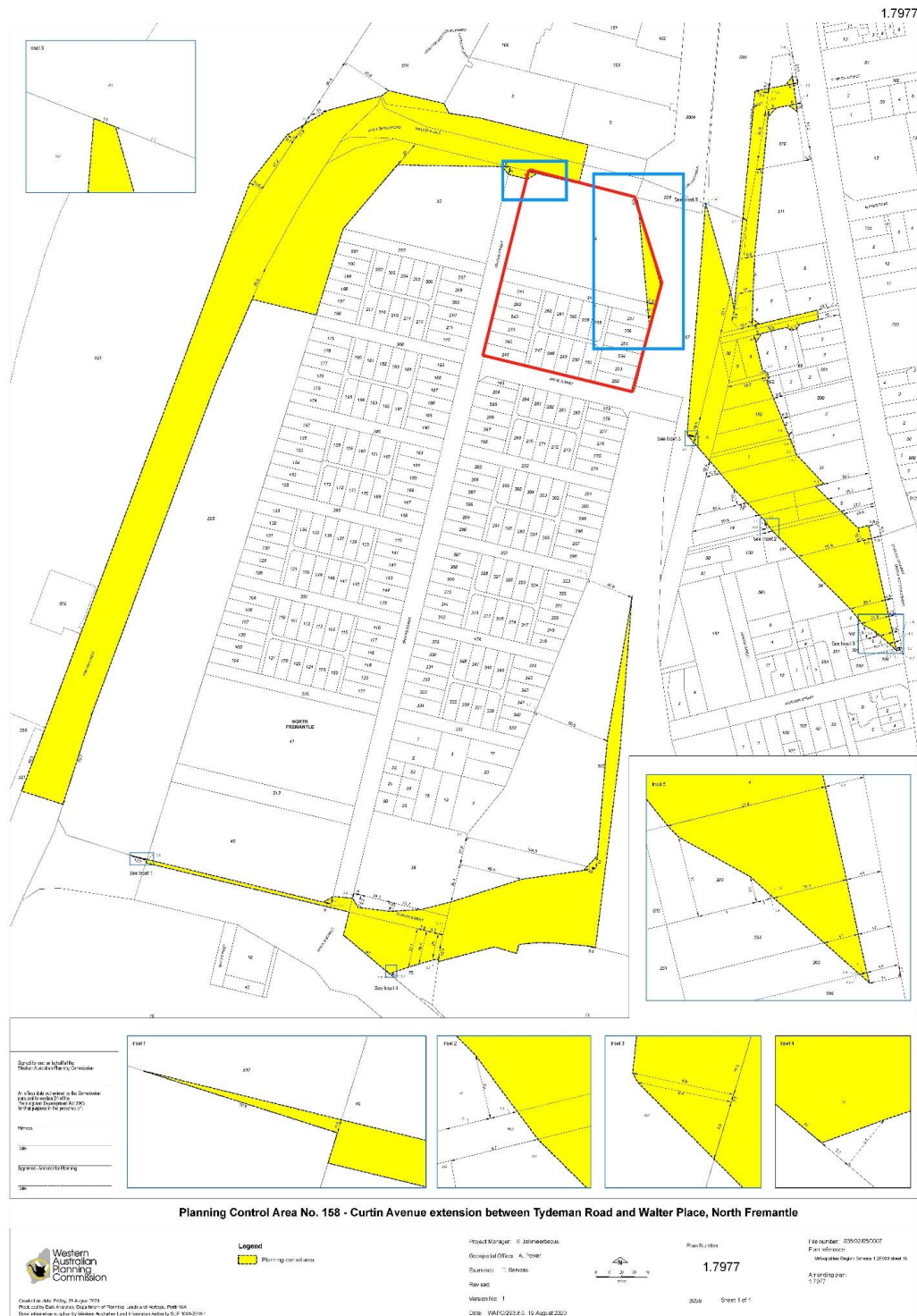
Photo 7: View of northern neighbouring property from subject site



