



Additional documents

Planning Committee

Wednesday 1 June 2022 6pm



Table of Contents

PC2206 - 1	REFERRED ITEM - SOLOMON STREET, NO. 45 (LOT 40) FREMANTLE – ADDITIONS (THREE STOREY) AND ALTERATIONS TO EXISTING SINGLE HOUSE (TG DA0553/21)	2
PC2206-2	ELLEN STREET, NO.53 (LOT 1), FREMANTLE – TWO STOREY ADDITION TO EXISTING RESIDENTIAL BUILDING – (CS DA0506/21)	3
PC2206-2	ELLEN STREET, NO.53 (LOT 1), FREMANTLE – TWO STOREY ADDITION TO EXISTING RESIDENTIAL BUILDING – (CS DA0506/21)	9
PC2206-5	LILLY STREET, NO.2A (LOT 2), SOUTH FREMANTLE – TWO STOREY SINGLE HOUSE – (CS DA0455/21)	10
PC2206-5	LILLY STREET, NO.2A (LOT 2), SOUTH FREMANTLE – TWO STOREY SINGLE HOUSE – (CS DA0455/21)	13



**PC2206 - 1 REFERRED ITEM - SOLOMON STREET, NO. 45 (LOT 40)
FREMANTLE – ADDITIONS (THREE STOREY) AND
ALTERATIONS TO EXISTING SINGLE HOUSE (TG
DA0553/21)**

Amendment proposed by Cr Su Groome

Add the following condition 5

- 5. Prior to occupation of the development hereby approved, the horizontal louvred screening shown on the plans for Bed 2 and Bed 3 on the western elevation shall be installed and maintained to the satisfaction of the City of Fremantle.**

Reason for Change

To ensure the screening is installed as per the plans as a response to minimising the potential amenity impact from the proposed building height.



PC2206-2 ELLEN STREET, NO.53 (LOT 1), FREMANTLE – TWO STOREY ADDITION TO EXISTING RESIDENTIAL BUILDING – (CS DA0506/21)

Alternative recommendation proposed by Cr Andrew Sullivan

APPROVE, UNDER THE METROPOLITAN REGION SCHEME AND LOCAL PLANNING SCHEME NO.4, THE TWO STOREY ADDITION TO EXISTING RESIDENTIAL BUILDING AT NO.53 ELLEN STREET (LOT 1), FREMANTLE, SUBJECT TO THE FOLLOWING CONDITIONS:

1. This approval relates only to the development as indicated on the approved plans dated 6 May 2022. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of the decision letter.
2. Prior to the issue of a building permit for the development hereby approved, storm water disposal plans, details and calculations must be submitted for approval by the City of Fremantle and thereafter implemented, constructed and maintained to the satisfaction of the City of Fremantle.
3. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development, to the satisfaction of the City of Fremantle.
4. This development approval does not relate to any works within the road reserve.
5. Prior to occupation of the development hereby approved, the boundary wall located on the easter boundary shall be of a clean finish in any of the following materials:
 - coloured sand render,
 - face brick,
 - painted surface,
 - rammed concrete/painted surface acratex or similarand be thereafter maintained to the satisfaction of the City of Fremantle.
6. Prior to the issue of a Building Permit for the development hereby approved, a detailed drawing showing how the windows of the first floor accommodation units located on the north and south elevations are to be screened in accordance with Clause 5.4.1/6.4.1 C1.1 of the Residential Design Codes by either:



- a) fixed obscured or fixed translucent glass to a minimum height of 1.60 metres above internal floor level, or
- b) fixed screening, with openings not wider than 5cm and with a maximum of 25% perforated surface area, to a minimum height of 1.60 metres above the internal floor level, or
- c) a minimum sill height of 1.60 metres above the internal floor level,

