



Additional documents

Planning Committee

Wednesday 5 April 2023 6pm



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PC2304-2 JOHN STREET, NO. 16A (STRATA LOT 3), NORTH FREMANTLE – TWO STOREY GROUPED DWELLING (CM DA0371/22)

Proposed alternative recommendation by Cr Su Groome

REFUSE, under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Two storey grouped dwelling at No. 16A John Street (Strata Lot 3), North Fremantle, on plans dated 28 October 2022, for the following reasons:

- 1. The proposal is inconsistent with the deemed to comply requirements of State Planning Policy 7.3 - Residential Design Codes Volume 1 in respect to solar access for adjoining sites.***
- 2. The proposal is inconsistent with the design principles in Clause 5.4.2 – Solar Access for Adjoining Sites of State Planning Policy 7.3 – Residential Design Codes Volume 1 in the following ways:***
 - The proposed development does not protect solar access on the outdoor living area of the adjoining property.***
- 3. The proposal does not have due regard to the deemed-to-comply requirements of Part C Clause 3.9.1 of State Planning Policy 7.3 – Residential Design Codes Volume 1 (deferred gazettal) with regards to solar access for adjoining sites.***
- 4. The proposal is detrimental to the amenity of adjoining landowners and incompatible with the objectives of the Residential Zone set out in Clause 3.2.1 (a) (ii) of the City of Fremantle Local Planning Scheme No.4 and as per the following clauses of the Deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015***
 - 67(2)(m)(ii) The relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.***

Reason for change:

The development has a significant, unacceptable impact on winter solar access to the only outdoor living area and on daylight and solar access to the two windows on the N-E elevation. This is not compliant with the intent of 5.4.2 and could be mitigated with alternative design solutions. It is therefore not supported.



PC2304-6 OLDHAM CRESCENT, NO. 39 (LOT 1339) HILTON – RE-CLADDING OF EXISTING SINGLE HOUSE (JZ DA0385/22)

Proposed alternative recommendation by Cr Ben Lawver

Council:

APPROVE under the Metropolitan Region Scheme and Local Planning Scheme No. 4 the Re-cladding of existing Single house at No. 39 Oldham Crescent (Lot 1399), Hilton, subject to the following conditions:

- 1. This approval relates only to the development as indicated on the approved plans, dated 16 November 2022. 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. 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.**

ADVICE NOTES:

- 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. 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>



- iii. Work on construction sites shall be limited to between 7am and 7pm on any day which is not a Sunday or Public Holiday. If work is to be done outside these hours a noise management plan must be submitted and approved by the Chief Executive Officer, City of Fremantle prior to work commencing.**

Reason for change

Currently there are suitable variations of weatherboard patterns on surrounding houses.



PC2304-6 OLDHAM CRESCENT, NO. 39 (LOT 1339) HILTON – RE-CLADDING OF EXISTING SINGLE HOUSE (JZ DA0385/22)

Proposed alternative recommendation 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 the recladding of existing Single house at no.39 Oldham Crescent, Hilton based on the current submitted plans and invite the applicant, prior to the next appropriate Planning Committee meeting to consider submitting an amended proposal to review the material selection for the proposed recladding to the existing Single house and to meet the architectural style of the streetscape of Oldham Crescent, identified as a contributory place within the Hilton Garden Suburb Precinct Heritage.