Photo 8: View of eastern neighbouring property from subject site:

**PC2201-7 BRACKS STREET, NO.90 (LOTS 241 – 260), NORTH FREMANTLE –
DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES – (CS
DA0440/21)**

Additional Information 1 – WAPC Plan No.1.7977



**PC2201-9 LOCAL PLANNING POLICY 2.24: WASTE MANAGEMENT PLANS
FOR NEW DEVELOPMENT – OUTCOMES OF PUBLIC
CONSULTATION**

Additional Information 1 – Advertised draft of Local Planning Policy



CITY OF FREMANTLE

LOCAL PLANNING POLICY (INSERT NO.)

WASTE MANAGEMENT PLANS FOR NEW DEVELOPMENT

DRAFT

STATUTORY BACKGROUND

Clause 3 of the *Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015* ('Deemed Provisions') allows local government to prepare a local planning policy in relation to any matter related to the planning and development of the scheme area. Clause 65A of the Deemed Provisions permits the Council to request additional information to support an application for development approval under the planning scheme. Clause 67 (2) of the Deemed Provisions outlines the matters to be taken into consideration in the application, and includes the adequacy of provision for the management, storage and collection of waste.

State Planning Policy 7.3 - Residential Design Codes Volume 2 Apartments, Waste Management Acceptable Outcomes (4.17), references the *WALGA Multiple Dwelling Waste Management Plan Guidelines* in providing for sufficient waste storage facilities for Multiple Dwelling development.

PURPOSE & OBJECTIVES

The purpose of this policy is to:

1. specify when details of waste management will be required to support the assessment of applications for development approval; and
2. confirm the City's broad expectations with respect to the accommodation of waste management in new development.

Its objectives are:

- **Functionality** – To ensure that waste facilities for development are functional and readily used by all stakeholders.
- **Amenity** – To ensure that waste facilities minimise negative impacts on the streetscape, building entries and the amenity of residents and visitors
- **Safety** – To maintain safety for waste collection staff, residents and the public, and minimise traffic and footpaths obstruction in the public realm.
- **Waste minimisation** – To promote waste-to-landfill minimisation through provision of safe and convenient bins and information for the separation and recycling of waste.

APPLICATION

The policy applies to all development subject to development approval within the Local Planning Scheme area.

POLICY STATEMENT

All development should make adequate provision for the management, storage and collection of waste.

The City requires the provision of a waste management plan (or suitable level of detail) for substantial and/or constrained serviced development to ensure that responsible waste management can be accommodated, and waste can be readily collected consistent with the objectives of this policy.

1. Waste Management Plan requirement

A waste management plan (WMP) will be required to accompany the following categories of development application, to inform assessment:

- Residential
 - Multiple Dwellings
 - 4 or more Grouped Dwellings
- Proposals involving constrained lots (eg lots with limited street frontage, on laneways)
- Hotel and Tourist Accommodation Uses
- Mixed use developments
- Commercial, industrial and other significant non-residential development (including Restaurants Taverns and Small Bars).

Waste management details may be requested for other development proposals in instances where a proposal may not be able to readily satisfy standard waste collection requirements, at the discretion of the City.

2. Calculating Waste Requirements for New Development

Multiple Dwellings (Apartments), Commercial, Industrial, & Mixed Use

Development proponents are to prepare waste management plans in accordance with the WALGA 'Waste Management Guidelines for Multiple Dwelling, Commercial and Industrial Developments' including waste generation rates.

Grouped Dwelling Development

Development shall be capable of accommodating the three City of Fremantle bins for each dwelling and have sufficient verge space to accommodate these bins for collection.

Alternatively, if a shared bin collection service is proposed for a Grouped Dwelling development, a commensurate amount of waste per dwelling should be provided.

3. FOGO & Residential Service

The City is transitioning to providing 3 bin systems (including separation of organic waste) for all residential development (including multiple dwellings). In preparing a new application for approval of a residential development, accommodation for the 3 bin system is required to enable this.