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

7. Prior to the issue of a Building Permit for the development hereby approved, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials is to be submitted and approved to the satisfaction of the City of Fremantle.
8. Prior to the issue of a building permit, plans and detailed methodology shall be provided detailing the heritage restoration works on the approved plans, to the satisfaction of the City of Fremantle. The approved works shall be undertaken in accordance with these plans and methodology.
9. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the building. Any damage shall be rectified to the satisfaction of City of Fremantle.
10. Prior to the issue of a Building Permit for the development hereby approved, 3 Class 1 and 1 Class 3, as defined in LPS4, bicycle racks shall be provided, to the satisfaction of the City of Fremantle. Prior to occupation of the development the approved bicycle racks must be installed and thereafter be maintained for the life of the development, to the satisfaction of the City of Fremantle.
11. Prior to the occupation of the development hereby approved, all car parking, and vehicle access and circulation areas shall be maintained and available for car parking/loading, and vehicle access and circulation on an ongoing basis to the satisfaction of the City of Fremantle.
12. Prior to issue of a building permit of the development hereby approved, the owner is to submit a waste management plan for approval by the City, detailing at a minimum the following:
 - Estimated waste generation
 - Proposed storage of receptacles
 - Collection methodology for waste



- Additional management requirements to be implemented and maintained for the life of the development.
The waste management plan should give consideration to the fact the City is required to manage residential waste. As a result, the waste management plan will need to align with the waste services available to residents. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Fremantle.
13. Prior to the occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
 14. Prior to the occupation of the development hereby approved, any redundant crossovers shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.
 15. Prior to the issue of a building permit, a detailed landscaping plan, including information relating to species selection, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass etc), shall be submitted to and approved by the City of Fremantle.
 16. Prior to the issue of a Building Permit for the development hereby approved, 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:
 - i) 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.
 - ii) Air conditioners shall provide internal centrally located 'shut down' points and associated procedures for emergency use.
 - iii) Roof insulation in accordance with the requirements of the Building Codes of Australia.
 17. Prior to the issue of a Building Permit for the development hereby approved, all piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the City of Fremantle.



18. Prior to the issue of a Building Permit for the development hereby approved, a Construction Management Plan shall be submitted and approved, to the satisfaction of the City of Fremantle addressing, but not limited to, the following matters:
- a) Use of City car parking bays for construction related activities;
 - b) Protection of infrastructure and street trees within the road reserve;
 - c) Security fencing around construction sites;
 - d) Gantries;
 - e) Access to site by construction vehicles;
 - f) Contact details;
 - g) Site offices;
 - h) Noise – construction work and deliveries;
 - i) Sand drift and dust management;
 - j) Waste management;
 - k) Dewatering management plan;
 - l) Traffic management; and
 - m) Works affecting pedestrian areas

The approved Construction Management Plan shall be adhered to throughout the construction of the new development.

19. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.

ADVICE NOTE(S):

- i. With regards to condition 10, Bicycle parking facilities are to be provided in accordance with the following standards:
 - Class 1 – High security level – Fully enclosed individual locker;
 - Class 2 – Medium security level – Lockable compound fitted with class 3 facilities with communal access using duplicated keys;
 - Class 3 – Low security level – Rails or racks to which both the bicycle frame and wheels can be locked.

For more information refer to 'Austroads Cycling Aspects to Austroads Guides'.

- ii. The applicant is advised in relation to condition 6, the application of film to a window can be considered provided the film is translucent or obscured to a minimum of 75% obscure in order to meet the objectives of Clause 5.4.1.



- C1.1 of the Residential Design Codes and is maintained for the life of the development.
- iii. A Building permit is required for the proposed Building Works. A certified BA1 application form must be submitted and a Certificate of Design Compliance (issued by a Registered Building Surveyor Contractor in the private sector) must be submitted with the BA1.
 - iv. The proponent must make application during the Building Permit application stage to Environmental Health Services via Schedule 3 – *Application for registration of a lodging house* as a requirement of the City of Fremantle’s Health Local Laws 1997. For further information and a copy of the application form contact Environmental Health Services on 9432 9856 or via health@fremantle.wa.gov.au.
 - v. If construction works involve the emission of noise above the assigned levels in the Environmental Protection (Noise) Regulations 1997, they should only occur on Monday to Saturday between 7.00 am and 7.00 pm (excluding public holidays). In instances where such construction work needs to be performed outside these hours, an Application for Approval of a Noise Management Plan must be submitted to the City of Fremantle Environmental Health Services for approval at least 7 days before construction can commence.
 - vi. All mechanical service systems including air-conditioners and pool filters etc are to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
 - vii. Any removal of asbestos is to comply with the following –