To ensure the City can meet its statutory obligations, all residential development will be required to accommodate a design the City can service, irrespective of initial service provider nominated.

4. Waste Management Plan Content

A waste management plan for new development should address the following matters:

- A summary of the development;
- Anticipated waste generation rates (except for residential development not using shared bins);
- Internal collection method;
- Bin size, quantity, and type;
- Bin access and storage on site;
- Waste system for internal collection methods and equipment;
- Collection method and frequency;
- Waste presentation location;
- Proposed waste service provider; and
- Any other details required to assess the proposal in the case of unusual lots or access requirements, such as swept paths for waste vehicles or floor to ceiling heights of the waste vehicle accessway (where applicable).

For simple development proposals (such as small grouped dwelling developments), a plan indicating bin storage, presentation areas and dimensions may be sufficient.

4.1 Summary of development

The waste management plan should address the following in providing a summary of the development:

- The location of the development including development context such as roadway access and verge infrastructure;
- Number of floors;
- Number of dwelling residential units by size (m²);
- Number of non-residential units by size (m²); and
- The details of the intended use of the development.

4.2 Anticipated waste generation

Anticipated waste generation must be calculated in accordance with the WALGA best practice requirement. The waste management plan must clearly demonstrate how the waste generation for the development was calculated.

Where uses of commercial tenancy uses have not been finalised, the City requires the use of conservative generation rates to ensure adequate storage capacity for future options: restaurant generation rates should be used by default for ground floor premises.

The number of bins required to service the development and whether bins are to be consolidated shall be clearly identified in the waste management plan.

4.3 Bin size and quantity

The details of bin sizes and quantities need to be confirmed for the development, whether individual bins for tenancies are used or if bins for the development will be consolidated for collection.

For mixed use developments, separate bin store areas should be provided for commercial and residential uses.

4.4 Bin access and storage

Waste management plans for larger residential development and non-residential development should include design details of the bin store, covering the following:

- How waste is transported from the source to the bin store;
- How bins are transported from the bin store to the collection area;
- Bin store size (m²);
- Bin store layout;
- Wash down provisions;
- Ventilation;
- Vermin prevention;
- Security;
- Noise reduction; and
- Stormwater ingress prevention.

Generally a bin store should have the minimum facilities set out in the City of Fremantle *Environmental health (Health Local Laws 1997)*.

Premises consisting of more than 3 dwellings and commercial, industrial or food premises should provide a suitable storage enclosure which is:

- Capable of being kept thoroughly clean and disinfected.
- Of sufficient size to accommodate all receptacles used on the premises.
- Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness.
- Provided with walls not less than 1.8m in height and having an easy accessway not less than 1.1m in width and fitted with a self-closing gate.
- Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system.
- Easily accessible to allow the removal of the receptacles.
- Provided with a ramp into the enclosure of no steeper than 1:8 unless otherwise approved.
- Provided with a tap connected to an adequate supply of water.

4.5 Collection method and frequency

Waste management plans should contain details on collection methods to be used including:

- Collection vehicle to be utilised (whether the City or a private contractor is to be used);
- Movement of collection vehicle;
- Bin presentation point;
- Collection location;
- Transfer of waste to the collection vehicle; and
- Frequency of collection.

4.6 Waste service provider

Waste management plans must nominate if the City or a private contractor will service the development. For development to be serviced by the City, or needing to be capable of being serviced by the City (which includes all domestic residential development), the City's service capability and design requirements should be established early in the planning process.

Review information and related documentation

4

Reviewing officer:	Manager Strategic Planning
Policy adopted:	Click here to enter a date. Item Ref
Policy amended:	
Legislation:	<i>Local Planning Scheme No.4, Planning & Development (Local Planning Schemes) Regulations 2015</i>
Delegations:	
Related documents:	
Next review date:	

DRAFT