Under ten (10) square metres of bonded (non-friable) asbestos can be removed without a license and in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001. Over 10 square metres must be removed by a 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>



- viii. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New/modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.
- ix. This approval 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.
- x. The applicant is advised that any signage may be subject to a separate application for planning approval.

Reason for change

The possibility that the preferred heritage outcome for this corner site, i.e. a setback in line with the Stirling Street residences, can reasonably be achieved is unlikely. It is not reasonable to expect that the building additions be setback some 8.5 metres or more when the R-Codes only require a minimal setback for this corner block. The existing corner house in its current form does not visually connect with the Stirling Street houses as it is separated by mature vegetation, a high side fence, garages and outbuildings. The proposal would deliver a contemporary structure with a side setback well above what is required and is consistent with the type of modern addition that a grand corner house of this nature typically receives. The additions are separated from the adjoining Stirling Street house by a reasonable distance formed by the proposed setback and the side adjoining driveway. This separation retains a reasonable view from the street to the first house in Stirling Street.



PC2206-2 ELLEN STREET, NO.53 (LOT 1), FREMANTLE – TWO STOREY ADDITION TO EXISTING RESIDENTIAL BUILDING – (CS DA0506/21)

Alternative recommendation proposed by Cr Andrew Sullivan

Refer the application to the administration with the advice that the Council is not prepared to grant planning approval to the application for two storey addition to existing Residential Building at No. 53 Ellen Street, Fremantle based on the current submitted plans and invite the applicant, prior to the next appropriate Planning Committee meeting to consider submitting amended plans to address the following:

- Internal amenity of units, including access to daylight by ensuring all bedrooms have windows
- Increased setback of the two storey addition from the southern boundary
- Landscaping on the western side (Stirling Street) of the site and verge
- Detail regarding the works proposed to the existing dwelling, including but not limited to elements such as fencing and roof tiling and the conservations works linked to the adaptive reuse to ensure they respond to the heritage values of the dwelling



PC2206-5 LILLY STREET, NO.2A (LOT 2), SOUTH FREMANTLE – TWO STOREY SINGLE HOUSE – (CS DA0455/21)

Alternative recommendation proposed by Cr Andrew Sullivan

APPROVE, UNDER THE METROPOLITAN REGION SCHEME AND LOCAL PLANNING SCHEME NO.4, THE TWO STOREY SINGLE HOUSE AT NO.2A LILLY STREET (LOT 2), SOUTH FREMANTLE, SUBJECT TO THE FOLLOWING CONDITIONS:

1. This approval relates only to the development as indicated on the approved plans dated 15 February 2022. It does not relate to any other development on this lot and must substantially commence within 4 years from the date of the decision letter.
2. All storm water discharge from the development hereby approved shall be contained and disposed of on-site unless otherwise approved by the City of Fremantle.
3. The approved development shall be wholly located within the cadastral boundaries of the subject site including any footing details of the development, to the satisfaction of the City of Fremantle.
4. Prior to occupation of the development hereby approved, the boundary wall located on the eastern and northern boundary shall be of a clean finish in any of the following materials:
 - coloured sand render,
 - face brick,
 - painted surface,and be thereafter maintained to the satisfaction of the City of Fremantle.
5. The Royal Poinciana tree as shown on the approved plan shall be maintained as part of the development, and shall not be removed unless further approval of the City of Fremantle is granted.
6. Prior to the issue of a Building Permit for the development hereby approved, a detailed landscaping plan in accordance with clause 5.3.2 of the R-Codes, including information relating to species selection of the required tree, reticulation, details of existing vegetation to be retained, and treatment of landscaped surfaces (i.e. mulch, lawn, synthetic grass etc), shall be submitted to and approved by the City of Fremantle.

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



7. Prior to the issue of a Building Permit for the development hereby approved, the primary street fence 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 and thereafter maintained to the satisfaction of the City of Fremantle.
8. Prior to the issue of a Building Permit, all fencing within the Primary Street setback area, shall be meet one of the following requirements, as per clause 3.9 of the City of Fremantle's Local Planning Policy 3.6 'Heritage Areas':
 - Solid fencing up to 0.9m in height (excepting area for sight lines)
 - Traditional open style (picket, post and wire or slat) up to 1.2m in height
 - Hybrid with a solid portion of up to 0.5m and open style of 0.7m above the solid portion, to a total of 1.2m in height
 - Piers up to 1.5m in heightto the satisfaction of the City of Fremantle.
9. The works hereby approved shall be undertaken in a manner which does not irreparably damage any original or significant fabric of the building. Any damage shall be rectified to the satisfaction of City of Fremantle.
10. Prior to the occupation of the development hereby approved, vehicle crossovers shall be constructed to the City's specification and thereafter maintained to the satisfaction of the City of Fremantle.
11. Prior to the occupation of the development hereby approved, any redundant crossovers shall be removed and the verge and kerbing reinstated to the City's specifications, at the expense of the applicant and to the satisfaction of the City of Fremantle.
12. Prior to the issue of a building permit for the development hereby approved, the property driveway is to taper from garage to the street at a maximum rate of 1:5, and be a maximum width of 4.5 metres at the front property boundary, and thereafter maintained to the satisfaction of the City of Fremantle.
13. Where any of the preceding conditions has a time limitation for compliance, if any condition is not met by the time requirement within that condition, then the obligation to comply with the requirements of any such condition (other than the time limitation for compliance specified in that condition), continues whilst the approved development continues.



ADVICE NOTE(S):

- i. A building permit is required to be obtained for the proposed building work. The building permit must be issued prior to commencing any works on site.
- ii. Fire separation for the proposed building works must comply with Part 3.7.2 of the Building Code of Australia.
- iii. The applicant is advised that a crossover permit must be obtained from the City's Engineering Department. New / modified crossover(s) shall comply with the City's standard for crossovers, which are available on the City of Fremantle's web site.

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

- a minimum of 1.0 metre in the case of power poles, road name and directional signs.
- iv. The City advises That the required landscaping plan should address the applicable provisions within Design Element 5.3.2 – Landscaping of the Residential Design Codes – Volume 1.

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.

Reason for Change

The reduced setbacks to Lilly Street are supported in the context that the proposed dwelling is on small lot subdivided from the rear of an older corner property where reduced side setbacks would be common, and indeed already exist as part of the corner house. The proposed dwelling compliments the setbacks created by the existing corner dwelling. Furthermore, the entrance to Lilly Street from South Street already has buildings with significant reduced setbacks on both sides of the street, including nil setbacks, and the proposed new dwelling is consistent with this street pattern. The proposal also retains an existing mature tree and in doing so provides a large gap in the streetscape between the forward portions of the new house and the traditional terrace houses to the south, thus reducing the impact of the new dwelling on the main streetscape.



PC2206-5 LILLY STREET, NO.2A (LOT 2), SOUTH FREMANTLE – TWO STOREY SINGLE HOUSE – (CS DA0455/21)

Alternative recommendation proposed by Cr Su Groome

Refer the application to the administration with the advice that the Council is not prepared to grant planning approval to the application for two storey Single house at No. 2a Lilly Street, South Fremantle based on the current submitted plans and invite the applicant, prior to the next appropriate Planning Committee meeting to consider submitting amended plans to address the primary street setback and compatibility of the dwelling with the Heritage Area.